



**COUNCIL MEETING**  
**Monday, August 27, 2018**  
**6:30 p.m.**  
**Council Chambers, City Hall**

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**ADOPTION OF AGENDA**

Adoption of Agenda.

**ADOPTION OF MINUTES**

Adoption of minutes of the regular Council meeting held July 30, 2018.

**PROCLAMATIONS**

Kimi Duzan, Regional Director, Sask Abilities, will attend to proclaim September 2 to 8, 2018 as "Sask Abilities Awareness Week".

**DELEGATIONS**

Mark Benesh and Melissa Shaw, Co-chairs, Western Canada Summer Games Committee, will attend to provide an update on the 2019 Western Canada Summer Games.

**PUBLIC HEARINGS/PUBLIC NOTICE MATTERS/ORDERS**

- 1 A Public Hearing will be held in connection with Council's intention to consider a Bylaw to amend Zoning Bylaw No. 24 – 2014 by adding a new DC2 – C1 – Direct Control Central Downtown District and amending the M1 – Light Industrial District and M2 – Heavy Industrial District AND rezoning from DC - C1 Direct Control Central Commercial District; DC - T1 Direct Control Transitional District; and R3 High Density Multi-Unit Dwelling Residential District to DC2 - C1 – Direct Control Central Downtown District.

**ITEMS FOR ACTION**

- 15 Accounts.
- 23 Report regarding Borrowing for Capital Investments.
- 26 Report regarding Adams Street Servicing.
- 28 Report regarding Landfill Scale House Construction.
- 30 Report regarding Water Treatment Plant – Lamella Replacement and Air Scour System.
- 34 Report regarding Municipal Employee Pension Plan Commission Appointment.



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**REPORTS FOR INFORMATION**

**BYLAWS**

- Bill No. 18 – 2016    A Bylaw to amend Zoning Bylaw No. 24 - 2014 by rezoning areas in the NE ¼ 31-15-13 W3M from R-C – Reserve Commercial District to R3 – High Density Multi-Unit Dwelling Residential District; C3 – Highway Commercial District; and PW – Parkway District, and adjust any adjacent district boundaries as needed.  
**Notice given August 2, 2016.**
- Bill No. 6 – 2018    Bylaw to amend Zoning Bylaw No. 24 – 2014 by adding a new DC2 – C1 – Direct Control Central Downtown District and amending the M1 – Light Industrial District and M2 – Heavy Industrial District AND rezoning from DC-C1 Direct Control Central Commercial District; DC-T1 Direct Control Transitional District; and R3 High Density Multi-Unit Dwelling Residential District to DC2-C1 – Direct Control Central Downtown District.  
**Notice given July 16, 2018.**

**UNFINISHED BUSINESS**

**NEW BUSINESS**

**COMMUNICATIONS**

**ITEMS REQUESTED TO BE DISCUSSED EN CAMERA**

- 59    Request regarding Western Canada Summer Games Sponsorship Opportunities.

**REPORTS OF COUNCIL MEMBERS/ENQUIRIES**

**ADJOURNMENT**

**NEXT MEETING DATE:**

**Monday, September 10, 2018 – 6:30 p.m.**

## PUBLIC NOTICE

### CITY OF SWIFT CURRENT

Public Notice is hereby given that the Council for the City of Swift Current, pursuant to Section 207 of The Planning and Development Act, 2007, intends to pass a bylaw to amend Zoning Bylaw No. 24 – 2014 by:

- adding a new district DC2-C1 – Direct Control District for Central Downtown District, amending the M1 – Light Industrial and M2 – Heavy Industrial Districts, including consequential textual amendments throughout; and
- rezoning the area as shown on the map from DC-C1 – Direct Control Central Commercial District, from DC-T1 – Direct Control Transitional District, and from R3 – High Density Multi-Unit Dwelling Residential District, and adjustments to correct adjacent district boundaries as needed.

The proposed site is shown on the map included in this advertisement.

(INSERT MAP)

Further information regarding these amendment may be obtained from the Planning and Growth Development Department at City Hall.

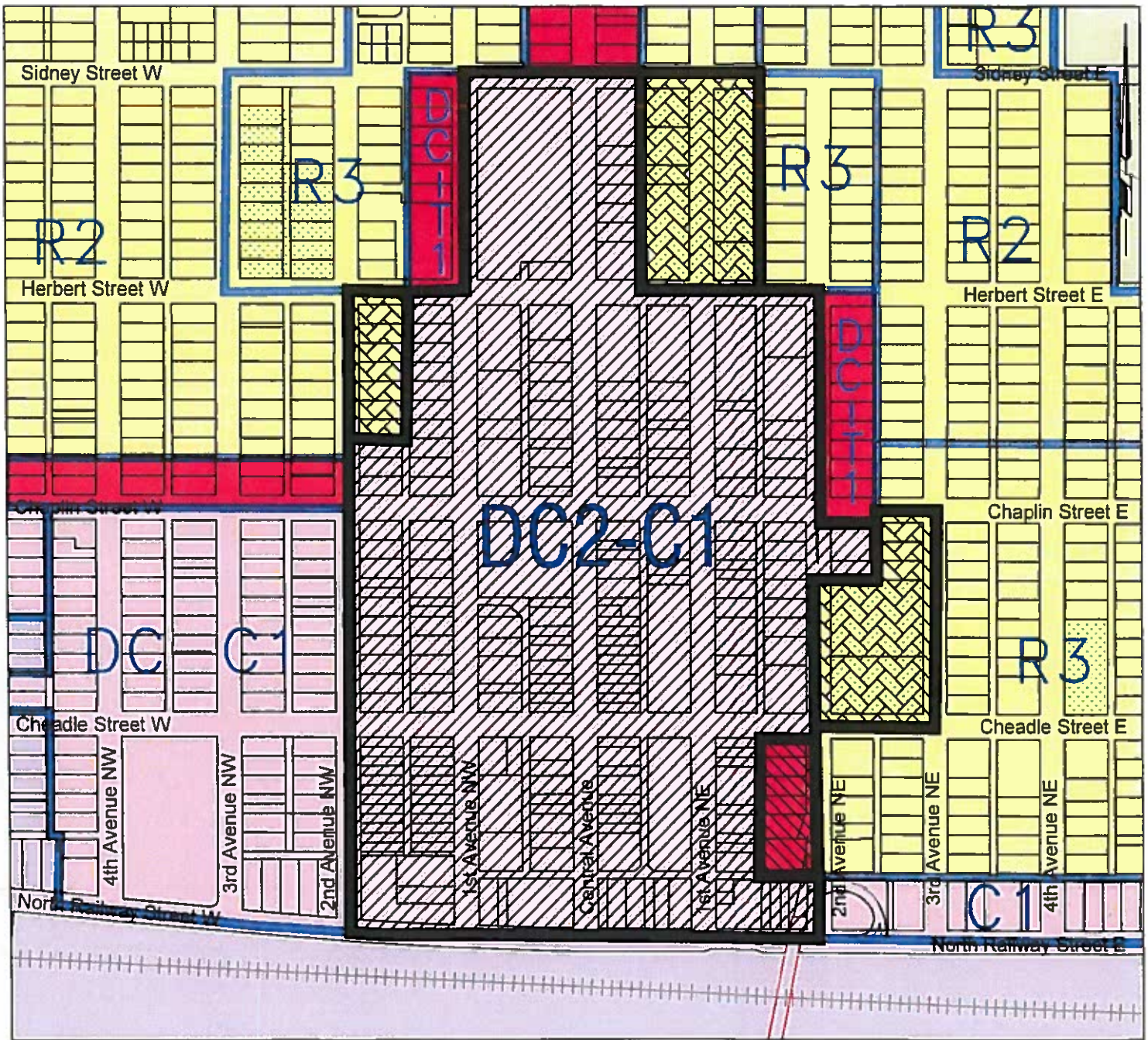
Written or oral submissions respecting this bylaw will be considered at a regular Council meeting on the 27<sup>th</sup> day of August, 2018, in the City Hall Council Chambers at 6:30 p.m. A Public Hearing will be held at this meeting to hear presentations in support of or opposed to the proposed amendments. Please contact the City Clerk's office at City Hall to determine the procedure for making a presentation.

Issued at Swift Current this 19<sup>th</sup> day of July, 2018.




Lee Ann Thibodeau-Hodgson  
City Clerk

PROPOSED AMENDMENTS TO THE ZONING MAP  
 ZONING BYLAW NO. 24-2014

AREAS TO BE REZONED TO  
 DC2-C1 - DIRECT CONTROL CENTRAL DOWNTOWN DISTRICT



PROPOSED AREAS TO BE REZONED:

-  FROM DC-C1 - DIRECT CONTROL CENTRAL COMMERCIAL DISTRICT,
  -  FROM DC-T1 - DIRECT CONTROL TRANSITIONAL DISTRICT, and
  -  FROM R3 - HIGH DENSITY MULTI-UNIT DWELLING RESIDENTIAL DISTRICT,
- and ADJUSTMENTS TO CORRECT ADJACENT DISTRICT BOUNDARIES

**City Council Meeting: Public Hearing**  
**Re: "Notice of Intention to Rezone Property"**  
**August 27, 2018**  
**Council Chambers, 6:30 p.m.**

**Presenting Organizations:**

- **Swift Current Community Youth Initiative, operating as "The Center"**
  - o Board: Roland Falk (chair); Wayne Roberts, Tammy Lee, Kevin Funk, Ryan J. Henderson,
  - o Ex-Officio: Nathan Wiebe; Kevin Snyder
  
- **East Side Church of God (both in persona, and as owner/lessor of the real property from which The Center operates)**
  - o Board: Cindy Reimer (chair), Brad Boutilier, Doug Robertson, Sheila Hildebrand, Henry Klassen, Bruce McArther, Chantelle Koop, Karen Aman, George Friesen, Sarah Wallace.
  - o Ex-Officio: Kevin Snyder , Dave Smith, and Lionel Neubauer

Speakers: Nathan Wiebe, Kevin Snyder

**Dear Mayor Perrault and Swift Current City Council,**

We thank you for the opportunity to address the Council tonight on this important issue. Besides our speakers, both organizations have several representatives here tonight to indicate the importance of this issue to us, and to lend their support to this presentation.

**PREAMBLE**

We believe the City of Swift Current truly seeks to be a community "*Where Life Makes Sense*", a community that:

- values safety and community as expressed in the Safe Places Initiative;
- invests in facilities and programs to make this a great city to raise a family; and
- works collaboratively with NPO's and other organizations to maintain a safe and nurturing community for our young people

As concerned citizens, and as community-minded non-profit organizations, we share these values and aspirations with and for our City. We desire to continue to see the City of Swift Current as a place where parents & guardians do not need to worry about constantly monitoring their children to ensure their well-being. At The Center in particular, we continue to strive to provide a safe place for the youth of our city, separate and apart from any potentially harmful influences.

The mission of The Center is to provide healthy lifestyle choices for our youth, both to help them grow into strong and successful individuals, and to strengthen families in our community. Our goals at the Center include the following:

- to build strong and active youth, as well as an overarching strong and active youth community;
- to provide good role models for our youth;
- to facilitate activities and programs that will help the youth from both our community and other surrounding communities;
- to provide a safe, comfortable, and non-judgmental environment for our youth;
- to empower our youth to make positive change in their lives and in their communities;
- to provide youth programs that will help develop life-skills; and
- to provide opportunity for youth to grow holistically – physically, spiritually, emotionally, and socially

In order to be able to achieve these goals, as part of our Code of Behaviour there is **ZERO TOLERANCE** at The Center for the consumption of any drugs or alcohol.

Since our inception in 2010, The Center has sought to provide a safe place for youth both after school and on weekends, in part by providing counselling, mentoring, and tutoring programs; skill development programs (e.g. job training at The Perk, guitar lessons, service industry training); parental seminars; anti-bullying and drug awareness seminars; and other initiatives. We have served as host to City of Swift Current programs and programs from other community organizations that promote health, growth, and positive engagement in the community.

Simply put, our priority is the well-being of our youth.

The City is currently considering amending Zoning Bylaw 24 -2014 to permit the establishment of cannabis retail stores. Our concern is about the potential of a cannabis retail store being permitted to operate in close vicinity to The Center, which would directly counter the ability of The Center to achieve its above-stated goals. Further, passing a bylaw that would allow the juxtaposition of a cannabis retail store next to a community youth support centre would give the appearance of a lack of support by the City to such a centre, regardless of the lack of truth to same.

In consideration of the above, we offer the following proposal:

### **PROPOSAL**

We propose that any areas zoned to allow the operation of cannabis retail stores to operate should include restrictions to provide a buffer zone between such stores and the places that our children and our youth gather. There are many options as to how this could be implemented.

In researching solutions that other municipalities have come up with to address this issue, we thought the following options in particular would be suitable for our City:

1. The Zoning Bylaw could include minimum separation distances between a cannabis store and any school, public library, youth or child-care facility, park or recreation centre, or other such facility. In our research we found that other municipalities typically imposed restrictions on cannabis stores from operation within 100 to 300 meters from such facilities.
2. The Zoning Bylaw could prohibit any cannabis retail store from operating on the same block as a youth or child-care facility (including across the street from same), and even on blocks directly adjacent to such facilities.
3. The Zoning region could be amended to remove the 0 – 100 block of First Avenue NE in Swift Current from being within the area zoned to allow cannabis retail stores to operate.
4. Although this is not central to our interest, it may be prudent consideration for the City to impose restrictions on the distance required between cannabis retail stores and liquor retail stores so as to mitigate the potential negative effects of having these types of retail outlets operating in close vicinity.

### **SUPPORTING MATERIAL**

In support of the above, we present the following:

1. **(Canadian Centre for Substance Abuse, 2015; Rethinking Access to Marijuana, 2017).**

It is clear that locating cannabis stores away from schools, daycares and community centres is essential to protecting children from the normalization of Cannabis use (Rethinking Access to Marijuana, 2017). Therefore, municipalities should ensure that all provincially recognized types of licensed and approved childcare options are included in their regulations. ... Through business licensing and zoning, municipalities have the opportunity to protect all childcare spaces by including these locations in local buffer zones. Many preschools and childcare facilities are already located in strip malls or community associations or churches adjacent to liquor outlets (bars or liquor stores). Cannabis stores should not be allowed to be located within a buffer zone of any type of childcare facility or school. AHS also suggests that municipalities include other places that children and youth frequent as part of minimum distance bylaws such as parks, churches, and recreation facilities (Canadian Centre for Substance Abuse, 2015; Rethinking Access to Marijuana, 2017).

2. **Alberta Health Services Letter to Town of Canmore Officials**

10301 Southport Lane SW  
Calgary, AB T2W 1S7  
Telephone: 403-943-0215  
Facsimile: 403-943-0200  
April 10, 2010

TO: Mayor Borrowman and Councillors

**Re: AHS's Recommendations to the Town of Canmore April 10, 2018 Public Hearing Regarding Proposed Cannabis Business Licensing and Land-use Bylaw 2018-03**  
AHS recommends amendments to Bylaw 2018-03 to increase separation distances and restrict hours of operation during the initial period of legalization of non-medical cannabis.  
Bylaw 2018-03 recommendation

**AHS Recommended Changes:**

- 100 m setback with respect to schools, vacant school reserves and municipal reserve parcels (provincial legislation)
- Implement at 300m set back distance from all schools and vacant school reserves

**Not addressed:**

- Implement a 100m minimum distance from tobacco and liquor retailers, in addition to a square kilometer density restriction, at the onset of legalization
- Implement at 300m set back distance from all child care facilities
- Implement a 300m separation between cannabis retail outlets to prevent concentration of stores in particular area and help manage the numbers in initial phase of legalization

AGLC regulations permit operating hours of 10 AM to 2 AM  
Restrict late evening and early morning hours by establishing operating hours 10 AM to 10PM or 11PM

Early on in the development approval process incorporate a requirement for proponents to consult with nearby businesses and residents.

AHS is concerned that Bylaw 2018-03 current separation distance of 100 meters from schools is too small. The bylaw also fails to include a separation distance from a child care service. This creates a disparity in policy protecting school aged children differently than children under 5, and those in before and after school care. AHS recommends increasing the separation distance from schools to 300m distance and including childcare services.

Please refer to the AHS Recommendations on Cannabis Regulation for Alberta Municipalities, circulated February 20, 2018 by Dr. David Strong, lead Medical Officer of Health (MOH) for Calgary Zone with Alberta Health Services for all AHS's recommendations related to cannabis legalization including those related to consumption.

**3. Surveys: (See attached)**

Medicine Hat Survey: Cannabis: re Location  
Saskatchewan Citizen Survey: re: Location



#### **4. Approaches to Cannabis Retail in Other Jurisdictions (see attached)**

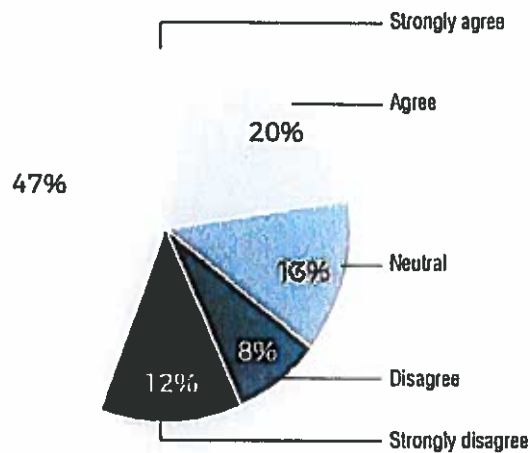
#### **Conclusion**

The SLGA gives municipalities the right to place restrictions of the placement of cannabis retail shops (*Guide to Saskatchewan's Cannabis Retail Framework*). Accordingly, the City of Swift Current has the ability to protect schools, daycares, and other youth and child-orientated centres from the negative effects of operating in close proximity to such shops. We strongly encourage the City to enact such measures and policies to reflect the value our community places on the protection of our youth, and to allow and continue to aid The Center in achieving our shared goals of fostering and developing the success of our youth.

We thank you for your consideration.

## What we heard: Cannabis retail stores

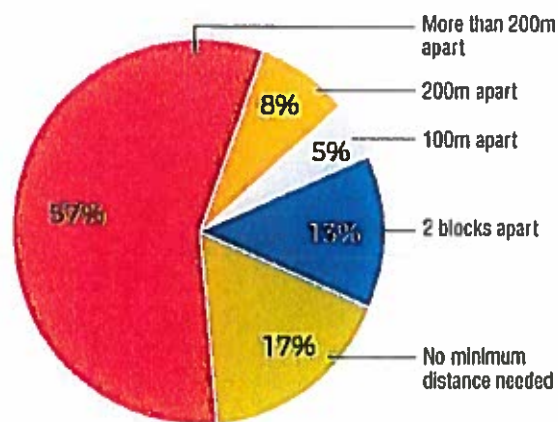
Questions 7-11, and 17-19 provide insight into what respondents thought about non-medical cannabis retail; specifically where it might be appropriate for cannabis retail to be located, what are appropriate hours of operation for cannabis retail stores, and whether they anticipate purchasing non-medical cannabis from a cannabis retail store or growing cannabis at home.



### Distance from schools, etc: level of concern

*I am concerned about how close cannabis stores may be allowed to places where children and youth gather such as schools, community centres, parks & playgrounds. (Q8)*

67% of respondents relayed that proximity of cannabis retail stores to areas where children and youth frequent (schools, community centres, parks and playgrounds) is a significant concern.

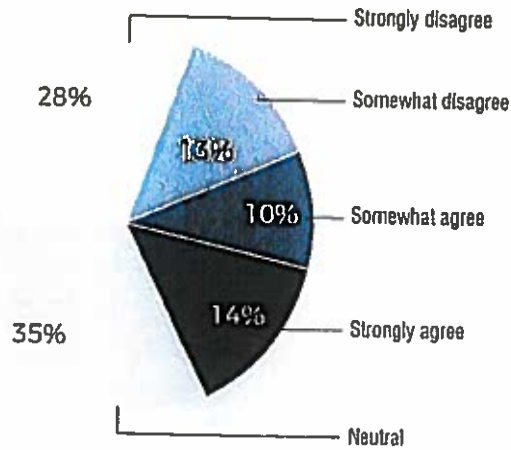


### Distance from schools, etc: preferred distance

*In your opinion, how far should cannabis retail stores be from schools, community centres, parks and playgrounds? (select one) (Q10)*

65% of respondents thought that a cannabis retail store should not be allowed within 200m or more from schools, community centres, parks and playgrounds.

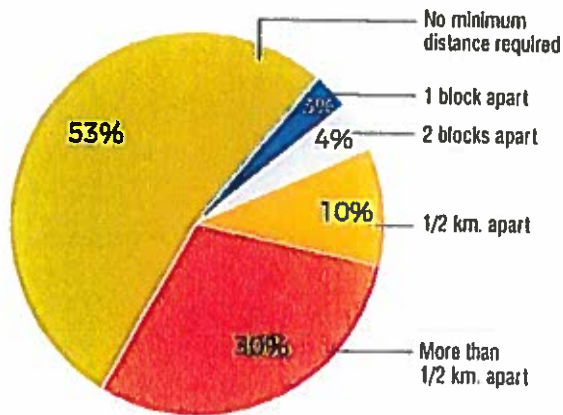
## What we heard: Cannabis retail stores



### Distance between stores: level of concern

*I am concerned about how close cannabis stores will be to each other. (Q7)*

76% of respondents relayed that clustering of cannabis stores (cannabis retail stores locating next-door to each other) may not be a great concern of theirs



### Distance between stores: preferred distance

*In your view, how far apart should cannabis retail stores be from other cannabis stores? (Q9)*

53% of respondents felt that they didn't think that a separation distance was needed between cannabis retail stores

## What we heard: Cannabis retail stores



### Retail store locations

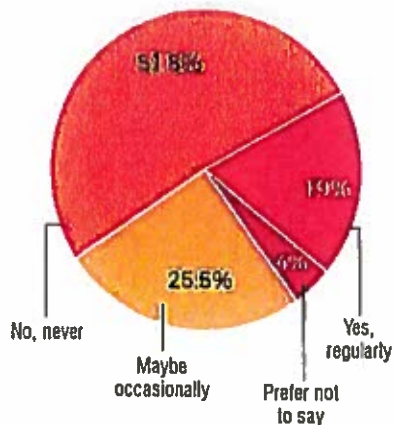
*In your opinion, what kinds of locations in Medicine Hat would be a 'good fit' for cannabis stores? (Q11)*

When considering where it might be appropriate for a cannabis retail store to be located, total responses resulted in the following ranking (from most popular response to least popular response):

1. Commercial areas along major roadways (i.e. Dunmore Road, 13 Ave SE, Kingsway Ave SE, Maple Ave SE)
2. I do not have a preference of locations of cannabis retail stores
3. I do not want cannabis retail stores in Medicine Hat
4. Downtown area
5. Light industrial and business parks
6. Small scale commercial areas in residential neighbourhoods

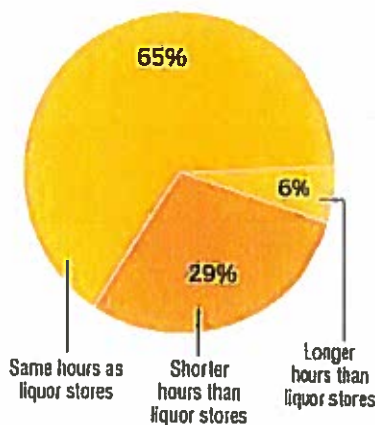
### Purchasing from stores

*When cannabis is legalized, how likely are you to buy cannabis products from a cannabis store? (Q17)*



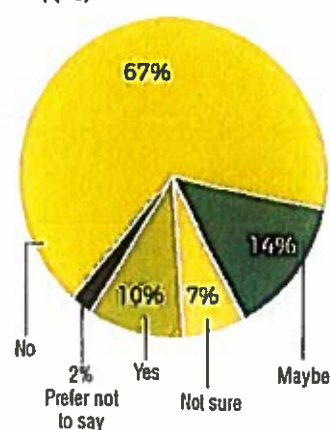
### Desired store hours

*What operational hours should cannabis retail stores operating in Medicine Hat have? (Q19)*



### Growing at home

*When cannabis is legalized, do you think you will grow your own cannabis plants at home? (Q18)*

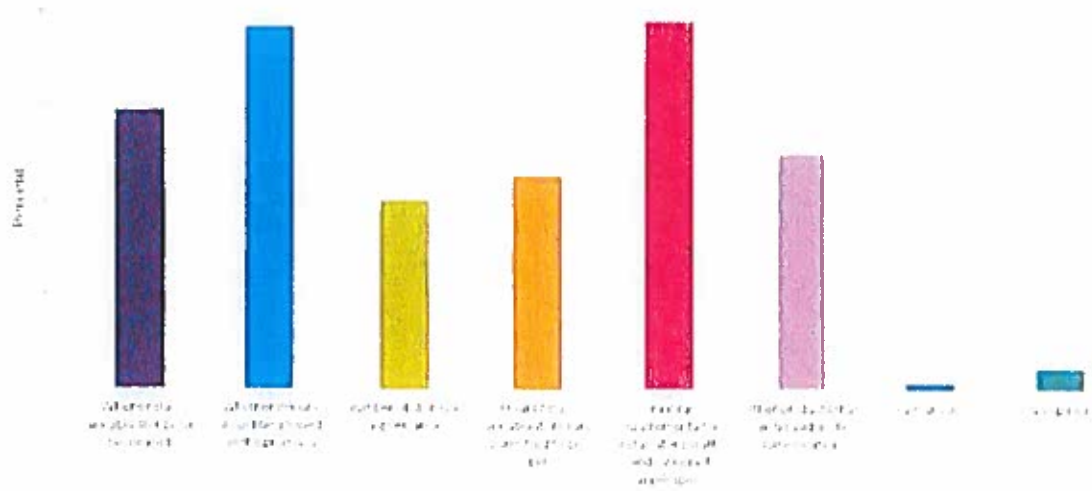


CITY	SEPARATION DISTANCES			CANNABIS STORE LOCATIONS
	Between Stores	Schools	Other Land Uses	
	150 m	300 m	300 m from <ul style="list-style-type: none"> <li>• Playgrounds</li> <li>• Recreation centers</li> <li>• Child care facilities</li> <li>• Public parks</li> <li>• Transit centers</li> <li>• Libraries</li> <li>• Game arcades</li> </ul>	
Seattle Washington	300 m	300 m	Commercial zones, some mixed use and downtown zones	
Portland Oregon	300 m	300 m	N/A	No marijuana businesses in zones that allow residential
Boulder Colorado	150 m	300 m	300 m from <ul style="list-style-type: none"> <li>• drug treatment facilities</li> <li>• Child care facilities</li> </ul>	Business, commercial, transitional, light industrial and general industrial zones
Denver Colorado	300 m	300 m	300 m from <ul style="list-style-type: none"> <li>• Child care facilities</li> </ul>	Commercial and industrial zones
Los Angeles California	215 m	215 m	215 m from <ul style="list-style-type: none"> <li>• Public park</li> <li>• Public library</li> <li>• Drug abuse recovery/treatment facility</li> </ul>	Industrial and retail zones

Attachment 2

San Diego California	300 m	300 m	300 m from	<ul style="list-style-type: none"> <li>Child care facilities</li> <li>Permanent supportive housing</li> </ul>	<ul style="list-style-type: none"> <li>Churches</li> <li>Child care facilities</li> <li>Playgrounds</li> <li>Public libraries</li> <li>Residential care facilities</li> </ul>	Retail zones
San Francisco California	180 m (unless stores are larger than 350 m then no separation required)	180 m	N/A			Commercial zones
Anchorage Alaska	N/A	150 m	150 m	<ul style="list-style-type: none"> <li>Community centers</li> <li>Recreation or youth center</li> <li>Religious assemblies</li> <li>Correctional facility/residential center</li> </ul>	<ul style="list-style-type: none"> <li>30 m</li> <li>Game arcades</li> </ul>	Special land use permit required for any zone

4. Please indicate what requirements should be considered in developing rules and regulations for cannabis retailers (check all that apply):



Value	Percent	Responses
Where retail cannabis stores can be located	58.9%	15,273
Whether minors should be allowed on the premises	76.9%	19,925
Number of stores in a given area	39.8%	10,322
Hours retail cannabis stores are permitted to be open	45.2%	11,725
Training requirements for retail store staff (and owners if applicable)	78.0%	20,217
Other products that can be sold in the same location	50.1%	12,989
Unlabeled	1.3%	347

7. Rank the following Government of Saskatchewan priorities in order of importance (1 being the most important priority and 4 being the least important priority):

Item	Overall Rank	Rank Distribution	Score	No. of Rankings
Keeping cannabis out of the hands of children and youth	1		81,160	25,275
Promoting safety on roads, in workplaces, and in public spaces	2		69,493	25,528
Protecting public health	3		56,192	25,119
Limiting the illegal cannabis market	4		46,785	25,064

Lowest Rank
Highest Rank

8. Are there other priorities you feel are important that have not been listed in the previous question?



DATE: July 27, 2018  
 TO: Council  
 FROM: Kathy Hopfner, General Manager of Corporate Services  
 RE: Accounts

Enclosed are the General Revenue Fund Disbursements for the period  
 Jul 23 - 27, 2018

	<u>Current</u>	<u>Year to Date</u>
Regular Accounts (2018)	178,732.73	2,579,710.60
Payroll Benefits	-	4,736,440.16
School Payments (School Districts)	-	467,858.42
School Payments (Minister of Finance)	-	5,026,592.45
Sask Power - (Energy Purchase)	301,667.55	6,944,078.81
Sask Power		137,068.23
SaskEnergy		273,537.16
SaskTel	23,558.05	178,754.03
<b>General Contractors:</b>		
Active Network		25,738.28
Adinfinitum	16,650.00	16,650.00
Acrodex Edmonton (PCM Canada)	59,223.40	70,047.58
AECom Canada LTD		456,457.67
Almita Manufacturing Ltd		29,347.50
Anixter Power Solutions Canada		31,503.35
Aquam Inc		25,378.11
Architecture49 Inc		18,123.00
Associated Engineering (Sask) Ltd		77,499.21
Atlas-Apex Roofing		22,194.45
B & A Petroleum Ltd		40,926.15
Badger Daylighting Services		49,022.20
Barricades and Signs		25,174.80
Bayart Power Inc		40,553.85
Blenders		35,665.00
Brandt Tractor Ltd		72,472.21
Brazel Construction Ltd		50,727.00
BTS Group		39,574.80
C & E Pilings Ltd		32,634.00
Canadian Cowboys' Association		16,391.70
Castle Design Services Ltd		10,680.00
CDW Canada		329,065.72
Chemtrade West Ltd		139,816.34
Chinook Regional Library	207,376.50	414,753.00
Circle Square Irrigation Ltd		36,976.26
City of Prince Albert		24,930.00
Clark's Supply & Service Ltd		95,430.81
Cleartech Industries Inc		112,693.47
Commercial Industrial Mfg Ltd		59,607.00
Commercial Truck Equipment Co.		17,014.40

Compugen Inc		16,025.63
Contegrity Contracting		118,316.43
Crop Production Services		12,100.00
Crosby Hanna & Associates		31,202.06
Cypress Health Region		327,994.70
Cypress Motors (SC)		45,875.80
Dekra-Lite		14,674.04
Delta Aggregates		137,945.70
Dickson Agencies Ltd		374,568.84
Done Rite Landscape Contracting		37,837.13
E.W Industries Ltd		92,266.13
Early's Farm & Garden Centre Inc		16,736.35
Econolite Canada Inc		56,038.63
Eecol Electric		269,526.83
Emco Corporation		32,754.44
Empire Steam & Pressure		68,250.00
Fer-Marc Equipment Ltd		397,435.66
FP Teleset		73,500.00
Frontier Builders	209,988.74	830,796.41
Gowan, Shann		40,448.40
Graham Construction & Engineer		10,132.50
Gravity Partners Ltd		34,926.00
GST Processing		86,145.24
Hattum, Jason		20,488.23
HBI Office Plus Inc		63,142.54
Heinricks Galey Law Office	125,000.00	125,000.00
Hi-Def Controls	41,172.12	54,896.16
Hiebert, Stan		49,389.45
Hipperson Construction		2,186,034.53
Horizon Backhoe Services Ltd		39,871.20
Hydrodig Canada Inc		99,933.30
IKS Media & Technology Ltd		16,900.00
Impac Canada Co.		163,110.69
Imaginit Saskatchewan		17,532.45
Inland Audio Visual Ltd		13,211.33
Instinctive Solutions		34,446.61
Inventronics Ltd		20,827.54
Itron/Schumberger Industries		33,916.25
KK Golf Management	11,384.06	169,351.09
KMS Energy Systems		476,800.22
Knudsen Excavating Ltd		304,111.03
Kramer Holdings Inc		68,438.17
Lee's Tree Care & Landscaping		67,897.23
Len's Plumbing & Heating		98,735.14
Magnecomp Scoreboards Inc		20,024.03
Marcel Equipment Limited		336,000.00
McElhanney Consulting Services		40,668.00
Melhoff Electric Ltd		21,836.82
MNP LLP		16,187.27

Mobile Paving	744,300.75	896,687.77
Morris Interactive Inc		10,080.00
National Leasing		44,769.40
Newalta		39,828.35
Nijo Yard Supplies Plus		33,375.69
Noramco		18,732.52
Nova Pole (BC) International Inc		32,049.03
Oracle Corporation Canada, Inc		24,418.47
Patmac Holdings Ltd		18,501.81
PCL Construction Management		52,445.47
Petro Canada		224,939.32
Pioneer Co-op		46,686.91
PMP Powerline Construction		204,175.41
Polecom Manufacturing		89,910.00
Power Advisory LLC		19,950.00
Prairie Central Line Supply Ltd		47,805.54
Procyk Bros. Transport		184,437.60
Procyk Construction		26,295.90
PTI Utility Supply Ltd		84,355.56
RCMP		1,207,690.52
Redden Net Custom Nets Ltd		39,537.76
Redhead Equipment		170,621.71
Reliable Fencing Ltd		32,303.61
Riverdene Garden Centre Ltd		26,852.01
Riverside Electric Ltd	30,714.57	298,754.42
RM of Swift Current #137		459,945.81
Robertson Motorsports & Marine		21,426.37
Rocky Mountain Phoenix		12,455.31
Safeway Consulting Services Ltd		18,375.00
Saskatchewan Abilities Council	52,803.55	372,672.10
Saskatchewan Research Council		29,693.48
SaskEnergy		330,170.57
SGI		83,028.94
Shaw's Electrical Ltd		15,407.40
Silverline Construction		11,320.53
Slate Fine Art Gallery		11,088.91
Southern Star Trucking		44,161.35
Southwest Cultural Development		40,000.00
Southwest Paving Ltd		191,746.24
Spitfire Investments Ltd		19,777.02
Structural Composite Technologies		14,305.68
SUMA		16,018.88
Swift Current Ag & Ex		35,139.12
Swift Current Community Youth		10,500.00
Swift Current Curling Club		15,394.37
Swift Current Diesel Inc		14,869.92
Texcan Cables Ltd		86,529.55
Top Shot Concrete Inc		77,311.50
Tourism Swift Current		120,414.00

Trail Excavating		350,332.28
Triple S Industries		236,647.45
Triways Disposal Services	101,045.13	691,235.92
Urban Systems Ltd		40,950.00
Univar/Vopak Canada	11,907.00	87,764.90
Valmont West Coast Engineering		60,606.00
Walker Projects Inc		17,622.00
Warehouse Floors		14,948.08
Warner Industries		379,492.20
Westvac Industrial Ltd		570,646.49
Wheatland Machine Shop Ltd		70,190.10
Wolseley/Westburne	39,271.80	57,607.78
WSP Canada Group Ltd	12,465.99	68,190.50
<b>TOTAL</b>	<u>\$ 2,167,261.94</u>	<u>\$ 39,018,524.45</u>

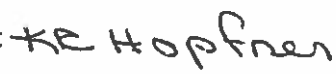
**RECOMMENDATION:**

I recommend that \$2,167,261.94 in disbursements be approved.

**REPORT PREPARED BY:**

Lisa Hagen, Accounts Payable Clerk

SIGNATURE: 

APPROVAL: 

I concur with the recommendation  
  


---

 Tim Marcus, CAO

DATE: August 3, 2018  
 TO: Council  
 FROM: Kathy Hopfner, General Manager of Corporate Services  
 RE: Accounts

Enclosed are the General Revenue Fund Disbursements for the period  
 Jul 30 - Aug 3, 2018

	<u>Current</u>	<u>Year to Date</u>
Regular Accounts (2018)	189,145.27	2,705,292.51
Payroll Benefits	435,358.03	5,171,798.19
School Payments (School Districts)	-	467,858.42
School Payments (Minister of Finance)	-	5,026,592.45
Sask Power - (Energy Purchase)		6,944,078.81
Sask Power	17,485.47	154,553.70
SaskEnergy		273,537.16
SaskTel	239.54	178,993.57
<b>General Contractors:</b>		
Active Network		25,738.28
Adinfinitem		16,650.00
Acrodex Edmonton (PCM Canada)		70,047.58
AECOM Canada LTD	22,511.07	478,968.74
Almita Manufacturing Ltd		29,347.50
Anixter Power Solutions Canada		31,503.35
Aquam Inc		25,378.11
Architecture49 Inc		18,123.00
Associated Engineering (Sask) Ltd		81,532.16
Atlas-Apex Roofing		22,194.45
B & A Petroleum Ltd		45,658.03
Badger Daylighting Services		49,022.20
Barricades and Signs		25,174.80
Bayart Power Inc		40,553.85
Blenders		35,665.00
Brandt Tractor Ltd		72,550.27
Brazel Construction Ltd		50,727.00
BTS Group		39,574.80
C & E Pilings Ltd		32,634.00
Canadian Cowboys' Association		16,391.70
Castle Design Services Ltd		10,680.00
CDW Canada		329,065.72
Chemtrade West Ltd	22,556.46	162,372.80
Chinook Regional Library		414,753.00
Circle Square Irrigation Ltd		36,976.26
City of Prince Albert		24,930.00
Clark's Supply & Service Ltd		96,930.24
Cleartech Industries Inc	19,870.85	132,564.32
Commercial Industrial Mfg Ltd		59,607.00
Commercial Truck Equipment Co.		17,014.40

Compugen Inc		16,025.63
Contegrity Contracting		118,316.43
Crop Production Services		12,100.00
Crosby Hanna & Associates		31,202.06
Cypress Health Region		327,994.70
Cypress Motors (SC)		46,192.52
Dekra-Lite		14,674.04
Delta Aggregates		139,609.33
Dickson Agencies Ltd		374,672.72
Done Rite Landscape Contracting		37,837.13
E.W Industries Ltd		92,266.13
Early's Farm & Garden Centre Inc		16,736.35
Econolite Canada Inc		56,038.63
Eecol Electric	16,626.15	286,152.98
Emco Corporation		37,474.16
Empire Steam & Pressure		68,250.00
Fer-Marc Equipment Ltd		400,545.07
FP Teleset		73,500.00
Frontier Builders		830,796.41
Geiger's Fence Erectors Ltd	44,776.29	52,423.57
Gowan, Shann		40,448.40
Graham Construction & Engineer		10,132.50
Gravity Partners Ltd		34,926.00
GST Processing		86,145.24
Hattum, Jason		20,488.23
HBI Office Plus Inc		64,073.73
Heinricks Galey Law Office		125,000.00
Hi-Def Controls		54,896.16
Hiebert, Stan		49,389.45
Hipperson Construction		2,186,034.53
Horizon Backhoe Services Ltd		39,871.20
Hydrodig Canada Inc		101,526.15
IKS Media & Technology Ltd		16,900.00
Impac Canada Co.		166,089.94
Imaginit Saskatchewan		17,532.45
Inland Audio Visual Ltd		13,211.33
Instinctive Solutions		34,446.61
Inventronics Ltd		20,827.54
Itron/Schumberger Industries		33,916.25
KK Golf Management	10,069.42	179,420.51
KMS Energy Systems	343,313.12	820,113.34
Knudsen Excavating Ltd		304,111.03
Kramer Holdings Inc		68,438.17
Lee's Tree Care & Landscaping		67,897.23
Len's Plumbing & Heating		98,845.87
LK Holdings	12,648.78	25,268.15
Magnecomp Scoreboards Inc		20,024.03
Marcel Equipment Limited		336,000.00
McElhanney Consulting Services		40,668.00

Melhoff Electric Ltd		21,836.82
MNP LLP		16,187.27
Mobile Paving		896,687.77
Morris Interactive Inc		10,080.00
National Leasing		44,769.40
Newalta		39,828.35
Nijo Yard Supplies Plus		33,375.69
Noramco		18,732.52
Nova Pole (BC) International Inc		32,049.03
Oracle Corporation Canada, Inc		24,418.47
Patmac Holdings Ltd		18,501.81
PCL Construction Management		52,445.47
Petro Canada		224,939.32
Pioneer Co-op		47,268.14
PMP Powerline Construction		204,175.41
Polecom Manufacturing		89,910.00
Power Advisory LLC	19,950.00	39,900.00
Prairie Central Line Supply Ltd		47,805.54
Procyk Bros. Transport		184,437.60
Procyk Construction		26,295.90
PTI Utility Supply Ltd		84,355.56
RCMP		1,207,690.52
Redden Net Custom Nets Ltd		39,537.76
Redhead Equipment		170,621.71
Reliable Fencing Ltd		32,303.61
Riverdene Garden Centre Ltd		26,852.01
Riverside Electric Ltd		299,847.77
RM of Swift Current #137		459,945.81
Robertson Motorsports & Marine		21,426.37
Rocky Mountain Phoenix		12,455.31
Safeway Consulting Services Ltd		18,375.00
Saskatchewan Abilities Council		372,672.10
Saskatchewan Research Council		35,586.61
SaskEnergy		330,170.57
SGI	26,095.18	109,124.12
Shaw's Electrical Ltd		15,407.40
Silverline Construction		11,320.53
Slate Fine Art Gallery		11,088.91
Southern Star Trucking		49,285.85
Southwest Cultural Development		44,000.00
Southwest Paving Ltd		191,746.24
Spitfire Investments Ltd		19,777.02
Staging Canadell	19,522.88	19,522.88
Structural Composite Technologies		14,305.68
SUMA		16,069.98
Swift Current Ag & Ex		35,139.12
Swift Current Community Youth		10,500.00
Swift Current Curling Club		15,394.37
Swift Current Diesel Inc		14,869.92

Texcan Cables Ltd		86,529.55
Top Shot Concrete Inc		77,311.50
Tourism Swift Current		120,414.00
Trail Excavating	20,806.86	371,139.14
Triple S Industries		236,647.45
Triways Disposal Services		691,586.62
Urban Systems Ltd		40,950.00
Univar/Vopak Canada		87,764.90
Valmont West Coast Engineering		60,606.00
Walker Projects Inc		17,622.00
Warehouse Floors		14,948.08
Warner Industries		379,492.20
Westvac Industrial Ltd		570,646.49
Wheatland Machine Shop Ltd		70,523.10
Wolseley/Westburne		57,607.78
WSP Canada Group Ltd		68,190.50
<b>TOTAL</b>	<u>\$ 1,220,975.37</u>	<u>\$ 40,239,499.82</u>

**RECOMMENDATION:**

I recommend that \$1,220,975.37 in disbursements be approved.

**REPORT PREPARED BY:**

Lisa Hagen, Accounts Payable Clerk

SIGNATURE:



APPROVAL:



I concur with the recommendation



Tim Marcus, CAO





# City of Swift Current

## C.A.O. Report

---

**Date:** August 23, 2018  
**To:** Chief Administrative Officer  
**From:** General Manager of Corporate Services  
**Subject:** Borrowing for Capital Investments

---

### BACKGROUND

This report is a request for additional debt which will require a borrowing bylaw. Under *The Cities Act*, a City may only borrow money if the borrowing is authorized by a borrowing bylaw.

Using debt to finance infrastructure investments distributes the cost of long-term assets across generations of residents who will utilize those assets.

### DISCUSSION

In order to complete the funding for the 2018 capital investment projects, an additional \$1,267,692 in debt is required.

The sources of money to support the principal and interest payments for the borrowings are fully funded as per the 2018 budget, with no future increases required from this report. Totals are as follows:


- Solid Waste Utility Fund (\$495,000). These borrowings are intended to fund:
  - Storm water retention pond and slope grading at the East Landfill, and
  - East Landfill scale house.
- General Government (\$772,692). These borrowings are allocated for:
  - Design of a protective services facility, and
  - Additional hydrovac truck.

As at December 31, 2017, the principal amount of debt for General Government and Utility Operations was \$64,383,097. Including the recommended amount of borrowings to fund 2018 capital investments, the forecasted principal amount of debt outstanding as at December 31, 2018 is \$60,784,070, resulting in a forecasted decrease in General Government and Utility Operations debt of \$3,599,027.

A request for financing proposals in the amount of \$1,267,692 to fund 2018 capital investments will be sent out to the various financial institutions who have responded in the past.


**RECOMMENDATION**

That Council gives notice of motion at this time by advising the public of Council's intention to consider a borrowing bylaw for financing within General Government and Utility Operations.

  
\_\_\_\_\_  
General Manager of Corporate Services

**CAO Recommendation:**

*I concur with the recommendation.*

  
\_\_\_\_\_  
Tim Marcus, CAO

**Schedule A**  
**2018 Projects Financed Through Borrowing**

<b>Project Description</b>	<b>20 Years</b>	<b>10 Years</b>	<b>TOTAL</b>
<b>GENERAL GOVERNMENT</b>			
Chargeable Equipment Projects	-	\$ 450,000	\$ 450,000
Facility Improvement Projects	\$ 322,692	-	\$ 322,692
<b>TOTAL GENERAL GOVERNMENT</b>	<b>\$ 322,692</b>	<b>\$ 450,000</b>	<b>\$ 772,692</b>
<b>SOLID WASTE UTILITY</b>			
Landfill Projects	\$ 495,000	-	\$ 495,000
<b>TOTAL SOLID WASTE UTILITY</b>	<b>\$ 495,000</b>	<b>\$ -</b>	<b>\$ 495,000</b>
	<b>\$ 817,692</b>	<b>\$ 450,000</b>	<b>\$ 1,267,692</b>



# City of Swift Current

## C.A.O. Report

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**Date:** August 22, 2018  
**To:** Chief Administrative Officer  
**From:** General Manager of Infrastructure and Operations  
**Subject:** Adams Street Servicing

---

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### **BACKGROUND**

Property owners along Adams Street are proceeding with development that requires the extension of underground services and surface improvements to the road.

Upgrades required for this development include:

- 340 m of sanitary pipe
- 200 m of storm pipe
- 200 m of sidewalk
- 320 m of asphalt pathway
- 320 m of road paving

Completing this work will facilitate future development in the north east area of the City.

### **DISCUSSION**

Detailed design for the Adams Street Servicing project was completed in July 2018 by AECOM for \$23,956.00 (PST included, GST excluded).

The Engineering Services Department sent out an invitation only RFQ to four (4) deep utility contractors in July 2018. One (1) bid was submitted by Knudsen Excavating of Swift Current for \$276,507.78 (PST included, GST excluded).

Mobile Paving maintained unit pricing from the 2018 Road Program contract and provided a quote for the surface works for \$383,720.53 (PST included, GST excluded).

The value of work to be completed in 2018 including all engineering and construction is \$684,184.31 (PST included, GST excluded). The City is in the process of securing service agreements with the East Side Church of God and John Bardahl to recover the project costs.

The Adams Street Servicing project is approved in the 2018 Capital budget at \$650,000.00, providing only a portion of the funding needed. Therefore, for the project to proceed, approval of additional \$34,184.31 in budget funding is required.

**RECOMMENDATION**

That City Council approves an additional \$34,184.31 for the 2018 City of Swift Current Capital Budget for the Adams Street Servicing project; and

That the Adams Street Servicing Deep Utility contract be awarded to Knudsen Excavating for a total amount of \$276,507.78 (including PST, excluding GST) and that the Mayor and City Clerk be authorized to sign the contract; and

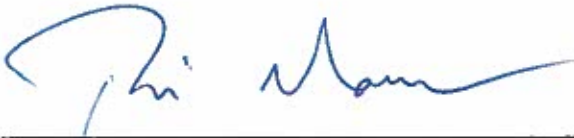
That the Adams Street Servicing Surface Works contract be awarded to Mobile Paving for a total amount for \$383,720.53 (PST included, GST excluded) and that the Mayor and City Clerk be authorized to sign the contract.

 FOR  
Mitch Minken, General Manager of Infrastructure and Operations

---

**CAO Recommendation:**

*I concur with the recommendation.*

  
Tim Marcus, CAO



# City of Swift Current

## C.A.O. Report

---

**Date:** August 23, 2018  
**To:** Chief Administrative Officer  
**From:** General Manager of Infrastructure and Operations  
**Subject:** Landfill Scale House Construction

---

### BACKGROUND

Infrastructure & Operations received Council approval in the 2018 Capital Budget to construct a replacement scale house at the East Landfill. The current facility is a 1993 Atco trailer that has exceeded its life expectancy.

The new facility is designed to accommodate staff meetings, storage of files and supplies and includes an office for the Landfill Superintendent to be present on-site. This facility should last the lifetime of the landfill and act as a transfer station facility after closure of the landfill.

### DISCUSSION

Quotations were invited from five sources. A summary of quotations received is as follows:

<b>Contractor</b>	<b>Quotation (Inc. PST Exc. GST)</b>
Bridal Builders	\$148,808.10
Frontier Builders	\$154,007.40
Jamal Contracting	\$145,326.00
Silverline Construction	No Bid
Wallace Construction	\$150,202.00

Jamal Contracting was selected as the successful bidder to complete the construction of the scale house based on lowest price bid criteria of comparable quotations received.

The 2018 budget for the new scale house is \$300,000.00. Overall the project is expected to be under budget when all necessary work is completed.

**RECOMMENDATION**

That Council approve the construction contract for the east landfill's scale house to Jamal Contracting for \$145,326.00 (PST included, GST excluded).

 FOR

Mitch Minken, General Manager of Infrastructure & Operations

---

**CAO Recommendation:**

*I concur with the recommendation.*



Tim Marcus, CAO

**Date:** August 15, 2018  
**To:** Chief Administrative Officer  
**From:** General Manager of Infrastructure and Operations  
**Subject:** Water Treatment Plant – Lamella Replacement & Air Scour System

---

### **BACKGROUND**

The Water Treatment Plant's Actiflo treatment clarifiers require equipment upgrades to continue to provide adequate water quality, improve operations and maintain the plant's rated capacity. The Actiflo clarifiers use a series of inclined plates called lamellas. As source water enters the clarifier, solid particles are sent through and settle out below the lamellas. Regular maintenance is required to clean the lamellas as sludge flows down the inclined plates leaving them dirty. Regular cleaning helps prevent uneven flow distribution and ensures the efficiency of the process. The closely packed plates make manual cleaning difficult.



The manual cleaning process results in damage to the lamellas which are made of a polycarbonate material. The lamellas at the Water Treatment Plant have been damaged to the point that they require replacement.



The addition of an air scour system will provide an automated scouring system that will remove suspended solids from the lamellas on a regular cleaning cycle. The air scour system alleviates the manual cleaning of the lamellas and provides more efficient operations by reducing the time and effort required to clean the lamellas, as well as, extending the life of the lamellas.

## **DISCUSSION**

The City received quotes from two suppliers for the air scour system. Veolia provided a quote for the supply of the air scour system only which would require the City of Swift Current to find an installation contractor. Anthrathec Western Incorporated (AWI) provided a quote for the supply and installation of an air scour system that was technically superior to the Veolia design. This is highly specialized work, as such these were the only suppliers that could be located to provide these services.

The lamellas must be removed prior to the installation of the air scour system so it is more efficient to replace the lamellas when the air scour system is installed. There is cost savings to purchase replacement lamellas and an air scour system at the same time, which will reduce labour costs associated with installation compared to performing the upgrades separately.

Anthrathec Western Incorporated (AWI) provided a quote for supply, delivery and install of the replacement lamellas and a fixed-grid air scour system for a total of \$372,268.54 including PST. There is a sixteen (16) week lead time for material and the stainless steel required for the air scour system is also subject to recently imposed tariffs by the United States making its cost volatile.

There has been no capital funding previously requested for the lamella replacement and the air scour system was originally budgeted at \$105,000.00 in the 2018 Capital Budget. Infrastructure and Operations have identified 2 projects within the 2018 Capital Budget that are no longer required due to the North water feeder main installation and the required upgrade of the North Hill reservoir and pumping station. The re-allocation of this funding will provide \$255,000.00 of capital budget for the supply and delivery of the materials in 2018. A further \$150,000.00 will be required in the 2019 Capital Budget for the installation. The installation is scheduled to be completed between January and March of 2019 when water usage in the City is low.

**RECOMMENDATION**

That Council approve the re-allocation of \$150,000.00 of 2018 Capital Budget from the projects identified on the attached schedule; and

That Council approve \$150,000.00 of 2019 Capital Budget for the installation of the replacement lamellas and air scour system; and

That Council award the supply and delivery of replacement lamellas and an air scour system at the Water Treatment Plant to AWI at a price of \$372,268.54 (including PST, excluding GST).

 For

\_\_\_\_\_  
Mitch Minken, General Manager of Infrastructure and Operations  
mm/cs/ro

---

**CAO Recommendation:**

*I concur with the recommendation.*



\_\_\_\_\_  
Tim Marcus, CAO

### Schedule – Re-Allocation of 2018 Capital Budget

Project Name	Amount	Comments
Water Distribution Strategic plan	80,000.00	Project Not Required, completed as part of the North Feeder Main Design
CR - North Hill Pump Replacement	50,000.00	Project to be rebudgeted as part of the North Feeder Main and NHR Upgrade
CM - WTP Building & Grounds Maintenance	20,000.00	Project reduced
<b>Total</b>	<b>150,000.00</b>	



# City of Swift Current

## C.A.O. Report

---

**Date:** August 17, 2018  
**To:** Chief Administrative Officer  
**From:** City Clerk  
**Subject:** **Municipal Employee Pension Plan Commission Appointment**

---

### **BACKGROUND**

*The Municipal Employees' Pension Act* was recently amended to increase the composition of the Municipal Employees' Pension Plan Commission (the "Commission") by two members. One of the new Commission members is to be appointed jointly by employers of police officers and fire fighters who participate in the Plan.

The five Cities that participate in the Plan as employers of police officers and fire fighters are as follows:

- City of Prince Albert;
- City of Yorkton;
- City of North Battleford;
- City of Estevan; and
- City of Swift Current.

### **DISCUSSION**

The City of Swift Current is a member of the Municipal Employees' Pension Plan (the "Plan") and has been requested to jointly appoint a member to the Commission.

The term of the appointment is a four year term commencing on September 1, 2018 with a recommended second four year term. The Commission appointment information, along with the Commission Governance Model, which includes the term of service, time commitment, mandatory education requirements, along with skills and knowledge to bring/develop during the term, is included in the attached correspondence from the Plan for review.

The time and education commitment as well as knowledge and skills for this appointment to be effective is quite extensive. At this time, the City of Yorkton is the only joint employer to submit a nominee, being Ashley Stradeski, Director of Finance. Mr. Stradeski

has extensive experience and board services, along with receiving honours on the Chartered Accountant National Uniform Evaluation.

Correspondence between the five Cities has taken place and each City will consider this matter at it's next City Council meeting. Following consideration of this matter, we will communicate the decision of City Council to the other joint Cities for a unified response to the Municipal Employees' Pension Plan.

**RECOMMENDATION**


That Ashley Stradeski be appointed to the Municipal Employees' Pension Plan Commission as a Joint Representative of Employers of Police Officers and Fire Fighters that participate in the Plan for a four year term commencing September 1, 2018.

  
\_\_\_\_\_  
City Clerk

---

**CAO Recommendation:**

*I concur with the recommendation.*

  
\_\_\_\_\_  
**Tim Marcus, CAO**



May 10, 2018

RECEIVED  
MAY 17 2018

Ms. Lee Ann Thibodeau-Hodgson, City Clerk  
City of Swift Current  
P.O. Box 340  
SWIFT CURRENT SK S9H 3W1

To the Swift Current City Council, c/o Ms. Lee Ann Thibodeau-Hodgson, City Clerk:

The Municipal Employees' Pension Plan (MEPP, the Plan) is governed by *The Municipal Employees' Pension Act* (the Act) and administered by the Municipal Employees' Pension Commission (the Commission). The Act designates the members that make up the Commission. On behalf of the Commission, I am writing to inform the City of Swift Current that an amendment to the Act has passed that changes the composition of the Commission, increasing it by two members. One of the new Commission members is to be appointed jointly by employers of police officers and firefighters who participate in the Plan. Currently, one Commission member is already appointed jointly by the associations which represent police officers and firefighters.

The appointee will be appointed for a four-year term beginning September 1, 2018 and would be eligible for a second four-year term. As the City of Swift Current is appointing a member of the Commission along with the Cities of Yorkton, Prince Albert, North Battleford and Estevan, it is necessary that you contact their representatives as soon as possible to initiate talks regarding who will be appointed to the Commission. I have enclosed the contacts for these organizations.

There is value in continuity of Commission membership. The Commission encourages appointees to the Commission and appointing organizations to view an appointment to the Commission as an eight-year commitment. A Commission member serving a full eight years allows the Commission to receive full value from its investment in Commission member education by ensuring that Commission members have had the chance to develop the skills necessary for optimal participation on the Commission, while still allowing for healthy turnover on the Commission. This benefits all members of the MEPP.

...2



The Commission is responsible for the administration of the Plan. The Commission's role is to oversee the administration of benefits for over 25,000 Plan members and the investment of the Plan's over \$2.5 billion in assets. The Commission oversees an annual budget of more than \$26 million.

To equip Commission members for this role, the Commission funds an extensive education program. Due to a steep learning curve, continuity of Commission membership is vital to the optimal functioning of the Commission.

The new Commission member required education is an example of this investment. Within one year of appointment to the Commission, members must complete a five day basic or introductory level course on board governance, trust management and administration, and/or fund investment provided by a recognized school or an industry expert. Within two years of being appointed to the Commission members must complete a more advanced course on board governance, trust management and administration, and/or fund investment provided by a recognized school or an industry expert. These courses may require travel.

Enclosed is a one-page appointment information sheet. I encourage you to discuss the time commitment with potential appointees, and have potential appointees discuss this commitment with their employers. Individuals appointed to the Commission can expect to be away from the workplace 15 to 20 days per year. A minimum of nine meetings are scheduled per year (normally the third Friday of each month, except for July, August and December), there is mandatory education that may require five to 10 days per year and an annual planning session. In addition, Commission members can expect to require a minimum of four hours of personal time preparing for each meeting.

I have enclosed the Commission's Code of Conduct and Conflict of Interest Procedures. The person appointed to the Commission will be required to sign the document. Please ensure the proposed appointee has the opportunity to examine the document prior to the individual accepting the appointment to the Commission.

Finally, the Commission is the trustee of the Municipal Employees' Pension Fund. I have enclosed section 15 – Commission Liability of the Governance Manual. Please ensure the proposed appointee has the opportunity to examine the document prior to the appointee accepting the appointment to the Commission.

The Commission's Governance Manual documents the Commission's policies and procedures. The manual can be found on the Plan's website at:  
<http://www.peba.gov.sk.ca/pensions/mepp/about/governance.html>.

...3

I encourage you to share this manual with any new appointee being considered.

Please inform me in writing of whom the employers of police and firefighters that participate in the plan have jointly selected as an appointee to the Commission. The appointment would commence on September 1, 2018 and the first meeting after that date is September 21, 2018.

If you require additional information, please contact me by phone at 306-787-1875 or by e-mail [kent.walde@peba.gov.sk.ca](mailto:kent.walde@peba.gov.sk.ca).

Sincerely,



Kent Walde  
Executive Secretary  
Municipal Employees' Pension Commission

Enclosure

cc: Beverly Crossman, Chair, Municipal Employees' Pension Commission



**Police Officer and Firefighter Contacts  
For the Municipal Employees Pension Commission**

Terrence Schneider  
City Clerk, City of Yorkton  
Box 400  
YORKTON SK S3N 2W3

306.786.1717

E-mail: [tschneider@yorkton.ca](mailto:tschneider@yorkton.ca)

Debbie Wohlberg,  
Director of Legislative Services,  
City of North Battleford  
P.O. Box 460  
NORTH BATTLEFORD SK S9A 2Y6

306.445.1719

E-mail: [dwohlberg@cityofnb.ca](mailto:dwohlberg@cityofnb.ca)

Sherry Person,  
City Clerk, City of Prince Albert  
2<sup>nd</sup> Floor - 1084 Central Avenue,  
PRINCE ALBERT SK S6V 7P3

306.953.4305

E-mail: [cityclerk@citypa.com](mailto:cityclerk@citypa.com)

Judy Pilloud  
City Clerk, City of Estevan  
1102 – 4<sup>th</sup> Street  
ESTEVAN SK S4A 0W7

306.634.1852

E-mail: [cityclerk@estevan.ca](mailto:cityclerk@estevan.ca)

Lee Ann Thibodeau-Hodgson  
City Clerk, City of Swift Current  
P.O. Box 340  
SWIFT CURRENT SK S9H 3W1

306.778.2768

E-mail: [l.thibodeau@swiftcurrent.ca](mailto:l.thibodeau@swiftcurrent.ca)

## II. Governance

### Section 12 – Code of Conduct and Conflict of Interest Procedures

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#### 12.1 Purpose

The purpose of this policy is to establish and document guidelines for conduct required of all members of the Municipal Employees’ Pension Commission. The guidelines have been developed to create and sustain a business culture that promotes sound decision-making by the Commission.

The purpose of establishing conflict of interest procedures goes beyond ensuring compliance with minimum statutory requirements. They provide a workable process for identifying, minimizing and resolving conflicts of interest, in order that Commission members may fulfill their fiduciary obligations effectively while maintaining their independence and integrity.

The following guidelines and procedures have been developed to ensure that Commission members have a full understanding of the Commission’s principles and values, and to assist Commission members in determining appropriate business practices and behavior.

The Commission recognizes the need to review these guidelines and procedures on an annual basis and has determined that all Commission members are to acknowledge the guidelines and procedures by signing them upon appointment to the Commission, each time they are amended and, in any event, no less than upon each annual review.

## 12.2 Application

These guidelines and procedures govern the operation and conduct of members of the Commission in the execution of their duties and responsibilities under *The Municipal Employees' Pension Act and Regulations*.

## 12.3 Fiduciary Duties

These duties apply to the members of the Commission in their capacity as trustees of the Pension Fund and as administrators of the Pension Plan.

- *Duty of Loyalty*

The duty of loyalty requires members of the Commission to act honestly and in good faith, and in the best interest of all Plan members. Furthermore, members of the Commission must consider the effect of their individual actions on the integrity and credibility of the Commission as a whole.

- *Opportunities Acquired Through Commission Business*

Members of the Commission must not take personal advantage of business opportunities of which they become aware in the course of carrying out their duties as Commission members.

Similarly, confidential information obtained as a result of Commission business must not be used for personal profit, or for the personal benefit of others.

- *Duty to Protect Confidential Information*

Commission members must at all times keep confidential all information, proprietary material and records received by them in their capacity as members of the Commission. Confidential information may only be disclosed if it is otherwise generally available to the public, if the disclosure is required by law, or if the disclosure is consistent with the purpose for which the information was obtained.

- *Post Service Restrictions*

Commission members who cease to serve on the Commission must continue to refrain from taking improper advantage of their previous position. Former members of the Commission must continue to observe the duty to protect confidential information, unless they have received written authorization from the Chairperson of the Commission to disclose the information. Furthermore, former members of the Commission must not use confidential information or opportunities acquired as a result of Commission business for personal gain, or for the personal benefit of others.

#### **12.4 Duty of Care**

In exercising their powers as trustees of the pension fund and administrators of the pension plan, it is the explicit duty of every member of the Commission to exercise the care, skill and diligence that a reasonably prudent person would exercise in comparable circumstances.

In fulfilling this duty, members of the Commission have a responsibility to ensure that they obtain expert advice to acquire the necessary information required to make informed decisions for the effective and timely operation of the Plan.

Commission decisions must be made pursuant to sound business practices respecting established policies and procedures.

Improper or ill-advised decisions can be costly to the Plan. Commission members should undertake the training or educational opportunities necessary to ensure that they have a sufficient level of knowledge and understanding to fulfill their duties.

The Commission has established its mission, and Commission members should take actions which are consistent with the mission and the policies which support it.

Though the Commission may delegate activities to its service providers, the Commission retains responsibility for oversight of the Plan, and Commission members should be engaged in reviewing the performance of the Plan and its success in meeting its goals.

## 12.5 Ethical Standards

Members of the Commission should adhere to the following standards when exercising all of their duties and responsibilities:

- *Preferential Treatment*

Commission members must not use their position to benefit persons or organizations in their dealings with the Plan if this may be perceived to result in preferential treatment to such persons or organizations.

- *Gifts, Benefits and Entertainment*

Commission members should not accept gifts, benefits, entertainment or other personal favors, which would create, or appear to create, a favored position for persons or organizations doing business with the Plan.

Commission members must not solicit or accept gifts, benefits, entertainment or other personal favors in exchange for, or as a condition of, the exercise of their duties or as an inducement for performing an act associated with the duties and responsibilities of their position.

Members of the Commission may generally accept gifts, hospitality or other benefits, of nominal value, associated with the duties and responsibilities of their position, if such gifts, hospitality or other benefits:

- are within the bounds of propriety, a normal expression of courtesy, or within the normal standards of hospitality;
- would not bring suspicion on the Commission member's objectivity and impartiality; and
- would not compromise the integrity of the Commission.

- *Communication and Public Comment*

The Plan has the responsibility to communicate with its members and beneficiaries in a timely, accurate, and transparent manner. This communication is generally provided by the Plan, rather than by individual Commission members.

In the instance where communication directly from the Commission is necessary, public announcements or comments will be the responsibility of the Chairperson, unless approved otherwise by the Commission.

Members of the Commission must refrain from making public announcements or comments regarding the activities of the Commission and

the operation of the Plan, unless the member has been authorized by the Chairperson to do so or the information being disclosed has already been made available to the public by the Commission. Commission members must avoid making public comments which are likely to bring the Commission into disrepute or adversely affect the operation of the Plan.

Commission members must not misrepresent the Plan in any communications, including oral representations, electronic communications, or written materials, whether publicly disseminated or not.

- *Commission Independence*

Although members of the Commission are appointed by various appointing bodies and associations, their primary duty and responsibility is to all members of the Plan. Commission members must not serve the interests of specific groups or associations.

- *Compliance with Laws*

Members of the Commission must at all times be aware of all laws, rules and regulations applicable to the Plan and comply with those laws, rules and regulations in the course of performing their duties with respect to the Plan.

Members of the Commission must conduct their personal affairs with integrity, and must report any violation of:

- (a) the Code of Conduct and Conflict of Interest Procedures;
- (b) any statute that may apply, directly or indirectly, to the administration of the Plan; or
- (c) any charge or conviction under the *Criminal Code* (Canada) that involves dishonesty or would affect the ability of the member to fulfill his or her duties with respect to the Plan.

Where a violation or conviction occurred prior to, or a charge is outstanding on the date of the appointment of the member to the Commission, the report must be made prior to the first meeting that the member of the Commission attends. Where a violation, charge or conviction occurs after the appointment of the member to the Commission, the report must be made prior to the first meeting after it occurs.

Commission members must report criminal or other illegal or unethical conduct by any other Commission member of which they may become aware, including any potential violations of the Code of Conduct and Conflict of Interest Procedures.

Such reports shall be made at the earliest possible opportunity and in any case no later than the next following regularly scheduled Commission meeting.

Reports are to be made to the Commission Chairperson. Where the individual with the duty to report is the Commission Chairperson, that individual shall report to the Vice-Chairperson. In the event that a member is uncertain as to whether any action or conduct falls within the duty to report, the member must consult the Chairperson whose determination of the question will be final.

The Chairperson (or Vice-Chairperson) may determine that the violation, charge or conviction renders the participation of the member in decisions of the Commission inappropriate, and may exclude or restrict the member of the Commission from participating in some or all of the decisions of the Commission. Unless it becomes necessary for the report to be used for this purpose, the report and any information provided for the purpose of consultation respecting a report shall be kept confidential by the person to whom it is provided.

Subsection 15(1) of *The Trustee Act, 2009* provides the conditions under which a person becomes disqualified to act as a trustee. Specifically, a person becomes disqualified to act as a trustee if that person:

- a) Dies;
- b) Disclaims the trust or refuses to act as trustee;
- c) Lacks capacity;
- d) Is a minor;
- e) Is convicted of an offence involving dishonesty;
- f) Is an undischarged bankrupt;
- g) Resigns from the trust; or
- h) Is a corporate trustee that is not registered, if required by the law to be registered, or is not licensed, if required by law to be licensed.

Commission members must report when they satisfy a condition, aside from item (a), which would disqualify them from acting as a trustee.

Reports are to be made to the Commission Chairperson. Where the individual with the duty to report is the Chairperson, that individual shall report to the Vice-Chairperson.

The Chairperson (or Vice-Chairperson) shall report to the body or bodies appointing the Commission member that the member is no longer qualified to be a trustee.

## 12.6 Conflict of Interest Procedures

These procedures apply to members of the Commission with respect to their responsibilities as trustees of the pension fund, administrators of the pension plan, and decision-maker with respect to disputes regarding the Plan.

Members of the Commission shall not knowingly permit their interests, actual or perceived, monetary or otherwise, direct or indirect, to conflict with the proper exercise of their duties and responsibilities.

Commission members should familiarize themselves with the range of actions which may be taken to respond to a conflict of interest or ethical issue. Although not exhaustive, the following actions may be taken to remedy or avoid a possible conflict of interest or ethical issue.

### *Disclosure*

Members of the Commission shall disclose in writing the nature and details of any actual, perceived or possible conflicts of interest, which could impair their ability to make unbiased decisions affecting the Plan. Such disclosure shall be made to the Chairperson or Executive Secretary of the Commission as soon as practicable after the conflict of interest has been discovered by the Commission member. In the event that the member is the Chairperson, disclosure must be made to the Vice-Chairperson or Executive Secretary.

The Chairperson or Executive Secretary will table the matter at the next regularly scheduled Commission meeting. The Chairperson, in consultation with the Commission (excluding the member who is in conflict of interest), will determine the appropriate action under the circumstances.

Should a Commission member discover an actual or perceived conflict of interest during the course of a Commission meeting, the member must immediately declare the conflict of interest. The Chairperson, in consultation with the Commission (excluding the member who is in conflict of interest), will determine the appropriate action under the circumstances.



- *Register*

The Executive Secretary of the Commission shall maintain a register of all actual, perceived or possible conflicts of interest disclosed by members of the Commission.

The register shall contain a description of each conflict of interest and the name of the Commission member to whom the conflict of interest applies, the date upon which the conflict of interest arose and was subsequently disclosed by the Commission member, and the manner in which the conflict of interest was dealt with by the Commission.

- *Abstaining from Vote and Discussion*

Members of the Commission who have disclosed a conflict of interest, or who are required to disclose an actual or perceived conflict of interest, shall not participate in any discussion, decision or vote relating to any transaction involving the aforementioned conflict of interest. Such members must consult with the Commission to determine whether or not it is appropriate to leave the meeting during discussion of the matter.

Where a Commission member has disclosed a conflict of interest, the member may continue to participate in the discussion, decision or vote, despite the conflict of interest, by obtaining prior approval from the Commission. The approval to participate should be noted by the Executive Secretary in the register.

- *Other Business Activities*

Members of the Commission engaging in any other business activities, directly or indirectly, which may conflict with or are in competition with their duties and responsibilities as Commission members, must make full disclosure of such activities to the Chairperson or Executive Secretary of the Commission.

Adhering to the *Disclosure* procedures in this section, a resolution to the matter will be undertaken by the Commission. The Commission should determine whether an actual or perceived conflict of interest exists, and the appropriate action under the circumstances.

The Chairperson will advise the Commission member, who is in conflict of interest, to comply with one of the following options determined by the Commission:

- discontinuation of the activity;
  - appropriate action to remedy the situation; or
  - consent to the activity.
- *Gifts, Benefits and Entertainment*

It is deemed a conflict of interest if, without the consent of the Commission, a member of the Commission accepts gifts, benefits, entertainment or other personal favors of more than token or nominal value from persons or organizations doing business with the Plan. Any person or organization offering such inducements must be advised to discontinue the practice immediately if a sustained business relationship is to continue with the Plan.

Similarly, Commission members must not offer gifts or favors to persons or organizations in order to secure preferential treatment for the Plan.

Inappropriate gifts or benefits that are received by members of the Commission, which violate Section 12.05 – Ethical Standards, should be returned to the donor as soon as practicable. Where the donor may perceive the return of an inappropriate gift or benefit as offensive, for cultural or other reasons, the Commission member must make full and immediate disclosure of receipt of the gift or benefit. Such gift or benefit must be delivered to the Commission, which will determine the suitable disposition of the item.

## **12.7 Consequences of a Breach**

In the event of a breach of the Code of Conduct and Conflict of Interest Procedures, or a failure to remedy or disclose an actual or perceived conflict of interest, the consequences of such infractions should reflect the nature, magnitude and seriousness of the breach.

The following are examples of possible consequences, which the Commission may consider, when dealing with a breach of the Code of Conduct and Conflict of Interest Procedures:

- the Commission member may be offered the opportunity to resign from the Commission;
- the Commission may recommend to the appointing body and/or association to terminate the appointment of the Commission member to the Commission;

- the Commission member may be required to make full restitution to the Commission of any personal gain acquired as a result of the breach, for disposition by the Commission;
- the Commission may consider taking legal action against the Commission member;
- if the Commission member is in breach of the law, the Commission will report the Commission member's action to the proper authorities.

This list of consequences is not exhaustive, and does not preclude any other course of action, which the Commission may deem appropriate under the circumstances.

## 12.8 Avoidance of Bias

These procedures apply to members of the Commission with respect to their responsibilities as decision-maker (e.g. dispute resolution) with respect to disputes regarding the Plan.

Members of the Commission shall not knowingly permit any relationship or other circumstances, either in the past or the present, to be perceived as a possible reason for the member to hold a bias either in favor or against a party with respect to whom a decision is to be made.

Commission members should familiarize themselves with the range of actions that may constitute a potential bias issue, and the actions that might be taken to respond to the issue. A potential bias issue may arise as a result of circumstances such as:

- the member has a personal or business relationship with a party;
- the member is a member of an organization in which the party is also a member;
- the member has information about the party which has not been placed before the other members of the Commission as part of the decision-making process;
- the member has expressed views in public respecting the subject matter of the decision;
- the member has communicated directly with one of the parties respecting the subject matter of the decision.

This list is not exhaustive. If a member of the Commission is aware of any circumstances which might give rise to a bias issue, the member must disclose the circumstances to the Chairperson or Executive Secretary of the Commission at the earliest opportunity.

In the event that the member is the Chairperson, disclosure must be made to the Vice-Chairperson or Executive Secretary. The Chairperson may:

- remove the member from the panel of members that are making the decision;
- if the Chairperson is of the opinion that the circumstances may not warrant removal of the member, the Chairperson shall disclose the circumstances to the parties and provide them with an opportunity to make representations to the Commission with respect to the ability of the member to participate in the hearing; and
- the Commission shall determine the extent, if any, to which the member may participate in the hearing.

A member cannot be removed from the panel where doing so would mean that a quorum of members would not be present. A member is not required to disclose a relationship that is inherent in the manner of the member's appointment, such as being a member of the Plan or a member or employee of a body that is entitled to appoint a member of the Commission.

## 12.9 Commission Member's Acknowledgement

I ACKNOWLEDGE that I have read and considered the Code of Conduct and Conflict of Interest Procedures for members of the Municipal Employees' Pension Commission, and as a member of the Commission, agree to conduct myself in accordance with the Code of Conduct and Conflict of Interest Procedures as it applies to members of the Commission.

I UNDERTAKE to affirm in writing that I have read, understood and will comply with the most recent version of the Code of Conduct and Conflict of Interest Procedures for members of the Municipal Employees' Pension Commission.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Date

## 12.10 History

Approval date:	September 16, 2005; November 16, 2007; September 18, 2008; September 17, 2010; and November 26, 2010
Last Review	November 25, 2016
Next scheduled review:	November 2017

### III. General

#### Section 15 – Commission Liability

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#### 15.1 Purpose

Subsection 13(1) of *The Municipal Employees’ Pension Act* establishes the Commission as the trustee of the Municipal Employees’ Pension Fund (the fund). As trustees of the fund, the Commission collectively, or its members individually, may from time to time find themselves subject to legal actions brought forward by a beneficiary or beneficiaries of the trust or other interested parties regarding actions taken by the Commission with respect to the investment or disposition of funds in the trust or the incursion of expenses related to the trust.

#### 15.2 Commission Member Indemnification

A trustee is permitted to be indemnified out of the property of the trust for a liability incurred in the course of administering the trust, provided that the trustee has acted honestly and prudently. In addition, section 43 of *The Trustee Act, 2009* provides the following:

- 43 (1) In this section, ‘trustee’ includes a former trustee.
- (2) A trustee:
- (a) is accountable only for money and securities actually received by the trustee even though the trustee signed a receipt for the sake of conformity; and
  - (b) is answerable and accountable only for the trustee’s own acts, receipts, neglects or defaults, and not for those of any other trustee,

nor for those of any banker, broker or other person with whom the trust money or securities mentioned in clause (a) are deposited.

(3) A trustee may reimburse himself or herself for, or pay or discharge out of the trust money, all expenses reasonably incurred in or about the execution of the trustee's trust or powers.

(4) A trustee may:

(a) be indemnified out of trust money with respect to:

(i) liabilities and expenses, including an amount paid to settle an action or satisfy a judgment, arising out of any matter or thing done honestly and in good faith relating to the exercise or attempted exercise of the powers and duties of the trustee; and

(ii) legal fees and costs relating to a claim for which this subsection provides an entitlement to an indemnity; and

(b) receive out of the trust money an advance of money for the purpose of meeting an expense for which the trustee may be reimbursed or indemnified pursuant to this section.

(5) A trustee shall repay the money advanced to the trustee pursuant to clause (4)(b) if the trustee is found not to be entitled to be reimbursed or indemnified with respect to the expense for which the advance was made.

A trustee who has not acted honestly and prudently will not be eligible for indemnification by the trust. The purpose of clause 43(4)(b) of *The Trustee Act, 2009* is to recognize that the process of responding to a legal claim and establishing the trustee's honesty and prudence in their conduct as trustee can involve expenses causing significant financial hardship to the individual trustee.

In order to avoid conflicts of interest that arise by the very nature of the circumstances in which this policy would apply, the Commission has adopted criteria which, if met, will entitle the Commission and its members to access funds from the Fund for the purpose of undertaking a reasonable response to a claim without having to seek approval from the Commission.

The guiding principle behind the policy is that in all cases that the Commission member must have acted honestly and in good faith, and the onus lies with the Commission member to provide such information as may be required to make that determination.

#### **Accessing Moneys from the Trust in Advance of a Determination of Liability – One Commission Member Named in Claim**

Section 43 of *The Trustee Act, 2009* allows for a Commission member to access funds in the trust to pay legal expenses in advance of the determination of whether the Commission member (or members) in question has acted honestly

and prudently. The Commission's procedure for where a Commission member requires access to funds in the trust for that purpose is as follows:

1. Where a Commission member has been served with a Statement of Claim which in the Commission member's opinion will require that he or she seek legal representation, the Commission member will request in writing, via the Executive Secretary, that the Ministry of Justice and Attorney General or such other legal counsel as may be providing legal services to the Commission assist the Commission member in responding to the claim.
2. Should the Commission's legal counsel decline the Commission member's request for assistance in responding to the claim, on grounds other than that, the Commission member has, in the opinion of counsel, acted dishonestly or in bad faith, the Commission member may retain legal counsel of his or her own choosing. The Commission member and legal counsel shall make an initial determination as to whether it may or will be necessary and appropriate, based on an initial assessment on the nature, merits and scope of the claim, to access funds in the trust on an advance basis in order to provide an adequate response to the claim.
3. Where the Commission member, in conjunction with legal counsel, determines that an advance will be necessary, the Commission member shall provide to the Executive Secretary of the Commission, the following documentation:
  - A certified true copy of the Statement of Claim;
  - A written legal opinion from the member's legal counsel as to the applicability of section 43 of *The Trustee Act, 2009* to the circumstances of the claim;
  - An estimate of what the total fees and expenses will be to provide an adequate response to the Statement of Claim; and
  - If applicable, any outstanding invoice(s) received from the legal counsel as of the date of the Commission member's application to access moneys in the trust.
4. The Executive Secretary will review the submission from the Commission member and undertake such investigation as the Executive Secretary feels is necessary in order to determine whether the Commission member is entitled to an advance of funds pursuant to this policy.
5. The Executive Secretary may seek the advice of the Ministry of Justice and Attorney General or such other legal counsel as may be providing legal services to the Commission in the course of determining whether the



Commission member is entitled to an advance of funds pursuant to this policy.

6. Where the Executive Secretary is satisfied that the Commission member is entitled to an advance of funds pursuant to this policy, the Executive Secretary shall advise the Commission member in writing of the decision and shall prepare a report for the information of the Commission.
7. Where the Executive Secretary is satisfied that the Commission member is not entitled to an advance of funds pursuant to this policy, the Executive Secretary shall advise the Commission member in writing of the decision together with the reasons for the decision.
8. The decision of the Executive Secretary is final.
9. Where the Commission member's claim for an advance of funds is successful, and until the claim against the Commission member is determined or otherwise settled, the Commission member will provide any invoices for claim to the Executive Secretary, who will take any such steps as may be necessary to verify the claim and authorize it for payment.
10. At each meeting of the Commission subsequent to a successful application for advance payment from the trust fund, the Executive Secretary will provide a report for the information of the Commission indicating:
  - the details and amount of all invoices received with respect to the matter;
  - a cumulative total of all moneys to date paid out of the trust with regard to the matter;
  - any information that might affect the eligibility to the Commission member to continue receiving funds; and
  - the amount initially estimated by the applicant Commission.
11. The Executive Secretary may at any time inquire of the applicant as to the status of the claim and where the Executive Secretary is of the opinion that further explanation and details for an updated estimate of expenses in the matter may be required, the Executive Secretary may request such further explanation and details of the applicant Commission member, reserving the right to suspend further advances from the fund until such time as the applicant Commission member provides same.
12. At the conclusion of the claim, the Executive Secretary shall provide a report to the Commission containing such information as the Commission may reasonably require in order to determine whether the amounts advanced

from the Fund are amounts to which the Commission member would be entitled to be indemnified, and if not, whether steps should be taken for the recovery of those amounts.

#### **Accessing Moneys from the Trust in Advance of a Determination of Liability – More than One Commission Member Named in Claim**

More than one Commission member may be named in a Statement of Claim and it may be necessary for more than one Commission member to access funds from the trust in advance in order to respond to the claim. In such cases the Commission members will have the option of seeking advance moneys from the trust individually or collectively as a group of Commission members.

In either case, the above process is to be followed with such modifications as may be necessary to maintain the effectiveness and integrity of the process.

#### **Efficiency of Process**

The Commission recognizes the need for timelines in responding to potential claims against the Commission or its members.

Where a member makes application to access funds to respond to a Statement of Claim, the Executive Secretary will endeavor to bring the process to a conclusion with the greatest efficiency.

To that end, the Chairperson will consult with the Commission member and the Executive Secretary as necessary to facilitate the efficient completion of the indemnification process.

### **15.3 Not Limiting Commission Member Right of Indemnification**

Where for any reason a Commission member has not availed himself or herself (or a group of Commission members has not availed themselves) of the provisions allowing them to request moneys from the trust in advance of a determination of a Claim, nothing in this section of the Governance Manual is to be construed as prohibiting that Commission member from seeking reimbursement from the trust in accordance with the terms of *The Trustee Act, 2009* for expenses reasonably incurred in responding to a Claim merely because the Commission member(s) did not avail themselves of the process.

Where a Commission member is (or Commission members are) seeking reimbursement from the trust after the fact, the process described above is to

be followed with such modifications as may be necessary to maintain the effectiveness and integrity of the process.

#### 15.4 The Commission's Position on Third-Party Liability Insurance

The Commission can choose whether the risk of having to indemnify a member of the Commission for a liability should be borne by the fund, or shared with other parties through the purchase of third party insurance. The choice is between risking a potentially substantial payment out of the fund or incurring a cost that is certain.

*The Trustee Act, 2009* provides trustees who act honestly and in good faith with liability protection. This protection is not provided in the event of wilful misconduct or criminal activity. Similarly, liability insurance purchased through a third-party insurer does not provide protection in the event of wilful misconduct or criminal activity.

It is the position of the Commission that it should not purchase third-party liability insurance. The reasons for this include:

- *The Trustee Act, 2009* already provides liability protection for trustees who act honestly and in good faith, therefore there is no advantage to members of the Commission in having insurance coverage for the same risk;
- Willful misconduct and criminal activities are the only activities for which there is a real possibility of liability on the part of individual Commission members. It is a matter of policy that there is an expectation that such activities will not be tolerated, and if they do occur, the member should face the consequences personally.
- The Commission has adopted governance policies and procedures that minimize the risk of there being liabilities for which the fund would be responsible for indemnification; and
- The history of the administration of the plan does not indicate a risk that justifies the additional cost of third party insurance.

#### 15.5 History

Approval date:	September 1, 2006; September 21, 2007; February 26, 2010; and November 15, 2013
Last review:	March 16, 2018
Next scheduled review:	November 2019

## Municipal Employees' Pension Commission Appointment Information

### *Term of service*

- A term of service is four years. A member is eligible for two terms of service. While an appointing body is free to choose or change appointees, and there is no need for the process to be unnecessarily restrictive, it is important to understand the importance of continuity of trustees. There are extensive education requirements in the first two to three years of appointment, and therefore the Municipal Employees' Pension Commission (the Commission) encourages appointees to the Commission and appointing organizations to view an appointment as an eight year commitment. A Commission member serving a full eight years allows the Commission to receive full value from its investment in Commission member education, and ensures that each of the trustees become equipped with all the skills necessary for optimal participation on the Commission. This benefits all members of the Municipal Employees' Pension Plan.

### *Time Commitment*

- Individuals appointed to the Commission can expect to be away from the workplace 15 to 20 days per year.
  - At least nine meetings per year: usually the third Friday of each month excluding July, August and December.
  - Mandatory education of approximately five days per year (closer to 10 in the first year).
  - An annual planning session, usually one day.
- In addition, the time for experienced members to prepare for each board meeting is a minimum of four hours.

### *Mandatory Education requirements*

- First year:
  - Two separate half-day orientation sessions within the first three months (Regina);
  - A five-day basic or introductory level course on board governance, trust management and administration, and/or fund investment at a cost of \$2,000 plus expenses; and
  - Two sessions, one on basic investment knowledge and one on basic actuarial principles.
- Second Year:
  - A more advanced course provided by a recognized school or an industry expert at a cost of \$2,000 - \$7,000 plus expenses.

### *Skills and knowledge to bring/develop during the term*

- There are a number of skills or areas of knowledge that Commission members need to either bring with them, or develop through education and involvement in decisions in order to fulfill their fiduciary duty as a trustee. The skills and knowledge will include:
  - Institutional level investments
  - Pension plan funding
  - Understanding actuarial valuations
  - Finance and audit
  - Budget and administration
  - Governance
  - Contracts, legal concerns and legislation
  - Trusts, trustees and their fiduciary duty
  - Risk Management
  - Strategic Planning



## REQUEST FOR ITEM TO BE DISCUSSED 'EN CAMERA'

Date: August 21, 2018

Subject: Western Canada Summer Games Sponsorship Opportunities

Request from: General Manager Community Services

Local Authority Freedom of Information and Protection of Privacy Act Justification:

Section 16

Request Justification:

Advice, proposals or recommendations developed by or on behalf of the City.

Signature: \_\_\_\_\_

**MEETING REQUESTED TO BE HELD: Following the next regular Council meeting on August 27, 2018.**

Staff Members to be in Attendance: CAO, City Clerk, General Manager Corporate Services, General Manager Infrastructure and Operations, General Manager Planning, Fire Chief, General Manager Community Services.