

Annual Convention Resolutions & Responses

Matters Pertaining to SARM

Resolution No. 1-05A
RM of Whiska Creek No. 106
Grid Road Maps

WHEREAS, the 2005 Grid Road Map does not show the same road network as the previous Grid Road Map;

THEREFORE BE IT RESOLVED, that the next printing of the grid road map include the former dedicated system.

Response from SARM:

There are challenges to including all the former road classification system of roads on the grid road map. These challenges include the availability of the electronic data base for the former system and the clarity of the map. However, the inclusion of the former road classification system will be done as much as possible when the grid road map is next updated.

Resolution No. 3-05A
North Central Rural Municipal Association
ACRE Report

WHEREAS, ACRE has released *A Strategy For Rural Saskatchewan*;

THEREFORE BE IT RESOLVED, that SARM and the Province of Saskatchewan closely examine the report and SARM share with its delegates its interpretation and state approval or disapproval of the conclusions and recommendations.

Response from SARM:

Please refer to the response to Resolution 4-05A.

Resolution No. 4-05A
RM of Snipe Lake No. 259
ACRE Infrastructure Recommendations

WHEREAS, the ACRE subcommittee has presented a report where recommendations are being made for rural infrastructure; and

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WHEREAS, the future viability of rural Saskatchewan is at stake as a direct result of the recommendation to support infrastructure funding in a defined number of regional centers; and

WHEREAS, the recommendations are a giant leap towards implementation of a county system;

THEREFORE BE IT RESOLVED, that the SARM executive be directed to adamantly oppose all or any attempt to ratify the ACRE Infrastructure Report recommendations to support infrastructure in a defined number of regional centers.

Response from SARM:

Meetings were held with Dick DeRyck, Chair of the Infrastructure Subcommittee, and the Honourable Clay Serby, Minister of Rural Development regarding the Infrastructure Subcommittee's interim report. The committee did not include the recommendation of a defined number of regional centres in the final report.

POP 7-05A

RM of Marquis No. 191

Advertising Campaign on Education Tax

WHEREAS, SARM has been lobbying senior governments for many years to correct the inequities of excessive education taxes on agricultural properties; and

WHEREAS, the lobbying efforts have apparently fallen on deaf ears, as little if any of the inequities have been addressed to date; and

WHEREAS, the majority of the farmers are facing an unprecedented financial crisis that will result in many farmers being forced out of business;

THEREFORE BE IT RESOLVED, that SARM begin an immediate advertising campaign outlining to the people of Saskatchewan the unfairness of the education tax burden being borne by the agricultural sector of the province.

Response from SARM:

Investigation on implementation of a large media campaign determined that the cost of such a campaign would be substantial. A survey of members was conducted to determine how many would be willing to contribute \$500 to help fund the media campaign. Just over 60% of rural municipalities responded favourably. In the Board's opinion, this was not sufficient support to proceed. As an alternative, a series of articles related to the education tax issue were produced and distributed to newspapers.

Saskatchewan Government Relations

Resolution No. 8-05A

RM of Meeting Lake No. 466

Education Tax on Agricultural Land

WHEREAS, education tax has for many years been steadily increasing on agricultural land; and

WHEREAS, businesses providing supplies and services to producers pass on their operating costs to their customers so as to maintain a profit margin, thus forcing producers to pay a compounded education tax; and

WHEREAS, producers are forced to accept prices offered to them for their commodities, and pay whatever suppliers and service providers charge for their products, thereby often leaving a negative margin for producers; and

WHEREAS, SARM delegates have urged this unfair tax be corrected by the Provincial Government; and

WHEREAS, SARM has lobbied for tax relief without adequate success; and

WHEREAS, the emergency education tax meeting and the resolution to delay tax incentives until December 2004, and the rally at the Legislative Building by the RM delegates and producers on June 10, 2004 has not resulted in a meaningful reduction of education tax on agriculture land; and

WHEREAS, Premier Calvert stated openly at the March 2004 SARM Convention that the education tax on agriculture land is unfair and needs correction; and

WHEREAS, the proposed \$110 million tax relief promised by Premier Calvert for 2005 – 2006 will not cover the education tax increase in many RMs due in part to amalgamation of school divisions and differences in mill rates as well as any new increases in 2005; and

WHEREAS, school divisions set the mill rate to be levied on agriculture land;

THEREFORE BE IT RESOLVED, that the delegates at the 2005 Annual SARM Convention make a dedicated effort to develop a plan to reduce education tax on agriculture land beginning with the 2005 taxation year and that this plan be adopted by all RMs; and

BE IT FURTHER RESOLVED, that a plan of action be developed for all RMs if the school boards attempt to levy more than 50% of the RM mill rate on agriculture land; and

BE IT FURTHER RESOLVED, that the Premier and Cabinet be lobbied to support the RMs' position.

Response from Honourable Len Taylor, Minister of Government Relations:

- The province will provide 30% of the new one-time federal equalization money for education property tax relief. This relief amounts to \$110 million and will be distributed through a property tax relief credit to all ratepayers for the 2005 and 2006 taxation years.
- The Departments of Learning and Government Relations have been involved in an Education Property Tax Relief Working Group to examine possible long-term solutions for funding K-12 education. Local government organizations, such as SARM, formed a part of the working group. The report of this working group has been posted on the Government Relations website since November 2004.
- The government is committed to continue to try and find a long-term, sustainable solution. This will be examined in upcoming budgets and when the equalization issue between the federal government and provincial governments is resolved.

Resolution No. 9-05A
RM of Cymri No. 36
Curbside Voting

WHEREAS, *The Rural Municipality Act, 1989* provides for assisting an incapacitated voter to vote in the polling place, but does not provide for curbside voting for disabled people who may not be able to enter the polling place; and

WHEREAS, this may prevent some voters from being able to vote in rural municipal elections;

THEREFORE BE IT RESOLVED, that SARM lobby the Provincial Government to include a provision for curbside voting in legislation governing rural municipal elections.

Response from Honourable Len Taylor, Minister of Government Relations:

- Currently, *The Rural Municipality Act, 1989* provides for assisting an incapacitated voter in the polling place, but does not provide for curbside voting for disabled people who may not be able to enter a polling place.
- Section 22.2 of *The Local Government Election Act (LGEA)* provides the authority for election officials conducting an urban or school board election to conduct curbside voting in situations where an elector is unable to enter the polling area due to a physical disability or limited mobility.
- The Department of Government Relations (GR) is currently proposing amendments that would incorporate rural election procedures into the LGEA as a result of the introduction of *The Municipalities Act*. As part of the amendments that would incorporate the rural election procedures into the LGEA, GR has included a provision that would allow for curbside voting in RM elections. The amendments being added to the rural election provisions are similar to those that currently exist in section 22.2 of the LGEA with respect to procedures regarding curbside voting.

Resolution No. 11-05A
RM of Blaine Lake No. 434
Intensive Road Hauls

WHEREAS, the level of fees that RMs receive for the transportation of gravel on their roads is small; and

WHEREAS, road deterioration is becoming an increasingly obvious result of large trucks hauling heavy loads; and

WHEREAS, RMs are underpaid for intensive hauls by aggregate companies, in relation to the increased cost of road maintenance;

THEREFORE BE IT RESOLVED, that Rural Municipalities be given the authority to set their own fee structure for the intensive haul of gravel and other commodities.

Response from Honourable Len Taylor, Minister of Government Relations:

- The maximum rates for haul road maintenance agreements were last revised in 1999, following consultations with SARM, the Rural Municipal Administrators Association (RMAA), the Department of Highways and Transportation (DHT), the road construction industry, the oil industry, the forestry industry and the trucking industry. At that time, the following changes were made:
 - The winter haul period defined in the regulations was changed to November 15 of one year to March 15 of the next year. This extended the winter haul period by two weeks in the fall and two weeks in the spring.
 - The maximum rate for incremental maintenance resulting from bulk hauls was increased by 12% to 1.57 cents per tonne-kilometre.
 - The maximum rate for loss of service life of roads was increased by 16.5% to 1.34 cents per tonne-kilometre.
 - Authority was added for municipalities to waive the minimum haul rate of \$60 per kilometer.
- As you are aware, Government Relations (GR) is currently working towards re-introducing *The Municipalities Act* during the spring 2005 session of the Legislature to come into effect on January 1, 2006. Following this upcoming legislative change, GR will be considering the necessary regulatory changes, including changes to *The Road Maintenance and Restoration Agreement Regulations*. During the review of this regulations, SARM and other stakeholders will be consulted.

Saskatchewan Department of Highways and Transportation

Resolution No. 12-05A
RM of Blaine Lake No. 434
Gravel Extraction and Road Haul Rates

WHEREAS, the extraction fees and road haul rates have not been adjusted over a period of time and increased costs have been borne by the RM ratepayers; and

WHEREAS, the Department of Highways have increased their gravel permit fee charges to municipalities effective January 15, 2003;

THEREFORE BE IT RESOLVED, that SARM request the Government of Saskatchewan adjust extracting and road haul rates to reflect today's maintenance costs.

Response from Honourable Maynard Sonntag, Minister of Highways and Transportation:

The authority to set gravel extraction fees, and hauling on RM roads as set out in The Road Maintenance and Restoration Agreement Regulations, are under the jurisdiction of Government Relations. As a member of the Road Maintenance and Restoration Agreement Regulations Review Committee, Saskatchewan Highways and Transportation would participate in a haul rate review if requested by Government Relations.

Since these matters are under the authority of Government Relations, I have forwarded your information to my colleague the Honourable Len Taylor, Minister of Government Relations, so that he or one of his officials can respond to you directly.

Response from Honourable Len Taylor, Minister of Government Relations:

Road Haul Rates

- *The maximum rates for haul road maintenance agreements were last revised in 1999, following consultations with SARM, the Rural Municipal Administrators' Association of Saskatchewan (RMAAS), the Department of Highways and Transportation (DHT), the road construction industry, the oil industry, the forestry industry and the trucking industry. At that time, the following changes were made:*
 - *The winter haul period defined in the regulations was changed to November 15 of one year to March 15 of the next year. This extended the winter haul period by two weeks in the fall and two weeks in the spring.*
 - *The maximum rate for incremental maintenance resulting from bulk hauls was increased by 12% to 1.57 cents per tonne-kilometre.*
 - *The maximum rate for loss of service life of roads was increased by 16.5% to 1.34 cents per tonne-kilometre.*
 - *Authority was added for municipalities to waive the minimum haul rate of \$60 per kilometre.*

Gravel Extraction Fees

- *The licensing of gravel extraction is a discretionary power of municipalities under subsection 213(1)(c) of The Rural Municipality Act, 1989 (RMA); however, the fees are regulated by the province to ensure consistency and reasonableness in the amount of fees levied across the province.*
- *The Gravel Extraction License Fees were last updated by government in 1986. The current license fees a municipality can establish, by bylaw, for the extraction of gravel within the RM are:*
 - *8.0 cents per one cubic metre;*

- *6.1 cents per one cubic yard;*
- *4.3 cents per one tonne; and*
- *4.0 cents per one ton.*
- *In addition, an RM has the authority to include in its bylaw a prepayment provision, allowing the municipality to charge a fee up to but not exceeding \$430, payable on the date the license is issued. The prepayment fee is chargeable to any person whose estimated extraction will exceed 10,000 tonnes.*

Applicable Legislation

- *The authority with respect to gravel extraction fees and road haul rates currently provided for under the RMA is continued under The Municipalities Act which comes into effect January 1, 2006. As a result of the legislative change, GR will consider potential regulatory changes. During the regulation review, SARM and other stakeholders will be consulted.*

Saskatchewan Agriculture, Food and Rural Revitalization

**Resolution No. 13-05A
RM of Indian Head No. 156
Scentless Chamomile**

WHEREAS, Scentless Chamomile is a non-native invasive plant species that is difficult to control; and

WHEREAS, in recent years, this prolific species has spread rapidly throughout many rural municipalities in fields, roadsides and farmyards;

THEREFORE BE IT RESOLVED, that Saskatchewan Agriculture, Food, and Rural Revitalization include Scentless Chamomile under Section 19(1) and 23(1) of *The Noxious Weeds Act, 1984*, which provides for special control measures for Leafy Spurge, Field Bindweed, Russian Knapweed, Toadflax and Hoary Cress.

Response from Honourable Mark Wartman, Minister of Agriculture and Food:

Containment and control of scentless chamomile can be effectively accomplished through existing provisions in the NWA 1984, without invoking the power to prohibit seeding (Section 19) or the need of the owner/occupant to surrender land to the control of the municipality voluntarily (Section 23) or involuntarily (by extension of Section 23 to Section 26). The authority that municipalities presently have, under the NWA 1984, through their appointed weed inspectors, is sufficient to prevent the spread of scentless chamomile, as long as those powers are exercised to their fullest and the weed inspector is proactively pursuing all available avenues of enforcement.

Weed inspectors have the power to enforce the NWA, through the use of agreements and orders with landowners to control noxious weeds to prevent their spread, prohibit the movement of plant materials that are infested with noxious weeds and prohibit the movement of vehicles, or machinery that are contaminated with noxious weeds. If

agreements or orders are not complied with, weed inspectors have the authority to ensure that weed control work is performed at the landowner's expense and the municipality has the option to pursue a summary conviction and related fines in Provincial Court. Noxious weeds that come under this power are named in the Noxious Weeds Designation Regulations, 1999 and include scentless chamomile.

Resolution No. 14-05A
RM of Meeting Lake No. 466
Saskatchewan Crop Insurance

WHEREAS, prices on low quality grains change rapidly due to supply, demand, weather, etc; and

WHEREAS, Saskatchewan Crop Insurance's reaction to damaged crop values are higher than the marketplace is paying, or put a value on unmarketable grain through the regular grain companies;

THEREFORE BE IT RESOLVED, that SARM lobby the Provincial Government for Saskatchewan Crop Insurance to use the initial Canadian Wheat Board price or the elevator (Pioneer, Cargill, SWP, AgriCore) price at the time of claim for the value of damaged grains, and subsequently cover the remaining differences crop insurance was designed to cover.

Response from Honourable Mark Wartman, Minister of Agriculture and Food:

Crop Insurance quality factors are based on a fall survey of grain marketing companies and processors. The price survey provides the current market price for the standard grade and the prices for the lower than standard grades. If market prices change significantly after the initial factor is set, crop insurance has and will continue to adjust the factors.

In the rare case where the harvested crop is not saleable because of the level of damage, crop insurance will use a price of zero.

Saskatchewan Environment

Resolution No. 17-05A
RM of Piapot No. 110
Jurisdiction Over Watercourses

WHEREAS, there is conflicting jurisdiction between the Provincial Department of Environment and the Federal Department of Fisheries and Oceans; and

WHEREAS, this conflicting jurisdiction between the Provincial and Federal Departments is making construction of municipal roads extremely difficult and in many cases extremely expensive; and

WHEREAS, in many of the watercourses in this province fish do not exist, in fact, many of these watercourses see water only in the spring thaw or the occasional heavy rain;

THEREFORE BE IT RESOLVED, that the Federal Department of Fisheries and Oceans be removed from the Province of Saskatchewan and that all approvals for road construction on, over or near waterways in the Province of Saskatchewan be under the sole jurisdiction of the province.

Response from Honourable David Forbes, Minister of Environment:

The legal responsibility for fish habitat protection has always rested with the Department of Fisheries and Oceans (DFO); while responsibility for water and the aquatic environment rests with the province. Most smaller scale work in non-fish bearing waters are reviewed and enforces solely at the provincial level. Saskatchewan Environment's principal goal in issuing permits is to ensure that all aquatic habitat values in Saskatchewan are protected.

In Canada, DFO has legal jurisdiction for fish habitat. For a number of years, most of the enforcement responsibilities were informally delegated to inland provinces; however, over the last few years, DFO has reassumed total responsibilities for enforcement of fish habitat and navigable waters protection.

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DFO has approximately 25 staff in Saskatchewan and has been undertaking the review of works such as culvert construction, dam emplacement, etc. for several years.

Both Saskatchewan Environment and DFO are working cooperatively to minimize jurisdictional overlap and to review any works subject to dual jurisdiction in an integrated, cost effective, and timely fashion. Both departments continue to ensure that the re-assumption of enforcement duties by DFO is as seamless and coherent a transaction as possible.

Saskatchewan Environment and DFO are working to develop a referrals process which will direct any particular project to the "appropriate" review agency. For instance, DFO has recently tables a set of Operational Statements for common activities which reduce the need for review and approval. These have been developed with the province and are similar to the province's exemption rules.

**POP 4-05A
RM of Grayson No. 184
SE Review Costs**

WHEREAS, Saskatchewan Environment is requiring rural municipalities to obtain permits for development on municipal lands; and

WHEREAS, in many cases the municipalities have to hire high cost consultants to check out environmental concerns on this land; and

WHEREAS, in many cases the municipalities have to incur much higher construction or development costs; and

WHEREAS, municipalities with their small tax base are having to absorb the extra cost of these studies and development costs; and

WHEREAS, the resulting benefits, if found, are a benefit for all people of Saskatchewan and Canada;

THEREFORE BE IT RESOLVED, that SARM lobby the provincial government to absorb these extra costs.

Response from Honourable David Forbes, Minister of Environment:

Saskatchewan Environment encourages continual improvement of solid waste management in the province and is working with all stakeholders to develop a province-wide Solid Waste Management Strategy for 2006-2007.

Saskatchewan Environment acknowledges that the initial cost to design, construct and operate a landfill is expensive. Many municipalities hire consultants to assist them in the proper siting, design, construction and development of operating practices for waste disposal grounds to ensure current design and operating requirements are met. These elements are important to ensure that

impacts to the environment are minimized and will reduce the overall cost in the long-term.

Since 1992, the province and municipalities have invested \$8 million (approximately \$4 million each) in regional waste management. Regional waste systems provided a cost effective option for municipalities versus constructing and operating individual landfills. At this time, no additional funding is available for the development of new regional landfills, however the department continues to promote the development of sustainable regional waste management systems and encourages municipalities to work together to provide waste management services to their communities.

The management of solid waste continues to be a priority for the provincial government and is an important component of the Green Agenda.

Saskatchewan Learning

**POP 2-05A
RM of Chesterfield No. 261
Amalgamation of School Divisions**

WHEREAS, the Minister of Learning has announced that the government will force the amalgamation of public schools districts; and

WHEREAS, the forced amalgamation of school divisions will result in an estimated 21 million dollars of education funding taken out of rural Saskatchewan annually and shifted to urban centers; and

WHEREAS, there are indications that amalgamation of school divisions will not reduce costs, promote tax fairness or improve quality of education; and

WHEREAS, the proportion of education tax on agriculture land is already unfair;

THEREFORE BE IT RESOLVED, that the government abandon the forced amalgamation of school divisions until the Government of Saskatchewan provides proof that amalgamation will provide an increased quality of education, guarantees cost savings, and does not simply shift the tax burden.

Response from Honourable Andrew Thomson, Minister of Learning:

Our government remains committed to the restructuring of school divisions in Saskatchewan recognizing that this initiative will strengthen the resources available in a new, larger school division and its capacity for providing high quality learning opportunities and supports. The primary purpose if restructuring is to increase equity in educational opportunities for students by using any saving to improve and broaden programs and services for all students. As well, the new governance structure will allow for the regional pooling

of property tax resources that will improve equity for all property tax payers in Saskatchewan.

Our government's last initiative to support and encourage voluntary restructuring of school divisions set a goal to reduce the number of school divisions in the province by 25% prior to school board elections in October 2003. At the end of the initiative, the number of school divisions in the province was reduced by 18% to 81 school divisions. Our sense was that voluntary restructuring had run its course and would not occur quickly enough to achieve the level of change required to ensure that our provincial education system was sustainable in the long-term.

The resolution mentions \$21 million taken out of rural Saskatchewan. With the advent of restructuring and based on the 2005-06 Budget Day estimates, approximately \$13 million from negative grant boards will be redistributed to the new school divisions in the province, through the 2006-07 grant. We expect the rural school divisions will see equal benefit in the redistribution.

To date, it has not yet been determined how the "recaptured" funds will be distributed, however, if the decision were to follow a simple per student method, approximately 95,000 students will be affected by the newly restructured school divisions (including restructuring of the Catholic school divisions), resulting in a redistribution of approximately \$7 million to the newly restructured school divisions. This amount would go directly into rural locations and the remaining \$6 million would be redistributed to the Lloydminster, northern, Regina and Saskatoon school divisions.

As you know, the Government of Saskatchewan is meeting its commitment to address property tax relief by dedicating \$110 million in the 2005 and 2006 taxation years to reduce the education property levy on all properties in Saskatchewan that pay education tax. The education tax paid on property of equal value varies depending on the property class. For example, using the provincial average education tax mill rate of 19.26 mills, property valued at \$200,000 would pay the following based on classification and percentages of value: residential - \$2,696; business - \$3,852; and, farmland - \$2,119. An 8% education tax credit on all properties was chosen as the most equitable method of distribution since all property owners pay education property tax.

Based on our consultation with your association, the Saskatchewan Urban Municipalities Association, and the Saskatchewan School Boards Association, it appears that this was the majority view of a fair way to distribute this short-term property tax relief in Saskatchewan.

Government recognizes the need to look at a long-term solution to education property tax relief and to be most effective, long-term relief must be based on the information coming out of revaluation, restructured school divisions and the new school operating grants system.

The property assessment revaluation in 2005 will see agriculture assessment moving to a productivity based resulting in an overall

aggregate shift in the increase in property values for agricultural land from the west side of the province to the east side. In addition, due to revaluation in 2005, the overall assessment of residential properties will increase approximately 13%, commercial and industrial properties an estimated 10%, while agriculture assessment remained about the same as 2001.

Also, in part of the 2005 reassessment, owner of non-arable (range) land will now pay property taxes based on 40% of the property's assessed value. This is reduced from the 2001 50% and will limit the province-wide property tax shift to pasture land as a result of the 2005 revaluation.

In closing, I believe the Education Equity Initiative is moving forward in addressing the issues of sustainability and equity for all students and education ratepayers. These changes are creating a strong, equitable and sustainable system to ensure that all students in Saskatchewan have access to an education that is responsive, relevant and results-oriented – now and into the future.

Saskatchewan Corrections and Public Safety

Resolution No. 19-05A RM of South Qu'Appelle No. 157 Registration of Interest on Title

WHEREAS, section 4(1) of *The Uniform Building and Accessibility Standards Act* requires municipalities to enforce The Act and its regulations; and

WHEREAS, section 3(1) of *The Uniform Building and Accessibility Standards Act Regulations* declares that *The National Building Code of Canada, 1995* is in force thereby requiring municipalities to enforce the National Building Code; and

WHEREAS, enforcement of non-compliance consists mainly of stop-work orders, no occupancy orders or court; and

WHEREAS, enforcement of The Act may only be undertaken on the owners of the building; and

WHEREAS, on occasion, an individual or developer may sell a building with the purchaser having no knowledge of the building's deficiencies with regards to the National Building Code, thereby leaving the municipality with no other option than to enforce The Act on the new owner, and leaving the new owner with no other option but to sue the seller;

THEREFORE BE IT RESOLVED, that SARM consult with the Saskatchewan Building Officials Association and lobby the Provincial Government to amend *The Uniform Building and Accessibility Standards Act* to allow for the registration of an interest on the title of a property through Information Services Corporation that would either inform any prospective buyers of a contravention of The Act, or prevent the transfer of the title until the interest is removed.

Response from Honourable Peter Prebble, Minister of Corrections and Public Safety:

As you are aware, Part V of The Uniform Building and Accessibility Standards Act regarding enforcement already provides the local authority with substantial powers and provides that compliance orders be issued in matters concerning the application of building and accessibility standards.

However, I understand that compliance is a challenge faced by the local authority and that continued failure to comply by an owner leaved the local authority in a position to either enforce the order in court or resign the order. I note further that that first can be cumbersome and costly, and the latter will fail to achieve that degree of personal health, safety and welfare intended through application of building standards and fail, too, to protect a subsequent owner, unaware of deficiencies.

I believe we need to seek the appropriate balance among your association's interests, other stakeholders' interests, and what is practical in terms of the best enforcement to achieve the health and safety concerns for the public.

Therefore, I have asked my Chief Building Official, Mr. Bill Hawkins, to contact you directly to discuss this matter further and to determine the next steps involving stakeholders like the Saskatchewan Building Officials Association and others.

Saskatchewan Culture, Youth and Recreation

**Resolution No. 20-05A
RM of Piapot No. 110
Heritage Site Reviews**

WHEREAS, many of the cost shared road construction projects require heritage site reviews by Heritage Resources Unit of Saskatchewan Culture, Youth and Recreation; and

WHEREAS, during many of these reviews the Heritage Resources Unit and/or its assigns or agents can be found wandering areas far removed from the area to be impacted by the construction process;

THEREFORE BE IT RESOLVED, that "Heritage Resource Impact Assessments" be restricted to the road allowance and back slope sites shown to be impacted by the process on the engineering profiles for the project; and

BE IT FURTHER RESOLVED, that the Heritage Resources Unit and/or its assigns and agents coordinate their review with the municipality in which the work is to be done.

Response from Honourable Joan Beatty, Minister of Culture, Youth and Recreation:

The provincial Heritage office routinely reviews proposed land developments to determine the need for heritage resource impact assessment (Hria) or other conservation action (per s.63 of The Heritage Property Act. Where Hria is deemed necessary, these studies, including pedestrian examination of the development area, are conducted by private-sector contractors who are selected and commissioned by the developer. Provincial Heritage officials do not conduct impact assessments in the field, and heritage contractors selected by the developer do not act as "agents" for the provincial government. Where Hria is required as a condition of project approval, I can assure you that such requirements pertain only to project areas that will be directly impacted by the construction process.

This resolution appears to relate to the RM of Piapot's application for cost-shared funding under the Prairie Grain Road Program. In reviewing the project-specific application, the need for Hria was identified and subsequently conveyed to the RM by the (Federal) Prairie Farm Rehabilitation Administration which administers the funding program. It is my understanding the engineering firm, contracted by the RM of Piapot to design the road development, commissioned the heritage contractor to carry out the Hria. According to the preliminary heritage report, the exact development area, slated for construction later this year, was not staked at the time the field work was conducted.

I regret any confusion that may have arisen in this particular instance concerning the heritage resource impact assessment process in Saskatchewan. Accordingly, I have asked that the provincial Heritage office contact the RM of Piapot to clarify the Hria process and the respective roles and responsibilities of key players in the process including: regulators, developers, contractors, and approving and funding agencies.

SaskTel

**Resolution No. 21-05A
RM of Arm River No. 252
Continuance of Fleet Net System**

WHEREAS, the Government of Saskatchewan is planning to eliminate the SaskTel Mobility Fleet Net System as of January 1, 2006; and

THEREFORE BE IT RESOLVED, that until the Government of Saskatchewan proves to Saskatchewan Emergency Planning that any new system is more adequate, that the existing SaskTel Mobility Fleet Net System remain in effect.

Response from Honourable Maynard Sonntag, Minister responsible for SaskTel:

I want to assure you that neither government nor SaskTel has any interest or intention of leaving emergency service providers without safe, reliable emergency communications services. SaskTel Mobility recognizes the value FleetNet 800 service has for emergency response providers, and careful consideration was given before a decision was made to turn down the aging service. SaskTel Mobility will continue to support the existing FleetNet 800 service until a new, more viable solution is in place. However, due to the age of the FleetNet 800 network, SaskTel Mobility cannot guarantee it will work reliably in the future. SaskTel will be investigating options to ensure the aging FleetNet 800 network will continue to meet the communication needs of FleetNet 800 users.

SaskTel Mobility is examining options as new technology becomes available. One option is "push-to-talk", an emerging technology in which a cellular phone is used much like a walkie-talkie. It offers similar functionality and many of the same benefits of FleetNet 800 service. Other options include cellular or text messaging services, satellite service, and private mobile radio systems.

Although, we are confident that these solutions are viable choices for many customers, we are aware they may not meet the communication needs of all FleetNet 800 users. Under the leadership of Corrections and Public Safety, several provincial government departments and agencies, including SaskTel Mobility and SaskPower, along with the RCMP, have joined together through steering and working committees to examine the issues surrounding emergency telecommunications in the province and to plan for the future. This group is examining communication alternatives to FleetNet 800 and recommendations are anticipated within the next few months. SaskTel has been meeting with customers to address their concerns and will work closely with SARM, SUMA, SAHO and other provincial bodies to ensure that the organizations and its members are kept fully informed on the FleetNet file.

SaskPower

**Resolution No. 23-05A
RM of Edenwold No. 158
Power Distribution Lines**

WHEREAS, approximately 35,000 kilometers of underground power distribution lines were installed in various areas throughout the province under the Rural Underground Distribution Program; and

WHEREAS, SaskPower's current Directive #97-03-2.3 stipulates that single phase overhead lines shall be built on road allowances, even though existing service in the area is provided through an underground distribution system; and

WHEREAS, such construction creates potential safety hazards and maintenance concerns, and is not consistent with prior

construction practices or policies nor esthetically acceptable;

THEREFORE BE IT RESOLVED, that the directives of SaskPower be amended to include a municipal approval process for any overhead line in an area where underground service is available.

Response from Honourable Frank Quennell, Q.C., Minister Responsible for SaskPower:

This resolution in part notes, "...that the directives be amended to include a municipal approval process for any overhead lines in an area where underground service is available."

For more than 25 years, SaskPower has been constructing distribution lines in the road allowance. This minimizes interference with farming operation in general and minimizes the chances of line contact, thus providing a safer farming environment.

SaskPower submits line placement plans to a Rural Municipality (RM) when the line is to be placed in a road allowance under their jurisdiction. This is to allow for comments and engage in discussions to minimize any impact.

SaskPower has the right to use the public road rights-of-way for line construction subject to the approval of the Department of Highways. The Department of Highways has empowered the RM's to deal with SaskPower on roads under RM jurisdiction. If there is disagreement



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between SaskPower and a RM, the Department of Highways can intervene.

The overarching agreement between SaskPower and the Department of Highways gives SaskPower the right to build in a road right-of-way by advising the RM of the plan. Formal approval from the RM if not required. The Rural Underground Distribution (RUD) Program, replacing the overhead rural 14,400 volt lines and facilities with underground facilities, was discontinued after 1995 as the cost was no longer sustainable. Efforts and resources were redirected to maximizing the existing overhead facilities and carrying out maintenance and replacement when required.

All new rural services are installed by burying the primary (high voltage) or secondary (low voltage) service within the farm yard work area. Any new primary overhead lines are built in the road allowances, with appropriate clearances, and not in the fields.

I trust I have addressed your concerns. If you have any further questions regarding this matter, please contact Mr. Zoltan Bodas, Manager, Materials & Engineering at (306) 566-3303.

Saskatchewan Government Insurance

Resolution No. 24-05A RM of Arm River No. 252 Emergency Response Vehicle/Unit Remuneration

WHEREAS, the Government of Saskatchewan, specifically Saskatchewan Government Insurance, pays a maximum of \$500 per occurrence for the service call of an Emergency Response Vehicle/Unit on provincial highways; and

WHEREAS, most service calls for an Emergency Response Vehicle/Unit are in response to these said provincial highway accidents; and

WHEREAS, the costs to respond to same are greater than the amount of remuneration received;

THEREFORE BE IT RESOLVED, that the monetary compensation per occurrence for an Emergency Response Vehicle/Unit for service calls on provincial highways be raised to a level that adequately compensates the local Emergency Response Area Board for the services provided.

Response from Honourable Maynard Sonntag, Minister Responsible for SGI:

After consultation with the Saskatchewan Urban Municipalities Association (SUMA), the Saskatchewan Association of Rural Municipalities (SARM), the Saskatchewan Association of Fire Chiefs, and the Saskatchewan Volunteer Fire Fighters Association, SGI established a maximum charge out rate of \$500 per hour for emergency services provided. This rate was increased by 10 per cent,

or \$50 per hour effective January 1, 2004; as well, increases based on the Consumer Price Index (CPI) have or will take effect in January of the years 2005 to 2007. As of January 1, 2005, the rate for services was increased by 2.2 per cent (based of CPI) to a current rate of \$562.10, which I understand exceeds the hourly rate paid in our neighbouring provinces.

In addition, SGI provides an annual grant to the Municipal Rescue Services Fund to offset the cost of calls which cannot be claimed against the vehicles owner's insurance coverage. The grant last year was \$133,618.93 and this grant is also adjusted based on the CPI.

Given this information, I am satisfied that the rates currently paid for services are fair and reasonable, and no further rate increases are being considered.

Resolution No. 25-05A RM of Meeting Lake No. 466 Farm Vehicle Classification

WHEREAS, producers have been facing rising input costs; and

WHEREAS, many producers have experienced low yields and damaged crops for several years; and

WHEREAS, crop insurance premiums have risen substantially, SaskEnergy rates have escalated, SaskTel has raised their rates, and Saskatchewan Government Insurance is now threatening our farm vehicle plate designation along with raising vehicle plate costs;

THEREFORE BE IT RESOLVED, that SARM lobby the Saskatchewan Government to leave the farm classification for vehicles as it was, and the rates not be allowed to exceed 2004 levels.

Response from Honourable Maynard Sonntag, Minister Responsible for SGI:

SGI has made, or is in the process of making, several changes which impact farmers. Some are in response to the changing needs of farmers; others are in response to the need for fairness and equity in Saskatchewan's vehicle registration system.

In 2002, access to farm plates was expanded to farmers who are either shutting down or diversifying their farm operation. With this change, farmers can conduct farm plate transactions for up to one year after they have quit farming. Similarly, farmers are entitled to retain their farm plate class while diversifying their farm operations, even though they may not meet the legislated eligibility requirements during the transition period. These changes recognize that the family farm situation is changing and ensures as many farmers as possible have access to farm plates.

Farmers have always been provided with lower insurance rates and registration fees for farm vehicles. In addition, SGI has doubled their discounts under its Business Recognition and Safe Driver Recognition programs effective January 1, 2005. The intent of these programs is

to reward Saskatchewan motorists, including farmers, who have driven without incident or accidents over the previous years by discounting their vehicle insurance rates.

Effective January 1, 2005, changes have been made to simplify to vehicle registration system for light vehicles. This change moves vehicles registered in five different classes to one class, Light Vehicle (LV), which allows broad uses and few restrictions. The purpose of this change was to streamline and simplify the vehicle registration system for Saskatchewan motorists.

Although light farm pickups will remain in Class F, farm vans, and sport utility vehicles (SUVs) that are one ton and smaller will move to the new Class LV. SGI made this change because the vast majority of farm vans and SUVs are being used as personal conveyance vehicles (like farm cars). However, farms vans and SUVs moving to Class LV will retain the farm discount, and there will be very little impact on registration fees.

It should be noted that Class LV vans and SUVs owned by farmers will no longer be allowed to use farm fuel, which includes tax-free coloured diesel and bulk farm gasoline taxed at three cents per litre. Farm fuel is not intended for personal use, such as traveling to and from stores, school, work, or for recreational purposes. In the past, although farm cars were registered in Class PV and received a farm car discount, they were not able to use farm fuel. These same rules will now apply to all personal conveyance vehicles, including farm cars, vans and SUVs.

Area Transportation Planning

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Office of the Premier

Resolution No. 26-05A

RM of Mount Pleasant No. 2

Utility Costs on Community Recreation Facilities

WHEREAS, Saskatchewan Health is greatly concerned about the inactive, overweight youth of our province and the lack of exercise in a modern economy and have introduced "In Motion" to encourage physical activity; and

WHEREAS, local public recreation facilities such as skating arenas, curling rinks, etc. are ideal places to bring our youth together for sports and recreation; and

WHEREAS, SaskPower and SaskEnergy utility charges are a large percentage of the cost of operating these facilities and local governments have no control over such rates;

THEREFORE BE IT RESOLVED, that to facilitate smaller community recreation remaining open for the public, we ask the Provincial Government, Saskatchewan Health, SaskPower, and SaskEnergy to collaborate on ways to remove all demand meter charges for these facilities and further that they charge flat rates only.

Response from Honourable Pat Atkinson, Minister of Crown Management Board:

While I understand the aim of community based efforts to maintain the operations of local recreational facilities for the enjoyment of all, we are unable to support the SARM resolution "...to collaborate on ways to remove all demand meter charges for these facilities and further that they charge flat rates only." Many SaskPower and SaskEnergy customers make similar arguments to the SARM resolution that their rates should be capped or subsidized in some manner. Creating special rates for one group would run contrary to the goal of treating all customers fairly. Rates are designed to ensure no group of customers cross-subsidizes other customers.

SaskPower and SaskEnergy recognize the financial challenges faced by recreational facilities throughout the province. Significantly, community recreation facilities benefit from energy rates currently being charged by SaskPower. For example, SaskPower rates are designed so that there is no charge for the first 50,000 volt amperes of demand per month. Thus, many small recreation facilities are effectively on a flat electricity charge per kilowatt-hour (currently below 9 cents) under the current rate structure.

Further, both utilities encourage customers to conduct energy audits to identify cost savings that may be achieved through the efficient operation of equipment and appliances.

Agriculture and Agri-Food Canada

Resolution No. 27-05A

RM of Meeting Lake No. 466

Seed Royalties

WHEREAS, producers seed numerous crops; and

WHEREAS, producers have access to different levels of seed in the same variety (i.e. certified, registered, foundation, etc) from seed growers with premium prices; and

WHEREAS, seed growers are asking for royalties on all seed, including producer grown grain that is used by producers for seed;

THEREFORE BE IT RESOLVED, that SARM lobby and insist that seed growers be limited to their own production for royalties, and producers be free to use their grain as seed if desired.

Response from Honourable Andy Mitchell, Minister of Agriculture and Agri-Food Canada:

Assuming Resolution 27-05A is referring to varieties protected under Plant Breeders' Rights, Canada's existing Plant Breeders' Act does not prevent farmers from saving and using seed of a protected variety. Currently, this provision, which is often referred to as the "farmers' privilege," is implicit in the Act, but not explicitly stated. However, farmers are not allowed to sell farm-saved (common) seed of a protected variety to other producers without the authorization of the holder of the right. Please see the Canadian Food Inspection Agency's (CFIA) Fact Sheet, "Farmers' Ability to Save Seed Produced from Protected Varieties."

The Government of Canada has no plans to eliminate farmers' rights, but rather, it is proposing amendments that would clarify the "farmers' privilege" by making it more explicit in the Act.

For additional information, you may wish to visit the Planter Breeders' Rights Office Web page on the CFIA Web site at: <http://www.inspection.gc.ca/english/plaveg/pbrpov/pbrpove.shtml>

POP 5-05A

RM of Eyebrow No. 193

Testing of Animals

WHEREAS, our major trading partner (the USA) is stimulated by money and market shares; and

WHEREAS, if Japan and Korea were to open their borders to Canadian Beef, the US would reopen their border for our beef to prevent the loss of market shares; and

WHEREAS, Japan has indicated they will accept the products from packing plants where 100% of slaughtered animals are tested; and

WHEREAS, there is willingness of some packing plants to provide for the testing of animals at a cost of \$20/head to the producer; and

WHEREAS, access to the Japanese market will raise the price per head by \$200 or more;

THEREFORE BE IT RESOLVED, we request the Federal Government to allow packing plants to provide a hundred percent testing of slaughtered animals in order to access such markets as Japan.

Response from Honourable Andy Mitchell, Minister of Agriculture and Agri-Food Canada:

With regard to the testing of animals, food safety concerns are addressed by removing tissues associated with bovine spongiform encephalopathy (BSE) infectivity – the specified risk material (SRM). Amendments to the Health of Animals Regulations and the Food and Drug Regulations in 2003 require that SRM, such as the brain and spinal cord and a portion of the small intestine, be removed from cattle of specified ages that are slaughtered for human consumption. This prevents tissue capable of harbouring the BSE agent from entering the food system. Because the tests used to detect BSE are not proven to be able to find the disease in its early stages, the removal of any material capable of harbouring the BSE agent, if it is present, is the most effective public health safeguard. Further, most animals slaughtered in Canada are 18 to 24 months of age – an age at which BSE is not normally present in cattle.

Animal health concerns are addressed by banning the feeding of high-risk materials to susceptible species. In 1997, the CFIA went beyond the recommendations proposed by the World Health Organization and banned the feeding of most protein that originated from mammals, except that derived from swine, equines, milk and blood, to ruminant animal species (cattle, sheep, goats, deer, elk, etc.). Although producers cannot use the prohibited products as ingredients in ruminant feeds, these materials can be safely ingested by non-ruminant animals, such as poultry and swine, because these species have not been demonstrated to be susceptible to BSE.

On July 9, 2004, the Government of Canada announced that it would introduce a regulatory proposal to require the removal and redirection of SRM and dead and downer cattle from all animal feed, including pet food. The draft regulations were pre-published in the Canadian Gazette, Part I, on December 11, 2004, and the CFIA is reviewing the input received during the comment period, which closed on February 24, 2005.

The surveillance approach adopted in Canada strives to provide the most effective means of detecting BSE in the cattle population at all levels of the production system, based on the recommendations of the Office international des epizooties (World Organization for Animal Health), referred to as OIE. The CFIA is committed to continuous review and adjustments to the surveillance program as new information is presented.

Surveillance testing focuses on those high-risk animals most likely to be affected by the disease. These are defined as cattle over 30 months of age, from the following groups: displaying clinical signs of neurological disease compatible with BSE; found dead on farm; non-ambulatory (downers); presented for emergency slaughter; unhealthy at the time of ante-mortem inspection; and a percentage of healthy animals at slaughter of specified age or geographic grouping. This is consistent with current international guidelines, and it reflects the collective experience of the European Union.

The CFIA had set a goal of testing at least 8,000 animals in 2004 and then increasing testing to 30,000 in 2005. This figure will be under continual review as new international standards are developed and as new science emerges. I am pleased to note that the CFIA surpassed its target for 2004 by testing 23,550 samples, and it has tested more than 22,000 samples in 2005.

The international panels that reviews the BSE policies of both Canada and the U.S. do not recommend BSE testing for all cattle slaughtered. Nonetheless, many BSE-affected countries have implemented this measure, either in whole or in part, to maintain consumer confidence. However, more recently, international recommendations have emphasized the removal of SRM as the most important measure protecting public health. Accordingly, those countries that had previously implemented large-scale testing of slaughter cattle are now examining strategies to move away from this approach.

**POP 8-05A
RM of Fertile Belt No. 183
Cash Advance Program Change**

WHEREAS, the August frost of 2004 has degraded the crop to a feed quality; and

WHEREAS, some of this grain is close to a better grade when there is good quality grain; and

WHEREAS, there is a high surplus of feed grain with very low demand and price;

THEREFORE BE IT RESOLVED, that SARM lobby the federal government (in addition to a cash injection) to change the cash advance program for this year to allow producers to roll over cash advances into the new crop year without going into default providing adequate stocks are still in the farm.

Response from Honourable Andy Mitchell, Minister of Agriculture and Agri-Food Canada:

Given the current market conditions of feed wheat, on April 15, 2005, the Government of Canada granted as stay of default under the Agricultural Marketing Programs Act (AMPA) to Canadian Wheat Board producers. Producers affected by this stay will have until November 1, 2005 to repay their 2004-2005 advance under the AMPA. Alternatively, these producers will be able to transfer any outstanding balance to the 2005-2006 program or repay their advance in cash without being charged a cash repayment interest penalty. This stay

of default should alleviate some of the pressures these producers are currently facing.

Human Resources and Skills Development Canada

Resolution No. 29-05A RM of Churchbridge No. 211 Employment Insurance

WHEREAS, most municipal outside employees such as grader operators, utility maintenance persons, mower operators, etc. are seasonal employees and are laid off during the winter months; and

WHEREAS, employment insurance premiums are deducted from payment of gross wages; and

WHEREAS, the *Employment Insurance Act* was implemented to provide a form of income security benefit to employees facing seasonal layoffs, job termination, etc; and

WHEREAS, the employment insurance benefit premiums collected now seems to be for making money instead of helping workers who have been laid off, quit, terminated, etc. than for a security benefit to workers;

THEREFORE BE IT RESOLVED, that SARM lobby the Federal Government to make changes to the employment insurance benefit regulations that all seasonal employees which are employed year after year should not be forced to apply for other employment during the layoff season; and

BE IT FURTHER RESOLVED, that the employment insurance benefit premium collected by the Federal Government be used strictly for the purpose and intent that it was implemented for.

No response at time of printing.

Department of Fisheries and Oceans

POP 3-05A RM of Grayson No. 184 DFO Costs

WHEREAS, Fisheries and Oceans and Transport Canada Marine are both requiring that all rural municipalities acquire permits any time that they construct across a body of water; and

WHEREAS, municipalities are often then required to construct to very high standards with very high extra costs; and

WHEREAS, all of this is being done to protect fish and/or recreational boating at the expense of rural tax payers; and

WHEREAS, these benefits from the protected fish and recreational boating are for all people of Canada to enjoy;

THEREFORE BE IT RESOLVED, that SARM lobby the Federal Government to absorb all of these extra costs for all the people of Canada.

Response from Geoff Regan, Minister of Fisheries and Oceans Canada:

Under the Fisheries Act, DFO is responsible for coastal and inland fisheries. In Saskatchewan, DFO's mandate is the protection of fish habitat and the Department works closely with the province to protect fish migration routes to ensure the sustainability of resident fish populations, which are a valuable resource to the province. For example, in 2000, anglers in Saskatchewan spent \$225 million, of which \$181 million was wholly related to recreational fishing. Of the approximately 250,000 anglers participating in this fishery, a large number are constituents of rural municipalities.

In order to maintain these fish populations, DFO asks that road crossing be constructed to allow unimpeded fish passage to spawning and rearing areas thus enabling these populations to carry out their life processes. DFO's fish habitat biologists are always prepared to consider the least cost option to achieve this objective.

While environmental costs associated with road construction are typically borne by the proponent, assistance is frequently available. Federal assistance programs such as the Prairie Grain Roads Program and the Canada Saskatchewan Infrastructure Program are available to offset road construction costs incurred by rural municipalities. Costs associated with meeting environmental requirements may be cost-shared under these programs.

All sectors of the economy that conduct work in and around fish habitat are expected to carry out their work in an environmentally responsible manner. In this regard, the agriculture industry has long been considered a responsible steward of our natural resources and DFO will continue to work with the Saskatchewan Association of Rural Municipalities to achieve mutually acceptable objectives.

Canada Post

POP 1-05A RM of Stanley No. 215 Post Office Closures

WHEREAS, the Canada Post Corporation is owned by and responsible to the Government of Canada; and

WHEREAS, the Government of Canada has issued an indefinite moratorium on rural post office closures; and

WHEREAS, the management of the Canada Post Corporation considers rural post offices to be a "heavy burden"; and


WHEREAS, the management of the Canada Post Corporation is currently closing rural post offices in violation of the moratorium issued by the Government of Canada;

THEREFORE BE IT RESOLVED, that SARM lobby the Government of Canada to order the management of the Canada Post Corporation to immediately cease and desist the practice of closing rural Post Offices and that the Government of Canada order the management of the Canada Post Corporation to abandon all intent to close all rural Post Offices currently under review.


Response from Honourable John McCallum, Minister Responsible for Canada Post Corporation:

In 1994, the Government of Canada committed to a moratorium on rural post office closures. There are extraordinary circumstances that occasionally compel a closure and in such instances, Canada Post will consult with the affected communities and will notify me before taking any action.

I am advised there is no intention for any closure of the kind you have referenced. I have forwarded a copy of your letter and resolution to Ms. Moya Greene, President of Canada Post, for her information.



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