November 15, 2019

Re: Your request for access to information under Part II of the Access to Information and Protection of Privacy Act, 2015 [Our File #: MAE/179/2019]

On September 3, 2019, the Department of Municipal Affairs and Environment received your request for access to the following records/information:

“Requesting records pertaining to the rationale or support of the Own Source Revenue requirement within the Community Sustainability Partnership Accountability Measures initiative. In particular, rationale or support for using 2015 per capita requirement based on 2011 population base while town populations have grown since then.”

I am pleased to inform you that a decision has been made by the Deputy Minister for the Department of Municipal Affairs and Environment to provide access to some of the requested information.

In 2015, MAE received approval to provide Municipal Operating Grants (MOG) and a municipal share of the Provincial Gas Tax Revenue (PGTR) conditional upon municipalities or Inuit Community Governments meeting specified accountability measures, including maintaining their own source revenue per capita level equal to or greater than 2015. The calculation uses the 2015 budget own source revenue and 2011 census population (census available at the time). MOG’s and PGTR’s are intended to supplement the municipalities own source revenue and not serve as a replacement.

Each year a circular is distributed to all municipalities and Inuit community governments outlining the community sustainability partnership accountability measures and possible extenuating circumstance exemptions. In September 2018, a circular was sent to all municipalities regarding the 2019 budget and included a reminder of the accountability measures, the requirement to maintain own source revenue and stating the change in the Census to those published in 2016.
Within the response, some information contained within the records has been refused in accordance with the following exceptions to disclosure, as specified in the Access to Information and Protection of Privacy Act, 2015 (the Act):

Section 27(1)(a): “The head of a public body may refuse to disclose to an applicant advice, recommendations or policy considerations submitted or prepared for submission to the Cabinet”

Section 27(1)(c): “The head of a public body may refuse to disclose to an applicant a memorandum, the purpose of which is to present proposals or recommendations to Cabinet”

Section 27(1)(h): “The head of a public body may refuse to disclose to an applicant a record created during the process of developing or preparing a submission for the Cabinet”

Section 27(2)(a): “The head of a public body shall refuse to disclose to an applicant a cabinet record”

Section 27(2)(b): “The head of a public body shall refuse to disclose to an applicant information in a record other than a cabinet record that would reveal the substance of deliberations of Cabinet”

Section 29(1)(a): “The head of a public body may refuse to disclose to an applicant information that would reveal advice, proposals, recommendations, analyses or policy options developed by or for a public body or minister.”

Section 40(1): “The head of a public body shall refuse to disclose personal information to an applicant where the disclosure would be an unreasonable invasion of a third party’s personal privacy.”

As required by 8(2) of the Act, we have severed information that is unable to be disclosed and have provided you with as much information as possible. In accordance with your request for a copy of the records, the appropriate copies have been enclosed. To clarify the responsive records enclosed, please see the list below.

- Pages 1-171 are redacted in full and removed from the enclosed package in accordance with section 27(1)(c); s.27(2)(a).
- Pages 172-175 are redacted in full and removed from the enclosed package in accordance with section 27(1)(h); s.27(2)(a).
- Pages 176-199 are redacted in full and removed from the enclosed package in accordance with section 27(1)(a); s.27(2)(a).

Please be advised that you may appeal this decision and ask the Information and Privacy Commissioner to review the decision to provide partial access to the requested information, as set out in section 42 of the Act (a copy of this section of the Act has been enclosed for your reference). A request to the Commissioner must be made in writing within 15 business days of the date of this letter or within a longer period that may be allowed by the
Commissioner. Your appeal should identify your concerns with the request and why you are submitting the appeal.

The appeal may be addressed to the Information and Privacy Commissioner as follows:

Office of the Information and Privacy Commissioner
2 Canada Drive
P. O. Box 13004, Stn. A
St. John’s, NL A1B 3V8

Telephone: (709) 729-6309
Toll-Free: 1-877-729-6309
Facsimile: (709) 729-6500

You may also appeal directly to the Supreme Court Trial Division within 15 business days after you receive the decision of the public body, pursuant to section 52 of the Act (a copy of this section of the Act has been enclosed for your reference).

Please be advised that responsive records will be published following a 72 hour period after the response is sent electronically to you or five business days in the case where records are mailed to you. It is the goal to have the responsive records posted to the Completed Access to Information Requests website within one business day following the applicable period of time. Please note that requests for personal information will not be posted online.

If you have any further questions, please feel free to contact Desiree Newman by telephone at 709-729-7183 or by e-mail at atippmae@gov.nl.ca.

Sincerely,

EMMA MEULENKAMP
ATIPP Coordinator (Secondary)
Municipal Affairs and Environment

Enclosures
Access or correction complaint

42. (1) A person who makes a request under this Act for access to a record or for correction of personal information may file a complaint with the commissioner respecting a decision, act or failure to act of the head of the public body that relates to the request.

(2) A complaint under subsection (1) shall be filed in writing not later than 15 business days

(a) after the applicant is notified of the decision of the head of the public body, or the date of the act or failure to act; or

(b) after the date the head of the public body is considered to have refused the request under subsection 16(2).

(3) A third party informed under section 19 of a decision of the head of a public body to grant access to a record or part of a record in response to a request may file a complaint with the commissioner respecting that decision.

(4) A complaint under subsection (3) shall be filed in writing not later than 15 business days after the third party is informed of the decision of the head of the public body.

(5) The commissioner may allow a longer time period for the filing of a complaint under this section.

(6) A person or third party who has appealed directly to the Trial Division under subsection 52(1) or 53(1) shall not file a complaint with the commissioner.

(7) The commissioner shall refuse to investigate a complaint where an appeal has been commenced in the Trial Division.

(8) A complaint shall not be filed under this section with respect to

(a) a request that is disregarded under section 21;

(b) a decision respecting an extension of time under section 23;

(c) a variation of a procedure under section 24; or

(d) an estimate of costs or a decision not to waive a cost under section 26.

(9) The commissioner shall provide a copy of the complaint to the head of the public body concerned.
Direct appeal to Trial Division by an applicant

52. (1) Where an applicant has made a request to a public body for access to a record or correction of personal information and has not filed a complaint with the commissioner under section 42, the applicant may appeal the decision, act or failure to act of the head of the public body that relates to the request directly to the Trial Division.

(2) An appeal shall be commenced under subsection (1) not later than 15 business days

(a) after the applicant is notified of the decision of the head of the public body, or the date of the act or failure to act; or

(b) after the date the head of the public body is considered to have refused the request under subsection 16(2).

(3) Where an applicant has filed a complaint with the commissioner under section 42 and the commissioner has refused to investigate the complaint, the applicant may commence an appeal in the Trial Division of the decision, act or failure to act of the head of the public body that relates to the request for access to a record or for correction of personal information.

(4) An appeal shall be commenced under subsection (3) not later than 15 business days after the applicant is notified of the commissioner's refusal under subsection 45(2).
Hi Dan,

Just noticed you weren’t on the e-mail thread.

Paul Tucker, CMA, CPA, MBA
Director of Municipal Finance
Department of Municipal Affairs
Government of Newfoundland and Labrador
1 (709) 729-5381

Hi folks-
In regards to the string of emails below:

Was there ever a finalized letter compiled that was shared? * - please refer to the string of emails below - starting with the last one that I saw from our ADM Heather Tizard dated Dec 8 at 12:58PM with the subject line "Draft Wording for budget 2016 letters re CS Funding –Maintaining Own-Source Revenues"

I would appreciate a copy of the finalized letter if anyone has a copy.
Thanks.
Bob

PS- Note that I have copied Paul and Rayanne on this - as Paul was not with us at the time and Rayanne was not aware of some info that was sent out to the towns previously on the CSP.

Bob:

Hectic times!

Did not get a chance to call you on this.

I think you were talking to Martina?
We can chat on this on tomorrow or Thursday if you wish.

Ed

Edison Goodyear
Central Regional Manager
Department of Municipal Affairs
t  709-256-1061
f  709-256-1060
e  egoodyear@gov.nl.ca

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From: MacAulay, Bob  
Sent: Tuesday, January 19, 2016 1:15 PM  
To: Evoy, Lori; Goodyear, Edison; Skinner, Arthur  
Subject: FW: Draft Wording for Budget 2016 Letters re: CS Funding -Maintaining Own-Source Revenues

Hi Lori –Ed & Art-

My belated “Best wishes for the New Year”.

I have a bunch of 2016 Budgets which I am getting ready to have a look at before sending them (the budgets) on to NLS to enter into MIMS.

Wanted to run several questions/concerns/whatever by the 3 of you before I start my reviewing of the town budgets.

1/ Has there been a final ‘draft wording for Budget 2016 letters’? (Re the string of emails below).  

2/ I was talking to Rayanne yesterday with regard to ‘how garbage fees were to be handled – in relation if they would be counted as ‘own source revenues’. She replied that you folks talked to Scott J. on this at the end of November meeting (I never heard this part) and that [REDACTED]. She did not know what the final decision was and suggested I contact the other Reg. Mgrs..

Can you guys give me an update of “how garbage fees fit into ‘own source revenues’ when we are reviewing the municipal budgets”.

3/ Probably about a month or so ago I was talking to Sherry A. on some Gas Tax related items. During that discussion she told me ‘that for a number (maybe 4 or 5 years) of years Gas tax funds are not released to any of the town’s unless there is/are approved CIP’S in place and the amount of Gas Tax funds released to any town will not exceed the amount of the total amount of approved CIP’S. (That bit of info was new to me and I had assumed the Gas Tax Funds were released as they were originally – IE – on a semi annual bases and the funds were to be kept in a separate bank account and could only be spent toward approved CIP projects – in the meantime the town could earn interest and the gas tax money if kept in a say savings account. Since 2006/2007 when the Gas Tax Funding Program came into play – I have been advising the town’s that they (the towns) should be recording their Annual Gas Tax Funds Allocation on line 4.2.1 of the budget—and- if the towns planned to spent the gas Tax funds in the year the expenditure should be recorded on ‘expenditure line 7.2.5.1’ and if they were not planning to spent the annual gas tax funds they should be entering that amount on ‘expenditure line 7.2.6.1’.

How are your offices handling this item?

4/ With the new CSP ‘sharing of the gasoline sales tax’:

Are your offices requesting the towns to do a revised budget if they are not entering the amount on line 4.1.3?

Are you advising the towns that they did not budget that revenue and letting the towns themselves decide whether to submit a revised budget or not? (We have a number of towns up here who will not have their 2014 Fin.
How are your offices handling this item as it relates to the budget review?

I will really appreciate your answers/thoughts/etc. to the above. Hopefully within the next few days as the budget reviews for my office are behind. (Still got 4 or 5 stragglers but there are always a few.)

Have a good day.

Bob.

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From: Tizzard, Heather  
Sent: Tuesday, December 08, 2015 12:58 PM  
To: MacAulay, Bob; Evoy, Lori; Goodyear, Edison; Hynes, Daniel; Skinner, Arthur; Jones, Scott  
Subject: RE: Draft Wording for Budget 2016 Letters re: CS Funding -Maintaining Own-Source Revenues

Thanks, Bob. I think, however, that these examples would be isolated incidents that we could handle on a case by case basis should they arise (as we will do with the fee piece), so I think Lori’s suggested wording (with Ed’s addition) will still suffice.

Thanks,
Heather

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From: MacAulay, Bob  
Sent: Tuesday, December 08, 2015 12:23 PM  
To: Evoy, Lori; Tizzard, Heather; Goodyear, Edison; Hynes, Daniel; Skinner, Arthur; Jones, Scott  
Subject: RE: Draft Wording for Budget 2016 Letters re: CS Funding -Maintaining Own-Source Revenues

Good morning everyone.

In regards to the CSP wording and in reference to Ed’s comment in the string of emails below and my limit knowledge of the CSP I offer the following for comment:

From what I understand “per capita own source revenues are to be maintained at the 2015 Municipal Budget level and then in the Minister’s letter to the towns with the CSP there is reference to the town’s tax base/revenues. I do not know what the ‘intent’ was behind the item of ‘own source revenues’.

However, if it was to imply the total amount of the town’s tax revenues included in the Revenues section pages 7 to 9 inclusive on the Municipal Budget Submission Form - we may have to consider or pay particular attention to the following revenues noted within those pages such as the following:

1/ line item 1.1.1.3 & line 1.1.2.4 Grants in Lieu
2/ line item 1.1.2.5 Tax Agreements
3/ line item 1.2.2.6 Industrial & Institutional W/S

Each one of the above are generally stable – but in just about all cases these revenues, if a town is lucky enough to have, are beyond any control of the town to a huge extent.
(We had cases - when a tax agreement was in place providing millions of dollars to the town and overnight the company closed down – another example is a town that received thousands of dollars in grant in lieu for both residential and commercial properties from the federal government and then with prior notice the feds decide to tear 50 some odd building in a 6 month period and then a few years late to tear down say 120 building and currently are in the process of tearing down approximately another 50 or 60 housing units and the last example is of a small town with about 300 in population was collecting water and sewer taxes say at $30,000 per year from a 6 to 8 month a year operational fish plant who again without notice to the town the company is discontinuing operations.)
We also have to be aware that a town can set water and sewer taxes for schools, hospitals and building owned by the Province—however—at the same time those W&S revenues can be greatly reduced or even wiped out (although not likely) by the province - note- again beyond the control of the town—Refer to section 131(8).

Do we need to understand the above before we could look at wording a letter to the towns (as per Lori’s email below) – should we come across a situation regarding a town's 2016 budgets if their revenues per capita are not equal to their 2015 per capita tax revenue?

Have a nice day.
Bob.

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From: Evoy, Lori
Sent: Tuesday, December 08, 2015 9:46 AM
To: Tizzard, Heather; Goodyear, Edison; Hynes, Daniel; Skinner, Arthur; MacAulay, Bob
Cc: Jones, Scott
Subject: RE: Draft Wording for Budget 2016 Letters re: CS Funding -Maintaining Own-Source Revenues

Heather,

In ERO we have received less than 10 budgets to date. Generally January month we receive the majority. I am in the process of forwarding those budgets to the Analyst for review, but wanted to seek clarity on this last item first. Given the increase in Municipal Assessments this year, I will be surprised if we see very many decreases in this line item.

Lori

Lori Evoy
Manager, Eastern Regional Office
Municipal and Intergovernmental Affairs
Tel: (709)729-5020
Fax: (709)729-0477
lorievoy@gov.nl.ca

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From: Tizzard, Heather
Sent: Tuesday, December 08, 2015 10:11 AM
To: Evoy, Lori; Goodyear, Edison; Hynes, Daniel; Skinner, Arthur; MacAulay, Bob
Cc: Jones, Scott
Subject: RE: Draft Wording for Budget 2016 Letters re: CS Funding -Maintaining Own-Source Revenues

I am fine with adding Ed’s piece and it is consistent with the Minister’s letter.

Have we seen much of this yet? Where the line 1.0 items have decreased?

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From: Evoy, Lori
Sent: Tuesday, December 08, 2015 10:03 AM
To: Tizzard, Heather; Goodyear, Edison; Hynes, Daniel; Skinner, Arthur; MacAulay, Bob
Cc: Jones, Scott
Subject: RE: Draft Wording for Budget 2016 Letters re: CS Funding -Maintaining Own-Source Revenues

Hello all,

Before I send to the Analyst, I just wanted to confirm our position.
The follow statement is okay to use:

- Please note, as per the new accountability measurements for the Community Sustainability Partnership, you are required to maintain per capita own-source revenues at the level identified on your 2015 budget. Your 2016 Budget indicates that the line item 1.0 Grand Total Taxes and Related Revenue is less than that forecasted on your 2015 Budget.

Or will we add to it, as per Ed’s suggestion:

- Please note, as per the new accountability measurements for the Community Sustainability Partnership, you are required to maintain per capita own-source revenues at the level identified on your 2015 budget. The own-source revenues for establishing benchmarks include residential property taxes, commercial/non-residential property taxes, vacant land property taxes, residential water and sewage taxes, commercial/non-residential water and sewage taxes, other taxes including poll tax, business tax, utility tax, municipal utility tax, direct seller tax and other authorized taxes. The total of these taxes identified in the 2015 municipal budget is the own-source revenue base for determining the per capita benchmark. Your 2016 Budget indicates that the line item 1.0 Grand Total Taxes and Related Revenue is less than that forecasted on your 2015 Budget.

Finally, as per Heather’s e-mail below (notably they should be few), if a municipality can demonstrate that they have shifted some of their revenue collection from a tax basis to a fee basis, then in that case we can include the fees. These will be reviewed on a case by case bases, if they occur.

Thank you,

Lori

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**Lori Evoy**  
Manager, Eastern Regional Office  
Municipal and Intergovernmental Affairs  
Tel: (709)729-5020  
Fax: (709)729-0477  
lorievoy@gov.nl.ca

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From: Tizzard, Heather  
Sent: Thursday, December 03, 2015 2:04 PM  
To: Evoy, Lori; Goodyear, Edison; Hynes, Daniel; Skinner, Arthur; MacAulay, Bob  
Cc: Jones, Scott  
Subject: RE: Draft Wording for Budget 2016 Letters re: CS Funding -Maintaining Own-Source Revenues

I just took a look at the budget with Scott. So here is my take:

The formal direction we received stated: “own source revenue levels, on a per capita basis, be maintained, at minimum”.

The intention of this requirement was to restrict municipalities from reducing tax revenues as a result of the new funding, which is why the minister’s letter focused on taxes. However, if a municipality can demonstrate that they have shifted some of their revenue collection from a tax basis to a fee basis, then in that case we can include the fees. This would still fall within the spirit and intent of the direction.

Other revenue sources, e.g. sale of goods and services or anything else like that could not be included, however, as that was not the intent of the direction.
Clear as mud??

In summary, I think Lori’s suggested statement works as it refers to the tax line, but we should follow up with municipalities in those cases where we think there may have been an equivalent shift from taxes to fees. In those cases, they would still be compliant.

Does this make sense? Questions?

Heather

From: Evoy, Lori  
Sent: Thursday, December 03, 2015 1:37 PM  
To: Tizzard, Heather; Goodyear, Edison; Hynes, Daniel; Skinner, Arthur; MacAulay, Bob  
Cc: Jones, Scott  
Subject: RE: Draft Wording for Budget 2016 Letters re: CS Funding -Maintaining Own-Source Revenues

Heather,

It may be easier for me to drop up with a Budget to show you.

Lori Evoy  
Manager, Eastern Regional Office  
Municipal and Intergovernmental Affairs  
Tel: (709)729-5020  
Fax: (709)729-0477  
lorievo@gov.nl.ca

From: Tizzard, Heather  
Sent: Thursday, December 03, 2015 1:34 PM  
To: Goodyear, Edison; Evoy, Lori; Hynes, Daniel; Skinner, Arthur; MacAulay, Bob  
Cc: Jones, Scott  
Subject: RE: Draft Wording for Budget 2016 Letters re: CS Funding -Maintaining Own-Source Revenues

What other sources of own-source revenue would there be besides taxes and sale of goods and services?

Heather

From: Goodyear, Edison  
Sent: Thursday, December 03, 2015 1:25 PM  
To: Tizzard, Heather; Evoy, Lori; Hynes, Daniel; Skinner, Arthur; MacAulay, Bob  
Subject: RE: Draft Wording for Budget 2016 Letters re: CS Funding -Maintaining Own-Source Revenues

Hi Everyone:

We may have to be careful with the wording and not cause any confusion with Own Source Revenues.

Lori’s comment:
- Please note, as per the new accountability measurements for the Community Sustainability Partnership, you are required to maintain per capita own-source revenues at the level identified on your 2015 budget. Your 2016 Budget indicates that the line item 1.0 Grand Total Taxes and Related Revenue is less than that forecasted on your 2015 Budget.
In the letter that went out from the Minister while it did state own-source revenues it was specific and states the taxes. Effective for 2016, each municipality must maintain per capita own-source revenues at the level identified in the 2015 municipal budget. The own-source revenues for establishing benchmarks include residential property taxes, commercial/non-residential property taxes, vacant land property taxes, residential water and sewage taxes, commercial/non-residential water and sewage taxes, other taxes including poll tax, business tax, utility tax, municipal utility tax, direct seller tax and other authorized taxes. The total of these taxes identified in the 2015 municipal budget is the own-source revenue base for determining the per capita benchmark.

While Lori is correct in the line item 1.0 Grand Total of taxes and other Related Revenue. On the Budget Form 2.0 Sales of Good and Services are also seen as Own Source Revenues as is 3.0 which is specific in stating Other Revenues from Own Sources.

Just trying to avoid any confusion, maybe we should include the statement above from the Minister’s letter along with Lori’s comment.

I am not anticipating we are going to see many that we will need to comment on.

Thanks

Ed

Edison Goodyear
Central Regional Manager
Department of Municipal and Intergovernmental Affairs
    t  709-256-1061
    f  709-256-1060
    e  agoodyear@gov.nl.ca

From: Tizzard, Heather
Sent: Thursday, December 03, 2015 12:02 PM
To: Evoy, Lori; Hynes, Daniel; Goodyear, Edison; Skinner, Arthur; MacAulay, Bob
Subject: RE: Draft Wording for Budget 2016 Letters re: CS Funding -Maintaining Own-Source Revenues

I just sent to Scott.

Heather

From: Evoy, Lori
Sent: Thursday, December 03, 2015 12:00 PM
To: Hynes, Daniel; Goodyear, Edison; Skinner, Arthur; MacAulay, Bob
Cc: Tizzard, Heather
Subject: RE: Draft Wording for Budget 2016 Letters re: CS Funding -Maintaining Own-Source Revenues

Dan,

No I have not sent to Scott.

Lori Evoy
Manager, Eastern Regional Office
Municipal and Intergovernmental Affairs
From: Hynes, Daniel
Sent: Thursday, December 03, 2015 11:58 AM
To: Evoy, Lori; Goodyear, Edison; Skinner, Arthur; MacAulay, Bob
Cc: Tizzard, Heather
Subject: RE: Draft Wording for Budget 2016 Letters re: CS Funding -Maintaining Own-Source Revenues

Lori

Has Scott reviewed this also?

Daniel Hynes P. Eng
Director
Ph: 709-637-2337
Fax: 709-637-2548

From: Evoy, Lori
Sent: Thursday, December 03, 2015 11:43 AM
To: Goodyear, Edison; Skinner, Arthur; MacAulay, Bob
Cc: Hynes, Daniel; Tizzard, Heather
Subject: Draft Wording for Budget 2016 Letters re: CS Funding -Maintaining Own-Source Revenues

Hello everyone.

Based on our conversation during the Regional Manager’s meeting, please review the attached wording, for the 2016 Budget letters:

- Please note, as per the new accountability measurements for the Community Sustainability Partnership, you are required to maintain per capita own-source revenues at the level identified on your 2015 budget. Your 2016 Budget indicates that the line item 1.0 Grand Total Taxes and Related Revenue is less than that forecasted on your 2015 Budget.

Would this be accurate? Should we include anything else in this statement?

As well, are we in agreement that this is the number we will be reviewing —total taxes and related revenue from section 1.0 of the Budget?

Lori

Lori Evoy
Manager, Eastern Regional Office
Municipal and Intergovernmental Affairs
Tel: (709)729-5020
Fax: (709)729-0477
lorievoy@gov.nl.ca
Meulenkamp, Emma

From: Goodyear, Edison  
Sent: Wednesday, January 31, 2018 10:01 AM  
To: Jones, Scott; Tizzard, Heather  
Cc: Hounsell, Sandy  
Subject: RE: Draft Wording for Budget 2016 Letters re: CS Funding - Maintaining Own-Source Revenues

Thanks Scott appreciate it!

Edison Goodyear  
Central Regional Manager  
Department of Municipal Affairs and Environment  
t 709-256-1061  
f 709-256-1060  
e goodyear@gov.nl.ca

From: Jones, Scott  
Sent: Wednesday, January 31, 2018 9:48 AM  
To: Goodyear, Edison; Tizzard, Heather  
Cc: Hounsell, Sandy  
Subject: RE: Draft Wording for Budget 2016 Letters re: CS Funding - Maintaining Own-Source Revenues

Yes.  
As long as OSR per capita remains at the 2015 level, there is compliance.

From: Goodyear, Edison  
Sent: Wednesday, January 31, 2018 9:00 AM  
To: Jones, Scott <ScottJones@gov.nl.ca>; Tizzard, Heather <HeatherTizzard@gov.nl.ca>  
Cc: Hounsell, Sandy <SandyHounsell@gov.nl.ca>  
Subject: FW: Draft Wording for Budget 2016 Letters re: CS Funding - Maintaining Own-Source Revenues

Hi Everyone:

Please see email below. As indicated, this town's OSRs are now less than they were in the 2015 Budget Benchmark year. However, due to a decrease in their population from 2011 to 2016 census their per capita OSRs are above the 2015 Budget benchmark. So this would meet our require as per maintaining own source revenues, correct?

Thanks

Ed

Edison Goodyear  
Central Regional Manager  
Department of Municipal Affairs and Environment  
t 709-256-1061  
f 709-256-1060  
e goodyear@gov.nl.ca
From: Furey, Angela  
Sent: Wednesday, January 31, 2018 8:51 AM  
To: Goodyear, Edison  
Subject: RE: Draft Wording for Budget 2016 Letters re: CS Funding -Maintaining Own-Source Revenues

Hi Ed,

I now have a Town that due to the fact of the decrease from Bell Mobility it’s OSR for 2018 is below the 2015 benchmark. However, as per the email from HQ when calculated on a per capita basis, and the fact that the population decreased, the 2018 will be higher than 2015.

Does this ensure that the Town will be compliant?

Angela

Angela Furey  
Municipal Affairs Analyst  
Dept. of Municipal Affairs and Environment  
Central Office  
P 709-256-1058  
F 709-256-1060  
E AngelaFurey@gov.nl.ca

From: Goodyear, Edison  
Sent: Wednesday, January 31, 2018 8:45 AM  
To: Pomroy, Bruce <BrucePomroy@gov.nl.ca>; Furey, Angela <AngelaFurey@gov.nl.ca>  
Subject: FW: Draft Wording for Budget 2016 Letters re: CS Funding -Maintaining Own-Source Revenues

Edison Goodyear  
Central Regional Manager  
Department of Municipal Affairs and Environment  
t 709-256-1061  
f 709-256-1060  
e egbodyear@gov.nl.ca

From: Goodyear, Edison  
Sent: Tuesday, January 30, 2018 12:57 PM  
To: Tizzard, Heather; Jones, Scott  
Cc: Hounsell, Sandy  
Subject: RE: Draft Wording for Budget 2016 Letters re: CS Funding -Maintaining Own-Source Revenues

Thanks Heather!

We have not been considering the change in the 2016 per capita census for 2018 and most of our Budgets are now completed and confirmed with the Towns with no material deficiencies. However, I don’t think we would have many that would be negatively affected but we may have some.

We will be checking on a go forward bases for the ones we have not yet processed and for future years.
Ultimately, at the end of the day, it is the Town’s responsibility to insure compliancy but we have been advising on maintaining 2015 OSR.

Thanks again!

Ed

Edison Goodyear
Central Regional Manager
Department of Municipal Affairs and Environment
t  709-256-1061
f  709-256-1060
e  egoodyear@gov.nl.ca

From: Tizzard, Heather
Sent: Tuesday, January 30, 2018 11:38 AM
To: Goodyear, Edison; Jones, Scott
Cc: Hounsell, Sandy
Subject: RE: Draft Wording for Budget 2016 Letters re: CS Funding -Maintaining Own-Source Revenues

Ed,

The [s. 27(2)(b)] Staff may have gotten out of the habit, or ignored, the per capita part because the population hadn’t changed since the original direction – until now.
We should be (and should have always been) reviewing own source revenue “per capita”.

Heather

From: Goodyear, Edison
Sent: Tuesday, January 30, 2018 11:35 AM
To: Jones, Scott
Cc: Tizzard, Heather; Hounsell, Sandy
Subject: RE: Draft Wording for Budget 2016 Letters re: CS Funding -Maintaining Own-Source Revenues

Thanks Scott!

Appreciated it!

At our level, we have only been using the 2015 Budget base year, as per direction, and have not given any consideration, nor have we been given direction, pertaining to population, per capita.

Thanks again

Ed

Edison Goodyear
Central Regional Manager
Department of Municipal Affairs and Environment
t  709-256-1061
f  709-256-1060
e  egoodyear@gov.nl.ca
From: Jones, Scott  
Sent: Tuesday, January 30, 2018 10:53 AM  
To: Goodyear, Edison  
Cc: Tizzard, Heather; Hounsell, Sandy  
Subject: Re: Draft Wording for Budget 2016 Letters re: CS Funding -Maintaining Own-Source Revenues  

I don’t see an issue with this shift.

Note, the real test of whether the own source revenue per capita requirement is met from the perspective of eligibility for receiving the PGTR is whether actual revenue per audited financial statements is no lower than 2015 levels.

Sent from my iPhone

On Jan 30, 2018, at 10:43 AM, Goodyear, Edison <egoodyear@gov.nl.ca> wrote:

Perfect!

Thank you so much!

Appreciate the response!

Ed

Edison Goodyear  
Central Regional Manager  
Department of Municipal Affairs and Environment  
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From: Tizzard, Heather  
Sent: Tuesday, January 30, 2018 10:42 AM  
To: Goodyear, Edison; Jones, Scott  
Cc: Hounsell, Sandy  
Subject: RE: Draft Wording for Budget 2016 Letters re: CS Funding -Maintaining Own-Source Revenues

That should be fine from my perspective.
Their OSR hasn’t decreased, so it shouldn’t be an issue. Will leave it up to Scott to determine if it needs to be flagged at his end.

Thanks

From: Goodyear, Edison  
Sent: Tuesday, January 30, 2018 10:37 AM  
To: Tizzard, Heather; Jones, Scott  
Cc: Hounsell, Sandy  
Subject: RE: Draft Wording for Budget 2016 Letters re: CS Funding -Maintaining Own-Source Revenues

s. 29(1)(a)
Hi Heather/Scott:

We have the Town of Baytona that presently uses the poll tax/fee structure (one of the few that we have that don’t used property tax). They have reduced the amount they are budgeting to collect in poll tax but increased the amount to be collected in fees. So the overall amount between their 2018 budgeted taxes and fees surpass the total for this overall amount in 2015. The Town has verbally confirmed they indeed have gone that route similar to you example below.

Is there something that we are required to do at the Regional office level to insure that this is identified when it is later reviewed by Scott Division for compliancy to insure there is not confusion that would lead to their Grant being reduced?

Thanks

Ed

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From: Tizzard, Heather  
Sent: Thursday, December 03, 2015 2:04 PM  
To: Evoy, Lori; Goodyear, Edison; Hynes, Daniel; Skinner, Arthur; MacAulay, Bob  
Cc: Jones, Scott  
Subject: RE: Draft Wording for Budget 2016 Letters re: CS Funding -Maintaining Own-Source Revenues

I just took a look at the budget with Scott. So here is my take:

The formal direction we received stated: “own source revenue levels, on a per capita basis, be maintained, at minimum”.

The intention of this requirement was to restrict municipalities from reducing tax revenues as a result of the new funding, which is why the minister’s letter focused on taxes. However, if a municipality can demonstrate that they have shifted some of their revenue collection from a tax basis to a fee basis, then in that case we can include the fees. This would still fall within the spirit and intent of the direction.

Other revenue sources, e.g. sale of goods and services or anything else like that could not be included, however, as that was not the intent of the direction.

Clear as mud??

In summary, I think Lori’s suggested statement works as it refers to the tax line, but we should follow up with municipalities in those cases where we think there may have been an equivalent shift from taxes to fees. In those cases, they would still be compliant.

Does this make sense? Questions?

Heather
From: Evoy, Lori  
Sent: Thursday, December 03, 2015 1:37 PM  
To: Tizzard, Heather; Goodyear, Edison; Hynes, Daniel; Skinner, Arthur; MacAulay, Bob  
Cc: Jones, Scott  
Subject: RE: Draft Wording for Budget 2016 Letters re: CS Funding -Maintaining Own-Source Revenues

Heather,

It may be easier for me to drop up with a Budget to show you.

Lori Evoy  
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lorievoy@gov.nl.ca

From: Tizzard, Heather  
Sent: Thursday, December 03, 2015 1:34 PM  
To: Goodyear, Edison; Evoy, Lori; Hynes, Daniel; Skinner, Arthur; MacAulay, Bob  
Cc: Jones, Scott  
Subject: RE: Draft Wording for Budget 2016 Letters re: CS Funding -Maintaining Own-Source Revenues

What other sources of own-source revenue would there be besides taxes and sale of goods and services?

Heather

From: Goodyear, Edison  
Sent: Thursday, December 03, 2015 1:25 PM  
To: Tizzard, Heather; Evoy, Lori; Hynes, Daniel; Skinner, Arthur; MacAulay, Bob  
Subject: RE: Draft Wording for Budget 2016 Letters re: CS Funding -Maintaining Own-Source Revenues

Hi Everyone:

We may have to be careful with the wording and not cause any confusion with Own Source Revenues.

Lori's comment  
- Please note, as per the new accountability measurements for the Community Sustainability Partnership, you are required to maintain per capita own-source revenues at the level identified on your 2015 budget. Your 2016 Budget indicates that the line item 1.0 Grand Total Taxes and Related Revenue is less than that forecasted on your 2015 Budget.

In the letter that went out from the Minister while it did state own-source revenues it was specific and states the taxes.  
Effective for 2016, each municipality must maintain per capita own-source revenues at the level identified in the 2015 municipal budget. The own-source revenues for establishing benchmarks include residential property taxes, commercial/non-residential property taxes, vacant land property taxes, residential water and sewage taxes, commercial/non-residential water and sewage taxes, other taxes including poll tax, business tax, utility tax, municipal utility tax, direct seller tax and other authorized taxes. The total of these taxes identified in the 2015 municipal budget is the own-source revenue base for determining the per capita benchmark.
While Lori is correct in the line item 1.0 Grand Total of taxes and other Related Revenue. On the Budget Form 2.0 Sales of Good and Services are also seen as Own Source Revenues as is 3.0 which is specific in stating Other Revenues from Own Sources.

Just trying to avoid any confusion, maybe we should include the statement above from the Minister’s letter along with Lori’s comment.

I am not anticipating we are going to see many that we will need to comment on.

Thanks

Ed

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From: Tizzard, Heather
Sent: Thursday, December 03, 2015 12:02 PM
To: Evoy, Lori; Hynes, Daniel; Goodyear, Edison; Skinner, Arthur; MacAulay, Bob
Subject: RE: Draft Wording for Budget 2016 Letters re: CS Funding -Maintaining Own-Source Revenues

I just sent to Scott.

Heather

From: Evoy, Lori
Sent: Thursday, December 03, 2015 12:00 PM
To: Hynes, Daniel; Goodyear, Edison; Skinner, Arthur; MacAulay, Bob
Cc: Tizzard, Heather
Subject: RE: Draft Wording for Budget 2016 Letters re: CS Funding -Maintaining Own-Source Revenues

Dan,

No I have not sent to Scott.

**Lori Evoy**
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From: Hynes, Daniel
Sent: Thursday, December 03, 2015 11:58 AM
To: Evoy, Lori; Goodyear, Edison; Skinner, Arthur; MacAulay, Bob
Cc: Tizzard, Heather
Subject: RE: Draft Wording for Budget 2016 Letters re: CS Funding -Maintaining Own-Source Revenues
Has Scott reviewed this also?

Daniel Hynes P. Eng
Director
Ph: 709-637-2337
Fax: 709-637-2548

From: Evoy, Lori
Sent: Thursday, December 03, 2015 11:43 AM
To: Goodyear, Edison; Skinner, Arthur; MacAulay, Bob
Cc: Hynes, Daniel; Tizzard, Heather
Subject: Draft Wording for Budget 2016 Letters re: CS Funding -Maintaining Own-Source Revenues

Hello everyone.

Based on our conversation during the Regional Manager’s meeting, please review the attached wording, for the 2016 Budget letters:

- Please note, as per the new accountability measurements for the Community Sustainability Partnership, you are required to maintain per capita own-source revenues at the level identified on your 2015 budget. Your 2016 Budget indicates that the line item 1.0 Grand Total Taxes and Related Revenue is less than that forecasted on your 2015 Budget.

Would this be accurate? Should we include anything else in this statement?

As well, are we in agreement that this is the number we will be reviewing –total taxes and related revenue from section 1.0 of the Budget?

Lori

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