

LWF Ratepayer Association  
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December 8, 2017

Bruce Fisher  
Manager, Financial Policy & Planning  
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Dear Bruce,

When Steve Streach called me during the debate at HRM on July 18, 2017 he led me to believe that I could anticipate HRM staff reaching out to organize community feedback very quickly. Specifically, I understood Steve Streach was referencing the report 14.1.11 2017-18 Budgets and Business Plans for Area-Rated Services. I believe there was a commitment during the council meeting to a review of area rates. Nearly five months into a 12 month promise I felt it important to reach out and make sure the LWFRA is part of the process.

You may recall my July 17, 2017 letter to Mike Savage on behalf of the LWF Ratepayer Association noted problems with the staff report 14.1.11 2017-18 Budgets and Business Plans for Area-Rated Services. The section on the Lakeview-Windsor Junction-Fall River Ratepayers Association (LWFRA) as presented is deficient. It has errors and omissions. There are further assumptions in the document – beyond those about the LWFRA – that appear to be generalizations that do not apply to the LWF Area Rate.

How this motion came to be, how it was communicated and the result made this a difficult experience for our community board. If it wasn't for an outpouring of community support that engaged council, we would likely have folded under the constraints of the motion as submitted.

Because of our experience, I wanted to share the challenges we found in the documentation and process to help you as you move forward. Perhaps these lessons learned will help your team be consistent in the application and decisions for your review.

The first recommendation would be to complete community consultation. Most of what follows would have been uncovered through conversations with stakeholders.

Below you'll find a detailed response highlighting many of the issues with the Staff Report dated July 4th, 2017 submitted to Council on July 18, 2017.

Part of the learning is that not every area rate has the same history and falls under the same assumptions. It's important to re-visit the documents that define the organization as it exists now. In the case of the LWF Ratepayers Association it is notable that the preamble largely does not apply.

Specifically,

- 1) references in the pre-amble to "use of recreation are rate funds effective April 1, 2003" is of questionable application to the LWFRA. Our mandate is to promote projects which serve to improve the area of the association.
- 2) that section 3.2 Area Rates for Community Facilities & Services and Private Infrastructure states that "reserves or surplus carry forwards are not to occur without a Council approved business plan". Please note that in the absence of community consultation the submitted business plan, which listed several future projects money was earmarked for, was not referenced. It appears staff failed to review the report submitted as per HRM requirements.

In terms of consistency it's important to note that

- 3) Council decided to permit the continuation of two Common Area Rates (noted at the top of page 4) that lack all the controls of the established LWF Area Rate. For our association it seems like HRM is requiring LWFRA to submit to additional oversight without merit.

In addition, there are assumptions that have now been submitted to the HRM process and documentation that are untrue. As an organization we're not sure how to fix these errors and misunderstandings. How can we update the documentation of the LWF Area Rate Section (middle of page 4) to fix the following mistakes?

- 1) The opening notes monies are used to fund the WJCC, Keloose and Lakeview. This is an error as the funding has been used for other projects both historically and recently.
- 2) The 3rd sentence references "area rates that support private organizations or interests". This does not apply to the LWF Area Rate which has only provided funds to community organizations.
- 3) Line 6 states that LWF Ratepayers have traditionally funded the WJCC, Keloose and Lakeview Park and that the "addition of a grants program to be administered by LWF is relatively new". There are two errors in this sentence
  - a. The grant program (or special projects fund) was established immediately upon the creation of the area rate.

- b. Keloose is a relatively new funding partner.
- 4) On line 8 the statement is made that "in recent years the LWF has accumulated surplus funds and the society is proposing a grants program". This is inconsistent with the history of the LWF Ratepayers Association.
  - a. The LWF has had various levels of surplus over its years not just recently,
  - b. grants have been available and issued to various local interest groups over our entire history, and
  - c. all funds dispersed, including those to WJCC, Lakeview Park and Keloose are referred to as grants. This term was adopted as per the advice provided by HRM Finance when the treasurer and secretary of the LWFRA requested advice on how to label funds held in reserve for future projects.
- 5) Beginning on Line 10, "staff concluded that a private area rate is outside their accountability framework and should not be dispersing discretionary grants". The opening is entirely true. The LWF Area Ratepayers Association has the accountability to set the rate and disperse funds by the community. The Board and community set the area rate and budget through the Annual General Meeting of the LWFRA. The relationship with HRM is in implementation. The purpose of the LWFRA is dispersing the area rate for projects in the community. The term grant was recommended by HRM Finance.
  - a. Please note we believe this means the introduced step of approval through Community Council is not appropriate.
- 6) The penultimate sentence recommends the funds be held in abeyance. This appears to stretch the authority of HRM over residents' money accumulated by an elected community board who has maintained good standing with the requirements of the Societies Act and under HRM policy.

As the document moves into more general terms, there's again difficulty understanding what, if anything, applies to the LWF Ratepayers Association.

To the lay person, under the section labeled Review of Area Rates it appears Capital and Operation have been confounded. As this applies to LWF Ratepayers Association, the three highlighted funding partners have primarily accessed the area rate for operational costs.

General thoughts shared under Review of Area Rates do not appear relevant to the LWFRA. Our projects rarely occur on HRM land. While the frustration of staff with the associations they support is clear, please note that the LWFRA is in compliance with HRM requirements, operates under Roberts Rules, and the Societies Act. At our well attended AGM, in front of our local councillor, the Business Case, Budget and Area Rate were presented and passed unanimously.

Perhaps the most egregious and undemocratic error is the statement under the heading Community Engagement. In moving forward, the LWFRA strongly recommends HRM Finance comply with their own requirement to engage the community. It would make things better for the community involved, the ratepayers association, the Councillors and the HRM staff. Please note that at no time did you, HRM Finance, Barb Wilson, the local councillor or any other representative of HRM contact the LWF Ratepayers Association, the WJCC, the Lakeview Community Association, or the Keloose organization. No public consultation was held. No HRM representative participated or hosted a community event for ratepayers, fund recipients or the LWFRA board. I want to be perfectly clear that no one was contacted for any type of Community Engagement. Five months after the report was submitted to council, this is still true.

While HRM did not engage in our community, there is an engaged community. The AGM held June 19, 2017 by the LWF Ratepayers was very well attended. All motions, including the business plan and budget were unanimously passed.

Community consultation would have fixed many of the errors and omissions in the report. The lack of community consultation also meant nuances of the decisions made by the LWFRA were lost. There has been some irritation by the councillor at the practice of advertising available funding. It's important that you understand this was a decision made through the Board, and supported at an AGM. It helps to address the disparity between where money is collected and which areas have ongoing funding agreements. Seeking a balance though the community and including emerging groups that meet the mandate of the LWF Area Rate is important to our success in promoting projects which serve to improve the area of the association.

The LWFRA is a healthy organization prepared to work with HRM. We understand this was a learning experience, unfortunately a painful one for our association. Starting with this communication we are hoping to work with HRM towards five outcomes:

- 1) Participate in the review of Area Rates committed to at the July 18, 2017 Council meeting.
- 2) Improve the experience for other Rate Payers Associations.
- 3) Learn how to correct/replace the errors articulated in the report so they do not become embedded in our documented history.
- 4) Help HRM consistently apply assessments of associations.
- 5) Work to remove the oversight role of the Northwest Regional Council that is specific to the LWFRA.

As a next step I hope that you and your team can join a small committee of the LWF Ratepayer Association for a meeting to discuss how we can work to these goals together. Our committee is available for a meeting at HRM on any one of the following dates:

- January 10, 2018 – 10am
- January 11, 2018 – 6pm
- January 12, 2018 – 2pm

I look forward to meeting you Bruce.

Sincerely,

Marni Tuttle  
President, LWFRA

Cc:

Mayor Mike Savage  
Councillor Steve Streach