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### **Purpose and Definition of Policies (Policy 1.1)**

Adopted: May 2005

Reviewed:

Retired:

#### **Purpose**

To explain the purpose and organization of AYC policies.

#### **Policies**

AYC policy must be approved by the AYC Board at a Board meeting or by the General Membership at an AGM.

Policies will be periodically reviewed by the Board.

Policies may be retired by the Board or by the General Membership at an AGM

There are four types of AYC policies:

- General Policies
- Administrative
- Operational (Procedural)
- Public (Position Statements)

**General policies** explain the purpose and organization of AYC policies.

**Administrative policies** detail the personnel and financial policies and procedures.

**Operational policies** detail the procedures to be followed by members of the AYC board and staff in the conduct of business.

**Public Policy (Position Statements)** are formulated and approved by the Board from time to time, usually in response to topical subjects of common interest to the members.

**Terms of the AYC Discretionary Travel Fund (Policy 2.1)**

Adopted:

Reviewed: May, 2005

Retired:

**Purpose**

To describe the terms of the AYC Discretionary Travel Fund

**Policies**

All travel must be pre-approved by the Board of Directors. Therefore, anyone wishing to use this fund should plan ahead so their request can be put on the AYC Board of Directors meeting before their trip.

Eligible users of the fund are elected officials and staff of AYC and its Member Communities.

The travel should be to enhance the objectives and purposes of the Association. (For example, attending a conference of another municipal association to learn new ideas for use in Yukon communities, or to lobby on a National issue of specific importance to Yukon communities).

Anyone traveling using this fund, should submit:

A report to AYC (that AYC will distribute to all its members) outlining information and contacts that will be useful for AYC member communities.

An AYC travel claim with original receipts attached up to the amount pre-approved by the Board. All AYC rates apply.

Upon AYC receiving the items listed in 4 above, the applicant will receive a cheque for the amounts of actual original receipts, up to the amount pre-approved by the Board.

Airfare must be excursion fare at the lowest fare available at the time the Board approves the travel.

**Executive Director Qualification and Position Description (Policy 2.2)**

Adopted: September, 2003

Reviewed: May, 2005

Retired:

**Purpose**

To describe the qualifications and responsibilities of an Executive Director.

**Qualifications:**

Must possess the skills and knowledge acquired through post secondary education and experience in municipal administration and financial management. Will be self motivated with the ability to work with and under the direction of an elected President, Executive and Board of Directors. Has the ability to effectively communicate with member communities, various government departments and agencies, other organizations, and general public, both orally and in writing. Able to conduct research and prepare written reports. Possesses strong interpersonal skills, tact and diplomacy, a sensitivity to political environments and the ability to deal confidentially on a broad range of issues.

**Reporting:**

Reports to the President and through the President to the Executive, the Board of Directors and the general membership.

**Functions:**

Acts on the Association's policies and resolutions as passed by the Board of Directors or the general membership at General Meetings and directs and supervises all staff members.

**Responsibilities:**

To promote membership in the Association and provide service to the membership, within the constraints imposed by other duties.

Provide advice, support and assistance to Association members within the Objectives of the Association and the constraints of the budget.

Provide policy advice to the Board of Directors. Ensuring that the policies, as adopted either by the Board of Directors or the general membership, are implemented.

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Prepare, co-ordinate and organize the Annual and Special General Meetings, Board of Directors and Committee Meetings and other meetings and conferences.

Organize and prepare all meeting agendas and supporting documentation for Board, Committee and General Meetings. Prepare, for the President's signature, all correspondence to elected officials of other orders of government.

Periodically review the Associations' programs and services to ensure that they continue to meet the goals and objectives of the Association.

Monitor the general and group insurance programs to ensure that they continue to meet the needs of the membership.

Provide other related assistance to the membership, Board of Directors, Executive and the President as required.

Work closely with the President, Board of Directors and committees of the Association and keep the President and Board informed of all-important developments falling within their mandates and provide support and advice, as required.

Oversee the financial management of the Association, ensuring that the budgets duly adopted and/or amended by the Board are followed and that the Board is advised of any anticipated variance in the budget.

Prepare, in consultation with the Chair of the Finance Committee, the annual budget and quarterly financial statements.

Oversee the maintenance of the accounts and is accountable for the receipt, deposit, investment and disbursement of Association funds.

Ensure prompt payment for goods and services received by the Association.

Ensure accounts receivable and invoicing are maintained in a timely manner.

Provide direction and supervision for other employees. Employ and terminate all employees. With the approval of the Board of Directors, set salaries within the approved salary ranges and budget limitations.

Supervise the administration of pay and benefits in accordance with government regulation and employee employment policies.

Maintain effective communication between the Association, its members and related governments, organizations, agencies associations and individuals.

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In accordance with approved policy, serve as the Association's representative, attending various meetings with other boards, committees, government representatives, study groups, council meetings, conferences and conventions

Liaise with and attend meetings of other municipal associations, subject to financial considerations as approved in the budget.

Co-ordinate the Association's lobbying activities related to territorial and federal government departments and agencies, and recommend options to the Board of Directors.

Organize and, where appropriate, participate in training programs, seminars and workshops for municipal employees and elected officials.

**Staff Administration and Benefits (Policy 2.3)**

Adopted:

Reviewed: May, 2005

Retired:

**Purpose**

To detail policies concerning staff administration and benefits.

**Definitions:**

“Regular Full-Time Employees” means an employee who satisfactorily completed his/her probation period and is employed on a full-time basis of 35 hours per week consisting of five consecutive days, Monday to Friday inclusive.

“Probationary Employee” means an employee during the first three to six months of his/her employment by the Association of Yukon Communities unless otherwise specifically agreed to in writing by the Executive Director.

“Regular Part-Time Employee” means an employee who has satisfactorily completed his/her probation period and is employed on a regular part-time basis and works less than 35 hours per week but consisting of five consecutive days per week, Monday to Friday inclusive.

“Casual Employee” means an employee who may be employed from time to time for less than a one month period or less than fifteen hours per week.

Executive and Board of Directors means the Board of Directors of the Association of Yukon Communities.

“Executive Director” means the Chief Administrator of the Association of Yukon Communities.

**Appointment:**

When a staff vacancy occurs or a new position is authorized, the duties and responsibilities and the salary range shall be recommended by the Executive Director and approved by the Executive.

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**Probation:**

All new employees shall complete a mandatory probationary period of 3 months or up to six months of service, but in no event shall the probationary period be reduced to less than 3 months or extended beyond a maximum period of 6 months.

**Staffing:**

Executive Director has overall responsibility to the President and the Board of Directors for all functions performed by the Association of Yukon Communities staff and implements the policies and instructions laid down by the Board.

The Executive Director has the complete authority over the day-to-day operation of the office and work of the staff; subject only to such directions as may be given by the President or the Executive. He/she may fire and dismiss without approval of the Board.

**Hours of Work:** (Excluding Executive Director)

The standard workweek for full-time employees shall be Monday to Friday inclusive. The standard workday shall be from 8:30 a.m. to 4:30 p.m., including one hour for lunch. Employees shall be entitled to a ten-minute rest period during the morning hours of a standard workday and a further ten-minute rest during the afternoon hours of the day.

The standard workweek for regular part-time employees shall be Monday to Friday inclusive. The standard workweek shall be from 9:00 a.m. to 12:00 noon or 1:00 p.m. to 4:00 p.m. Employees shall be entitled to a ten-minute rest period during the work period.

**Overtime:**

All regular full-time non-supervisory staff shall be paid overtime in accordance with the applicable Sections of the Yukon Employment Standards Act so long as the overtime has the prior approval of the Executive Director or his/her designate.

**Annual Vacations:**

Paid annual vacations for employees shall be based on 6% of gross wages. Vacation time allowed for regular full-time and regular part-time employees shall be as follows:

- First 4 years - 3 weeks
- After 5 years - 4 weeks

Executive Director – as negotiated and approved by the Board of Directors

All vacations to which an employee is entitled must be taken in the calendar year of entitlement. If circumstances prevail making it impossible for the completion of vacation entitlement to be taken within the calendar year, the employee shall receive pay in lieu of

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such entitlement before the end of the calendar year unless, under special circumstances, an extension has been approved by the Executive Director.

The Executive Director shall have the authority to arrange staff vacations concurrently at a time considered suitable to office operations.

**Statutory Holidays:**

All employees are entitled to a holiday with pay on the following public holidays:

New Years Day  
Good Friday  
Easter Monday  
Victoria Day  
Canada Day  
Discovery Day  
Labour Day  
Thanksgiving Day  
Remembrance Day  
Christmas Day  
Boxing Day

and any other day designated by the Government of Yukon.

**Sick Leave:**

A credit of three working days per annum shall be given for each year of service, or for part of a year, a credit of one day for each four months of service, which may be accumulated to a maximum of 30 working days.

It is the employee's responsibility to notify the office daily for absenteeism due to illness. A doctor's certificate may be required for any absence.

A deduction from accumulated sick leave shall be made for all days absent on sick leave with pay.

Payment of accumulated leave will be made in each of the following circumstances:

- on normal retirement
- death in service
- on termination after completion of then (10) years service

Payment of gratuity credits in time off may be made on application of the employee in the following circumstances:

- after ten or more years continuous service

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The minimum time-off period to be five days and the maximum twenty days in any one year. Only one period of gratuity leave may be taken in a calendar year. Gratuity leave taken as paid time-off shall only be allowed at the discretion of the Executive Director and subject to the efficient operation of the office.

**Compassionate Leave:**

At the discretion of the Executive Director, a permanent employee may be granted leave of absence with pay in case of death of a relative up to a maximum of five days .

At the discretion of the Executive Director, a permanent employee may be granted one day without loss of salary to attend a funeral.

**Maternity Leave**

Maternity leave will be granted, without pay, in accordance with the provisions of government regulations in this regard. During the period of such leave, seniority and earned sick benefits will be carried forward, but no additional benefits will accrue. Earned vacation time must be given prior to the commencement of such leave.

**Jury Duty**

An employee summoned to appear in court as a member of a jury or as a witness, will be reimbursed for the difference between the pay received for jury duty and the employee's regular salary.

**Income Tax/Canada Pension Plan/Unemployment Insurance:**

It is compulsory that employees contribute to Income Tax, the Canada Pension Plan and Unemployment Insurance at the rates established by the Federal Government.

**Workers' Compensation:**

It is compulsory that the Association contribute and provide coverage according to the Yukon's Workers' Compensation Act.

**Special/Extended Leave:**

The Board of Directors may, upon request, grant to regular full-time employees special or extended leave, with or without pay, for purposes such as attending educational semesters or for other reasons. In granting special or extended leave, the Board shall take into consideration the recommendations of the Executive Director and the affect on the operation of the Association.

**RRSP Contributions:**

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In lieu of a Registered Pension Plan, the Association may provide a contribution to a (RRSP) Registered Retirement Savings Plan in the name of an employee(s) in an amount annually as may be determined and approved by the Board of Directors.

**Group Insurance:**

All Regular Full-Time and Regular Part-Time employees shall participate in the Association's Group Insurance Plan Benefit for:

- Group Life
- Accidental Death and Dismemberment
- Weekly Indemnity
- Long Term Disability
- Dental
- Extended Health Benefits

Premiums shall be paid by the Association and cost sharing of premiums if any, shall be recommended by the Executive Director and approved by the Board of Directors.

**Salaries:**

Salaries and wages rates shall be set annually by the Board of Directors.

**Air Travel Allowance:**

Subject to approval of the Board of Directors, an Air Travel Allowance equivalent to two adult fares between Whitehorse and Vancouver/Edmonton return shall be payable annually to the Executive Director or other regular Full-Time employees of the Association.

For Regular Part-Time employees one adult fare between Whitehorse and Vancouver/Edmonton shall be payable annually.

**Vehicle Expense Allowance:**

A monthly vehicle expense allowance shall be paid to the Executive Director for use of his/her personal vehicle for travel in the City of Whitehorse in an amount as shall be determined by the Board of Directors.

**Travel Expenses:**

When on business away from the office, the Executive Director and Staff will be reimbursed for travel, accommodation, meals and other incidentals and allowances as provided by the Association's Travel and Expense Allowance Policy.

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Staff travel expenses shall be submitted on the form “Approval for Travel Claims”.

Travel costs and other expenses for staff under the direction of the Executive Director, shall be approved for payment by the Executive Director and such costs incurred by the Executive Director shall be approved for payment by the President.

**Travel Expense Policy and Allowances (Policy 2.4)**

Adopted: (Amended) August 2008

Reviewed: March 25, 2006

Retired:

**Purpose**

To establish a policy for travel expense for both Executive and Directors and employees of the Association.

**Policies**

**Definitions:**

Travel expense will be paid to: Executive and Directors or employees for the purpose of attending meetings, conferences or any other business of the Association.

Honoraria are paid to elected officials in recognition of their contribution during the conduct of Association business. An honorarium is not a salary.

**Authorizations:**

All travel must be authorized in advance as follows:

- 1) For the President and the Executive Director to attend meetings of the Federation of Canadian Municipalities: approval authorized by election or appointment
- 2) For Executive members of the Board to attend Board of Directors Meetings of the Association and the Annual General Meeting: approval authorized by election or appointment. (Travel for the AYC Executive is the responsibility of AYC. Travel for members of the Board appointed by member communities is the responsibility of those communities.)
- 3) For Executive or Directors to attend conferences, seminars or Special Meetings called by the President and held in the Yukon: to be approved by the President.
- 4) For Executive or Directors to attend conferences, seminars or Special Meetings out of the Territory: to be approved by the President and confirmed by resolution of the Board of directors prior to attendance, or at the next duly convened meeting.

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- 5) For Executive Director or other employees of the Association to attend meetings, seminars or conferences held in the Yukon: to be approved by the President.
- 6) For Executive Director or other employees of the Association to attend conferences, seminars or Special Meetings outside the Yukon: to be approved by the President and confirmed by resolution of the Board of Directors prior to attendance or at the next duly convened meeting.
- 7) For Officers or employees of member municipalities invited to attend meetings, seminars or conferences for specific purposes or reasons: to be approved by the President.
- 8) For other elected officials of member municipalities to work on AYC committees: to be approved by appointment to committee.

Officers or employees of member municipalities may attend Board of Directors Meetings or other meetings without authorization from the Association at their own expense.

**Travel Arrangements**

Wherever possible travel arrangements are to be made by the AYC office and paid for by AYC. Any personal expenses incurred will be billed back to the traveller or deducted from their daily allowances.

**Schedule of Allowances:**

**A) Transportation**

Cost of Public Transportation such as airfare or, where air travel is not available, travel may be by bus or train or vehicle.

Whenever possible, arrangement for air travel are to be made far enough in advance to take advantage of any discount available on economy class air travel.

For the use of a private vehicle for travel within the Yukon, equivalent to YTG Management Board #13/84, Appendix "B", updated annually.

For the use of a private vehicle for travel within the City of Whitehorse for designated persons or employees, a monthly allowance of \$ 100.00.

Taxi fares to and from airports may be claimed if receipts are submitted.

Where possible, to reduce expenditures for travel, the use of one vehicle for attending Executive or Board of Directors Meetings or Special Meetings is preferable.

**B) Accommodations: (Revised September, 1994)**

Cost of accommodations supported by receipts.

Private accommodations: Equivalent to YTG Management Board #13/84, Appendix “B”, updated annually.

**C) Daily Expenses:** Equivalent to YTG Management Board #13/84, Appendix “B”, updated annually.

- (1) Breakfast
- (2) Lunch
- (3) Dinner
- (4) Incidental Expenses

Charges for meals included in airfare or provided by the event being attended should not be claimed in the daily allowance expense claim.

**Honoraria:** (Adopted by Board of Directors September 2008 to be effective January 2009)

Honoraria are paid to elected officials and municipal staff for providing particular service to the Association. This does not include occasions such as Board meetings where Directors represent their communities.

Members of the Executive will be paid honoraria by the Association to attend meetings of the Association including the AYC AGM.

Elected officials and staff having been authorized by election or motion of the Board to represent the Association at meetings, conferences or training events will be paid honoraria.

Honoraria are paid at the rate of \$210/day (more than 4 hours) or \$105/half day (less than 4 hours). Rates will be adjusted from time to time by the Board.

Honoraria are not considered a tax free allowance for incidental expenses during travel as the Association reimburses members separately for incidentals as well as meals. Honoraria will be reported as taxable income by T4 to Revenue Canada.

Claims for honoraria may be made in conjunction with other travel expenses or separately.

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**Claims:**

All expense claims must be submitted on an approved "Expense Claim" form - Appendix "A"

Expense claims are to be submitted to the Association office within thirty (30) days of travel. Any claims submitted beyond this time frame will become the responsibility of the claimant and will not be reimbursed by the Association.

Unusual expenditures which may be incurred should be brought to the attention of the Association prior to claim.

All travel claims are available for members review at the AYC office.

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**Association of Yukon Communities**  
**Travel Expense Claim Form**  
Appendix "A"

Name: \_\_\_\_\_

Meeting Type: \_\_\_\_\_

Meeting Location: \_\_\_\_\_

Meeting Dates: \_\_\_\_\_ to \_\_\_\_\_

	Number of Days on Travel	Total Amount **	Paid by Claimant	Pre-Paid by AYC
Air Fare (attach receipt/copy)			\$	\$
Hotel Accommodations (attach receipt)			\$	\$
Private Accommodations	days @		\$	\$
Per Diems				
Breakfast	@		\$	\$
Lunch	@		\$	\$
Supper	@		\$	\$
Incidentals	@		\$	\$
Full Days on Travel Status	days		\$	\$
Only those meals not provided for during the conference will be paid for.				
Private Vehicle	km @		\$	\$
Taxi/Miscellaneous (attach receipts)			\$	\$
Other (specify and attach receipt)			\$	\$
Honourarium	days @		\$	\$
	SUBTOTAL		\$	\$
	<i>Less Advance</i>		\$	\$
	AMOUNT CLAIMED		\$	\$

Claimant Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Approval Signature: \_\_\_\_\_ Date: \_\_\_\_\_

\*\* All amounts are in Canadian dollars. Travel outside of Canada will be calculated in the local currency and paid out in Canadian dollars.

+ Approximate Amount.

NB: Travel Expenses Revised December 2001, Board Meeting Motion #24. To remain the same as YG Travel Expense amounts.

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STANDARD DISTANCE CHART

<b>Km</b>	<b>Mile</b>	<b>Name</b>	<b>Remarks</b>
<b>Whitehorse to:</b>			
<b>1165</b>	724	Anchorage, Alaska	
<b>457</b>	284	Beaver Creek	
<b>599</b>	372	Boundary, Alaska	
<b>284</b>	177	Burwash Landing	
<b>74</b>	46	Carcross	
<b>177</b>	110	Carmacks	
<b>538</b>	333	Dawson City	
<b>1478</b>	918	Dawson Creek	
<b>267</b>	165	Destruction Bay	
<b>293</b>	182	Drury Creek	
<b>861</b>	541	Eagle River Camp	
<b>2070</b>	1286	Edmonton, Alberta	
<b>980</b>	609	Fairbanks, Alaska	
<b>357</b>	222	Faro	
<b>995</b>	618	Fort Nelson, B.C.	
<b>1400</b>	870	Fort St. John, B.C.	
<b>144</b>	90	Fraser	
<b>6.0</b>	4.0	Grey Mountain Rd.	Lookout
<b>11.6</b>	7.2	Grey Mountain Rd.	To Top
<b>414</b>	257	Haines, Alaska	
<b>159</b>	98	Haines Junction	
<b>1226</b>	762	Inuvik, NWT	

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<b>564</b>	351	Klondike	
<b>410</b>	253	Mayo	
<b>262</b>	182	Blanchard Camp	
<b>693</b>	422	Ogilvie	
<b>86.2</b>	53	Mt. Skookum Mine	
<b>285</b>	177	Pelly Crossing	
<b>1890</b>	1174	Prince George, B.C.	
<b>227</b>	141	Quiet Lake	
<b>360</b>	224	Ross River	via Canol Road
<b>410</b>	255	Ross River	via Carmacks
<b>2793</b>	1735	Seattle, Washington	
<b>3151</b>	1957	Spokane, Washington	
<b>357</b>	220	Stewart Crossing	
<b>295</b>	185	Swift River	
<b>183</b>	114	Teslin	
<b>649</b>	403	Tuchitua	via Carmacks
<b>567</b>	352	Tuchitua	via Watson Lake
<b>476</b>	296	Twin Creeks	via Canol Road
<b>521</b>	324	Twin Creeks	via Carmacks
<b>1046</b>	650	Valdez, Alaska	
<b>2656</b>	1650	Vancouver, B.C.	
<b>454</b>	283	Watson Lake	
<b>1825</b>	1134	Yellowknife, NWT	

<http://www.hpw.gov.yk.ca/trans/maintenance/distancechart.html>

**Attendance by Members of the Legislative Assembly  
at AYC Annual General Meetings (Policy 3.1)**

Adopted: 27 January 1985

Reviewed: May 2005

Retired:

**Purpose**

To ensure that all members of the Legislative Assembly are aware of AYC's concerns, as well as the rationale behind resolutions.

**Policies**

The following resolution was adopted by the membership at the Annual General Meeting held January 26 and 27, 1985, in Whitehorse:

**WHEREAS** it has been suggested that the attendance of Members of the Legislative Assembly at the Annual General Meeting could improve communications between both levels of government;

**BE IT RESOLVED THAT** invitations be issued to each Member of the Legislative Assembly, to attend as an observer, prior to the Association's Annual General Meeting.

**Responsibilities**

It is a responsibility of the Executive Director to ensure that invitations are issued, signed by the President, to all Members of the Legislative Assembly prior to the Association's Annual General Meeting, each year.

**AYC Representation at Yukon Chamber of Commerce Meetings (Policy 3.2)**

Adopted: May 4, 1985

Reviewed: May, 2005

Retired:

**Purpose**

To ensure that the Association is represented at Yukon Chamber of Commerce meetings in each municipality.

**Responsibilities and Procedures**

It is the responsibility of the Executive Director, upon receipt of notification of the date and venue of a Yukon Chamber of Commerce meeting, to contact the AYC Director in that municipality, and have her/him attend on the Association's behalf.

**Board and Executive – Definition, Duties and Responsibilities ((Policy 3.3))**

Adopted:

Reviewed: May 2005

Retired:

**Purpose**

In addition to the Bylaws of the Association, which defines to some extent, the role and operating procedures of the Association, it may be useful to provide, particularly for new members of the Board, a better understanding of their role, duties and responsibilities. In law, Directors are acting as guardians or trustees serving on behalf of the members who have elected or appointed them, and of paramount importance, in satisfying the needs of the members.

**Role**

In general terms, Directors are responsible for managing the affairs of an organization and applying its bylaws and policies; and, perhaps more importantly, to provide leadership and to ensure the organization has:

- clear and valid goals
- relevant programs and services for its members
- measurable objectives

The following guidelines have been prepared to assist the Board of Directors in carrying out their mandate in providing effective management of the affairs of the Association.

**The Executive and Board:**

Only duly elected councillors of a municipality, in good standing with the Association, shall be eligible to serve as an officer on the Board of Directors.

The officers of the Association shall be the President, the First Vice-President, the Second Vice-President and the Past-President and the Directors appointed from every member community in accordance with Articles 2 and 3 of the Association's Bylaws. Together the officers shall be the Board of Directors of the Association.

The President, the First Vice-President, the Second Vice-President and the Past-President shall form the Executive of the Association.

Notwithstanding paragraphs two and three, if a member of the Association ceases to be an elected municipal official, he/she shall also cease to hold office in the Association.

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The terms of the office and appointments to fill vacancies on the Board of Directors shall be in accordance with Article 2 of the bylaws of the Association.

Meetings of the Board of Directors of the Executive may be called by the President as required to carry on the business of the Association in accordance with the general direction provided by the members.

The quorum at any meeting of the Board of Directors or the Executive shall be a majority of the Board of Directors or the Executive.

The President, or in his/her absence, the First Vice-President shall preside at all meetings of the Board or of the Executive. In the absence of both the President and First Vice-President, the Second Vice-President shall preside.

At meetings of the Board of Directors or of the Executive, each officer present shall have one vote.

At meetings of the Board of Directors or of the Executive, the Chairman shall be entitled to vote.

At meetings of the Board of Directors or of the Executive, all questions arising shall be decided by a majority vote of all members present, In case of an equality of votes, the motion shall be declared lost, and the Chairman shall not have a tie-breaking vote.

Directors elected or appointed to the Board are entitled to expenses and per diems consistent with Policy 2.4 Travel and Expenses.

**Duties and Responsibilities:**

Through the President, provide leadership and direction in achieving the goals and objectives of the Association.

Adopt policies and guidelines consistent with the aims of the Association.

Oversee the management of the business and affairs of the Association and report to the membership at the Annual General Meeting or other special meetings.

Appoint, from time to time, an Executive Director and to set the Terms of Reference and Conditions of Employment.

Undertake annually, an appraisal of the performance of the Executive Director and a recommendation on remuneration for the subsequent year.

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Understand and consider the obligations undertaken in order to effectively serve the Association and to avoid personal liability. Know the nature and extent of the Association's Objectives and By-laws.

Attend all Board meetings possible.

Read, prior to meetings, all correspondence, documents and reports on which voting is anticipated.

Review minutes of meetings.

Become acquainted with all aspects of the Association's business and policies.

Comply with the duty of confidentiality of the business of the Association.

Attend, when delegated, various meetings with government Ministers, officials, municipalities, groups or other organizations.

Represent, when delegated, the Association at Conferences and Conventions both within and out of the Territory.

Recognize the value of the Association's membership and participation on the Board of Directors of the Federation of Canadian Municipalities through continued financial support of the President's attendance at Board meetings and annual conventions.

In consultation with the Executive Director, reviews, approves and recommends to the membership adoption of budgets, financial statements, or other financial considerations that come before the Board.

Through the President, be the spokesperson of the Association bearing in mind the importance of maintaining, wherever possible, a positive public profile.

Initiate press releases or other media contacts on issues or topics that are relevant to the purposes of public relations of the Association.

Appoint Standing Committees such as the Resolutions' Committee, Nominations' Committee or any other Committee that may, from time to time, be necessary for the conduct of the affairs of the Association.

Seek legal or professional opinions, where necessary, on any important matters that may come before the Board.

**Conference Bidding (Policy 3.4)**

Adopted:

Reviewed: May 2005

Retired:

**Purpose**

To outline the procedure for bidding to hold an AYC AGM in a community.

**Policies**

Any community, with sufficient accommodations, may bid for any AYC GM/Conference and any number of consecutive conferences.

Bids may include any proposal of benefits they will provide to AYC or the delegates.  
Bids may refer to why a certain year is of particular importance to their community.

Anyone wishing to compete for an AYC Annual Conference/AGM may make a presentation at the AGM. After viewing presentations from all bidders, voting delegates will select the winning bid. Those eligible to vote will be those that are eligible for all votes at the AGM, that is, every Mayor and Councillor of an AYC Member Community.

**Procedures for the Election of Officers (Policy 3.5)**

Adopted: 11 May 2002

Reviewed: May 2005

Retired:

**Purpose**

To define the procedures for the election of officers of the Association of Yukon Communities.

**Policies**

**Authority to Elect Officers**

Bylaw Article 3.1

The Officers of the Association shall be the President, the First Vice-President, the Second Vice-President and the immediate Past President (or a Vice-President at Large). Together, the Officers shall be the Executive Committee of the Association.

Bylaw Article 4.2

The members of the Executive Committee shall be elected from among all elected officials of member communities, and shall hold office for a period of two years.

**Nominating Committee**

Bylaw Article 7

Section 1 a) A Nominating Committee consisting of not less than three or more than five representatives of members shall be appointed by the President four (4) months prior to the Annual General Meeting each year.

b) The Nominating Committee shall select and recommend persons for election as officers in accordance with the provisions of Article 3 of these bylaws, and in all cases, those persons nominated shall have given their written consent and expressed their willingness to serve. The recommendations of the Committee shall be submitted to the members of the Association at the Annual General Meeting, however other nominations may be made from the floor.

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c) At a General Meeting, the Nominating Committee shall select and recommend persons for election as the representatives of the Association to such organizations as may be directed by the President.

**Procedures for the Election of Officers**

At an Executive Meeting preceding an Annual General Meeting, the President shall appoint a Nominating Committee of not less than three (3) or more than five (5) persons.

It shall be the duty of the Nominating Committee to select and have prepared for the Annual General Meeting a recommended nomination(s) of a qualified person(s) for each of the offices of President, First Vice-President, Second Vice-President, and, when required, a Vice-President at Large.

The Nominating Committee shall appoint one of its members as Chair of the Committee.

During the Elections portion of the Annual General Meeting, the Chair of the Nominating Committee shall conduct the election of the Officers of the Association.

In the case of a nomination placed before the membership by the Nominating Committee, when the person(s) being nominated is absent from the meeting, they must have provided their written consent to the President or Chair of the Annual General Meeting. A faxed written acceptance of a nomination is acceptable.

In the case of nominations being received from the floor, the nominator must ensure that the person nominated is qualified, must have the consent of the person being nominated, and that person must be present at the meeting or, if unable to attend, have signified in writing, assent to their nomination for the specific position. A faxed written acceptance of a nomination is acceptable.

The Election of the President shall be followed by the election of the First Vice-President, which shall be followed by the position of Second Vice-President, and, when required, a Vice-President at Large.

Any person having been nominated for the office of President and who fails to be elected shall be eligible for nomination to the office of First Vice-President, Second Vice-President or Vice-President at Large. Any person who has been nominated to the office of First Vice-President and fails to be elected shall be eligible for nomination to the office of Second Vice-President or Vice-President at Large.

The Chair of the Nominating Committee shall place before the membership, the name of the person recommended by the Committee for the office of President. This nomination shall be moved and seconded by members of the Nominating Committee.

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The Chair shall then call for nominations from the floor for the position of President. This call must be made three times before nominations for the position of President can be declared closed. Any nominations received in response to this call must have a mover and seconder.

If at the close of nominations, only one candidate has been nominated, the Chair shall immediately declare the candidate elected by acclamation.

If at the close of nominations, more than one candidate is nominated, the Chair shall immediately hold an election.

If an election is held, the Chair must appoint scrutineers to prepare and distribute ballots for a secret vote, collect and count the ballots and report the results to the Chair. The outcome shall be reported to the membership immediately and a candidate declared elected.

In the event of a tie, a second ballot will be required.

In the event of a second tie, the Chair shall cast the deciding vote.

The procedure for electing a First and Second Vice-President and Vice-President at Large are the same as the procedure outlined above to elect a President.

Those candidates declared elected shall hold office for two years as long as that person remains an elected council member<sup>1</sup>.

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<sup>1</sup> Constitution and Bylaws. Article 4, paragraph 3.

**Inter-Municipal Training and  
Sharing of Information Exchanges (Policy 3.6)**

Adopted:

Reviewed:

Retired: January 1991

**Purpose**

To encourage inter-municipal training and the sharing of information between members.

**Policies**

**WHEREAS** Yukon municipal employees often face difficulties in obtaining training relevant to their communities; and

**WHEREAS** enormous benefits can be realized when municipal employees share their information;

**WHEREAS** visiting other municipalities and discussing common problems and innovations would improve the general level of Yukon municipal management, and

**WHEREAS** the Yukon municipal administrators unanimously wish to implement a program allowing for inter-municipal exchanges:

**BE IT RESOLVED THAT** municipal employees be encouraged by their Councils to visit other municipalities and share ideas and innovations with an aim to provide a higher level of municipal management; and

**BE IT ALSO RESOLVED THAT** municipal Councils be urged to provide funding in their municipal budgets to allow these exchanges to take place.

**RETIRED:** This resolution was retired as a “Standing Policy of the Association”. See resolution no. AGM 91-11, carried at the January, 1991, Annual General Meeting.

### **Media Relations (Policy 3.7)**

Adopted:

Reviewed: May 2005

Retired:

#### **Purpose**

It is important for the public profile of the Association to develop and maintain whenever possible positive media relations with media reporters and interviewers.

#### **Policies**

##### **Spokesperson**

As the Chief Executive officer of the Association, the President is spokesperson for the Association and in his/her absence the Vice-President.

Directors or members may comment on issues or matters that may be of particular interest to their communities or on matters related to their area of endeavour or expertise.

The Executive Director may respond to media enquiries provided that where and when possible he/she will refer enquiries to the President and/or appropriate Executive or Board members.

##### **General Guidelines**

Press releases and/or any other media contact initiated by the Association are initiated at the discretion of the President, Vice-President, Board of Directors or Members-in-Convention.

In general, any media contact, initiated or responsive, should be confined to matters of policy decided by the Board of Directors and/or Members-in-Convention.

It is generally not wise to speculate or respond to hypothetical questions posed by interviewers.

When asked to comment on issues for which the Association does not have a developed policy, spokespersons are generally well advised to refer the matter to the President or other person with particular expertise.

The Executive Director will not comment on matters where no policy exists. The Executive Director's primary role in media relations is to provide accurate information on current Association policies or programs.

### **Resolutions – Preparation and Presentation (Policy 3.8)**

Adopted:

Reviewed: May 2005

Retired:

#### **Purpose**

To detail a procedure to be followed by member communities in presenting resolutions for consideration at general meetings.

#### **Policies**

#### **Preparation of Resolutions**

Resolutions are formal presentations of a call for action on the part of the organization passing the resolution or on some other body, organization or government. They are, in their simplest form, written motions that are placed before a deliberative body.

In the accepted style of resolutions, there are two types of clauses. The first type of clause is a preamble that begins with the word "WHEREAS". These clauses are not required but they are frequently used because they can be helpful in describing why a particular action is being sought. They are factual statements that are not subject to debate and are not voted on.

The second type of clause is the operative clause. It contains the specific action being called for and identifies who is being called upon to act. This type of clause is preceded by the words "THEREFORE BE IT RESOLVED THAT". Occasionally, there is an additional request for action within the same resolution and these are preceded by the words "BE IT FURTHER RESOLVED THAT".

The operative clause is subject to debate, may be amended and is the only portion of a resolution that is voted on.

#### **Preamble:**

It is usually not advisable when submitting a written motion to attempt to include reasons for a motion's adoption within the motion itself. To do so may encumber the motion and weigh against its adoption; since some members who approve of the proposed action may disagree with any or all of the written reasons.

A preamble permits the resolution to contain information that supports the action being called for without requiring those voting on the matter to be in support of the rationale.

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When circumstances require some statement of the background of a motion, it should be cast in the form of a resolution with the background or reasons incorporated in a preamble.

A preamble consists of one or more clauses beginning "WHEREAS." To avoid detracting from the force of the resolution itself, a preamble generally should contain no more clauses than are strictly necessary. The preamble provides the opportunity to highlight the present situation and any inadequacies that exist, and that logically lead to understanding and support for the action called for in the operative clause(s).

Where complexity requires more background than can be reasonably contained in a preamble, a brief memo outlining the background of the issue should be submitted with the resolution, for distribution to the members prior to the meeting.

**Operative Clause(s):**

The operative clause(s) of a resolution begins with the words "THEREFORE BE IT RESOLVED THAT" and identifies a specific action that follows from any preamble. This clause should be as short as possible but, most important, it must clearly describe what specific action is being requested and the person or body being requested to act.

Subsequent operative clauses would begin with "BE IT FURTHER RESOLVED THAT" and must be equally specific in the request or demand and the person or body being called upon to act. Any additional clauses must be related to the original operative clause and the drafters should ask themselves if the requested action are best presented as a separate resolution or as an addition to the current one.

**Drafting of a Resolution:**

The language of a resolution should be simple, clear, direct and free of ambiguous terms. A resolution that contains well-chosen words will provide the greatest understanding, be more likely to be adopted and to succeed in achieving its goal.

Each resolution should address one specific subject. Since the author seeks to influence attitudes and actions, the resolution should directly state the desired action. Persuasive communication is unlikely if the audience does not have a common notion of what is to be supported or opposed.

Resolutions should be accompanied by factual information. Even the most perfectly constructed resolution may fail to clearly indicate the rationale for the action being requested. Any supporting information that was used at the time that the resolution was recommended for submission to the Association may be included with the resolution in the form of a memo. This will assist the Resolutions Committee (and later the membership) in understanding the problem, but it, like any preamble, will not be subject to the final vote.

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Resolutions should be properly titled. A resolution is never quite complete, no matter how well constructed, without giving it the final touch – the inclusion of an appropriate short title. A title will assist in identifying the intent of the resolution and reduce the possibility of misinterpretation. A title is usually determined from the operative clause of the resolution.

Resolutions should contain accurate references. The author of the resolution should ensure that the jurisdictional responsibility has been correctly identified (e.g. ministry or department within the Federal or Territorial Governments). When references are made within the resolution to particular legislation, the correct Act and Section(s) must be identified.

**Procedure for Submitting Resolutions**

It is the practice of the Association that a call for resolutions is issued prior to the Annual General Meeting. A municipality sponsoring a resolution must ensure that the following criteria are met:

1. Resolutions must address a topic of concern to municipalities throughout the Yukon. Specific local concerns may be addressed by the Board of Directors;
2. Resolutions may only be submitted by a member municipality and each resolution must bear the official endorsement of the sponsoring municipality's Council;
3. Resolutions must be forwarded to the Executive Director no later than 30 days prior to the date of the General Meeting or other such date as may be directed by the Executive Director; and
4. Proposed resolutions must be distributed by the Executive Director to all member municipalities no later than 21 days prior to the General meeting.

**Late Resolutions**

Resolutions dealing with matters of urgent concern that have come to light following the deadline for receipt of resolutions may be accepted as late resolutions provided they are accompanied by supporting documentation that demonstrate both the importance of the issue or concern and the reason why it could not have been submitted prior to the deadline and the official endorsement of the sponsoring municipality's Council.

Late resolutions will be processed by the Resolutions Committee as time permits but all late resolutions must be approved, as late resolutions, by the membership at the Annual General Meeting before they can be placed on the agenda for debate.

### **Extraordinary Resolutions**

Resolutions arising from the proceedings of the Annual General Meeting and being presented to the Executive Director after the call to order on the first day of the Annual General Meeting will be considered to be extraordinary resolutions and require a two-thirds (2/3) majority vote to be placed before the membership.

Resolutions on issues or concerns that do not arise from the proceedings of the Annual General Meeting but are presented to the Executive Director after the call to order on the first day of the Annual General Meeting will be considered emergency resolutions and will be treated as extraordinary resolutions, requiring a two-thirds (2/3) majority vote to be placed before and adopted by the membership.

### **Disposition of Resolutions**

The Executive Director may return any submitted resolutions, including late resolutions, to have deficiencies corrected. Deficiencies may include:

1. The lack of a clear description of the rationale for the specific solution being sought;
2. The lack of a specific remedy or responsible party to take the requested action; and
3. Ambiguous or contradictory language in the supportive or operative clause(s).

The Resolutions Committee shall review all resolutions intended for submission to each Annual General Meeting and shall refer back to the originator any resolutions deemed inappropriate, with reasons why, for redrafting, resubmission or withdrawal of the resolutions.

In conducting its review, the Resolutions Committee may:

1. Amend the grammar or format of a resolution;
2. Consolidate resolutions of similar intent or subject matter;
3. Provide comments on each resolution with regard to its background; and
4. Inform the sponsoring municipality when the resolution is deemed to be inappropriate.

The Resolutions Committee shall categorize all appropriate resolutions as A, B or C Resolutions as follows:

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Category A describes resolutions dealing with issues of major concern to many of the member municipalities. They will be presented for debate;

Category B describes those resolutions with a narrower focus, impacting some member municipalities. These resolutions will be presented for debate if time permits;

Category C includes resolutions of a technical or housekeeping nature and may be debated if time permits or referred to the Board of Directors for action without debate at a General Meeting;

A second level of identification describes the organization or body that is called upon to act on the resolution and includes the following categories.

Federal Government	- F
Federal/Territorial	- FT
Territorial Government	- T
Association	- A
First Nations	- FN

Late resolutions shall be categorized by the Resolutions Committee.

Extraordinary and emergency resolutions shall be categorized by the Resolutions Committee and may be brought to the floor individually for debate only upon motions approved by a two-thirds (2/3) majority of the delegates present at the Annual General Meeting.

Resolutions which are not debated at a General Meeting because of insufficient time or lack of a quorum will be presented to the next meeting of the Board of Directors.

**Procedure for Handling of Resolutions**

**Authority:** AYC Bylaw, Article 7.2, Resolutions Committee

The Resolutions Committee shall submit recommended resolutions to the members of the Association for adoption at each meeting, but emergency resolutions may be presented from the floor.

Section a) A Resolutions Committee consisting of not less than three nor more than five representatives of members shall be appointed by the President during each Annual General Meeting for a period of one year.

Section b) Either the President or the Resolutions Committee may appoint a subcommittee to deal with specific resolutions.

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Section c) The Resolutions Committee shall submit recommended resolutions to the members of the Association for adoption at each meeting, but other resolutions may be presented from the floor.

**Recommended Procedure for the Resolutions Committee**

The Chair of the Annual General Meeting will turn the meeting over to the Resolutions Committee. The Committee Chair shall be the Chair of the Resolutions portion of the Annual General Meeting.

The Chair will, beginning with ‘A’ resolutions, introduce each resolution by number, title and sponsoring member and will read the operative clause. The Committee members will move and second each resolution to simply put the resolution on the floor as a motion for debate.

The Chair or a designated Committee member may report on the resolution and may provide a recommendation.

The Chair will then call for a representative from the sponsor to speak to the resolution and open the debate. The opening speaker will close debate when they speak to the motion a second time.

The opening speaker will be allowed two minutes for the opening comments and one minute for a closing statement. All other speakers to the motion will be limited to two minutes and shall not speak more than once on any motion unless and until all other delegates have had an opportunity to speak.

Duly moved and seconded friendly amendments will be accepted from the floor but must be submitted in writing when requested to do so by the Chair. The Chair is the final arbiter of ‘friendly’. Debate on the amendment to the motion will be governed by the procedures outlined above.

Voting shall be by a show of hands, or when necessary, by a standing vote.

Motions to refer or table a resolution will be in order at any time. Motions to refer are not debatable and must be put to a vote immediately.

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**Previous authorities:**

These are the previous authorities for this policy and are not intended to be included in the current policy

Policy Number 85-1

Effective: January 27, 1985

Policy Number 85-4

Effective: January 27, 1985

WHEREAS many concerns municipalities wish to address are of common concern; and

WHEREAS often there is need for councils to investigate and collectively take a position on items addressed by resolution;

BE IT RESOLVED THAT the Association of Yukon Communities put in a mechanism requiring all municipalities to submit their resolutions at least 30 days in advance of a General Meeting;

FURTHER that the Association circulate these resolutions at least 21 days in advance of the General Meeting;

AND FURTHER that if municipalities wish to address concerns by way of resolution after the 30 days, that they be required to draft their resolution in writing and deliver copies to the Secretary/Treasurer for circulation.

Policy Number 85-5

Effective: September 22, 1985

Policy Number 89-A-01

Effective: January 1989

WHEREAS the Association of Yukon Communities' representatives should have an opportunity to review proposed resolutions in advance of meetings; and

WHEREAS it would be appropriate to provide background information in order to better understand these issues;

BE IT RESOLVED THAT the Executive Director of AYC be directed to draft a procedure for review and acceptance by the Board of Directors to be followed by member communities in presenting resolutions for consideration at general meetings.

**Smoking at AYC Meetings (Policy 3.9)**

Adopted: 22 September 1985

Reviewed:

Retired: 14 May 2005

**Purpose**

To ensure that no persons smoke while meetings of the Association are in session.

**Policies**

**Resolution**

The following resolution was adopted by the members at the Association's Annual General Meeting held in Whitehorse, January 26 and 27, 1985:

**WHEREAS** smoking has been determined to be a health hazard; and

**WHEREAS** AYC meetings are often long sessions;

**BE IT RESOLVED THAT** smoking be allowed only during breaks in the agenda.

**Responsibilities and Procedures**

It shall be the responsibility of the chairperson to insure that the "No Smoking" policy be adhered to during meeting sessions.

**AYC Financial Policy (Policy 3.10)**

Adopted: September 2005

Reviewed: December 2005

Retired:

**Purpose**

To ensure that the fiscal assets of the Association are adequately maintained, protected and not subject to unnecessary risk. The basic tenets of the Association's financial policy are found in the Bylaws of the Association, Articles 5.2, 9.1, 10, and 13.

**Policies**

**Financial Planning.** The Association will engage in annual fiscal planning in the form of a budget, which will project the annual revenues and expenses for the operations of the association.

The Executive Director shall prepare a draft budget in coordination with the Finance Subcommittee for approval by the Board of Directors.

The Budget will be approved by the Board of Directors prior to the start of the fiscal year that it covers and will be presented to the membership at the Annual General Meeting.

The Board of Directors shall adopt the budget and require quarterly variance reports on the financial condition of the Association.

The financial statements prepared by the professional accountant shall be signed by two (2) directors of the Association and filed with Registrar of Societies within thirty (30) days after the Annual General Meeting at which the financial statements are presented to the members.

**Financial Conditions.** The Executive Director shall not:

Expend more funds than have been received in the fiscal year to date.

Incur debt for budgeted items that cannot be repaid within 60 days.

Fail to settle payroll and debts in a timely manner.

Allow tax payments or other government ordered payments or filings to be overdue or inaccurately filed.

**Banking.** The Association shall maintain an account or accounts in the name of the Association at such chartered bank or banks as the Board of Directors may direct.

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All cheques, drafts, orders for payment of money, notes of acceptances, bills of exchange, contracts, documents or any instruments in writing requiring the signature of the Association shall be signed jointly by the President or one of the Vice Presidents and by the Executive Director. The Membership shall have the power by resolution to appoint any other officer or officers on behalf of the Association to sign specific contracts, documents or instruments in writing generally.

The Board of Directors may, by ordinary resolution, authorize and empower the Executive Committee to borrow, raise or secure the payment of money in such a manner as it shall deem fit and may authorize the Board of Directors, or any number of them, for or on behalf of the Association to draw, make, accept, endorse, discount, execute and issue promissory notes, bills of exchange or transferable instruments.

The fiscal period of the Association shall run from January 1st to December 31st of each year.

The Association shall insure against (a) theft and casualty to at least 80% replacement value and (b) liability losses to staff, organization and board members to at least \$1,000,000.00

Officers and employees of the Association, having access to material amounts of funds, shall be insured through a fidelity bond under the AYC general insurance crime policy.

The Executive Director shall put in place sufficient controls to receive, process, and disburse funds to meet the standards of the Board-appointed auditor.

The Board shall not invest or hold operating capital in insecure instruments, including bonds of less than AA rating and uninsured checking accounts, or in non-interest bearing accounts, except where necessary to facilitate ease in operations.

**AYC Financial Reserves Policy (Policy 3.11)**

Adopted: September 2006

Reviewed:

Retired:

**Purpose**

To describe the background and purpose of AYC appropriated reserves and In-Trust funds. Annual financial statements will reflect the expenditures, growth and balance of reserves and In-Trust funds.

**Reserves**

**AYC Permanent Fund.** Created in May 1995 (Board motion 95-14) as a start towards AYC becoming self-sufficient through a return on investments from this fund. AYC would not access the principal in this fund. Growth is required.

**Building Reserve.** Created in May 2001 to prepare for the possible purchase of suitable office space and a revenue-generating asset. Growth is required.

**Contingency Reserve.** Re-designation of the Municipal Tabloid Reserve to meet the unforeseen in any given year.

**Fixed Asset Replacement Reserve.** Created to permit replacement of existing assets as needed. This fund is maintained at a minimum balance equaling the estimated replacement cost of all AYC fixed assets (as of December 2006 this was (\$48,207) through an annual transfer from operating capital.

**AYC Land Claims Reserve.** (Note: Two other Land Claims Reserves are also held as In-Trust funds.) AYC reserve for use following the exhaustion of the In-Trust Land Claims Fund.

**MARC Reserve.** Created to fund the committee's activities. To be funded as required.

**Special Projects Reserve.** Created for any special project without a reserve allocated.

**Training Reserve.** Created for any training identified for subsidy.

**In-Trust Funds**

**Land Claims (I-T) Reserve.** Created in January 1990 through a \$40,000 contribution from YG to fund municipal involvement in the land claims process. An additional \$25,000 was added in April 1992. All monies plus interest are to be returned to YG at the

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expiration of the agreement. (Note: An Executive Director recorded; "... However, we have been making annual reports since then and have received no request for the return of the money".)

**Land Claims '97 (I-T) Reserve.** A separate reserve created in April 1997 with a \$30,000 contribution from YG under a separate contribution agreement to continue AYC support to Land Claims activities. The same rules apply as for the Land Claims (I-T) Reserve. (above).

**Local Government Administrators' (I-T) Reserve.** A fund held for local government administrators represented by City Manager and CAOs. It is not intended to replenish this fund but rather to fund appropriate activities through a line item in the annual budget.

**Reciprocal Insurance Trust.** A temporary fund created in February 2005 for a possible reciprocal insurance plan to be established in the future. Funds are deposited in the fund based on theoretical savings to insurance premiums by participants. The funds are to be held separately accumulating interest until that plan is established or the funds plus interest are returned to the eight municipalities contributing based on each participant's contribution at which time this fund will be closed out.

**Discontinued Reserve Funds**

**The Discretionary Travel Reserve** was created in March 2000 to permit payment of travel costs as approved by the Board e.g. subsidization of member travel to FCM AGMs. Various line items in the annual budget now fund the aspects of discretionary travel envisaged when this fund was started. Un-forecasted travel is funded from the operating budget or from the contingency reserve as required. This fund was discontinued in September 2006.

**The Local Government Administrator's Reserve** will be fully expended in 2007. The fund will be discontinued and that appropriate functions for administrators be funded through a line item in the annual budget.

**Policies**

The Board of Directors shall review the status of reserves annually in conjunction with the annual budgeting process.

The Board of Directors may, by ordinary resolution, authorize the expenditure of funds from the appropriate reserve fund for purposes appropriate to the reserve fund except for the principal in the AYC Permanent Fund.

The Board of Directors may, by ordinary resolution, authorize the movement of funds from general revenue into a reserve fund and/or authorize the movement of funds from one AYC reserve fund into another.

### **Electrical Energy Generation in Yukon (Policy 4.1)**

Adopted: March 1982

Reviewed:

Retired: 14 May 2005

#### **Purpose**

To describe a policy that would lead to the reduction of electrical energy rates in Yukon.

#### **Policies**

At the 1982 Annual General meeting of the Association of Yukon Communities, the membership approved the following policy statement:

**WHEREAS** the cost of electrical energy has reached a level which is detrimental to the development of Yukon,

**THEREFORE BE IT RESOLVED** that the cost of electrical energy in Yukon be reduced to the national average, and further

**BE IT RESOLVED** that a program for the development of generating facilities for the production of lower cost electrical energy to meet the current and future needs of Yukon be implemented forthwith.

The first resolution deals with the totally unrealistic rates proposed by the Northern Canada Power Commission, both in terms of the rates charged for individual communities in relationship to each other, and in terms of the composition of the rate structure and the overall relationship to power rates in the provinces.

When the rates of two small communities, such as Mayo and Johnson's Crossing to pick two extremes, are set side by side, it becomes quite evident that the impact of such wild fluctuations of basic energy rates on the Yukon economy is at best chaotic, and at worst fatally destructive.

When the cost of residential power for an average consumption of 1000 KWH is \$60.00 in Mayo and can range from \$100.00 to \$240.00 at Johnson's Crossing depending on the application of rate schedule alternative 1 or 2, and when the proposal based on a 5000 KWH consumption of general service power compares a charge of \$260.00 in Mayo to \$1390.00 in Johnson's Crossing under alternative 1, and \$445.00 in Mayo to \$750.00 in Johnson's Crossing under alternative 2, then it becomes quite obvious to anyone even

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remotely aware of the Yukon economy, that a chaos is an optimistic view of the economic results from the application of such power rates.

Our analysis of the increase of the Yukon cost estimates for 1983 over the 1982 estimates raises some serious questions. These are the changes:

Salaries and Wages	increased by 40%
Fuel and Lubricants	increased by 108%
Material and Supplies	decreased by 8%
Travelling	increased by 22%
Employee Accommodation	increased by 95%
Plant and Equipment Rentals	increased by 29%
Vehicle Expenses	decreased by 4%
Other Expenditures	increased by 66%
Maintenance	increased by 75%
Administration and Overhead	increased by 22%

The total increase, including depreciation, debt servicing charges and contingencies, is 65%.

The net increase, exclusive of depreciation, debt servicing charges and contingencies, is 77%.

The fuel component, being the component branded as the cause of the rapidly increasing cost of generating power is projected to increase by 108%. All other charges exclusive of depreciation, debt servicing and contingencies are projected to increase by 49%.

During this period, the Northern Canada Power Commission is forecasting a decrease of total system generation of 4%, due to a significant anticipated drop in energy supplied to Yukon Electrical co. Ltd. in Whitehorse. We cannot find justification for an increase of 49% in one year in expenditures exclusive of diesel, interest, depreciation and contingencies, when the production is anticipated to decrease by 4%.

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At a time, when the Government of British Columbia has announced that an increase of 10% for employee wages is considered to be fair, when the public sector of British Columbia is being directed to hold budgets to an increase of 12% regardless of the components of these budgets, we are asked and expected to accept a 49% increase in expenditures which do not include the leaders in the primary inflation drive, fuel and interest.

40% for wages and salaries, 95% for employee accommodation, 75% for maintenance, 66% for the catchall of other expenditures – such increases call for detailed reasoning and justification, reasoning and justification which we were unable to extract from the proposed rate adjustments for the Yukon rate zone files by the Northern Canada Power Commission.

The handling of the fuel adjustment clause is a further point in the proposal we question seriously. While fuel costs are projected to increase by 108%, the fuel adjustments are projected to decrease by 42% in Johnson's Crossing, by as much as 70% in the hydro grid. What is proposed evidently is that the current fuel costs, and a significant share of the increased fuel costs be rolled into the basic power rate. What will happen, once the Fourth Wheel is in operation? what will happen, when, as we hope and will vigorously lobby for, we have developed generating facilities independent of the oil market? We will have an artificially high rate structure that will be able to absorb these annual 50% cost increases without a public outcry.

We can be assured, that our membership, the organized communities of Yukon, would have significant difficulties to sell to our taxpayers overall increases in our budgets of 65%. Particularly, we would be chastised for proposing an increase in salary expenditures of 40%, or an increase in other expenditures of 66%. Yet we, like all consumers of energy in Yukon, are expected to absorb such increases in our budgets.

In a letter which we have written to the Chairman of the Northern Canada Power Commission, we stated:

We recognize of course that the Commission is restricted in its activities, but we do not believe, that the restrictions preclude the Commission from innovative thinking, from publicly seeking support for changes to restrictions which may prohibit it from doing what makes sense. The time has long passed, where the continuing addition of diesel generators to the system can go on unchallenged, while the supply and demand struggle for power in Yukon is debated as a chicken and egg exercise.

That statement is the meaning of the second resolution of our policy.

For decades, we have been told that the Northern Canada Power commission must operate as it does, because that is the law. We have never read a statement from the Northern Canada Power Commission which would tell their customers what the electrical energy picture in Yukon would be, if the Northern Canada Power Commission had a

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mandate comparable to that of the British Columbia Hydro and Power Authority. For many years, we have been told that the debt load of the Northern Canada Power Commission was the cause of the high rates. Now we are told that the villain is diesel fuel.

The debt servicing cost is projected to increase by 27% from 1982 to 1983, but as a share of the overall expenditures, this cost element is decreasing from a 30% level in 1982 to a 36% level in 1983. The debt servicing factor is increasing by 18%, a slower pace than either salaries, fuel, travelling, employee accommodation, plant and equipment rental, other expenditures, maintenance or administration and overhead.

Quite clearly, the debt factor is losing significance. That this can occur at a time when interest rates are hovering at a level which is the cause of the leading political and economic controversy in Canada would suggest that an investment in alternate source fuel generating facilities would not be an unwise move.

The Association of Yukon Communities, with its membership of 42 elected community councillors throughout Yukon, has a significant resource of common sense and realistic thinking. We recognize the value of conservation, but we also recognize that conservation in one utility sector invariably causes an increased consumption elsewhere. The conservation of Yukon water resources has caused us to spend millions of dollars for sewage treatment. The power consumption of our sewage treatment facilities is the largest single component of the municipal power bills. We could turn off every street light in the Territory and would not save enough power to run our sewage treatment facilities. We cannot speak for the industrial power consumer, nor for the commercial power consumer, but we are fairly certain, that our situation is not unique. What we claim is that the Northern Canada Power Commission has sadly failed to recognize the real need for electrical energy in the Territory.

OPEC happened nearly ten years ago. During that time, we have acknowledged that the Mayo generating facility is the most economical in the Yukon. We have talked about mega projects, and we have accused the Government. but what have we done? We are ready for the Fourth Wheel and we have a proposal for Atlin Lake. Two booster projects for an existing hydro facility. But do we have plans, or even ideas for Mayo style installations throughout the Yukon? There is not a single diesel plant in Alaska which does not have a replacement project for an alternate energy source well underway, and here we are, still finding or looking for someone to blame, looking for somebody else to do something.

Municipalities have protested and criticized the direction taken by the Northern Canada Power Commission for years. The Northern Canada Power Commission has always pointed to the laws which provide the mandate of the utility as being the restriction which governs its operation. As a utility, charged with the responsibility of providing the most basic and essential energy form, it is a responsibility of the Northern Canada Power Commission to spell out not only what is restricting the orderly development of electrical

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energy, but also what changes and amendments are necessary to encourage such orderly development.

We are at a point where planning for energy development must proceed at an accelerated pace to make up for lost time. We know that construction costs have skyrocketed in the past ten-year, but we are also convinced that construction cost as well a diesel fuel will continue to escalate rapidly in the foreseeable future.

The reformation oft eh primary electrical production industry in Yukon must proceed with the undisputed goal of a Yukon Power Corporation. Only through the formulation of a corporation sensitive to Yukon needs and Yukon facts can a solution to the current power problems be achieved.

The Northern Canada Power Commission may have strived to reach the goal we speak of, but it is evident that the efforts of the Commission have not had the desired results. The time has come for a total effort involving all three levels of government and all sectors of industry to resolve the Yukon power fiasco. The continuing parade of rate increase applications before the Electrical Public utility Board deals with effects, without ever touching the cause.

March 16, 1982

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CROSS CANADA POWER RATES (1982)

1000 KWH Residential Consumption

Saskatchewan	\$31.68	to	\$34.16
Quebec	\$32.83		
Manitoba	\$33.17	to	\$41.45
Ontario	\$35.70	to	\$37.68
British Columbia	\$39.77		
Alberta	\$40.23	to	43.29
Newfoundland	\$42.90		
Nova Scotia	\$49.65		
New Brunswick	\$52.79	to	\$53.79
Yukon	\$60.00	to	\$239.81
Prince Edward Island	\$111.66	to	\$115.00

Source: Federation of Canadian Municipalities Survey

**Electrical Energy Rates in Yukon (Policy 4.2)**

Adopted: 1 March 1983

Reviewed:

Retired: 14 May 2005

**Purpose**

To state an AYC policy in respect of electrical energy rates in Yukon.

**Policies**

The membership of the Association of Yukon Communities is proposing that the Yukon Electrical Public Utilities Board and the Government of Yukon investigate the possibilities of establishing an electrical marketing Agency to administer the distribution of electric energy suited to current and future needs of the Yukon region.

The model referred to by the Association of Yukon Communities in this suggestion is the Alberta Electrical Energy Marketing Agency, established in December 1981. The powers of the Alberta Electrical Energy Marketing Agency are as follows:

- 10 (1) The Agency shall conduct its operations in such a way that the cost of electric energy in Alberta at pooling interfaces is minimized as much as is practicable in the circumstances.
- (2) The Agency shall endeavour to conduct its operations in such a way that no profit or loss results to the Agency on its operations as a whole.
- 11 (1) The Agency may acquire or purchase
  - (a) electric energy from the owner or operator of a public utility, or
  - (b) electric energy from outside Alberta at or upstream from the point at which the transmission line carrying the energy crosses the Alberta border.
- (2) The Agency may sell electric energy only
  - (a) to the owner or operator of a public utility at or upstream from a pooling interface, or
  - (b) for removal from Alberta at a point at which the transmission line carrying the energy crosses the Alberta border.

- 13 (1) The Agency may
- (a) act as a principal, agent or broker in connection with the marketing of electric energy;
  - (b) subject to the regulations, set the price at which or pricing formula under which it sells electric energy;
  - (c) enter into agreements with respect to short-term emergency power supplies;
  - (d) enter into agreements that have as their object the marketing of electric energy between Alberta and any other jurisdiction;
  - (e) do any act incidental to or in connection with its powers under this or any other Act.

The purpose of this agency of course is to equalize the cost of electric energy to Alberta consumers throughout the province, without having to subject individual producers and distributors to a myriad of regulations. The Alberta Electrical energy marketing Agency does not eliminate the role of the Public Utilities Board in Alberta. In fact, the price a producer may charge for electric energy generated for and sold to the Agency is subject to Public Utilities Board approval.

The resale price of electric energy from the Agency to distributors however is not controlled by the Public Utilities board, that price is determined by the Agency as follows:

- 14 (1) The owner of electric energy produced or exchanged for energy produced in Alberta entering the pooling interface shall sell that electric energy at the pooling interface to the Agency at the price or under the pricing formula set by the Public Utilities Board under the Public utilities Board Act.
- (2) The Agency shall resell the electric energy leaving the pooling interface to the person from whom it was purchased under subsection (1) at the price or under the pricing formula set by the Agency.
  - (3) The person from whom electric energy was purchased under subsection (1) shall repurchase all the electric energy it sold to the Agency at the pooling interface and at the price or under the pricing formula set by the Agency.
  - (4) If the electric energy entering a pooling interface is owned by the Agency, the Agency shall sell that energy to the public utility or electric distribution system when the energy leaves the pooling interface established for that public utility or electric distribution system and the public utility or electric distribution system, as

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the case may be, shall purchase the energy from the Agency at the price or under the pricing formula set by the Agency.

(5) Subject to the regulations, the price or pricing formula set by the Agency for the purpose of subsections (2), (3), and (4) shall reflect an averaging of prices.

Such a system would allow a contribution towards a standard energy rate from general revenues of the Government of Yukon. This would mean a flow of funds from general revenue to consumers, being a reverse transaction from that generated by the Yukon Liquor Corporation, where funds are directed from consumers to general revenue.

Selected electric energy consumers enjoy subsidization from a number of sources, but we know that this patchwork system is not effective and does not accomplish the desired results.

The Alberta solution to equalized rates was developed in a region of Canada which is development oriented; a region with a strong heritage of aggressive private development policies.

A Yukon Electrical Energy Marketing Agency should be considered as a desirable alternative to increased government regulations and a further fragmentation of electric energy subsidy and allowance programs.

### **Community Development (Policy 4.3)**

Adopted: 22 September 1985

Reviewed: May 2005

Retired:

#### **Purpose**

To ensure that the Association, through its Board of Directors, continue to maintain a dialogue with the Council for Yukon Indians<sup>2</sup> to explore all opportunities for co-operative development in all Yukon communities.

#### **Policies**

#### **Resolution**

The following resolution was adopted by the members at the Association's Annual General Meeting held in Whitehorse, January 28 and 29, 1982:

THAT the Board of Directors maintain a dialogue with the Council for Yukon Indians to explore all opportunities for co-operative development for all Yukon communities.

#### **Responsibility and Procedures**

It shall be the responsibility of the Executive and Directors to foster co-operative goals in attaining the objectives of the resolution.

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<sup>2</sup> Council of Yukon First Nations

### **Local Government (Policy 4.4)**

Adopted:

Reviewed: May 2005

Retired:

#### **Purpose**

The Association of Yukon Communities endorses a policy respecting local government which recognizes the principles of self-determination for a community.

#### **Introduction**

The Association of Yukon Communities endorses a policy respecting local government which recognizes the principles of self-determination for a community.

It is unfortunate, indeed it is counterproductive, that local governments have not yet gained formal recognition in Canada by being established in the Constitution. Dealing with that reality, it is imperative that local governments strive for unmitigated local autonomy in all matters which are pertinent to the local community.

#### **The Division of Elected Responsibility**

A resident in a community elects three legislators; a federal Member of Parliament, a provincial/territorial Member of the Legislative Assembly and one or more Municipal Councillors. The Association of Yukon Communities of course does recognize the supremacy of the Federal Parliament and the Legislative Assembly, and does recognize the Municipal Council as being the third level of government. While there is a hierarchy in terms of prestige and magnitude of obligation, the state of accountability of an individual Member of parliament, and individual Member of a Legislative Assembly and an individual Municipal Council Member are identical.

That perception is the basis for our position on local government autonomy and authority. The duties of a federal Member of Parliament include matters of national scope in the first instance, matters of provincial/territorial scope in the second instance and only in the final position are matters of a local nature. The duties of a provincial/territorial member of a Legislative Assembly include matters of provincial/territorial scope primarily, while matters of a national or local scope are of secondary but equal concern. Local Government matters are of primary concern exclusively to members of local councils, and it is they who are responsible for local government decisions.

### **The Designation of Financial Liability**

The Association of Yukon Communities does not underwrite without reservation the notion that financial liability is indistinguishable from financial responsibility. Where political independence and local authority in absolute terms are limited by provincial/territorial an/or federal policy and legislation, financial liability must be shared with the level of government infringing on local authority. The intergovernmental ratio of financial liability must be determined by negotiations at the political level, and once the liability question has been resolved, the local authority can and should assume full financial responsibility.

The meaning of this theory is that the financial aspect of a local government program, where federal and/or provincial/territorial policies influence the necessity, the urgency or the desirability of that program, should be negotiated and agreed on prior to the inception of the program. These negotiations should separate financial liability from financial responsibility. Local government can only play a meaningful role and will only enjoy active local public participation if the financial responsibility for local programs rests with the locally elected council, regardless of the intricacies of the financial liability formula supporting a program.

### **The Conditioning of Endurance**

The purpose of local government with actual and demonstrated local political autonomy and financial responsibility is to achieve a high level of local resolution and responsibility. It has been demonstrated, and it follows, that local authority with financial responsibility will generate local political activity while diminishing the counterproductive and expensive relinquishing of the overall responsibility for local matters to senior levels of government.

To assign culpability to a senior level of government is the only avenue open to the junior level of government, if a program is implemented within the sphere of the local government under the direction and control of the senior government. Local government politicians may attempt to garner some recognition for successful programs implanted in the community by another level of government. In case of a failure however, local government politicians can be depended on to lead the chorus of criticism and condemnation.

### **Policy Delineation**

The Association of Yukon Communities does not consider the concept of local authority and local responsibility in dogmatic terms. The policy however, is firm in the belief that a locally elected council shall enjoy political sovereignty over those matters which are inherently local. Matters which are bilateral or trilateral must be coordinated firstly by political agreement, and secondly, in full recognition of the political agreement, in administrative terms. Local authority and local responsibility are, and must remain, a prerequisite to any such agreement.

**Placer Mining in Yukon (Policy 4.5)**

Adopted: May 1983

Reviewed:

Retired: 14 May 2005

**Position Paper**

in the matter of a public hearing relating to

**Proposed Yukon Placer Mining Guidelines**

prepared and presented by

**Association of Yukon Communities**

President, Alderman Murray Hampton, Faro

First Vice-President, Mayor Peter Jenkins, Dawson

Second Vice-President, Chairman David Harwood, Mayo

Past Presidents

Mayor Rennie Mitchell, Faro

Alderman Jon Pierce, Whitehorse

Directors

Alderman Bill Bowie, Dawson

Alderman Harvey Byblow, Faro

Chairman Boyd Campbell, Haines Junction

Trustee Jim Carmichael, Mayo

Trustee Gary Felker, Carmacks

Chairman Dale Ireland, Watson Lake

Trustee Wayne Jones, Teslin

Mayor Florence Whyard, Whitehorse

Executive Director

Andre Carrel

May, 1983

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**Introduction**

The Association of Yukon Communities, incorporated in 1974, is a self-help organization. Our membership includes all organized communities in Yukon, these being the cities of Whitehorse and Dawson, the town of Faro, and the local improvement districts of Haines Junction, Teslin, Watson Lake, Carmacks and Mayo.

The objects of the association are:

*to further the establishment of responsible government at the community level, and to provide a united approach to community ambitions.*

This submission by the Association of Yukon Communities is presented on the basis of this unanimous resolution of the Board of Directors:

**WHEREAS** the placer mining industry forms an essential portion of the Yukon's economy,

**BE IT RESOLVED** that the Association of Yukon Communities submit a brief to the upcoming placer guideline hearings in support of the placer mining industry with due regard for the fishing industry.

This resolution is in total harmony with the federal policy for socio-economic impact analysis (Chapter 490 Administrative Policy Manual – Government of Canada), which purports:

“to promote a more thorough and systematic analysis of the socio-economic impact of new health, safety and fairness regulations in order to improve the allocation of resources and the information available to the decision-making process on other socio-economic factors (the federal government is concerned not only with the impact of health, safety and fairness regulations on market efficiency, but also with their impact on the distribution of income, regional balance, technological progress, market structure, balance of payments, output, employment and inflation).”

**Scope of the Analysis**

As an organization with an annual budget of less than \$100,000, the Association of Yukon Communities is in no position at all to present a technical critique in any of the disciplines which have contributed to the documents prepared by the Department of Environment, the Department of Fisheries and Oceans and the Department of Indian Affairs and Northern Development. In fact, reading through the five volumes which comprise “The Guidelines”, we were overwhelmed, if not bewildered.

Our review of these guidelines, therefore, has taken a broad form of measuring the presentation against the socio-economic impact analysis policy of the Government of Canada quoted in the introduction to this submission and in Chapter 1.5 of the socio-economic impact analysis for Yukon placer mining guidelines.

### **Evaluation of Guideline Development Standards**

On reading the material we detect a definite bias against placer mining. At times there is an overt bias, such as in the comparison of the space devoted in the socio-economic impact analysis to mining (32 pages of industry analysis – 22 pages of impact analysis) and the space devoted to the fishery (62 pages of industry analysis – 32 pages of impact analysis). At times there is a covert bias such as in the constant comparison throughout the analysis of **man-years** in the placer mining industry to **jobs** in the fishery.

We are concerned by the fact that throughout the analysis, conclusions are prefaced by statements such as:

- **The assumption has been made...**
- **Lack of knowledge about these costs prevents...**
- **Due to insufficient knowledge...**

Such generalities appear to be acceptable for the purpose of the socio-economic impact analysis. That same analysis, however, introduces a risk model for the impact on placer mining by stating that:

“It is highly probable that there may be some operators who will cease mining in a particular area because they will not be able to comply with the guidelines. The probability of small operators in narrow valleys and mining higher classification streams being able to meet the guidelines would appear to be low.”

The guidelines which purportedly will drive these small operators out of business required the placer miner to perform some rather remarkable technical feats.

He must:

- **Estimate low, mean and peak stream flows.**
- **Provide a determination of the potential for glaciations and their anticipated location.**
- **Establish depth and extent of permafrost.**
- **Provide a general description of the geological features of the area to be mined.**

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The list of planning and monitoring requirements recommended to be imposed on placer miners is substantial, far more extensive than is prescribed for any “family-run” enterprise in the exploitation of any other resource.

The harshness of the proposed guidelines is demonstrated in this sentence:

“When the development plan is **evaluated and approved**,  
a water use authorization **may** be issued by the Controller.”

To comply with the reference to fairness in the socio-economic impact analysis policy, one would expect that an evaluated and approved development plan would result in a water use authorization which **shall** be issued by the Controller.

While it is proposed that the placer miner provide a large volume of complex technical and scientific information at his expense before being considered for a permit which would allow him to harvest the resource of his choice, the fisherman is invited to harvest his chosen resource free of any comparable research or financial responsibility.

### **Evaluation of the Impact**

The socio-economic impact analysis policy speaks of distribution of income and regional balance as being socio-economic factors of concern. Again, we must examine the risk model illustrated in the impact of the proposed guidelines on the Yukon placer mining industry. The study estimates:

“That between 16 to 28 percent of the operators might face  
a very high level of risk, **the worst possibly of which is  
being forced to quit placer mining.**”

In the outline of the importance of placer mining, the report suggests that:

“Once regarded as basically a “family-run” business, placer  
mining has now seen the entry of larger operators using  
larger crews and more equipment, with greater operational  
capacities.”

The impact analysis of the report leads to the conclusion that the “family-run” mining operation will be discontinued, and that only the corporate mining operation will continue. All this, notwithstanding the recognition, admitted in the report, that:

“**Expertise shows that many smaller operations are  
more viable than larger ones.**”

What experience has, or should have taught all of us, is that the very survival of our communities depends on small operations. The most recent lesson was taught in Faro.

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Corporate decisions in the distant boardrooms of what was once the Godfather of the Yukon economy have crippled the community of Faro. The closure of Clinton Creek is another lesson which few seem to have taken to heart. Ask the people of Dawson today about the impact on their town of the corporate decision to suspend operations at the asbestos mine.

We should compare Clinton Creek and Faro to the recent history of Dawson. First, Dawson lost the capitol to Whitehorse, then the city lost its corporate Godfather, the Yukon consolidated Gold Corporation. Had the economy of Dawson been structured to act primarily as a support service for “the Company”, as was the case in Clinton Creek and is the case in Faro, Dawson would have ceased to exist. As with so many other towns throughout North America, our generation would have to go to the archives to learn about the Gold Rush City of Dawson, you could not go to the Palace Grand to get a feeling of history.

It is the independent operator, the small miner, the “family-run” operation, which has preserved the services which have made it possible for the larger operators to initiate their recent placer mining activities. These same small “family-run” operators have also maintained the services on which today’s tourism industry in the mining regions is dependent.

An employee and an independent miner are two fundamentally different species. The dictionary of an employee includes works such as “lay-off”, “unemployment insurance”, “transfer” and “relocation”. To the independent miner, such words are foreign. There is no difference at all between an independent miner, an independent fisherman, and independent logger, an independent farmer, grocer or service station operator. The principal commitments of independent “family-run” operators are their families and their communities. The principal commitments of corporate operators are profits for their shareholders – whoever they may be and wherever they may be located.

The environmental dilemma we face here is not unique to Yukon, nor is it unique to mining. The socio-economic impact analysis refers to aesthetic values with this statement:

“For those seeking wilderness and enjoyment of outdoor recreation, placer mining and its inherent and associated disturbance of the environment clearly represents a cost.”

Similar concerns were voiced prior to the construction of the dam near Hudson Hope in British Columbia. No doubt, the loss of the wilderness now submerged behind the W.A.C. Bennett Dam represents a cost. But there is also a benefit in terms of the power rates in British Columbia which we in Yukon can only view with envy. The point is that there needs to be a balance. It is not fair, that those “family-run” enterprises which are the placer miners in Yukon should endure the personal trauma of having to “cease operations”. We are not speaking of pressure being applied to a corporate boardroom to redirect investments on behalf of shareholders. We are talking about individuals with

deep personal and emotional ties to their community, to their family and to the environment in which they live and raise their families.

Those individuals who:

**“seek wilderness and enjoyment of outdoor recreation”**

are largely individuals whose society has, to some degree at least, compromised environmental concerns in its own backyard, a compromise which has provided these individuals with the economic means to enjoy certain comforts and certain luxuries at home, while leaving them with sufficient resources to seek wilderness and enjoyment of outdoor recreation in regions where the cost of the compromise is borne by people rather than by environmental purity.

The conclusion of our assessment of the proposed guidelines is that it is the honourable intention of the authors of the guidelines to achieve the adoption of placer mining methods directed at preserving and enhancing a natural resource. The method proposed, however, would force a deep and fundamental transformation of the economic foundation of Yukon, one which would have an equally far-reaching impact on the social and demographic structure of Yukon.

### **Recommendations**

In summary, The Association of Yukon Communities has adopted the position that the proposed guidelines are far too onerous as they impact the socio-economic structure of those Yukon communities which partake in the placer mining industry. The Association of Yukon Communities further believes, that the proposed guidelines are inadequate in view of this admission made in the socio-economic impact analysis:

**“In this analysis some of the economic benefits and costs associated with implementation of the proposed guideline have been assessed. Only the Yukon placer mining industry and the Yukon fishery resource have been reviewed. It must be recognized that benefits and costs, other than those considered here would also result from implementation of these guidelines. Consideration of these other factors have been omitted because of limited reliable information and limited time.”**

- The Association of Yukon Communities, therefore, recommends **that the proposed Yukon placer mining guidelines be shelved** and, allowed to gather dust, until this omitted information has been provided.
- The Association of Yukon Communities **does not propose that uncontrolled ravage** of Yukon lands be permitted.

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- The Association of Yukon Communities supports **placer mining guidelines written on the principles of socio-economic co-existence.**
- The Association of Yukon Communities welcomes the socio-economic analysis policy provision for an opportunity for increased and active **participation in the regulation-making process**, and asks when this will be implemented.

**The Association of Yukon Communities recommends** that the mandate for the writing of new placer mining guidelines include:

1. The **enhancement of present community based industrial-economic realities.**
2. The **avoidance of special status recognition** of any individual factor in the process of the socio-economic impact analysis.
3. The **co-existence of present socio-economic activities.**
4. The **equal participation** in the drafting process of those affected by the guidelines, specifically the people in the communities where placer mining is a major local activity.
5. The **creation of a placer mining guideline committee with a membership drawn from placer miners, fishermen, municipal and band councils** from all placer mining regions.
6. The **use of government departments as resource agencies** at the disposal of the placer mining guideline committee.

**Yukon Placer Mining Guidelines Public Review Committee**

**Verbal Presentation**

Mme Chairman:

I believe that it is important and that I have a duty to share with you and your Committee the community perspective of the issue before you.

You have all seen bird's-eye views of towns and villages. A town offers a different picture when viewed from up high, than it does when viewed at street level. A municipal corporation looks at its community in its totality. Our image of a community includes schools, churches, playgrounds, grocery stores, power lines, parking lots, sewage lagoons and stray dogs. When we paint a portrait of a community, it encompasses individual residents and their individual activities as well as the product of the inter-relationship of all individual activities.

To us, the loss of a few jobs does not simply mean a reduction of dollars to the local economy. The loss of a few jobs does also mean the loss to the community of a few families. In the small towns which are our placer mining communities, the loss of a few senior student may trigger a move to close the local high school. One of the departing family members may have been the local scout leader, or the local figure skating instructor. In a small community, every member plays a role, every member is important, every member counts.

Much emphasis has been placed on opinions presented by economists retained by one side of the argument or another. Unfortunately, the study of economics is not an exact science. It will not surprise the Committee that two economists can look at the same number and give it two different names. Committee members have had enough life experience to allow, that perhaps both economists might in the end be proven to have been wrong. How a micro economics expert views the fishery or placer mining will differ significantly from the conclusions drawn by a macro economics expert looking at the role of the fishery and placer mining in the development of the north as a whole.

We are surprised, although perhaps we should not be, that learned experts and advisors would proceed to cut a single and significant slice out of our economy, examine and reshape it in the sterile surroundings of a laboratory, and then attempt to force it back into its original slot, believing that the remaining socio-economic components which make up like in Yukon would not suffer a major upheaval.

Our call for the shelving of the proposed guidelines and for the creation of a placer mining guideline committee with a membership drawn from placer miners, fishermen, municipal and band councils from all placer mining regions is not facetious. We believe that good results are only achieved when decisions are made by those who will have to live with the consequences of their own decisions, and best results may be achieved when those decision makers have free access to the highest level of educated advice available.

Andre Carrel, Executive Director, Association of Yukon Communities  
September 14, 1983

### **Recreation (Policy 4.6)**

Adopted: January 1982

Reviewed:

Retired: 14 May 2005

#### **Purpose**

To explain the policy adopted by AYC that the government of Yukon accept the premise that the control of recreation be delegated to the community level.

#### **Background**

The position of the Association of Yukon Communities on recreation has been stated quite clearly, most recently at the Annual General meeting of the Association in Whitehorse, January 29 – 31, 1982.

*THAT THE GOVERNMENT OF YUKON ACCEPT THE PREMISE THAT THE CONTROL OF RECREATION BE DELEGATED TO THE COMMUNITY LEVEL*

The Association of Yukon Communities has adopted this policy not in an effort to amass power for municipalities.

The policy aims to:

- a) to enable the user of the service to manage the service, and
- b) to eliminate the existing system of administrative overlap.

The reason for the current maze of recreation agencies with their tangled network of aims, goals and purposes can be found, in part at least, in the lack of a definite constitutional statement on recreation in Yukon.

The legislative powers identified in the Yukon Act do not refer to recreation specifically. Recreation could reasonable be covered by sec. 16(z) “SUCH OTHER MATTERS, etc., etc.”. A more logical home for recreation would be sec. 16(x) “ALL MATTERS OF A MERELY LOCAL OR PRIVATE NATURE IN THE TERRITORY”.

The Association of Yukon Communities has adopted a definition for the word recreation to mean:

*DIVERSION, RELAXATION, AMUSEMENT AND ENJOYMENT FOR INDIVIDUALS*

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This definition is very compatible with sec. 16(x), and is very compatible with the maxim of local control for the delivery of recreation services, a concept endorsed and supported by community leaders throughout Yukon.

**Community Responsibility**

For the purpose of this policy, the meaning of community is not restricted to an organized municipality, but does include all settlements of Yukon, regardless of their political status.

In organized municipalities, the political responsibility for recreation should rest with the elected municipal council. In unorganized communities, that responsibility should be placed with elected recreation boards. Municipal councils, of course, should establish recreation boards to be advisory boards to council on recreation policies, services and programs within the municipality.

Community responsibility does include the responsibility of recognizing, dealing with and responding to all needs gathered under the umbrella term of recreation. Sports and arts, and the multitude of recreational activities which may fall into either, both or neither of these two classifications, should be dealt with under a uniform policy for recreation which should reach right down to the community level. At the community level, based on expressed community needs and under the direction of the municipal council on the advice of the recreation board, or under the direction of the elected recreation boards of settlements, the allocation of resources can then be directed to the various activities which are deemed to be recreational priorities by the users.

**Legislation**

The legislation dealing with recreation must recognize the individualistic nature of recreation, by providing for a very broad interpretation of recreation.

The legislation should make provisions for joint venture services and programs, where the Government of Yukon and a community may jointly meet a need by providing a service or program at the community level which the community believes that it is unable to provide independently through its own resources for any reason whatsoever.

The legislation should provide for the establishment of an advisory board, with responsibility to advise the Government of Yukon on recreation policies, allocation of financial resources, and other recreation matters which may be referred to the board by the Government of Yukon or the communities from time to time. Such a Yukon Recreation Advisory Board should be representative of Yukon recreation boards as the Board of Directors of the Association of Yukon Communities is representative of Yukon communities.

Association of Yukon Communities  
Policies

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**Recreation Branch**

The Recreation Branch should be transferred from the Department of Education to the Department of Municipal and Community Affairs. It is crucial that the Recreation Branch be attached to a Ministry which is accustomed and structured to deal on a day to day basis with autonomous community authorities. For the community, the Recreation Branch would serve as a source of information, advise, general and specific assistance, as do all other community service branches now assigned to the Department of Municipal and Community Affairs (i.e. Fire Marshal's Office, Safety Inspections, Local Government Advisors, etc.).

The Recreation Branch would directly be active in multi-jurisdictional recreation matters, by they within Yukon, Canada or international (Arctic Winter Games). The Recreation Branch could contract the execution of specific functions and the delivery of specific programs, such as games management or concert tours with organizations such as the Yukon Sports Federation or the Yukon Arts Council.

Although it may not be in line with provincial models, these two above mentioned organizations should be encouraged to amend their constitutions, if necessary, to provide for a well balanced representation and participation by geography and by activity, to allow these organizations to perform such tasks as may be offered to them for execution.