



# COVID-19

## REGIONAL CONFERENCE CALL SUMMARY – ROUND THREE

MNL's third series of regional web meetings took place from April 22<sup>nd</sup> - 24<sup>th</sup> for members to share information, ask questions and troubleshoot emerging COVID-period challenges. Another session convened on April 27<sup>th</sup> for the Urban Municipal Committee. The Honourable Derrick Bragg, Minister of Municipal Affairs and Environment (MAE) accepted MNL's invitation to participate in all seven meetings in this round.

The calls were chaired by MNL CEO, Craig Pollett. In total, 193 people participated in the seven calls; 104 municipalities were represented.

### OPENING REMARKS

Craig Pollett opened the meetings by outlining the adjusted format. The first half of each session was reserved for remarks by the Minister, his responses to a set series of six questions submitted by the MNL membership and Board, and an open Q&A opportunity. The remaining time in the web meeting was to provide for the usual round of updates from attending towns.

Craig provided a series of brief updates on other MNL work, noting ongoing advocacy with the FCM on the Gas Tax and the new call for emergency operational funding, along with other federal assistance to municipalities, such as including municipalities as eligible employers for the current wage subsidy program. He told members they could look forward to receiving a report soon from MNL President Sheila Fitzgerald, a new vehicle for providing member updates following MNL Board meetings. He noted the two surveys put out by MNL including:

- **PPE** – MNL's effort to quantify the expected consumption of PPE in order to inform procurement efforts; and,
- **Financial Impact** – This survey will solicit member actions and experience to date regarding tax collection, cost-cutting measures, new COVID-period expenses and other budgetary concerns.

Minister Bragg extended his thanks to all municipal councils and staff for their COVID-19 response efforts and acknowledged that with circumstances changing day to day, we must learn as we go and insist that staying safe guides all of our actions.

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## QUESTIONS TO THE MINISTER

### QUESTION 1 – FINANCIAL SUSTAINABILITY

*Municipalities are concerned about their financial sustainability moving forward. Municipalities are not eligible for supports under existent Federal Government aid packages. Larger municipalities are losing millions of dollars; staff are being laid off. Immediate financial assistance is needed for municipalities to operate as they cannot rely solely upon residential and commercial taxation. Already, tax deferrals, discounts and interest-free options are underway. We also have serious concerns with the capacity of residents and businesses to pay those deferred taxes as the economic crisis worsens. Given that municipalities are not able to run deficits, what is the solution to the looming municipal financial crisis? Do you have a plan for financial support for the sector?*

Given the many uncertainties they faced, Minister Bragg encouraged towns to operate in a “caretaker mode” – spending within their means and focusing on core services. He also addressed:

- **Municipal Operating Grants (MOGs)** – The Minister indicated that the Department had acted to get already-budgeted provincial funds to municipalities. At the time, first installments of MOGs were on their way to 252 municipalities, either electronically or otherwise. Standard administrative holdbacks were not being imposed and, in the event that any town was encountering difficulties, Minister Bragg indicated that consideration would be given to early release of their second installment.
- **Local Tax Collection** – While recognizing that extending 2020 payment deadlines was a compassionate and widespread municipal response in the early stage of the pandemic period, the Minister indicated that the Department did not support deferrals past June 30<sup>th</sup>. He emphasized the fact that any local tax revenues that were still possible to collect would be very much needed and that towns could still exercise their discretion in dealings with residential and business taxpayers experiencing hardship.
- **Capital Works and other project funding** – With an eye to ensuring infrastructure project spending continues to support local jobs and enterprise, departmental staff have been sorting out work-from-home arrangements and finding ways to keep capital works programs moving (e.g. electronic RFP processes). The Minister also referred to preliminary consultations with Minister McKenna and federal staff regarding additional economic stimulus funding and opportunities for new shovel-ready projects in months to come.

### QUESTION 2 – INFRASTRUCTURE PROJECTS

*Construction season is upon us. This is the time of year when municipalities are getting projects ready or continuing with ones from last year. The status and future of infrastructure funding has come up continuously in our calls. What does COVID-19 mean for infrastructure projects?*

- Have municipalities been notified about their cost-shared infrastructure project approvals? If not, when can they expect that notification? What is the Department’s plan for getting these projects shovel ready?*

The Minister stated that \$9.3M in previously budgeted provincial capital works projects had been announced the week prior, and referred to another 150+ *Investing in Canada Infrastructure Program* (ICIP) project approvals anticipated very soon from Ottawa. Towns can expect to hear very quickly from the Department once an approval for their project is received. The Minister acknowledged potential concerns for towns that may be anticipating difficulties covering their contribution to cost-shared projects, but noted that the Department will also be expediting Gas Tax applications to the greatest extent possible. Everyone was encouraged to do their best to engage their consultants and keep funded infrastructure work moving.

*b. What about projects that are carrying over from last year and are under contract for completion in 2020?*

Minister Bragg expected that most all in-progress project work would be back up and running over the next month. The only differences that will need to be anticipated are the new COVID-19 workplace safety requirements that contractors will need to implement, and that towns as prime contractors need to ensure remain compliant throughout the project.

### QUESTION 3 – BUSINESS CONTINUITY

*Municipalities are trying to execute business continuity as best they can:*

*a. Several municipalities have requested boundary extensions to be approved by MAE that have and will continue to have an economic impact on those municipalities, especially at this time of need. Will the Minister highlight the importance of this initiative, and request associated departments requiring review and approval to expedite those reports and issue approvals soonest to those municipalities? Will the Minister provide an expected timeframe of approvals for applications submitted in 2019, and issue the approvals?*

Most provincial government employees have moved to work-from-home arrangements, including those in the Department of Municipal Affairs and Environment. While work is proceeding, slowdowns – particularly where multi-departmental consultation processes are involved – can be expected. Minister Bragg characterized his department as functioning at 90% of regular capacity and that their priorities for the foreseeable future would be the immediate financial needs of municipalities (i.e. expedited distribution of MOGs) in order to ensure core services are sustained, and the capital works program administration needed to ensure that every available infrastructure project opportunity is moved ahead this year to support our economic recovery.

*b. Should towns be issuing permits for construction and/or renovations?*

Minister Bragg stated that towns needed to include COVID-19 compliance in their permit conditions. In general, he didn't anticipate problems with the kinds of seasonal property maintenance and repair activities (e.g. shingling, siding) that many local permits cover, and could only imagine otherwise-allowable development being turned down where clear health and safety risks were present. He recommended that towns evaluate applications on a case-by-case basis and, in the event that they are uncertain about the work proposed, contact the Department for advice.

## QUESTION 4 – PUBLIC SPACES THIS SUMMER

*The weather is slowly improving. As more people seek places to be outside and to find things to do, they will gather. We have had several questions from members, particularly those with municipal beaches and parks, regarding clear direction as to whether these spaces should remain open to the public or closed. They also want to know about regulations concerning the upcoming angling and hunting seasons.*

Minister Bragg acknowledged the need for everyone to get outside but that the access to and safe use of trails, parks and other public spaces must continue to be guided by the Chief Medical Officer of Health. Physical distancing, staying within established bubbles and a prohibition on gatherings can be expected to continue for some time.

UPDATE: The Provincial Government's Alert system information, available [here](#) provides more detailed information on public spaces.

## QUESTION 5 – COMMUNITY ENFORCEMENT

*Municipalities are concerned about their residents; residents are concerned about violations in their communities and are demanding the council "do something about it", but municipalities have no jurisdiction to respond.*

The Minister reconfirmed the need for complainants to be directed to the established COVID reporting system, but, acknowledging the local policing coverage challenges in many parts of the Province, also cautioned municipal representatives that intervening directly in ongoing episodes of violation would expose them to additional personal risks. Referring to the COVID-period increase in domestic violence reports as just one example of the current policing caseload, the Minister encouraged towns to continue to publicize the COVID reporting system and the need to call local police directly in the event of incidents requiring an urgent response.

- a. What is the government's ongoing plan for enforcement of the public health state of emergency directives, particularly in remote and Indigenous communities where resources are limited at best?*

Municipalities lack the authority to bar people's entry to their community and, again, must rely on policing services for most enforcement support. The Minister referred to the Province's efforts to address the identified needs for better point-of-entry screening, instruction and the requirement for entrants to detail self-isolation plans, and including the newly-strengthened limitations on entry to the Province by air, land and sea (i.e. restricted to provincial residents, designated essential workers, and those entering with special permission from the Chief Medical Officer of Health) announced during the period this round of web meetings occurred.

## QUESTION 6 – ECONOMIC STIMULUS PLANNING

*Is the province looking to create an economic stimulus plan? If so, will MNL be at the table to assist in the development of that plan?*

Minister Bragg acknowledged that the Province of Newfoundland and Labrador's fiscal distress has been deepened by the pandemic. In that the Province has no cushion to draw upon, much is dependent on the Federal Government's response. In addition to ensuring already-awarded capital works funding is fully utilized, Minister Bragg has

committed to working with MNL, particularly with respect to federal stimulus funding which is expected to be forthcoming for shovel-ready local projects – a prospect he’d discussed with Minister McKenna a few weeks earlier. The Minister emphasized that the identification of local opportunities to fuel recovery planning is all the more important at this time because, with reference to the particularly difficult circumstances in Alberta, the working-away option for Newfoundland and Labrador’s residents can’t be relied on.

**NOTE:** Subsequent to these web meetings, MNL convened a special presentation for Minister Bragg by FCM President Bill Karsten and officials about the current FCM-led national campaign for emergency operational funding for municipalities. Minister Bragg has also pledged support for this initiative.

*Additional questions were addressed by the Minister in the subsequent Q&A opportunities. Several themes emerged.*

## DOING BUSINESS UNDER COVID

*Some businesses like fish plants are gearing up and bringing in outside workers, and other operations – utility companies for example – also need to send in specialists to get work done. Is testing of workers from outside our community going to be available anytime soon?*

Protocols to isolate outside workers coming to live for extended periods in order to work for enterprise in communities are in place. Employers are aware of and responsible for ensuring these measures are followed. The Minister stated that other essential workers moving between communities to undertake facility repairs and maintenance to whom the self-isolation protocols do not apply, would nonetheless be expected to maintain physical distance and otherwise limit interactions with local residents. Their employers should have also implemented new COVID-period practices for their traveling staff. The general prohibition on non-essential travel meant that a certain amount of vetting of movement within the Province was in place and the period of these calls also saw the implementation of enhanced provincial entry point checks and enforcement. The Province’s COVID reporting system should be used to address any violations or concerning behaviour,

*The fishery and tourism sectors are integral to our local economy. Residents are facing serious concerns for their livelihoods now as they await decisions on how to operate safely, if at all. What is being done provincially about this?*

The Minister indicated that the responsible departments within government were certainly monitoring and working on sector-specific responses. He acknowledged that tourism-related enterprise had been particularly badly hit by the pandemic but expressed the hope that stay-cations would provide some opportunities. MNL has been regularly liaising with Hospitality Newfoundland and Labrador on their tourism sector response. Decisions on and adjustments to upcoming fisheries’ timing and decisions about how to proceed based on COVID-related health and safety directives were ongoing.

*We have numerous businesses that are closed for the foreseeable future and that are asking to have their taxes for the period waived. How should we handle this?*

Craig Pollett noted that MNL’s upcoming survey on fiscal impacts would be gathering information on how towns are responding to a variety of tax-related matters.

## ONGOING COVID EXPOSURE RISKS AND ENFORCEMENT

*There have been concerning reports of people from Quebec crossing inappropriately into Labrador, and now reports of tourists and cabin owners visiting towns in other parts of the Province. Are towns allowed to set up COVID checkpoints and turn non-essential travelers away?*

Towns do not have this authority. The Minister reinforced the need for communities to work within existing protocols and enforcement arrangements while continuing to communicate their concerns so troubleshooting can occur as required.

*Are the powers of municipal enforcement officers sufficient to address COVID compliance issues? Might organizations like the Canadian Forces Reserves (militia) or Newfoundland Rangers also be engaged to augment existing policing resources?*

As per 179(2) of the *Municipalities Act*, “A municipal enforcement officer ...has the powers of a member of the Royal Newfoundland Constabulary with respect to the enforcement of this Act and regulations made under this Act within the municipality for which he or she is appointed.” The Minister referred to regional mutual aid agreements as one other avenue to pursue in order to harmonize and amplify municipal enforcement officers’ limited local authority. The Minister noted that government was examining a number of ways to improve enforcement capacity around the Province.

UPDATE: Bill 38 amendments, passed on May 5, includes provisions for increased enforcement under the the Public Health and Promotion Act. provisions for increased powers for police to support public health enforcement was passed on May 5<sup>th</sup>.

## TOWN OPERATIONS, SERVICES AND POLICIES

*Initially, MA&E advised us to postpone our public meetings. We’ve gone longer than a month since our last public meeting now. Is this going to be a problem?*

The Minister indicated that the Department had issued an updated circular\* on this matter on March 27<sup>th</sup> that recommended that councils make every effort to meet the standing minimum meeting requirements under the *Act* using some kind of public access provision. Noting that we can expect to face these operating constraints for some time to come, he encouraged everyone to take advantage of available electronic means (e.g. ZOOM, the MNL Telus offer). He reinforced the need to be getting core town business done and to ensure no big decisions (e.g. layoffs) were undertaken that might result in legal action should they be made without the benefit of a regular meeting of council. He did state that it was not his intent to take action against towns’ best efforts at compliance, however, and he advised council members to continue to exercise common sense and where live broadcasts of their meetings were not yet possible, to work with available means to at least afford timely public access to a record of the proceedings. (\*NOTE: See the MNL FAQs, Q #3 for details).

*Any news about summer student employment programs? Especially given the COVID circumstances mean we can't do some of the things we would normally be hiring students to do.*

The Minister stated that provincial summer student employment programs are proceeding – “business-as-usual” - albeit with adjustments to accommodate current conditions. An announcement can be expected soon. MNL will follow-up and post this information as soon as it is available too.

*It's community clean-up time. With so much garbage accumulating locally otherwise, towns also worry that illegal dumping is going to become a bigger issue now. What can be done, especially when regional waste management services have been drastically cut back?*

Towns also pointed out that the coming construction and renovation season would also require that the lack of bulk garbage services be addressed. Minister Bragg acknowledged that the regional waste management authorities would need to be engaged in a discussion to address these concerns and committed to convening a meeting, including MNL representation, as soon as possible.

*Many towns are reviewing their emergency plans as they work to address this pandemic. Isn't this a great time to talk about regionalization in order to ensure things proceed smoothly?*

While supporting a regional approach to many services, including emergency management, the Minister reminded participants that the pandemic response in Newfoundland and Labrador isn't governed at a local level or by municipal emergency plans. It is instead addressed at the provincial level by the *Public Health and Promotion Act* which he described as the best public health legislation in the country.

*We have staff certifications needed and/or up for renewal that require in-class instruction. What should we do?*

The Minister indicated that government had already approved the extension of some certifications and might be able to extend others. Instances where an individual seeking a new certification was required to complete in-person training (e.g. asbestos pipe removal certification for water and sewer project work) would require further investigation. MNL will follow-up on this matter.

## WRAP-UP

Towards the end of a couple of the meetings, the Minister asked attendees what kinds of measures they hoped to see eased first as the COVID alert levels are lowered. Allowances for small gatherings (5-10 people), expanding bubbles to include a second household, and reinstating key medical procedures were suggested. There was consensus that festivals were high risk and belonged at the bottom of the list.

## REGIONAL HIGHLIGHTS

### Labrador (15 participants; 8 municipalities/Inuit Community Governments)

- The Minister acknowledged the “different demon” facing Labrador in regard to provincial border crossings (Labrador West, Straits) and committed to follow-up conversations to address outstanding concerns.
- Community representatives indicated that provincial measures being implemented to manage the movements of workers and others entering Western Labrador were still falling short. Better enforcement of the 14-day self-isolation requirements was required as was a more rigorous interpretation and prohibition of “non-essential travel”, especially with respect to Quebecers visiting the area.
- Tourism sector concerns were expressed by Straits and South Coast Labrador communities.
- While most towns were positive about the degree of local compliance achieved to date, there were still local activities that were challenging to learn how to undertake under the new COVID protocols (e.g. funerals).

### Northern (17 participants; 7 municipalities)

- Many tourism operators were described as not planning to open in 2020.
- The Minister committed to following up on concerns for the Regional Services Board’s operations, described as being down by 80%.

### Western (31 participants; 19 municipalities)

- Channel-Port aux Basques encouraged colleagues to follow the Canadian Public Works Association’s (CPWA) guidance on COVID-safe work procedures (see [https://www.cpwa.net/CPWA/COVID-19/Updates\\_and\\_Resources.aspx](https://www.cpwa.net/CPWA/COVID-19/Updates_and_Resources.aspx))
- Concerns were expressed about the RCMP enforcement capacity and the risks posed by individuals traveling to cabin areas and fishing spots throughout the region in coming months.
- Questions were raised about managing outdoor facilities like sports fields and baseball pitches. While users might have space enough to spread out on them, they continue to present gathering risks.
- Several towns reported positive first experiences with virtual meetings.

### Central (48 participants; 25 municipalities)

- Concerns were expressed about recycling pick-ups being undertaken by Central Waste Management only to wind up in landfill.
- Several communities had postponed their seasonal clean-ups.



- Beaches in the region were a source of significant concern.
- Non-essential travel by seasonal residents to cottages was discussed. Many people were known to have travelled to the region over the Easter weekend to open their seasonal residences. The “stay at home” directive needs to be better promoted in advance of the May 24<sup>th</sup> long weekend.
- The need to source for face shields for other municipal activities (e.g. WSER compliance work) was identified.

### **Eastern (27 participants; 19 municipalities)**

- CBDC assistance and Community Futures funding opportunities were highlighted as other resources to incorporate in economic stimulus planning
- Communities reported increased illegal dumping while dump sites remain shut.
- Participants pointed to vessel visits to local ports/wharves as another source of concern.
- The St. Pierre ferry is not expected to resume operations until July but a COVID case has been reported on the Island.
- The experience of the single COVID case at the long-term care facility in St. Lawrence highlighted the need for communications to reassure residents. MNL’s Crisis Communications Toolkit was noted as a useful reference.
- Participants noted Professional Municipal Administrators’ Day and offered thanks to these dedicated town staff.

### **Avalon (48 participants; 19 municipalities)**

- The Minister agreed to take up concerns raised respecting Wabana’s ferry service restrictions and variable COVID-compliance with Minister Crocker.
- Public access to the regional dump needs to be reinstated.
- The circumstances of CNA students were raised, noting that many were ineligible for the new federal student assistance.
- Beach gatherings around the Baccalieu Trail region – often in plain view - are a growing source of concern given local enforcement coverage is already spread very thin.
- Guidance is sought regarding increased activities in marinas and public wharves that can be expected during the recreational food fishery.
- The case was made for municipal input on the roll-out of the relaxation of COVID measures, particularly for the Northeast Avalon where harmonized regional approaches are required.
- Questions were raised regarding the role and engagement of volunteer organizations as recovery planning proceeds.

### **Urban Municipal Committee (7 participants; 7 municipalities)**

- Access to PPE for larger municipalities' fire departments and public health system supporting emergency services remain a source of significant concern, with burn rates currently exceeding replacement. The case was made for these organizations to be included in the primary health care category for priority procurement access.
- The higher cost-shares the larger municipalities are subject to were raised as exacerbating the growing COVID-period fiscal challenges.
- UMC members engaged in FCM efforts offered the Minister additional background on the current case being made for a national response focused on emergency operational funding for municipalities. This short-term measure is needed to ensure disposable income remains in residents' pockets ("stabilization") to preserve the conditions needed for any "stimulus" activity that may be planned.
- Once again, the importance of reinstating key regional waste management services (i.e. residential drop-offs, recycling, bulk garbage) was addressed. As the operators of the Robin Hood Bay facility, St. John's asked for a seat at the Minister's proposed meeting with the regional waste management authorities.
- Municipal representatives also expressed the need to meet directly with the Minister of Health, the Chief Medical Officer of Health and OH&S authorities to present the municipal perspective on coordinating COVID-19 plans and implementation. Municipalities play a key role in modeling and managing COVID responses and will require lead time to restart many public services. The Province must also be mindful of the need to provide needed guidance to in order to realize harmonized plans and communications across multiple municipalities in regions like the Northeast Avalon.
- Thanks, expressed to Chief Medical Officer Dr. Fitzgerald and the rest of the Provincial public health leadership.