

**An Arbitration Pursuant to the *Municipal Government Act, RSA 2000, c M-26***

BETWEEN:

**LAC STE. ANNE COUNTY**

(the “**County**”)

- and -

**THE TOWN OF MAYERTHORPE**

(the “**Town**”)

**LAC STE. ANNE COUNTY**

**RESPONSE TO THE TOWN OF MAYERTHORPE STATEMENT OF ISSUES**

**The Parties**

1. The contact details for the County’s solicitors are:

DLA Piper (Canada) LLP  
2700 Stantec Tower, 10220 - 103rd Ave NW  
Edmonton, AB T5J 0K4  
Attention: Donald J. Wilson, Q.C.  
Email: donald.wilson@dlapiper.com  
Telephone: 780-429-6817

2. The contact details for the Town’s solicitors are:

Hutchison Law  
#190 Broadway Business Square  
130 Broadway Boulevard  
Sherwood Park, Alberta T8H 2A3  
Email: jhutchison@jlhlaw.ca  
Telephone: 780-417-7871

3. The County repeats and relies on the statements contained in the County's Statement of Issues and further responds to the Town's Statement of Issues in accordance with the particulars set out below.
4. The County is in agreement with Town in so far as the following issues remain outstanding in relation to an Intermunicipal Collaboration Framework ("**ICF**") between the Parties:
  - (a) Recreation and Culture Services;
  - (b) Dispute resolution; and
  - (c) Costs of the Arbitration.
5. Paragraph 3 of the Town's Statement of Issues identifies Retroactive contributions for the service areas in dispute ("**Retroactive Contributions**") as an outstanding issue in relation to an ICF.
6. The County is unable to provide its position regarding Retroactive Contributions without further particulars from the Town. As such, the County respectfully requests full particulars from the Town with respect to that issue, including:
  - (a) A description of the services that Town asserts should be considered with respect to Retroactive Contributions;
  - (b) The time period relevant to Retroactive Contributions; and
  - (c) Whether the Town is seeking a monetary award from the County with respect to intermunicipal services delivered prior to the appointment of the Arbitrator.
7. Paragraph 5 of the Town's Statement of Issues identifies fiscal stewardship ("**Fiscal Stewardship**") as an outstanding issue in relation to an ICF.
8. The County is unable to provide its position regarding Fiscal Stewardship without further particulars from the Town. As such, the County respectfully requests full particulars that would enable the County to understand the meaning the Town ascribes to the term Fiscal Stewardship.
9. Further, the County requests the following particulars regarding the Town's inclusion of Fiscal Stewardship in its Statement of Issues:
  - (a) Whether the Town takes the position that the Fiscal Stewardship of both the County and the Town are in issue;
  - (b) Whether the Fiscal Stewardship of the third party operators of the Town's recreation facilities is in issue;

- (c) Specific fiscal and budgeting challenges that the Town believes are in issue with respect to the ICF; and
  - (d) Whether the Town is of the view that Fiscal Stewardship is in issue at the facility level, or more generally at the municipality level.
10. Further to paragraph 2 of the Town's Statement of Issues, the County takes the position that Cemetery Services is not an intermunicipal service and as a result, is not a proper matter for consideration by the Arbitrator or inclusion in the ICF.

**Request for Relief:**

11. The County respectfully reiterates the request for relief set out in the County's Statement of Issues.