

## Agricultural Service Board Act

*In applying sections of the Agricultural Service Board Act to the structure and operation of the ASB, you will:*

- ✓ *describe the criteria for selecting ASB members;*
- ✓ *identify pros and cons of Councilor versus members-at-large appointments to the ASB;*
- ✓ *identify pros and cons of appointing additional advisory committees;*
- ✓ *describe the role of the Agricultural Fieldman on the ASB;*
- ✓ *describe the Agricultural Fieldman's responsibilities as the designated officer of the municipality;*
- ✓ *describe other non-regulatory duties of the Agricultural Fieldman;*
- ✓ *describe the role of the Minister's representative in ASB meetings.*

The *Agricultural Service Board Act* was passed at the 1945 spring session of Legislature. The new legislation encouraged a coordinated effort between Alberta Agriculture and municipalities in the development of agricultural policies and programs. The overall purpose of the Act was to provide for the extension of agricultural services in association with municipal authorities. Therefore, once local Council decides to establish an ASB, provincial legislation provides authority to the Council to appoint an Agricultural Fieldman as an inspector under provincial acts related to agriculture production. Hiring of an Agricultural Fieldman allows the elected council to focus on making the policies for their jurisdiction that direct operations without having to be directly involved in day-to-day decisions.

### ASB Member Criteria

\* Describe the criteria for selecting ASB members.

Members of the ASB are actively involved in identifying agricultural needs and selecting priorities for their region. The Agricultural Fieldman communicates directly with members of the board and requires their approval for program and budget. Generally, ASBs recommend the budget and program to Council at the beginning of each year for approval. The board is responsible for administering the approved budget as well as establishing program policy and evaluating programs and staff. Therefore, the membership of a board must include persons

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who are familiar with agricultural concerns and issues, and who are qualified to develop policies consistent with the *ASB Act* (RSA 2000 s3(3)).

Prior to 1997, the *ASB Act* specified the constitution of a board based on whether the board supported a county, municipality or improvement district/special area. Historically an ASB established in a county was made up of five or more members of the council and was called an agricultural committee, otherwise known as the ASB. The Council appointed tenure of the board members annually, and the ASB elected the Chairman. The chairman of the ASB was able to exercise the powers of the reeve of a county council, with the same effect as if they were exercised or performed by the reeve of the county council himself/herself.

In a municipal district (MD), prior to 1997, the board was made up of three to five members. With a board of three there was one councilor, one ratepayer appointed by council, and one officer of Alberta Agriculture appointed by the Minister of Agriculture.

With a board of five there were two councilors, two ratepayers appointed by council, and one officer of Alberta Agriculture appointed by the Minister. Similar to ASBs within a county, the Council appointed tenure of the board members annually; however, the chairperson of the board who was appointed by council was also one of the members representing council on the board.

In an Improvement District (ID) or Special Area, prior to 1997, the board was made up of five to seven members who were residents of the area, a taxpayer or liable to taxation, plus an officer of Municipal Affairs' (non-voting), and an Officer of Agriculture (non-voting) appointed by the Minister responsible. Board members were selected to adequately represent the area's farming interest, and were appointed to a three-year term by the Minister of Municipal Affairs' commencing January 1, following appointment to the board. The Minister of Municipal Affairs' was able to appoint one or more boards in an ID or Special Area, or appoint a board for one or more IDs or Special Areas. An appointed board was, and still is, considered a corporation consisting of the persons who are members of the board.

Since the revision of the *ASB Act* in 1997, the legislation has become more enabling, allowing council to determine the structure of the board and its membership. The council is to determine the chair, the number of members, the voting status and the term of office of the members of the board (RSA 2000 s3(2)). However, legislation still requires that the membership of a board must include persons who are familiar with agricultural concerns and issues, and who are qualified to develop policies consistent with the *ASB Act* (RSA 2000 s3(3)). This criterion promotes membership with agricultural awareness, which is important, as members of the ASB are actively involved in identifying agricultural needs and selecting priorities for their region. The board members must also be

capable of acting on behalf of the Council as legislation also indicates that a board has, and must, exercise on behalf of a council all the duties and powers that are conferred on it by the council, under this or any other enactment, with respect to agricultural matters (RSA 2000 s3(4)).

Although current legislation requires that ASB members must be familiar with agricultural concerns and issues, there is some frustration that the potential exists for an ASB to have no primary producers on it. To address this concern, a resolution was passed at the 2005 Provincial ASB Conference requesting, “Alberta Agriculture review the *ASB Act* and legislate that at least 50% of the members on an ASB must be primary producers.” In the resolution, a primary producer was defined as “a person who owns or operates a farm or an individual who is or intends to be a shareholder of a company that operates or will operate a farm.” However, under the current enabling legislation, Council is able to develop policies that represent their philosophy and aids them in achieving their municipal mandate. Therefore, individual Councils currently have the authority to set policy that will address the concern regarding the number of primary producers or qualified representatives on the ASB.

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 Graded Assignment-

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 Due Date- February 24,  
2017

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### **Assignment 2.1**

Compare your current ASB structure and membership with legislative requirements; prior to 1997, for a county, MD, or ID, whichever is appropriate for your situation. Discuss any advantages and disadvantages of the current enabling legislation. Also comment on what your preferred board structure would look like, and why? Consider the resolution put forward at the 2005 Provincial ASB Conference regarding ASB member requirements.

**Total Question Value  
= 12 pts**

Compare = 2 pts  
Advantages = 2 pts  
Disadvantages = 2 pts  
Pref. structured and why = 6 pts.

### **Pros and Cons of Councilor versus Members-at-Large**

As a result of the enabling legislation, today board structure and membership varies across Alberta. Regardless of the structure, the criteria to be appointed as a member of the ASB can be met by both councilors and members-at-large. Therefore, boards may be made up entirely of Councilors, which are merely an extension of Municipal Council, or they may be a blended board consisting of a number of councilors and a number of members-at-large. Do you know what percentage of ASBs consists of all councilors compared to ones with the at least 1 member at large? For either scenario, there are several advantages and disadvantages in operating an ASB with eligible members from each group. The following comments regarding the pros and cons of councilor versus member-at-large appointments to the ASB are generalizations. They are merely suggesting a variety of possible perspectives and attitudes and are not necessarily the common situation.

\* Identify pros and cons of councilor vs. members-at-large appointments to the ASB.

## **Members-at-large Appointments**

- Appointment of members-at-large to the ASB has the potential to diminish the possibility of council members dominating any proceedings and outcomes.
- With the addition of members-at-large on the board, it may open doors for more and better communication and input from the local ratepayers.
- Members-at-large are selected by Council from the community to hold a voting position on the ASB. Council is able to select progressive, proactive people that can provide a strong agricultural presence and understanding.
- It is also beneficial if the members-at-large selected by Council consist of a cross-section of the agricultural community with respect to age, gender, areas of production, etc. This diversity provides different perspectives on the state of agriculture in the community, and the issues to be addressed by the ASB.
- Generally, members-at-large tend to be less political in their involvement on the ASB.
- Members-at-large may not see the “bigger picture” and may have the tendency to think in terms of the individual rather than the community.
- It is often perceived that the appointed member may not have public accountability, as they are not elected representatives.

## **Councilors**

- Council members on the ASB are generally familiar with process and policy of local government, which should improve the function and efficiency of the ASB.
- Council members on the ASB also reside on the municipal board, which has the potential to improve the expediency to pass resolutions, approve budgets and programs, and deal with issues.
- It is often perceived that the councilor will be more accountable to the public as they were elected and therefore have a responsibility to the ratepayers.
- Generally councilors are able to see the “bigger picture”, and address issues from a community perspective.
- Councilors may not be as effective in identifying implications at the individual producer level.
- Unfortunately, as members of the municipal board, councilors may bring external politics into ASB meetings.
- Councilors as members of the local government may also have their own political agendas.

Regardless of membership, if a member of the board is absent from three consecutive board meetings without excuse, he or she is no longer a member of

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the board. The Act does not identify a penalty for failing to attend meetings, however a board may address this matter in their policies and procedures. As long as a majority of the members of a board holding office attend a board meeting they would constitute a quorum and the meeting could proceed.

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 Test your knowledge

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**Learning Exercise 2.1**

Complete the following tables comparing the pros and cons of councilors versus members-at-large appointments to the ASB. Can you think of any other scenarios?

**Pros:**

Councilors	Members-at-Large

**Cons:**

Councilors	Members-at-Large

## Appointing Additional Advisory Committees

\* Identify the pros and cons of appointing additional advisory committees.

Each municipal council works with several boards and committees that contribute to the provision of services to the community. The membership of these boards and committees generally consists of volunteers that rely on the good will of each other, and a common sense of direction to assist in community development. Most boards and committees in the community are beyond the responsibility of the Council, yet often have an impact on the decision making of Council. The *ASB Act* provides for council to appoint one or more advisory committees with respect to any matter related to agriculture. Any advisory committee appointed shall act in an advisory capacity to the board and council (RSA 1997 s8(1)(2)). The purpose of an advisory committee is to utilize the thoughts, ideas and suggestions of the public in the development and delivery of policies, programs and services to the public. In general, advisory committees assist the ASB in fulfilling their roles and responsibilities in the following ways:

- Establishing priorities
- Program planning
- Policy development
- Program promotion
- Public relations
- Program evaluation

It is important to keep in mind that an advisory committee is just that, it advises the board and Council. Often advisory committee members expect their advice to become policy; however, advice is taken under consideration, but not necessarily implemented or acted upon.

In order for advisory committees to be effective, Council must provide them with a mandate or terms of reference. If no direction or focus is provided, expectations are unlikely to be met, and the value of the advisory committee diminishes. Establishment of an advisory committee can also become repetitive in that the members on the advisory committee are often members of the ASB or Council. Generally, council meetings are held to adopt resolutions of the advisory committee in addition to meetings to adopt resolutions of the ASB. This duplication of time and effort translates into an additional drain on the budget. To alleviate this problem the advisory committee may report to the ASB. However, regardless of reporting requirements, the governance structure for the advisory committee must be identified in the terms of reference.

The credibility of an advisory committee is enhanced if the membership represents a cross-section of the agricultural community. An assumption is generally made that the advisory committee represents the majority and therefore

it should be able to provide a broader perspective. In doing so, advisory committees often function as the informal liaison between the ASB and the community.

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 Test your knowledge

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### **Learning Exercise 2.2**

If you have an advisory committee associated with your ASB describe the role they are playing. If you currently do not have an advisory committee describe what you think the role of an advisory committee could play.

In either case, identify the benefits and disadvantages of having an advisory committee associated with your ASB.

## **Role of the Agricultural Fieldman on the ASB**

The relationship of the ASB with the Agricultural Fieldman can be described in terms of governance versus task. The dictionary meaning of the root word govern “is to exercise continuous sovereign authority over, and implies keeping a straight course or operation for the good of the individual and the whole.” In this sense, governance equals power, but only when all members speak as one voice. This influences the way the board decides to operate, how it develops its policies, strategic direction, and how it will function.

"Creating the future or the vision.....Where are we? Where are we going?"

The governance versus task relationship can best be described using an example involving budgets. Budgets are often prepared by the Agricultural Fieldman, which the board then approves or disapproves. Upon approval, programming and services that can be offered within the budget are considered.

### ***Example***

We have \$300,000 now. What services can we provide our producers?

The governance model would have the ASB formulate the vision for the board, set general parameters and limits within available funds, then the Agricultural Fieldman can prepare a budget that guarantees support.

\* Describe the role of the Agricultural Fieldman on the ASB.

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### *Example*

We will educate the ratepayers and oil and gas companies and sample for clubroot in the County of Nowhere for 2017 within a spending limit of not more than 2% of our budget.

Governance versus task is comparable to the expression - ends versus means. The "ends" relate to the results, and are the primary reason for boards to exist. The "ends" should always be addressed from a positive perspective and through questions such as:

### *Ends:*

What good? – increasing awareness and identifying the prevalence of clubroot.

Which people? – canola producers and farmers markets benefit from a reduction in the incidence of clubroot as well as oil and gas companies having access to land

What cost? - subsidized to no more than 2% of budget.

Although the Agricultural Fieldman can provide input into the "ends", the "means" are the direct responsibility of the Agricultural Fieldman. The "means" relate to how the "ends" are achieved, and should always be addressed negatively such as,

### *Means:*

Practices - nothing illegal or deceptive

Methods - cannot promote use of unregistered products, cannot shoot custom applicators or developers

Activities - cannot hold seminars that are not cost recovery

Delegation of authority by the ASB allows Agricultural Fieldmen to perform their role effectively. The Agricultural Fieldman is the employee of the municipality and reports to the ASB on programs. When the board stops speaking the Agricultural Fieldman is empowered to make all further decisions.

**Authority** is the right to decide what should be done. It provides the power and right to take action, or to require someone else to take action. The Council members, having appointed the ASB members, give them the authority to oversee the running of the organization. Similarly, the Agricultural Fieldman has been appointed or hired by the municipality, and therefore, should also be given the authority to oversee activities assigned to them.

**Responsibility** is the obligation to perform assigned functions to the best of one's ability, in accordance with directions received.

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**Accountability** is the requirement of answering for one's actions or performance. Council is accountable to the board members and ratepayers for assuring the organization is functioning within the law and in accordance with the wishes of the members and ratepayers, as expressed in the bylaws and resolutions. Where authority is delegated from, and responsibility is created by a superior source, accountability involves answering for one's performance to a superior source.

An Agricultural Fieldman is a qualified person hired by the council and employed on a full time basis. The typical duties of an Agricultural Fieldman can be broken down into five main categories:

### 1. Administration

- Act in an advisory capacity to the ASB and council.
- Coordinate ASB meetings and agenda with the chairman of the board.
- Prepare and present annual ASB budgets, financial statements, and related progress reports in accordance with the ASB business plan.
- Apply for grants on behalf of the ASB.
- Supervise full-time and temporary staff employed by the ASB.
- Prepare and release timely and related news articles using available media resources.
- Keep up with the latest technology in weed control, pest control, soil conservation, etc.
- Organize field trips, courses, public meetings and demonstrations.
- Compile and maintain complete office records of related activities.

### 2. Policies and Programs

- Recommend programs and policies targeted to maintain and improve agricultural production.
- Implement policies and programs approved by the board, and maintain a record of budget expenditures for these programs.
- Prepare annual reports on current programs.
- Develop and evaluate program plans, budget and policy. During the evaluation process, explore alternatives that would contribute to developing long-range plans.
- Be involved with educational programs.

### 3. Regulatory

- Enforce the *Weed Control Act* through promoting, inspecting and enforcing the control of noxious weeds on all lands within the boundaries of their jurisdiction.
- Enforce the *Agricultural Pests Act* through promoting, inspecting and enforcing the control of declared agricultural pests.
- Enforce the *Soil Conservation Act* through promoting, inspecting and enforcing regulations, and issuing permits regarding soil conservation.

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- Inspect and issue permits for seed cleaning plants.
- Supervise the operation of lands under supervision and reclamation per the ASB Act.
- Ensure that pesticides are used in accordance with environmental regulations.

### **4. Communication/Liaison**

- Act as a liaison with public, manager, board and government representatives.
- Keep the board informed of the work being done as well as provide updates on new information.
- Communicate programs to producers.
- Maintain good public relations while promoting ASB programs and enforcing ASB policies through personal producer contacts, newsletters, meetings, etc.

### **5. General**

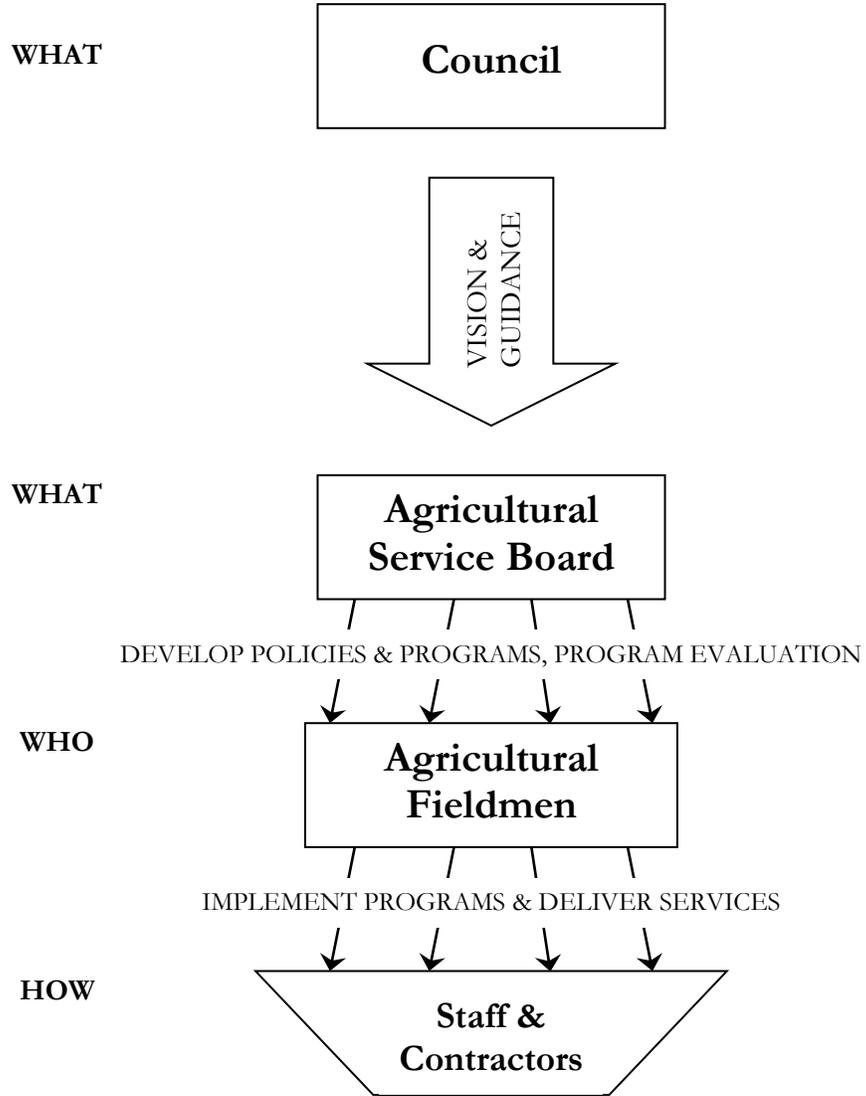
- Take an applied common sense approach.
- Be responsible directly to the board for ASB programs and operation.
- Maintain rental equipment.
- Be familiar with all aspects of agricultural pursuits and associate this with community needs and the role of the Agricultural Fieldman.
- Identify concerns and problems of the community and relate them to the ASB.
- Demonstrate leadership and organizational skills.
- Attend upgrading courses, as Board feels appropriate.

The list above includes typical duties of an Agricultural Fieldman, however, each ASB will have different issues to deal with, and a different Business Plan to work with. Therefore, this list will vary for each ASB. For example, an ASB with extensive watercourses may require their Agricultural Fieldman to play a larger role in dealing with beavers as pests and the removal of dams than an ASB in the drier, southern regions of Alberta.

It is apparent that the role of an Agricultural Fieldman is diverse, and therefore council is to ensure that there is a job description for the Agricultural Fieldman with clearly defined expectations. Based on the job description, the Agricultural Fieldman shall have an annual performance appraisal, and in support of the Agricultural Fieldman, time shall be allotted for professional development.

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The following flow chart (figure 2.1) illustrates the pathway for communication and delivery of services and programs associated with the ASB



**Figure 2.1**  
Pathway for Communication and Delivery of ASB Services and Programs.  
Note: These arrows go both ways

## Agricultural Fieldman's Responsibilities

\* Describe the Agricultural Fieldman's responsibilities as the designated officer of the municipality.

As the designated officer of the municipality, the Agricultural Fieldman will act as the administrative officer to carry out duties under any Act, and to implement agriculture projects agreed on between the Council and the Minister. Although there are several provincial Acts relating to agriculture, the Agricultural Fieldman is, in the municipality employing him/her, an inspector or officer under the following Acts:

- *Weed Control Act*
- *Agricultural Pests Act*
- *Soil Conservation Act*
- *Agricultural Service Board Act*

Other Provincial Acts under which an Agricultural Fieldman may be designated as an inspector or officer include:

- *Agricultural Operations Act (AOPA)*
- *Drainage District Act*
- *Environmental Protection and Enhancement Act*
- *Livestock Industry Diversification Act*
- *Occupational Health and Safety Act*
- *Pipeline Act*
- *Public Lands Act*
- *Water Act*
- *Wildlife Act*
- *Line Fence Act*
- *Stray Animal Act*
- *Animal Health Act*

Other Federal Acts that an Agricultural Fieldman may play a role in include:

- *Plant Protection Act*
- *Pest Control Products Act*
- *Health of Animals Act*
- *Federal Seeds Act*
- *Navigable Waters Act*

As the designated officer or inspector, it is important to understand and be able to implement the applicable Acts and the associated regulations for each Act, as well as the bylaws specific for your jurisdiction. It is your responsibility to carry out the administrative and enforcement activities under each Act. The details of your responsibilities for each of the Acts will be discussed in detail in later modules

(*Weed Control Act* – Module 4; *Soil Conservation Act* – Module 5; *Agricultural Pests Act* – Module 6; *Other Regulatory Considerations* – Module 7).

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 Test your knowledge

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### **Learning Exercise 2.3**

In addition to the five main provincial acts dealing with weeds, pests, animal health, soil conservation and ASB, which of the above provincial and federal acts do you play a role in? What role do you play? Are there any other Acts, which you have had dealings with that are not listed above?

\* Describe other non-regulatory duties of the Agricultural Fieldman.

### **Non-Regulatory Duties**

In addition to the typical duties of the Agricultural Fieldman under the ASB such as administrative duties, program and policy development, communications, other general activities, and the enforcement of the Acts, the Agricultural Fieldman plays several other roles. The list of additional responsibilities that have been assigned by Council to Agricultural Fieldman across the province is quite diverse. Some examples include:

- Fire guardians
- Handling civil defense activities
- Maintenance
- Municipal police officers
- School bus drivers
- Dog catchers
- Snow removal

The job description on the next page illustrates the expectations and qualifications required to fill the municipal Agricultural Fieldman position approximately 40 years ago. Has anything changed?

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 Test your knowledge

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### **Learning Exercise 2.4**

Create a list of other non-regulatory duties that you are responsible for. Describe their importance in your local municipality and how they fit (or do not fit) into your ASBs current business plan.

**HISTORICAL 1968  
AGRICULTURAL FIELDMAN  
(Position Description and Qualifications)**

Kind and Level of Work

Basically this position involves regulatory, inspection and service duties in the field of agriculture. Agricultural Fieldmen are employed by the council in the case of municipal districts and counties, or by the Department of Municipal Affairs, in the case of improvement districts. Their work is directed by an agricultural committee in the case of the county, or by the Agricultural Service Board in the case of municipal or improvement districts.

The Agricultural Fieldman is a regulatory officer for the government body by whom he is employed with respect to legislation in weed control, soils, pests, livestock diseases and such other work as directed by the Board. Wherever possible, but always in consultation with the District Agriculturist, he attempts to implement approved farming practices in an endeavor to reduce the need for enforcement. In non-regulatory programs promoted or endorsed by the Agricultural Committee or the Agricultural Service Board, the Agricultural Fieldman may be directed to assist or supervise as mutually agreed upon between the Department and the Board. The Agricultural Fieldman should maintain effective public relations in the fields for which he is responsible.

Knowledge, Abilities and Skills

- Thorough knowledge of legislation and its interpretation relating to agriculture administered by the municipality.
- Considerable knowledge of approved methods of weed control and soil conservation practices.
- Thorough knowledge of agricultural chemicals, particularly herbicides and insecticides.
- Knowledge of federal and provincial policies related to the job.
- Some knowledge of extension techniques and sources of information.
- Ability to maintain confidence of the public and assist in implementing approved practices in farm operations with respect to weeds, soils, pests, and livestock diseases.
- Ability to handle problems with tact and diplomacy.
- Ability to enforce regulations with firmness and tact.
- Ability to organize spraying programs, weed inspection and other programs involving the supervision of part-time help.
- Ability to operate trucks, farm machines and such other equipment as is necessary in carrying out an approved program.
- Ability to compile and maintain office records, and answer correspondence.
- Ability to speak and write effectively on topics related to his field or responsibility.
- Assist the District Agriculturist in meetings, short courses, tours and demonstrations.
- Willingness to co-operate with the District Agriculturist and other agents in servicing programs and policies approved by the Service Board and the Municipal District Council.
- Initiative and ability to work with limited supervision.

Typical Duties

- Carry out inspections under the authority of the Noxious Weed Act, the Pest Act, the Soil Conservation Act and the Agricultural Service Board Act and supervise part-time inspectors in the over-all inspection program for the municipality served.
- Help organize brucellosis vaccination programs with the District Agriculturist and local veterinarian.

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- Assist in handling of forage seed, herbicides and insecticides where this is part of the Agricultural Service Board Program.
- Assist the District Agriculturist in conducting meetings and courses on topics related to agricultural programs covered by the Agricultural Service Board.
- Together with the District Agriculturist demonstrate the latest methods of weed control, pest control and soil conservation.

Education and Experience

Graduation from an Agricultural or Vocational College, or the equivalent of high school matriculation plus experience.

Experience in practical farming with knowledge of modern farming methods and techniques.

Suggested Annual Salary Schedule

- Year 1 - \$4,980
- Year 2 - \$5,220
- Year 3 - \$5,460
- Year 4 - \$5,700
- Year 5 - \$5,940
- Year 6 - \$6,240
- Year 7 - \$6,540
- Year 8 - \$6,840
- Year 9 - \$7,140
- Year 10 - \$7,500

## Role of the Minister's Representative

\* Describe the role of the Minister's representative as related to ASBs.

In order to assist a board, the Minister may designate an employee as a Minister's representative with the following roles:

- To advise the board on government programs, agricultural problems and needs of industry.
- To assist the board, on the request of the board, in the discharge of its duties.

With the loss of the District Agriculturalist and the District Home Economist, the Minister's representative is any employee of Alberta Agriculture and Forestry. At the request of the municipality a Minister's representative is available to attend ASB meetings to address specific issues. For example, if the Board requires an update on Fusarium or Clubroot, the Minister's representative will likely come from the Pest Surveillance Branch. The ASB Supervisor is also a representative of the Minister as identified in the ASB Program Funding Agreement and shall act as a liaison between the ASBs and the Minister of Agriculture. In addition, needs and concerns of the ASB and its municipality that are related to responsibilities under the legislation of the *ASB Act* and related Acts and regulations can also be addressed by the ASB Supervisor.

At an ASB meeting, the Minister's representative is not in attendance to lead, but to guide by providing advice on agricultural issues, as a technical resource, and to clarify the position of government. The Minister's representative that attends a meeting becomes a non-voting member of the ASB for that meeting.

In addition to the Minister designating a representative to assist ASBs, the Minister may enter into an agreement (RSA 1997 s11) with Council to address the following issues and make payments provided for in the agreement.

- To provide assistance in soil and water conservation;
- For control of weeds and pests;
- For control of any livestock disease;
- To implement any other agricultural policies considered necessary.

The agreement between the Minister and the Council may provide for:

- Assistance towards the administration and provision of services, material, equipment and labor in conducting approved programs and policies.
- Assistance towards conducting educational programs
- Payment of expenses necessary in the control of livestock disease under the *Animal Health Act*.

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**References:**

*Agricultural Service Board Act*, Chapter A-10. RSA 2000.