



PUBLIC COUNCIL SESSION

AGENDA PACKAGE

For the meeting of

Date: Wednesday, May 5, 2021

Time: 4:30 p.m.

Place: Zoom Meeting

AGENDA PACKAGE

PUBLIC COUNCIL

Date: May 5, 2021

Time: 3:30 p.m.

ZOOM MEETING

1. CALL TO ORDER

1.1 Territorial Acknowledgement

We acknowledge that we are in Mi'kma'ki, the ancestral and unceded territory of the Mi'kmaq people

1.2 Roll Call

2. ADMINISTRATIVE AND PROCEDURAL ISSUES

2.1 Approval of Agenda

2.2 Approval of Minutes

i) Approval of the April 21, 2021 Council Minutes

2.3 Business Arising

April 21, 2021 Council Session

2.4 Public Hearing(s)

Public Highway Signage Bylaw

Council has previously provided First Reading for the Public Highway Signage Bylaw. Staff have included a report, in the package, detailing this item.

Action: Motion to hold Second Reading of Public Highway Signage Bylaw at the June 2nd Public Council Session.

3. STRATEGIC PRIORITIES ISSUES

3.1 Divestiture of Surplus Properties

Staff have provided detailed information relating to the divestiture of 3 surplus properties. The Divestiture of Surplus Property Committee is recommending Council divest itself of the outlined properties.

Action: Motion to accept the recommendation of the Divestiture of Surplus Property Committee and divest the 3 properties outlined in the attached memo.

4. MAJOR ORGANIZATIONAL ITEMS

There are no major organizational items for this meeting.

5. **ORGANIZATIONAL POLICY/BYLAW ITEMS**

5.1 Amendment to Land Use Bylaw to rezone PID 25360272, 768 Tidnish Head Road, Tidnish Cross Roads – Second Reading

Staff have provided the background on the request for an amendment to the Land Use Bylaw to rezone PID 25360272, 768 Tidnish Head Road, Tidnish Cross Roads. First Reading and a Public Hearing were held by Council at previous Council sessions. Today will be the Second Reading on this matter.

Action: Motion to approve Second Reading of Amendment to the Land use Bylaw to rezone PID 25360272

5.2 Reimbursement Policy for Council and the CAO

At the April 21, 2021 Council meeting, Council gave Notice of Intent to Consider adoption of the Reimbursement Policy for Council and the CAO for this meeting.

Action: Motion to approve the Reimbursement Policy for Council and the CAO.

5.3 Meetings and proceedings of Council Policy

Amendments to the Meetings and proceedings of Council Policy include the addition of a Committee of the Whole each month, and amendment to the times of our meetings.

Action: Motion of Notice of Intent to Consider Adoption of the Meetings and Proceedings of Council Policy at the May 19th, 2021 Council session.

6. **BUSINESS ISSUES**

6.1 Community Development Grants

Staff have provided a memo outlining a grant request from the Wentworth Valley Trail Runners.

Action: Motion to approve a grant in the amount of \$400 to the Wentworth Valley Trail Runners.

6.2 Award of RFP for Agenda and Meeting Management Software

Staff will provide a written report on the summary of this RFP prior to the meeting, as it is being scored on Friday, April 30, 2021. Staff will be looking for award of this RFP.

Action: Motion to award RFP for Agenda and Meeting Management Software

7. **INFORMATION ITEMS**

7.1 Chignecto Isthmus Project

Councillor Houghtaling and REMO Coordinator, Mike Johnson will be two of the presenters at the upcoming online event taking place on May 11 at 7 p.m. Details of the event are included in the package. The event is free to all and will be broadcast live online at <https://www.facebook.com/ishtmusNS>

7.2 Lyme Disease Awareness Month

In an effort to continue keeping Lyme Disease Awareness at the forefront of residents' minds so that proper precautions are undertaken and a quick diagnosis and treatment can be obtained, Mayor Scott is proclaiming May as Lyme Disease Awareness Month. For more information on Lyme Disease please visit: <https://www.canada.ca/en/public-health/services/diseases/lyme-disease.html>

8. **ADJOURNMENT**

In March of 2020, in response to the Covid 19 Pandemic, the Minister of Municipal Affairs and Housing declared that Municipal Councils will not meet in person but will instead hold virtual meetings. Under this order Council of the Municipality of the County of Cumberland held Council video meetings via Zoom. This meeting was also streamed live on Facebook.

1. CALL TO ORDER

1.2 Roll Call

Mayor Scott acknowledged the Municipality of the County of Cumberland is in Mi'kma'ki, the ancestral and unceded territory of the Mi'kmaq people.

Prior to calling the meeting to order the Mayor welcomed the new CAO, Mr. Greg Herrett to the Municipality.

The Mayor called the April 21, 2021 Council session of the Municipality of the County of Cumberland to Order at 6:00 p.m.

Brenda Moore, Municipal Clerk called the roll with the following members of Council present: Mayor Murray Scott, Councillor Fred Goud; Councillor Rod Gilroy, Councillor Jennifer Houghtaling, Councillor Angela McCormick, Councillor Mark Joseph, Councillor Dale Porter, Councillor Carrie Goodwin.

Absent with regrets: Deputy Mayor Kathy Redmond

Staff present Greg Herrett, CAO; Allie McCormick, McCormick Manager of Organizational Development & Innovation; Steve Ferguson, Director of Community Development; Andrew MacDonald, Director of Finance; Justin Waugh-Cress, Director of Operations and Public Works; Amanda MacLeod, Sustainable Communities Marketing Officer; Shelley Hoeg, Communications/Executive Assistant to the CAO; Michelle Byers, Manager of Economic Development; Will Balsler, Junior Planner; and Brenda Moore, Municipal Clerk who recorded the meeting.

Media present in the meeting:

Bill Martin, Six Rivers News; and Maurice Rees, Shoreline Journal.

2. ADMINISTRATIVE AND PROCEDURAL ISSUES

2.1 Approval of Agenda

The agenda was approved with the following addition:

3.2 Pugwash Multi Purpose Centre

IT WAS MOVED by Councillor Porter seconded by Councillor Gould to approve the agenda as amended.

**No Objections
MOTION CARRIED**

2.2 Approval of the Minutes

IT WAS MOVED by Councillor Gilroy seconded by Councillor Houghtaling to approve the minutes of the April 6, 2021 Council meeting.

**No Objections
MOTION CARRIED**

IT WAS MOVED by Councillor Gould seconded by Councillor Joseph to approve the minutes of the April 7, 2021 Council meeting.

**No Objections
MOTION CARRIED**

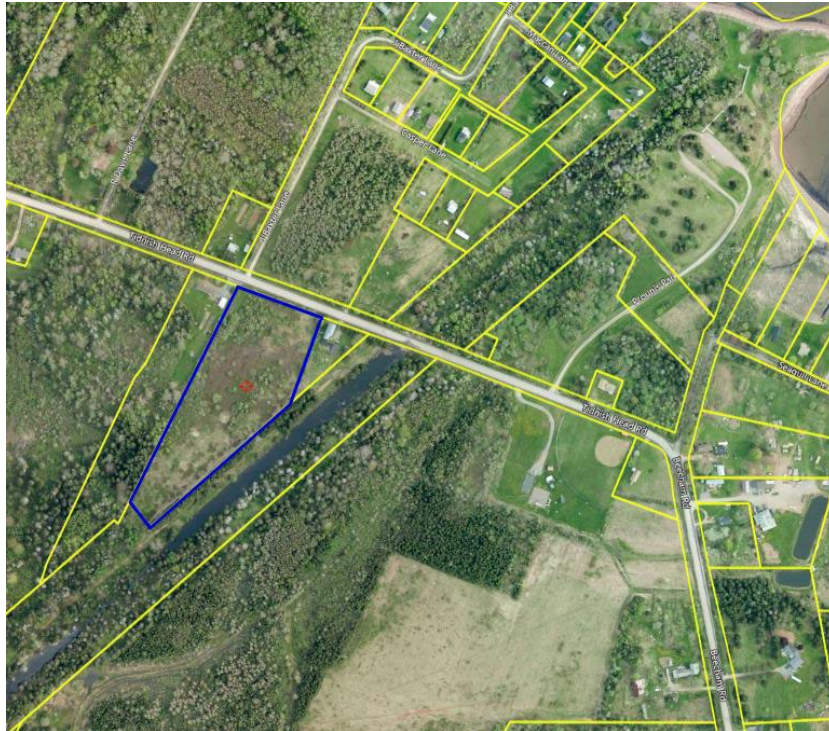
2.3 Business Arising

Council was brought up to date on the business arising from the April 7, 2021 meeting and the ongoing business arising.

2.4 Public Hearing(s)

Amendment to Land Use Bylaw to rezone PID 25360272, 768 Tidnish Head Road, Tidnish Cross Roads from Country Residential to Commercial Recreation

Councillor Gilroy declared a conflict of Interest and was put on hold to remove him from the Zoom meeting at 6:08 p.m.



Will Balsler, Junior Planner, provided the background on the request for a Development Agreement for PID 25360272, 768 Tidnish Head Road, Tidnish Cross Roads.

Mayor Scott called the Public Hearing to order at 6:09 p.m.

Mayor Scott asked if there were any submissions from the public or the applicant. There was only one submission, and the following is a list of the concerns expressed in this submission in point form and are in no particular order.

- 1, I am concerned about the loss of my well (it is the oldest hand bored well in Tidnish 40 ft. deep). The location of his wells could potentially kill mine.
 - 2, Location of septic systems and the possibility of them contaminating excellent potable water.
 - 3, Devaluation of my property because of the proposed development.
 - 4, Excessive noise from partying, fireworks, etc, Fire works are extremely problematic for the dogs.
 - 5, Garbage being dumped or blowing onto my property. This has already been a problem with those down Jimmy Baxter lane.
 - 6, Theft of fire and standing wood, and property.
 - 7, Vandalism/property damage.
 - 8, Total loss of privacy and quietness as his contractor cleared right to the line.
 - 9, Oversaturation of RVs on the property for land size.
 - 10, Proximity of RV parks. The proposed RV park is less than one km from another legal RV park. Too much of one type of development (RV/seasonal) does not help Tidnish in being a year-round sustainable community.
- In closing, I understand this is pretty much a done deal and my concerns are mute. I only wished and the Cumberland County planning department had more vision. This beautiful little community does not need further RV parks but, rather seniors' apartments so, we can keep our seniors in their community instead of them leaving. This alone would open up more housing for new people and sustain Tidnish for years to come.

There were no requests to speak at this hearing and the applicant did not ask to appear.

The Mayor asked if Council had any questions or comments. Councillor Gould ask about the number of houses adjacent to the proposed property for development, if they had received septic approval from the Dept. of Environment and how big the lot is. Will responded that there are approx. 3 houses close to the development the septic approval process does not happen until the development permit stage of a project and the lot is approximately 5 acres.

The Mayor asked if Council had any more questions or comments. Hearing none the Mayor closed the Public Hearing at 6:13 p.m.

IT WAS MOVED by Councillor Gould seconded by Councillor McCormick to hold Second Reading of Amendment to Land Use Bylaw to rezone PID 25360272, 768 Tidnish Head Road, Tidnish Cross Roads from Country Residential to Commercial Recreation at the May 5, 2021 Council session.

**No Objections
MOTION CARRIED**

3. STRATEGIC PRIORITIES ISSUES

3.1 Joint Community Economic Development Strategy

Michelle Byers, Manager of Community Economic Development reviewed the memo included in the meeting material regarding the Cumberland Region 2021-2026 Community Economic Development Strategy. This strategy was jointly developed by the Municipality of the County of Cumberland, the Town of Amherst, The Town of Oxford and the Cumberland Business Connector

IT WAS MOVED by Councillor Gould seconded by Councillor Houghtaling to approve the Cumberland Region 2021-2026 Community Economic Development Strategy.

**No Objections
MOTION CARRIED**

3.2 Pugwash Multipurpose Centre

Michelle Byers, Manager of Community Economic Development gave a brief presentation to bring Council up to date on the Pugwash Multi Purpose Centre project including changes in the estimates of building and operating costs. Council is asked to review the Pugwash Multi Purpose Centre Business Plan in detail and consider the cost implications while preparing the 2021/2022 budget.

4. MAJOR ORGANIZATIONAL ISSUES

There are no Major Organizational Issues for this meeting.

5. ORGANIZATIONAL POLICY/BY-LAW ISSUES

5.1 *Development Agreement for PID 25223686, 14 Chambers Blvd., Parrsboro

A memo from staff was included in the meeting material and provided the background on the request for a Development Agreement for PID 25223686, 14 Chambers Blvd, Parrsboro.

*Attached to these minutes as Appendix A

Conflict Councillor Goodwin declared a conflict of interest and was put on hold to be temporarily removed from the Zoom meeting at 6:28 p.m.

Staff reviewed the background on the request for a Development Agreement for PID 25223686, 14 Chambers Blvd, Parrsboro.



IT WAS MOVED by Councillor Gilroy seconded by Councillor Houghtaling to approve Second Reading of this Development Agreement for PID 25223686, 14 Chambers Blvd, Parrsboro.

**No Objections
MOTION CARRIED**

Councillor Goodwin was readmitted to the meeting at 6:32 p.m.

5.2 Reimbursement Policy for Council and the CAO

IT WAS MOVED by Councillor Joseph seconded by Councillor McCormick to give Notice of Intent to Consider Adoption of the Reimbursement Policy for Council and the CAO at the May 5, 2021 Council meeting.

Municipality of Cumberland Policy 21-01
 Reimbursement Policy for Members of Council
 and Chief Administrative Officer

Title

1. This Policy is entitled the “Reimbursement Policy for Members of Council and Chief Administrative Officer”.

Policy Statement

2. This Policy ensures the appropriate use of municipal funds through the establishment of uniform standards and procedures respecting reimbursement of expenses incurred by Council members and the CAO in relation to business of the Municipality.

Definitions

3. In this Policy, unless the context otherwise requires:
 - 1) “CAO” means the Chief Administrative Officer;
 - 2) “CAO designate” means an employee of the Municipality delegated any of the responsibilities or powers of the CAO pursuant to subsection 29(b) of the *Municipal Government Act*; and
 - 3) “Municipality” means the Municipality of the County of Cumberland.

Signing Authority

4. The following are the Signing Authorities for the positions referred to, and shall be responsible for administering the policy with respect to the individuals in those positions:

Position	Signing Authority
Council Members and Mayor	CAO or designate AND Audit Committee Chair or Vice-Chair
CAO	Mayor or designate AND Audit Committee Chair or Vice-Chair

5. A Signing Authority may designate a second signing authority. The designation of a secondary signing authority shall be in writing and shall state the name and position of the designate.
6. A Signing Authority is prohibited from authorizing expenses incurred on their own behalf.

Individual Responsibilities

7. Everyone who incurs an expense in relation to municipal business is responsible for:
 - 1) Familiarizing themselves and complying with the provisions of this Policy;
 - 2) By April 1 each year signing an acknowledgement document certifying that they have reviewed this policy and sought all clarifications necessary for a complete understanding of its provisions and their responsibilities pursuant to it. Failure to sign this acknowledgement document annually will disqualify the individual from claiming expenses for reimbursement under this policy until the document has been signed for that year;
 - 3) Completing and submitting expense claims with necessary supporting documentation;
 - 4) Exercising reasonable diligence and care in incurring expenses prudently and responsibly; and
 - 5) With respect to travel, cancelling reservations as required, safeguarding travel advances and funds provided, and considering alternatives to travel such as teleconferencing and video conferencing.

Permitted Expenses

8. Subject to and in accordance with this Policy, the following expenses incurred by a member of Council or the CAO are eligible for reimbursement:
 - 1) Authorized travel within Nova Scotia, including transportation, accommodation, and meal costs;
 - 2) Pre-approved out-of-province travel, including transportation, accommodation, and meal costs; and
 - 3) Pre-approved training or continuing education costs.

Authorized Travel

9. Council members shall be reimbursed for the reasonable expenses incurred for attending:
 - 1) Meetings, conferences, or workshops at which the Council member’s attendance is authorized or requested by Council;
 - 2) Any Council or Committee of Council meeting;
 - 3) A meeting of any Board, Commission or other organization to which the Council member has been appointed by Council, except that no reimbursement shall be provided by the Municipality if the Council member is entitled to reimbursement of expenses directly from the applicable organization;
 - 4) If the Mayor or Deputy Mayor are invited to attend a function, meeting or conference on behalf of the Municipality, and if reimbursable expenses are less than \$500, pre-approval by Council will not be required.
 - 5) If a Council member attends a function, meeting or conference on behalf of the Municipality, and if reimbursable expenses are less than \$500, pre-approval by Council will not be required if:
 - a) At the request of the Mayor or Deputy Mayor to attend on their behalf;

- b) At the request of the Mayor or Deputy Mayor to attend as a Council member who has a special interest in, or connection with the subject of the meeting or conference or because of special knowledge and experience of the Council member relative to the subject of the meeting or conference; and
 - 6) At a training or continuing education event in accordance with the provisions of this Policy concerning Council member training and education.
10. The CAO shall be reimbursed for the reasonable expenses pursuant to the CAO's employment agreement.

Out-of-Province Travel Authorization

11. All requests for out-of-province travel shall be made in writing and shall contain the following information:
- 1) The purpose and duration of the trip;
 - 2) The location(s) to be visited;
 - 3) The dates and times of arrival and departure;
 - 4) Any pre-paid transportation, meals, and accommodation; and
 - 5) Any other anticipated expenses.
12. All requests for out-of-province travel by Council members shall be reviewed by the CAO and Mayor, who shall consider the necessity for travel based on information provided.
13. When two or more out-of-province travel requests are made by Council members for the same purpose, Council shall determine the appropriate number of persons necessary to represent the Municipality.
14. All requests for out-of-province travel by the CAO shall be reviewed by the Mayor, who shall follow the same guidelines established for Council members.
15. If a request for out-of-province travel is approved, and the Claimant pays all or some of the expenses for travel, the Claimant will be eligible for reimbursement of those expenses after submitting an expense claim in accordance with this Policy.

Training and Professional Development

16. If the Municipality has established a training and education budget expense item, a member of Council or the CAO may apply to the applicable Signing Authority in advance for approval to incur expenses out of this budget for training or professional development, provided that:
- 1) The request is made in writing, and includes an estimate of all costs that will be incurred, including the course or enrolment fee and all required transportation, accommodation, and meals;
 - 2) The training or education course, meeting or conference, is related to municipal government;
 - 3) The course, meeting or conference is completed prior to the next municipal election date;
 - 4) the budget for Council member and CAO training and education for the year has not been exhausted and would not be exceeded by authorizing the request;
 - 5) the Council member and CAO shall reimburse the Municipality for the cost of all or, alternatively the pro-rated cost of a portion, of any enrollment fees in the event of failure to attend all, or alternatively some, of the event without reasonable justification; and
 - 6) A brief written summary is provided by the Claimant describing the nature and benefits of the training and education at the time of submitting an expense claim for reimbursement. If both applicable Signing Authorities approve an application to incur expenses in relation to training or education, and the Claimant (not the Municipality) pays all or some of the pre-approved expenses, the Claimant will be eligible for reimbursement of those expenses after submitting an expense claim in accordance with this Policy.

Per Diem Meal Allowances

17. For each day or part day that a Council member is travelling outside the Municipality for an authorized purpose, a Council member may claim a meal allowance for each meal for which a cost was incurred. Meals provided free of charge or included in registration fees paid directly by the Municipality are ineligible. The per diem meal allowance for Council members shall be the same as that for staff: \$20 for breakfast, \$20 for lunch, and \$35 for supper. This allowance includes gratuities and taxes. For purposes of this section, the Municipality will not pay breakfast allowance to Council members leaving home after 6:00 am or supper allowance to a Council member arriving home before 6:00 pm. Receipts are required for all meal expenses. Amounts reimbursed will be the lesser of the applicable meal allowance or cost shown on receipt.
18. If on any given day the Council member is attending more than one meeting within the Municipality, and the cost of paying kilometrage for the Council member to go home for a meal and return for a meeting being held later that same day is greater than the meal allowance, a Council member may claim a \$20.00 meal allowance. Receipts are required for all meal expenses.
19. Claimants whose religious beliefs or medical requirements prohibit them from consuming certain foods should be aware that appropriate meals can normally be obtained from caterers, provided that adequate notice of special requirement is given. Should these special dietary requirements negate the ability to participate in a meal that is provided free of cost, and as a result the Claimant must pay for a meal, the Claimant shall be paid a meal allowance for that meal.

Kilometrage

20. The kilometrage allowance reimbursed for Council members using personal vehicles for travel shall be at the rate stipulated from time to time by the Province of Nova Scotia as the maximum.

Where several Council members or the CAO attend the same meeting, conference or function, each shall make reasonable efforts to share a vehicle.

Vehicle Rentals

21. The cost of rental of a vehicle shall be a reimbursable expense in instances where:

- 1) Reasonable ground transportation services such as public transit, taxis, or hotel shuttles are unavailable; or
- 2) Two or more Council members or the CAO are travelling together, and it is more economical than the combined costs of other reasonable ground transportation.

23. Compact, economical vehicles must be used unless three or more persons are travelling together, the bulk or weight of goods being transported necessitates a larger vehicle, physical limitations of one or more passengers require a larger vehicle, or a compact, economical vehicle is unavailable.

Limits on Reimbursable Expenses

Notwithstanding any other provision of this Policy, the following limits shall apply to reimbursement of expenses:

- 1) A Claimant shall only be reimbursed for the costs that they have incurred;
- 2) The expenses of a Council member for political activity associated with election or re-election is not reimbursable by the Municipality.
- 3) Airplane travel shall be booked by municipal staff or shall only be reimbursed at the lowest rate which would have been available if municipal staff had booked the airfare;
- 4) Hotel accommodations shall not exceed the cost of a standard room, double occupancy, except when hotel accommodation has been booked by municipal staff for out-of-province hotels. Hotel upgrades shall be at the personal expense of the Claimant unless there are ergonomic necessities attributable to physical requirements including, but not limited to, wheelchair accessibility;
- 5) If a Council member chooses to take their personal vehicle in lieu of airplane travel, reimbursement will be based on the lesser of the lowest airfare rate which would have been available had the flight been booked by municipal staff or the kilometrage reimbursement pursuant to section 20;
- 6) Reimbursement for meals shall not exceed the per diem meal amounts set out in this Policy, except in the case of out-of-province travel, in which event Council may authorize reimbursement of meal expenses to a comparable standard;
- 7) Fees, deposits, interest, and surcharges incurred on a personal credit card shall not be reimbursed;
- 8) When personal and municipal travel is combined, only documented expenses directly related to the Municipality's portion are reimbursable. Extended travel time and related expenses are the traveler's own expense;
- 9) Reimbursement shall not be provided for loss of personal effects; for medical and hospital treatment; for purchase of luggage, clothing, and other personal equipment; or for personal services such as shoeshines, valet services, dry-cleaning, laundry, haircuts, and other personal services.
- 10) Hotel accommodations shall be booked by municipal staff;
- 11) Hotel services including room service and video rentals shall not be charged to the room;
- 12) Reimbursement of one personal long-distance phone call, to a maximum of \$15 shall be permitted for each night of overnight travel;
- 13) The cost of any alcoholic beverages shall not be reimbursed;
- 14) A Council member shall not be reimbursed to travel to meetings within the Municipality with constituents, individual electors, and complainants. The expenses incurred in the discharge of these duties are deemed to be included in the Council member's remuneration.

Expense Claims

24. Authorized expense claims must be submitted on the form provided by the Municipality and shall be signed by the Claimant.
25. Receipts or other satisfactory documentary proof must be submitted with the reimbursement claim for all expenses except:
- 1) bridge and highway tolls; and
 - 2) claims for personal vehicle kilometrage.
26. Expenses incurred by a Council member or the CAO on behalf of another individual are not eligible for reimbursement.
27. No expense claim shall be paid unless the claim is first approved for payment by the Signing Authorities who have authority to approve the claim. Before approving an expense claim, a Signing Authority must ensure that:
- 1) The claim is consistent with this Policy;
 - 2) The expenses claimed were necessarily incurred in the performance of municipal business;
 - 3) Appropriate receipts are provided to support the claim, and the claim documentation is appropriately filed;
 - 4) All calculations are correct; and

28. In considering an expense claim for payment, a Signing Authority may request additional explanations, documentations, or justification from the Claimant, and may refuse to approve any claim or expense that the Signing Authority decides is unreasonable or not in compliance with this Policy.
29. The use of petty cash to pay an expense claim is prohibited.
30. If a form requires adjustments, the form will be returned to the Claimant and must be re-authorized prior to reimbursement.

Timeframe

31. Expense claims shall be submitted at a minimum on monthly basis.
32. Expenses must be submitted and charged to the year in which they occurred. Expenses cannot be carried forward to future years.
33. Claimants who charge for goods and services in a fiscal year must have received the goods or services from the vendor in that fiscal year.

Fraud, Misuse, or Misappropriation of Municipal Funds

34. Fraudulent irregularly, misuse, or misappropriation of municipal funds may result in disciplinary action up to and including termination of employment.
35. Suspicious activity and potential misuse of funds must be reported as per this Policy.

Municipal Reporting Requirements

36. Pursuant to section 65A of the *Municipal Government Act*, the CAO shall ensure that the Municipality does the following:
 - 1) Within 90 days of the end of each fiscal quarter, prepares and posts an expense report on the Municipality's website for the Mayor, CAO (including an employee of the Municipality delegated any of the responsibilities or powers of the CAO pursuant to subsection 29(b) of the *Municipal Government Act*) and each member of Council on their expenses regarding the following:
 - a) Travel and travel related expenses, including transportation, accommodation, and incidentals;
 - b) Meals; and
 - c) Training and professional development.
 - 2) By September 30th of each year, prepares and files with the Minister of Municipal Affairs an annual summary report that summarizes the expense reports for the preceding fiscal year, that is compliant with the requirements of the Department of Municipal Affairs and the requirements set out in the province's Financial Reporting and Accounting Manual.

Review Requirements

37. The Audit Committee shall review the expense annual summary report by October 31st of each year.
38. By the January 31st immediately following a regular election held under the *Municipal Elections Act*, Council shall review this Policy and, following a motion by Council, either re-adopt the Policy or amend the Policy and adopt the Policy as amended.
39. This Policy is effective upon adoption and replaces any previous Reimbursement for Members of Council Policies.

**No Objections
MOTION CARRIED**

5.3 Repeal of the Springhill Bylaws – First Reading
IT WAS MOVED by Councillor Gould seconded by Councillor Joseph to approve First Reading of the Bylaw to Repeal the following Springhill Bylaws.

Municipality of the County of Cumberland By-Law 21-XX

By-Law to Repeal of Former Town of Springhill By-Laws

1. The following By-Laws adopted and in effect in the former Town of Springhill are hereby repealed:
 - 42 T. of Springhill - Amendment to Curfew By-Law 1945
 - #47 T. of Springhill - Amendment to Public Scales and Weighers 1946
 - #48 T. of Springhill – Plebiscite of the Rate Payers 1947
 - #52 T. of Springhill - Amendment to Sheep Protection and Dog Regulation 1950
 - #53 T. of Springhill - Parking Meters 1950
 - #56 T. of Springhill - Parking Meters 1958
 - #57 T. of Springhill – Truckmen 1958
 - #58 T. of Springhill – Unsightly 1958
 - #59 T. of Springhill - Truckmen's By-Law 1959
 - #60 T. of Springhill - Truckmen's By-Law 1960
 - #61 T. of Springhill - Destruction of Documents and Records No Longer Required 1962
 - #62 T. of Springhill - Amendment to Truckmen Bylaw 1962
 - #66 T. of Springhill - Amendment to Truckmen Bylaw 1967

- #68 T. of Springhill - Amendment to Truckmen Bylaw 1971
- #70 T. of Springhill - Amendment to Truckmen Bylaw 1974
- #76 T. of Springhill – Instalment Billing Payment 1979

2. This By-law shall come into force upon publication

**No Objections
MOTION CARRIED**

6. BUSINESS ISSUES

6.1 Summer Recreation Supervisors – Budget Approval

A memo from the Manager of Recreation Programs and Services regarding the hiring and budget for the Summer Recreation Supervisors was included in the meeting material.

IT WAS MOVED by Councillor Goodwin seconded by Councillor Joseph to approve the hiring of Summer Recreation Supervisors and the \$28,000 budget needed to cover the cost of wages for these positions.

**No Objections
MOTION CARRIED**

6.2 Parrsboro Lions Recreation Centre

A memo from the Manager of Recreation Programs and Services regarding usage of the Parrsboro Lions Recreation Centre for summer programming was included in the meeting material.

IT WAS MOVED by Councillor McCormick seconded by Councillor Gilroy to approve the budget of \$10,200 to cover the cost of the Municipality renting and utilizing the Parrsboro Lions Recreation Centre for our summer recreation programs.

**No Objections
MOTION CARRIED**

6.3 Tax Sale Update

A memo from the Account Supervisor providing a written update regarding the recent Tax Sale was included in the meeting material and reviewed by Andrew MacDonald, Director of Finance.

6.4 Youth Council

Council discussed the inception of a Youth Council and ask Council to consider establishing one for the Municipality.

IT WAS MOVED by Councillor Houghtaling and seconded by Councillor Gould to create a Youth Council and to have the Policy and Bylaw Committee review the draft Youth Council Policy, make any necessary changes and submit that Policy to Council for approval.

**No Objections
MOTION CARRIED**

6.5 Meeting Times

Council would like discussion on the amendment of our meeting times

IT WAS MOVED by Councillor Porter seconded by Councillor Houghtaling to change the start time for Public Council meetings to 3:30 p.m. with the ability to delay the start time to 4:30 if necessary, and for staff to make the necessary changes to the Meetings and Proceedings of Council Policy for consideration and adoption by Council.

**No Objections
MOTION CARRIED**

7. INFORMATION ITEMS

There are no Information Items for tonight’s agenda.

8. ADJOURNMENT

8.1 Adjournment

On motion by Councillor McCormick seconded by Councillor Gilroy the meeting was adjourned at 6:56 p.m.

DRAFT

DEVELOPMENT AGREEMENT
14 Chambers Boulevard, Parrsboro, NS

This Agreement made this _____ Day of _____, 2021.

Between 3277041 Nova Scotia Limited. Owner of property located at 14 Chambers Boulevard (PID 25223686). Hereinafter Called the Property Owner
Of the First part

-and-

The Municipality of the County of Cumberland,
a body corporate (hereinafter called the Municipality"
Of the Second part.

WHEREAS the Property Owner wishes to use the portion of the property at 14 Chambers Boulevard (PID 25223686) which is currently zoned Multi-Unit Residential ("the Property"), further described in Schedules A, B and C, for multiple-unit townhouse dwellings; and

WHEREAS the Property is situated within an area designated 'Residential' on the Future Land Use Map of the Municipal Planning Strategy (September 2020), and zoned 'Multi-Unit Residential (RMul)' on the Zoning Map of the Land Use By-law (September 2020); and

WHEREAS Policies 5-8, and 6-11 of the Municipal Planning Strategy (September 2020) and Section 8.2.4 (a) of the Land Use By-law (September 2020) allow Municipal Council to consider the proposed development on the Property only by Development Agreement; and

WHEREAS the Council of the Municipality of the County of Cumberland at a meeting on the _____ Day of _____, 2021 approved a Development Agreement on the Property, to allow the proposed development, subject to the execution of the Development Agreement by the parties hereto; and

WHEREAS the Property Owner is the owner of the Property:

NOW THEREFORE THIS AGREEMENT WITNESSETH THAT in consideration of the foregoing recitals and for other good and valuable consideration the parties hereto agree as follows:

SCHEDULES

The following attached Schedules shall form part of this Agreement:

- a) Schedule 'A' - Description of Lands
- b) Schedule 'B' - Property Survey Map
- c) Schedule 'C' - Site Plan
- d) Schedule 'D' - Building Elevation Drawings

PERMITTED USES

That the development on the Property shall be limited to:

- a) A maximum of twelve (12) townhouse dwellings with four (4) dwelling units each subject to Schedules C and D attached; and
- b) The existing sports field as shown on Schedule C attached which the Owner shall allow the Municipality to continue to operate; and
- c) Those uses permitted in the underlying zoning by the Land Use By-law, as amended from time to time.
- d) Except as otherwise provided in this Agreement, the provisions of the Land Use By-law, as amended from time to time, apply to any development on the Property.

BUILDING CHARACTERISTICS

- a) The height and massing of the building shall be in reasonable accordance with the elevation drawings as shown in Schedule D.
- b) The exterior design of the building shall be in reasonable accordance with the renderings as shown in Schedule D.

LANDSCAPING

- a) The Property Owner shall submit a detailed landscaping plan to the satisfaction of the Development Officer, prior to the issuance of a Development Permit. The landscaping shall be in reasonable accordance with the submitted landscaping plan. This includes, but is not limited to all trees, shrubs, grassed areas, buffers and non disturbance zones. The planting of native species is strongly encouraged.
- b) Areas not used for structures, solid waste handling, automobile parking and circulation, pedestrian walkways, or other infrastructure shall be landscaped.
- c) Notwithstanding b) above, that area occupied by the current sports field as shown on Schedule C may continue use as a sports field.
- d) Such landscaping shall consist, at a minimum, of sod but may also include decorative grasses, trees, shrubs, flowers, mulch, fountains, ponds, and/or decorative pavers.

Development Agreement 14 Chambers Boulevard Parrsboro

- e) A vegetative buffer 1.5m high shall be placed between Main Street and any dwellings.
- f) The setbacks to adjacent properties shall be no less than:
 - i. 8m to Main Street
 - ii. 6m on the south side
 - iii. 6m on the north side; and
 - iv. 6m to the rear of the portion of the property zoned Multi-Unit Residential.
- g) The setbacks between individual dwellings shall be no less than 12m.
- h) Notwithstanding f) and g), a variance of up to 20% may be considered at the discretion of the Development Officer prior to issuance of a Development Permit.
- i) The Property Owner will be considered in default if any of the required landscaping or buffering is not completed within twelve (12) months of the issuance of an Occupancy Permit.

LIGHTING

- a) The lighting on the property shall be sufficient to promote the safety and security of all users, including but not limited to users of pedestrian walkways and parking.
- b) Any exterior lighting shall be positioned to minimize the illumination of surrounding areas and located so nearby properties and streets are not illuminated to the extent that a hazard or nuisance will result.

PARKING AND ACCESS

- a) The Owner shall be responsible for the design and construction of all lanesways, walkways and parking areas.
- b) The Property Owner shall construct a common private vehicular laneway and pedestrian walkways from Main Street to serve each dwelling.
- c) The Property Owner shall construct driveways that provide vehicular and pedestrian access from the common laneway referred to in a) to each dwelling.
- d) The Property Owner shall maintain and provide snow removal for such laneway and pedestrian walkways.
- e) The Property Owner agrees that the Municipality will not take ownership of, nor maintain in any way, any laneway or walkway.
- f) The Property Owner shall construct a temporary turnaround area sufficient to carry the weight of heavy equipment at the end of the private laneway, to the satisfaction of the Municipal Engineer.
- g) The Property Owner shall provide paved parking areas for each dwelling unit meeting the parking requirements of the Land Use Bylaw.

SIGNAGE

Signage shall not exceed that which is permitted by the Land Use Bylaw.

MAINTENANCE

- a) The Property Owner shall ensure that all buildings on the Property are kept in good repair, and that exposed exterior surfaces are painted or treated as may be necessary, so that the buildings are maintained in a tidy and attractive state.
- b) The Property Owner shall ensure that all retaining walls, lawns, trees, shrubs, gardens, and other landscaping elements are regularly maintained and that any undeveloped, unused portions of the lot are kept in a tidy state and free from unkempt materials or matter of any kind.

SANITARY SEWER AND WATER SERVICES

- a) The Property Owner shall be responsible for the design and construction of all, sanitary sewerage systems, and water distribution systems.
- b) The Property Owner shall provide construction drawings, to the satisfaction of the Municipal Engineer for all sanitary sewerage systems, and water distribution systems prior to construction.
- c) The Property Owner shall provide as-built construction drawings, to the satisfaction of the Municipal Engineer for all sanitary sewerage systems, and water distribution systems following construction.
- d) The Property Owner shall provide easements to the Municipality for access to sanitary sewerage systems, and water distribution systems to the satisfaction of the Municipal Engineer.
- e) The Property Owner agrees that the Municipality will not take ownership of any sanitary sewerage systems, or water distribution system.

Development Agreement 14 Chambers Boulevard Parrsboro

STORMWATER MANAGEMENT

- a) The Property Owner shall submit a detailed stormwater management plan to the satisfaction of the Municipal Engineer, prior to the issuance of a Development Permit.
- b) The Property Owner shall ensure that all post-development peak stormwater runoff flows for all development on the Property are equal to or less than pre-development stormwater peak runoff flows for small and large storms, to the satisfaction of the Municipal Engineer.
- c) The Property Owner shall ensure that no stormwater enters Municipal sanitary sewerage systems or is diverted to adjacent properties.

CHANGES AND ALTERATIONS

- a) That the following matters are non-substantive matters which may be changed or altered without a public hearing, but with the written consent of the Development Officer.
 - i. Architectural features of buildings, including dimensions and the location of windows and entrances.
 - ii. Location of site features including but not limited to buildings, landscaping, hard surfaces, parking facilities, turning areas and buffers.
- b) All other matters in this agreement not specified in Subsection 11 a) above or c) below are non-substantive matters which may be changed or altered without a public hearing, but with the written consent of Council, provided that Council determines that the changes do not significantly alter the intended effect of this agreement.
- c) That the following matters are substantive matters and may not be changed or altered except by amendment to this agreement in the form of a further development agreement incorporating the intended change:
 - i. Permitted Uses other than those outlined in Section 2 or as permitted in the underlying zoning by the Land Use By-law; and
 - ii. A variance of greater than 20% to the setbacks and buffers as outlined in 4 e), f) and g) of this Agreement.
- d) Notwithstanding the foregoing, discharge of this Agreement is not a substantive matter and this Agreement may be discharged by Council at the request of the Property Owner without a public hearing.

APPLICABILITY OF THE AGREEMENT

The Property Owner agrees that the Property shall be developed and used only in accordance with and subject to the terms and conditions of this Agreement.

APPLICABILITY OF THE LAND USE BYLAW AND THE SUBDIVISION BYLAW

Except as otherwise provided in this Agreement, the provisions of the Land Use By-Law and the Subdivision Bylaw as amended from time to time, apply to any development, use or subdivision on the Property.

COMPLIANCE WITH OTHER BY-LAWS AND REGULATIONS

- a) Nothing in this agreement shall exempt or be taken to exempt the Property Owner from general compliance with federal, provincial, and/or municipal statutes, regulations and/or bylaws. This includes complying with other By-laws or Regulations in force with the Municipality, including the Building Code By-law and Subdivision By-law, or from obtaining any Federal, Provincial or Municipal license, permission, permit, authority, or approval required.
- b) The Property Owner shall be responsible for securing all applicable approvals associated with the on-site and off-site servicing systems required to accommodate the development including, but not limited to, sanitary sewer system, water supply system, stormwater sewer and drainage systems and utilities. Such approvals shall be obtained in accordance with all applicable by-laws, standards, policies, and regulations of the Municipality and other approval agencies. All costs associated with the supply and installation of all servicing systems and utilities shall be the responsibility of the Property Owner, unless otherwise agreed upon. All design drawings and information shall be certified by a Professional Engineer or appropriate profession as required by this Agreement or other approval agencies.

CONFLICT

- a) Where the provision of this Agreement conflict with those of any bylaw of the Municipality applicable to the Property (other than the Land Use Bylaw to the extent varied by this Agreement) or any provincial or federal statute or regulation, the higher or more stringent requirements shall prevail.
- b) In case of conflict, the text of the Agreement prevails over the Schedules.

COSTS

The Property Owner is responsible for all costs associated with recording this Agreement in the Land Registration Office. These costs are included in the Development Agreement Application Fee that is collected by the Municipal Fees Policy.

FULL AGREEMENT

This Agreement constitutes the entire agreement and contract entered into by the Municipality and the Property Owner. No other agreement or representation, oral or written, shall be binding.

SEVERABILITY OF PROVISIONS

The provisions of this Agreement are severable from one another and the invalidity or unenforceability of one provision shall not affect the validity or enforceability of any other provision.

INTERPRETATION

- a) Where the context requires, the singular shall include the plural, and the masculine gender shall include the feminine and neutral genders.
- b) In case of conflict, the text of the Agreement prevails over the Schedules.

BREACH OF TERMS OR CONDITIONS

Upon the breach by the Property Owner of the terms or conditions of this Agreement, the Municipality may undertake any remedies permitted by the *Municipal Government Act*, including but not limited to any remedies permitted by section 264 of the *Municipal Government Act*.

TERMINATION OF AGREEMENT

- a) This Agreement shall be in effect until discharged by resolution of the Council of the Municipality pursuant to the Municipal Government Act, whereupon the Land Use By-law shall apply to the Property; and
- b) The Property Owner shall sign this Agreement within 180 calendar days from the date the appeal period lapses, or all appeals have been abandoned or disposed of or the Agreement has been affirmed by the Nova Scotia Utility and Review Board or the unexecuted Agreement shall be null and void; and
- c) The Municipality may discharge this Development Agreement if the use described herein has not been commenced within twelve (12) months of the date of this Agreement; and
- d) The Municipality may discharge this Development Agreement if construction of the development or the use described herein is discontinued for twelve (12) months or longer; and
- e) In this Agreement, the development is deemed to have been commenced or started when a development permit for any part of the development has been issued; and
- f) The Municipality retains the option of discharging this Development Agreement should any fact provided by the Property Owner to the Municipality constitute a material misrepresentation of the facts; and
- g) This Agreement shall enure to the benefit of, and be binding upon the Municipality and its successors and assigns and shall enure to the benefit of and be binding upon the Property Owner, their heirs, executors, administrators, and assigns, the owner or owners from time to time of the Property, until discharged.

OWNERSHIP

We, the Property Owner, hereby certify that we are the sole owner of PID 25223686, as described in Schedule A, having received the deed from Nova Scotia Business Development Corporation, dated October 15, 2001. We have not disposed of any interest in the property and there are no judgments or other liens or encumbrances affecting the property.

Witness

XXXXX3277041 Nova Scotia Limited

IN WITNESS WHEREOF the parties hereto have caused this agreement to be executed by affixing their seals and corporate seals on the day and year first above written.

Witness

XXXXXXX
3277041 Nova Scotia Limited
MUNICIPALITY OF THE COUNTY OF CUMBERLAND

Witness

MURRAY SCOTT, Mayor

Witness

ALLISON MCCORMICK, Acting CAO

AFFIDAVIT (CORPORATE)

I, _____, of _____, Nova Scotia, make oath and say that:

1. I am the _____ of 3277041 Nova Scotia Limited, the "Corporation". Except as otherwise stated I have personal knowledge of the matters to which I have sworn in this Affidavit.
2. I acknowledge that the Corporation executed the foregoing instrument by its proper officer[s] duly authorized in that regard under seal on the date of this affidavit; this acknowledgment is made for the purpose of registering such Instrument pursuant to S.31 (a) of the Registry Act, R.S.N.S. 1989, c.392. or s. 79(1)(a) of the Land Registration Act as the case may be, for the purpose of registering this instrument.
3. The Corporation is a resident of Canada under the Income Tax Act (Canada).
4. The ownership of a share or an interest in a share of the Corporation does not entitle the owner of such share or interest in such share to occupy a dwelling owned by the Corporation.
5. THAT I have authority to execute this instrument on behalf of 3277041 Nova Scotia Limited. and thereby bind the 3277041 Nova Scotia Limited.

SWORN TO at _____)in the County of _____
)

Province of Nova Scotia

3277041 NOVA SCOTIA LIMITED

This _____ day of _____)A.D. 2021, BEFORE ME:)))

_____) _____

A Notary Public/Commissioner of Oaths for the

Per:

Province of Nova Scotia

My Commission Expires _____

AFFIDAVITS OF EXECUTION

PROVINCE OF NOVA SCOTIA
COUNTY OF CUMBERLAND, NS

ON THIS _____ day of _____ A.D., 2021, before me, the subscriber personally came and appeared _____ a subscribing witness to the foregoing Indenture, who having been by me duly sworn, made oath and said that **THE MUNICIPALITY OF THE COUNTY OF CUMBERLAND**, one of the parties thereto, caused the same to be executed in its name and on its behalf and its corporate seal to be hereunto affixed in his/her presence.

A COMMISSIONER OF THE SUPREME
COURT OF NOVA SCOTIA

PROVINCE OF NOVA SCOTIA
COUNTY OF CUMBERLAND, NS

ON THIS _____ day of _____ A.D., 2021, before me, the subscriber personally came and appeared _____ a subscribing witness to the foregoing Indenture, who having been by me duly sworn, made oath and said that **3277041 NOVA SCOTIA LIMITED**, one of the parties thereto, caused the same to be executed in its name and on its behalf and its corporate seal to be hereunto affixed in his/her presence.

A COMMISSIONER OF THE SUPREME
COURT OF NOVA SCOTIA

Development Agreement Schedule A

Description of Lands

Registration County: CUMBERLAND COUNTY

Street/Place Name: Chambers Boulevard /Parrsboro

Title of Plan: Plan of Consolidation and Subdivision Lands of The Parrsboro & Area Industrial Development Commission.

Designation of Parcel on Plan: 91-2

Plan Number: 1619

Registration Date of Plan: April 26, 1991

Saving and excepting Lot 97-1, surveyed by David T. Roberts, in Plan Reference #2618 dated May 5, 1997 containing 2.305 acres, conveyed to Parrsboro Metal Fabricators Limited by deed dated June 18, 1997 and registered in the Registry of Deeds for Cumberland County on June 27, 1997 in Book 666 Page 334-338.

Also Saving and Excepting Lot No. 97-2, surveyed by David T. Roberts, in Plan Reference # 2641 dated June 9, 1997 containing 1.0 acres, conveyed to Rafes Construction Limited by deed dated July 31, 1997 and registered in the Registry of Deeds for Cumberland County on September 10, 1997 in Book 670 Page 360-363.

Burden One: Subject to restrictive covenants described in Book 753 at Page 264.

Burden Two: Subject to a utility (sewerage) easement described in a deed registered in the Registry of Deeds for Cumberland County on July 3, 1947 in Book 42 at Page 139.

Burden Three: Subject to an easement! right of way as described in a deed registered in the Registry of Deeds for Cumberland County on July 3, 1947 in Book 42 at Page 139.

MGA Compliance Statement: This parcel complies with the subdivision provisions of Part IX of the *Municipal Government Act*.

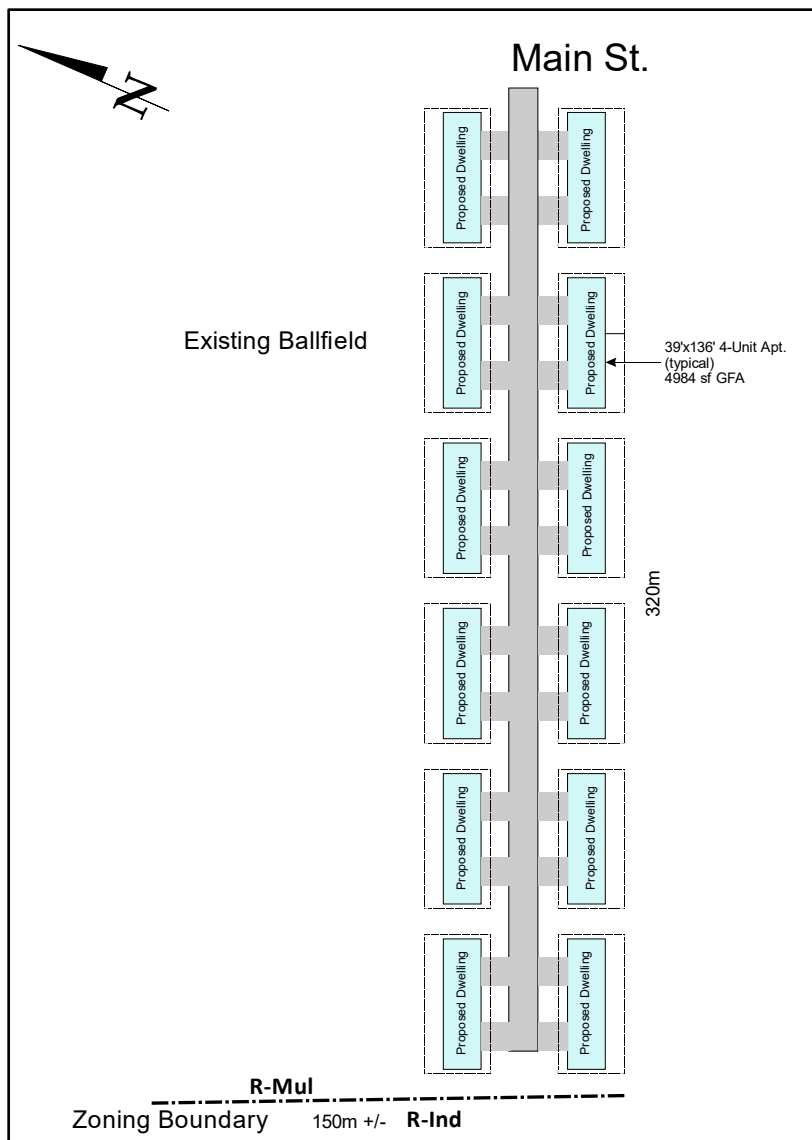
*** *Municipal Government Act*, Part IX Compliance ***

Compliance:

The parcel is created by a subdivision that has been filed under the Registry Act or registered under the Land Registration Act.

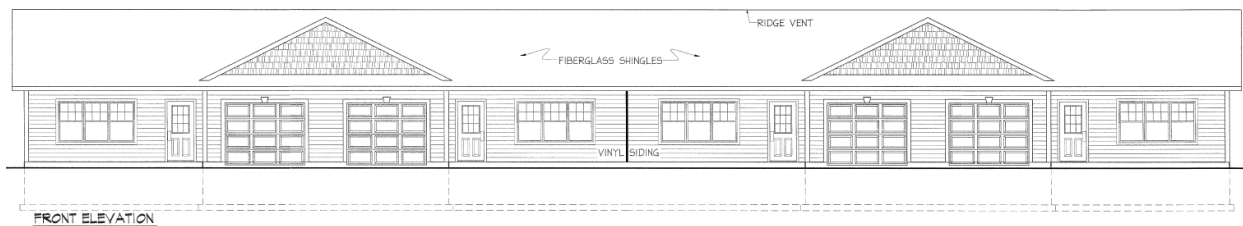
Development Agreement Schedule C

Site Plan



Schedule D

Building Elevation



MEMORANDUM

TO: Mayor and Council
FROM: Will Balsler, Junior Planner, Development Officer
DATE: May 5, 2021
RE: **Public Hearing on Public Highway Signage Bylaw**

2.4

Background: In May of 2018, The Nova Scotia Border Committee requested a bylaw to control signage on Highway 2 between the Tourist Bureau and the Amherst Town Boundary in an effort to improve the appearance of this key access point to all of Cumberland County. Two open houses were held in Upper Nappan on June 18th and July 24th, 2018 to give the public, land owners, and business owners an opportunity to voice concerns, and provide input. Advertising for the open houses included two newspaper ads, door hangers to every business along Route 2, phone calls to all sign owners, and the Municipality of Cumberland's Facebook page, website, and newsletters. Most feedback received was regarding design standards, placement, and number of signs, and was overall supportive of the regulations.

The Municipal Government Act gives Municipalities the authority to regulate signage within their jurisdiction. However, this authority does not extend to land next to public roads. Section 49 of the Public Highways Act applies to public highways vested in the Crown. Under the Public Highways Act, the Province can delegate its authority over signage in areas of provincial jurisdiction to municipalities. Municipalities may develop by-laws to prohibit or regulate signage on any part of a highway that is within their boundary and designated in the by-law, (excluding controlled access highways).

Municipalities that wish to regulate signage along provincial roads must submit a proposed bylaw to the Minister of the Department of Transportation and Infrastructure Renewal. The Minister may approve some or all of the by-law, attach conditions, or approve it with changes. The Minister may also revoke or vary the by-law.

The Town of Amherst passed a motion of support for the bylaw on February 24, 2020.

The By-Law and Policy committee recommended that Council approve the Bylaw on March 12, 2021.

No submissions were received for the public hearing.

Recommendation: Hold Public Hearing and give Second Reading to the Public Highway Signage Bylaw on June 2, 2021.

Next Steps: Staff will prepare advertisements for the intent to adopt the Bylaw on June 2, 2021.

Public Highway Signage By-Law

General:

1. This By-Law is entitled the “Public Highway Signage By-Law”.
2. This By-Law is made pursuant to the provisions of Section 49A of the *Public Highways Act*.
3. Nothing in this By-Law is intended to limit or change the application of the Municipality’s Land Use By-Law.
4. Should any section of this by-law be declared by a court of competent jurisdiction as ultra vires or illegal for any reason, the remaining parts shall nevertheless remain valid and binding and shall be read as if the offending section or part has been struck out.
5. Should the provisions of this by-law be found to conflict with any provisions of any other by-law of the municipality, the provisions of the by-law providing the greater degree of safety shall prevail.

Definitions:

6. In this By-Law:
 - a. “Municipality” means the Municipality of the County of Cumberland;
 - b. “Council” means the Council of the Municipality;
 - c. “Public Highway” means a roadway vested in Her Majesty in right of the Province of Nova Scotia, and for clarity includes the full width of the roadway, including what is commonly referred to as the “public right of-way”. As set out in section 15 (1) of the Public Highways Act, a Public Highway is deemed to be at least 20.1168 metres in width until the contrary is shown; and
 - d. “sign” means a structure or device used to advertise or draw attention to any product, place, person, business, institution, or organization, including any directional or way-finding purpose, and including any posts or other material installed to support the sign. Signs placed by, or under the authority of, the Province of Nova Scotia or the Municipality are not subject to this By-Law.

Purpose:

7. The purpose of this By-Law is to eliminate or reduce unsightly accumulations of signs within designated portions of Public Highways in the Municipality.

8. The intention is to protect the scenic beauty along the public and private roads in Cumberland County, promote vehicular and pedestrian safety, and provide for sign advertisement in a uniform and consistent manner where Council has determined that it is warranted.

Interpretation:

9. This By-Law does not apply to:
 - a. any part of a highway that has been designated as a controlled access highway under section 21 of the *Public Highways Act*;
 - b. signs placed by, or under the authority of, the Province of Nova Scotia or the Municipality; and
 - c. campaign signs during an election or plebiscite in the area in which the sign is located or any sign specifically exempted under section 49 of the *Public Highways Act*.

Signs Prohibited

10. Signs, including existing signs, are prohibited within the sections of Public Highway designated in Schedule "A" of this By-Law.

Removal of Signs

11. Any sign existing within the sections of Public Highway designated in Schedule "A" of this By-Law at the time it becomes effective shall be posted with a notice indicating that the sign will be removed by the Municipality after thirty days, unless the sign is first removed by the owner. When the notice period has elapsed, the sign may be removed by the Municipality.
12. Any sign placed in contravention of this By-Law may be removed by the Municipality without notice.
13. Any signs removed by the Municipality will be destroyed. The Municipality is not responsible for any losses or damages suffered by the owner of a sign as a result of the sign being removed and destroyed.

Administration and Enforcement

14. The Municipality's Engineer or designate is authorized and responsible to take any action or perform any work required to implement and achieve the purpose of this By-Law. The Engineer or designate may retain and direct the services of third parties in order to carry out work and exercise authority as set out in this By-Law.
15. This By-Law comes into force upon approval by the Minister of Transportation and Infrastructure Renewal, and upon publication.

Schedule "A"

All that section of Fort Lawrence Road, Cumberland County extending 150m in either direction from the intersection with Trunk 2, (also known as Old Trunk 2 and Highway 2); and also Trunk 2, in Fort Lawrence, from its intersection with the Fort Lawrence Road, south to the limits or boundary of the Town of Amherst, are hereby designated for the purposes of the Public Highway Signage By-Law of the Municipality of Cumberland.

Clerk's Annotation For Official By-Law Book

Date of first reading _____, 2020
Date of advertisement of Notice of Intent to Consider: _____, 2020
Date of second reading: _____, 2020
*Date of advertisement of Passage of By-Law: _____, 2020
Date of mailing to Minister a certified copy of By-Law: _____, 2020

I certify that this Insert Title Here BY-LAW was adopted by Council and published as indicated above.

_____, 2020
Municipal Clerk Date

***Effective Date of the By-Law unless otherwise specified in the text of the By-Law**

MEMORANDUM

TO: Council

FROM: Justin Waugh-Cress, P.Eng.

DATE: April 15, 2021

RE: Divestiture of Surplus Properties

3.1

The Divestiture of Surplus Properties Committee met on March 30, 2021 and began the process of reviewing the surplus municipal properties. Three properties that the public has expressed interest in them were discussed at the meeting. Mapping showing the details of these properties is attached.

It is the recommendation of the Committee that Council declare the following properties surplus and direct staff to put these properties up for sale for fair market value. The Committee recommends contracting the sale of these properties through a professional relator.

If Council is in agreement the following motion is in order

I move the following properties be declared surplus to the needs of the Municipality and direct staff to list the properties for sale at fair market value through a real estate firm.

Cowan St Springhill (PID 25226671)
Cowan St Springhill (PID 25098831)
King St Springhill (PID 25232042)
McKay St Springhill (PID 2539633)

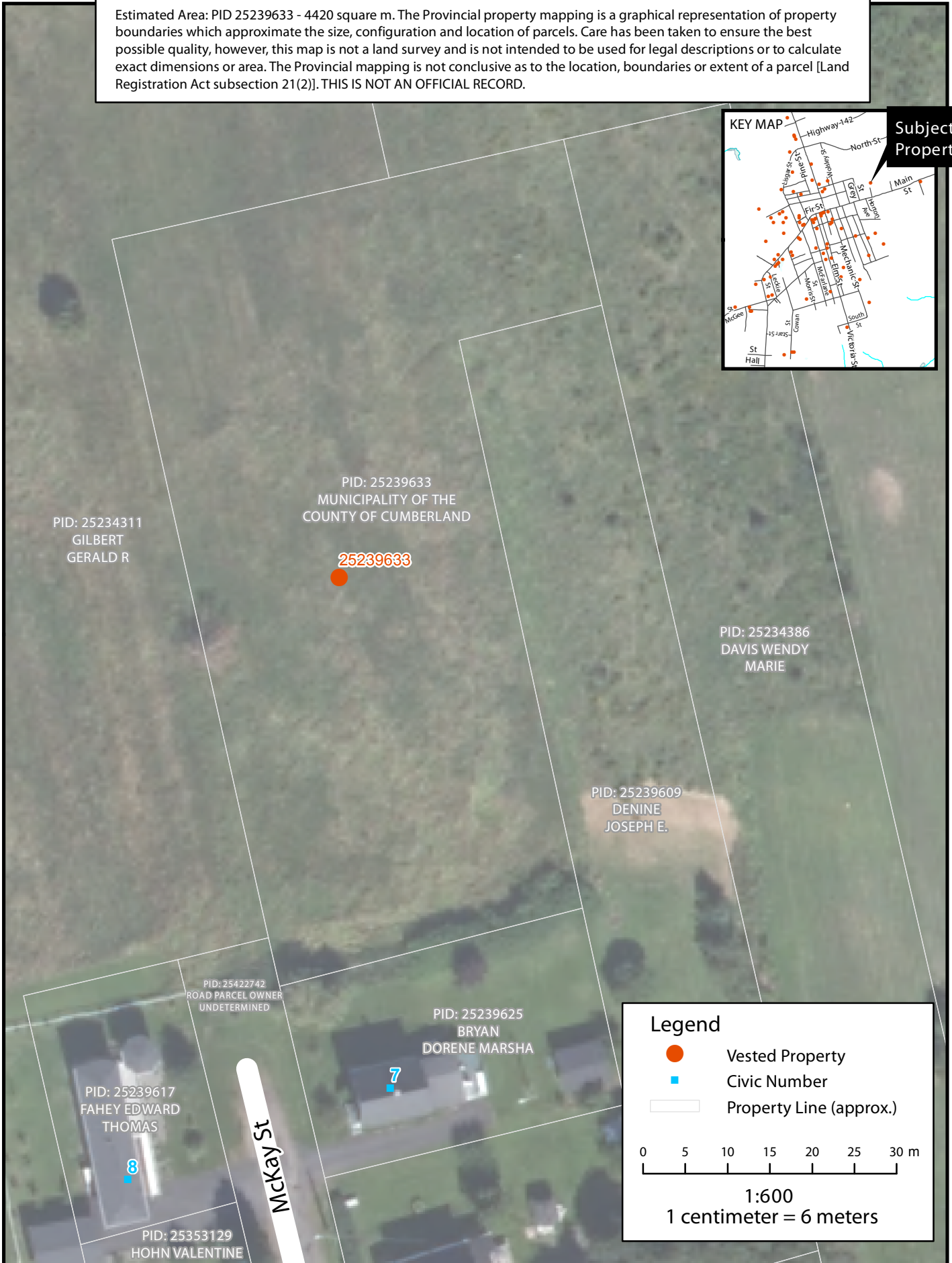
McKay St, Springhill - 25239633



Estimated Area: PID 25239633 - 4420 square m. The Provincial property mapping is a graphical representation of property boundaries which approximate the size, configuration and location of parcels. Care has been taken to ensure the best possible quality, however, this map is not a land survey and is not intended to be used for legal descriptions or to calculate exact dimensions or area. The Provincial mapping is not conclusive as to the location, boundaries or extent of a parcel [Land Registration Act subsection 21(2)]. THIS IS NOT AN OFFICIAL RECORD.



Subject Property



PID: 25239633
MUNICIPALITY OF THE
COUNTY OF CUMBERLAND

25239633

PID: 25234311
GILBERT
GERALD R

PID: 25234386
DAVIS WENDY
MARIE

PID: 25239609
DENINE
JOSEPH E.

PID: 25422742
ROAD PARCEL OWNER
UNDETERMINED

PID: 25239625
BRYAN
DORENE MARSHA

PID: 25239617
FAHEY EDWARD
THOMAS

PID: 25353129
HOHN VALENTINE

McKay St

Legend

- Vested Property
- Civic Number
- Property Line (approx.)

0 5 10 15 20 25 30 m

1:600

1 centimeter = 6 meters

"23" King St, Springhill - PID 25232042



Estimated Area: PID 25232042 - 880 square m. The Provincial property mapping is a graphical representation of property boundaries which approximate the size, configuration and location of parcels. Care has been taken to ensure the best possible quality, however, this map is not a land survey and is not intended to be used for legal descriptions or to calculate exact dimensions or area. The Provincial mapping is not conclusive as to the location, boundaries or extent of a parcel [Land Registration Act subsection 21(2)]. THIS IS NOT AN OFFICIAL RECORD.



84 Cowan St, Springhill - PID 25226671 PID 25098831



Estimated Area: PID 25226671 4125 square ft, PID 25098831 10875 square ft. The Provincial property mapping is a graphical representation of property boundaries which approximate the size, configuration and location of parcels. Care has been taken to ensure the best possible quality, however, this map is not a land survey and is not intended to be used for legal descriptions or to calculate exact dimensions or area. The Provincial mapping is not conclusive as to the location, boundaries or extent of a parcel [Land Registration Act subsection 21(2)]. THIS IS NOT AN OFFICIAL RECORD.



MEMORANDUM

TO: Mayor and Council

FROM: Will Balsler, Junior Planner, Development Officer

5.1

DATE: May 5, 2021

RE: Second Reading on amendment to Land Use Bylaw to rezone PID 25360272, 768 Tidnish Head Road, Tidnish Cross Roads

Background: On March 4th, 2021, Planning and Development staff received an application from Kevin Nelson (the "applicant") regarding the property at 768 Tidnish Head Road, Tidnish Cross Roads - PID 25360272 (the "subject property").

The subject property is owned by Kevin Nelson and is located at the intersection of J Baxter Lane and Tidnish Head Road, West of Tidnish Dock Park. The application is for a rezoning to permit the development of an RV Park with 12-15 plots, with a phasing plan of 5 serviced plots per year.



Regulatory and Land Use Context:

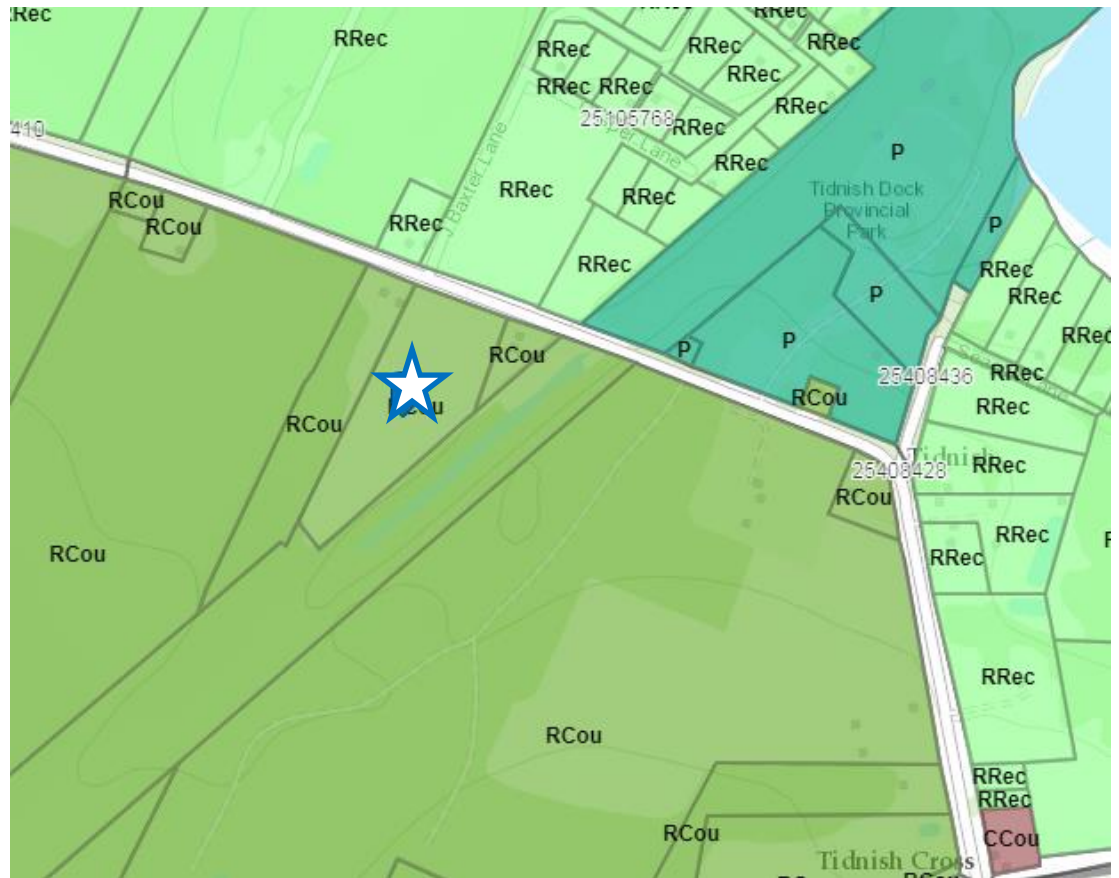
Current Zone: Country Residential (RCou)

Proposed Zone: Commercial Recreation (CRec)

The subject property is designated as Resource on Schedule A of the Municipal Planning Strategy (MPS). The current Country Residential zoning does not permit the development of an RV Park.

The neighboring properties are mixed forested lots and cleared fields, zoned as Country Residential (RCou) and Recreational Residential (RRec). There is a cluster of dwellings / cottages to the North zoned as Recreational Residential (RRec).

Rezoning the subject property to Commercial Recreation (CRec) would allow the development of an RV Park with 20 or fewer sites and is supported by Municipal Planning Strategy Policy 4-66A:



Policy 4-66A: Council shall, in the Land Use By-law, create the Commercial Recreation Zone, intended to permit outdoor commercial recreation uses, such as campgrounds, RV parks, golf course, and driving ranges. Permitted uses shall include outdoor commercial recreation operations, limited residential development, and a limited range of supportive commercial uses. Zone standards shall be in keeping with the large area of land these uses require for the activity, parking, and on-site services.

The following submission was made for the Public Hearing:

To whom it may concern,

First I like to say, I do not begrudge anyone from trying to make an honest dollar or the county wanting to increase the tax base but, I have concerns. These concerns follow in point form and are in no particular order.

- 1, I am concerned about the loss of my well (it is the oldest hand bored well in Tidnish 40 ft. deep). The location of his wells could potentially kill mine.*
- 2, Location of septic systems and the possibility of them contaminating excellent potable water.*
- 3, Devaluation of my property because of the proposed development.*
- 4, Excessive noise from partying, fireworks, etc, Fire works are extremely problematic for the dogs.*

5, Garbage being dumped or blowing onto my property. This has already been a problem with those down Jimmy Baxter lane.

6, Theft of fire and standing wood, and property.

7, Vandalism/property damage.

8, Total loss of privacy and quietness as his contractor cleared right to the line.

9, Oversaturation of RVs on the property for land size.

10, Proximity of RV parks. The proposed RV park is less than one km from another legal RV park. Too much of one type of development (RV/seasonal) does not help Tidnish in being a year-round sustainable community.

In closing, I understand this is pretty much a done deal and my concerns are mute. I only wished Mr. Nelson and the Cumberland County planning department had more vision. This beautiful little community does not need further RV parks but, rather seniors apartments so, we can keep our seniors in their community instead of them leaving. This alone would open up more housing for new people and sustain Tidnish for years to come. Mr. Nelson could have made a tidy sum per year in gross and net profits of off sixteen units and the Planning committee would have looked progressive with vision.

In writing my concerns about this development I do fear retaliation from various parties, for me speaking up and the lack of confidentiality in the County offices and its Counselors is distressing.

Next Steps: If the amendment passes second reading, staff will prepare advertisements giving notice of the adoption and setting out the right to appeal.

Recommendation: **Give Second Reading to the proposed amendment.**

Alternative: Council can decide to reject the proposed amendment, or request that further information be provided.

MEMORANDUM

TO: Council

FROM: Brenda and the Policy and By-Law committee

DATE: April 22, 2021

RE: Reimbursement Policy for Council and the CAO;
Meetings and Proceedings of Council Policy

5.2 & 5.3

1. Reimbursement Policy for Council and the CAO

At the April 21, 2021 meeting Council reviewed and gave notice of intent to consider the Reimbursement Policy for Council and the CAO at the May 5, 2021 Council meeting

ACTION

If Council is in agreement, a motion to adopt the Reimbursement Policy for Council and the CAO is in order.

2. Meetings and Proceedings of Council Policy

The Meetings and Proceedings of Council Policy was amended to include the addition of the Committee of the Whole meeting on the second Wednesday of the month. This amended policy was taken to the Policy and By-Law Committee in March and the Committee recommended that it go to Council for consideration for adoption.

At the April 21, 2021 Council meeting Council made the decision to change the regular meeting time for Council and COW meetings to 3:30 p.m. This additional change was made, and the draft Policy is included in the Council meeting material for Council's review.

ACTION

If Council is in agreement, a motion to give notice of intent to consider the Meetings and Proceedings of Council Policy for adoption at the May 19, 2021 Council meeting is in order.

Municipality of Cumberland Policy 21-XX
Reimbursement Policy for Members of Council
and Chief Administrative Officer

Title

1. This Policy is entitled the “Reimbursement Policy for Members of Council and Chief Administrative Officer”.

Policy Statement

2. This Policy ensures the appropriate use of municipal funds through the establishment of uniform standards and procedures respecting reimbursement of expenses incurred by Council members and the CAO in relation to business of the Municipality.

Definitions

3. In this Policy, unless the context otherwise requires:
 - 1) “CAO” means the Chief Administrative Officer;
 - 2) “CAO designate” means an employee of the Municipality delegated any of the responsibilities or powers of the CAO pursuant to subsection 29(b) of the *Municipal Government Act*; and
 - 3) “Municipality” means the Municipality of the County of Cumberland.

Signing Authority

4. The following are the Signing Authorities for the positions referred to, and shall be responsible for administering the policy with respect to the individuals in those positions:

Position	Signing Authority
Council Members and Mayor	CAO or designate AND Audit Committee Chair or Vice-Chair
CAO	Mayor or designate AND Audit Committee Chair or Vice-Chair

5. A Signing Authority may designate a second signing authority. The designation of a secondary signing authority shall be in writing and shall state the name and position of the designate.
6. A Signing Authority is prohibited from authorizing expenses incurred on their own behalf.

Individual Responsibilities

7. Everyone who incurs an expense in relation to municipal business is responsible for:
 - 1) Familiarizing themselves and complying with the provisions of this Policy;
 - 2) By April 1 each year signing an acknowledgement document certifying that they have reviewed this policy and sought all clarifications necessary for a complete understanding of its provisions and their responsibilities pursuant to it. Failure to sign this acknowledgement document annually will disqualify the individual from claiming expenses for reimbursement under this policy until the document has been signed for that year;
 - 3) Completing and submitting expense claims with necessary supporting documentation;
 - 4) Exercising reasonable diligence and care in incurring expenses prudently and responsibly; and
 - 5) With respect to travel, cancelling reservations as required, safeguarding travel advances and funds provided, and considering alternatives to travel such as teleconferencing and video conferencing.

Permitted Expenses

8. Subject to and in accordance with this Policy, the following expenses incurred by a member of Council or the CAO are eligible for reimbursement:
 - 1) Authorized travel within Nova Scotia, including transportation, accommodation, and meal costs;
 - 2) Pre-approved out-of-province travel, including transportation, accommodation, and meal costs; and
 - 3) Pre-approved training or continuing education costs.

Authorized Travel

9. Council members shall be reimbursed for the reasonable expenses incurred for attending:
 - 1) Meetings, conferences, or workshops at which the Council member's attendance is authorized or requested by Council;
 - 2) Any Council or Committee of Council meeting;
 - 3) A meeting of any Board, Commission or other organization to which the Council member has been appointed by Council, except that no reimbursement shall be provided by the Municipality if the Council member is entitled to reimbursement of expenses directly from the applicable organization;
 - 4) If the Mayor or Deputy Mayor are invited to attend a function, meeting or conference on behalf of the Municipality, and if reimbursable expenses are less than \$500, pre-approval by Council will not be required.
 - 5) If a Council member attends a function, meeting or conference on behalf of the Municipality, and if reimbursable expenses are less than \$500, pre-approval by Council will not be required if:
 - a) At the request of the Mayor or Deputy Mayor to attend on their behalf;
 - b) At the request of the Mayor or Deputy Mayor to attend as a Council member who has a special interest in, or connection with the subject of the meeting or conference or because of special knowledge and experience of the Council member relative to the subject of the meeting or conference; and

- 6) At a training or continuing education event in accordance with the provisions of this Policy concerning Council member training and education.
10. The CAO shall be reimbursed for the reasonable expenses pursuant to the CAO's employment agreement.

Out-of-Province Travel Authorization

11. All requests for out-of-province travel shall be made in writing and shall contain the following information:
 - 1) The purpose and duration of the trip;
 - 2) The location(s) to be visited;
 - 3) The dates and times of arrival and departure;
 - 4) Any pre-paid transportation, meals, and accommodation; and
 - 5) Any other anticipated expenses.
12. All requests for out-of-province travel by Council members shall be reviewed by the CAO and Mayor, who shall consider the necessity for travel based on information provided.
13. When two or more out-of-province travel requests are made by Council members for the same purpose, Council shall determine the appropriate number of persons necessary to represent the Municipality.
14. All requests for out-of-province travel by the CAO shall be reviewed by the Mayor, who shall follow the same guidelines established for Council members.
15. If a request for out-of-province travel is approved, and the Claimant pays all or some of the expenses for travel, the Claimant will be eligible for reimbursement of those expenses after submitting an expense claim in accordance with this Policy.

Training and Professional Development

16. If the Municipality has established a training and education budget expense item, a member of Council or the CAO may apply to the applicable Signing Authority in advance for approval to incur expenses out of this budget for training or professional development, provided that:
 - 1) The request is made in writing, and includes an estimate of all costs that will be incurred, including the course or enrolment fee and all required transportation, accommodation, and meals;
 - 2) The training or education course, meeting or conference, is related to municipal government;
 - 3) The course, meeting or conference is completed prior to the next municipal election date;
 - 4) the budget for Council member and CAO training and education for the year has not been exhausted and would not be exceeded by authorizing the request;
 - 5) the Council member and CAO shall reimburse the Municipality for the cost of all or, alternatively the pro-rated cost of a portion, of any enrollment fees in the event of failure to attend all, or alternatively some, of the event without reasonable justification; and

- 6) A brief written summary is provided by the Claimant describing the nature and benefits of the training and education at the time of submitting an expense claim for reimbursement. If both applicable Signing Authorities approve an application to incur expenses in relation to training or education, and the Claimant (not the Municipality) pays all or some of the pre-approved expenses, the Claimant will be eligible for reimbursement of those expenses after submitting an expense claim in accordance with this Policy.

Per Diem Meal Allowances

17. For each day or part day that a Council member is travelling outside the Municipality for an authorized purpose, a Council member may claim a meal allowance for each meal for which a cost was incurred. Meals provided free of charge or included in registration fees paid directly by the Municipality are ineligible. The per diem meal allowance for Council members shall be the same as that for staff: \$20 for breakfast, \$20 for lunch, and \$35 for supper. This allowance includes gratuities and taxes. For purposes of this section, the Municipality will not pay breakfast allowance to Council members leaving home after 6:00 am or supper allowance to a Council member arriving home before 6:00 pm. Receipts are required for all meal expenses. Amounts reimbursed will be the lesser of the applicable meal allowance or cost shown on receipt.
18. If on any given day the Council member is attending more than one meeting within the Municipality, and the cost of paying kilometrage for the Council member to go home for a meal and return for a meeting being held later that same day is greater than the meal allowance, a Council member may claim a \$20.00 meal allowance. Receipts are required for all meal expenses.
19. Claimants whose religious beliefs or medical requirements prohibit them from consuming certain foods should be aware that appropriate meals can normally be obtained from caterers, provided that adequate notice of special requirement is given. Should these special dietary requirements negate the ability to participate in a meal that is provided free of cost, and as a result the Claimant must pay for a meal, the Claimant shall be paid a meal allowance for that meal.

Kilometrage

20. The kilometrage allowance reimbursed for Council members using personal vehicles for travel shall be at the rate stipulated from time to time by the Province of Nova Scotia as the maximum. Where several Council members or the CAO attend the same meeting, conference or function, each shall make reasonable efforts to share a vehicle.

Vehicle Rentals

21. The cost of rental of a vehicle shall be a reimbursable expense in instances where:
 - 1) Reasonable ground transportation services such as public transit, taxis, or hotel shuttles are unavailable; or
 - 2) Two or more Council members or the CAO are travelling together, and it is more economical than the combined costs of other reasonable ground transportation.

23. Compact, economical vehicles must be used unless three or more persons are travelling together, the bulk or weight of goods being transported necessitates a larger vehicle, physical limitations of one or more passengers require a larger vehicle, or a compact, economical vehicle is unavailable.

Limits on Reimbursable Expenses

Notwithstanding any other provision of this Policy, the following limits shall apply to reimbursement of expenses:

- 1) A Claimant shall only be reimbursed for the costs that they have incurred;
- 2) The expenses of a Council member for political activity associated with election or re-election is not reimbursable by the Municipality.
- 3) Airplane travel shall be booked by municipal staff or shall only be reimbursed at the lowest rate which would have been available if municipal staff had booked the airfare;
- 4) Hotel accommodations shall not exceed the cost of a standard room, double occupancy, except when hotel accommodation has been booked by municipal staff for out-of-province hotels. Hotel upgrades shall be at the personal expense of the Claimant unless there are ergonomic necessities attributable to physical requirements including, but not limited to, wheelchair accessibility;
- 5) If a Council member chooses to take their personal vehicle in lieu of airplane travel, reimbursement will be based on the lesser of the lowest airfare rate which would have been available had the flight been booked by municipal staff or the kilometrage reimbursement pursuant to section 20;
- 6) Reimbursement for meals shall not exceed the per diem meal amounts set out in this Policy, except in the case of out-of-province travel, in which event Council may authorize reimbursement of meal expenses to a comparable standard;
- 7) Fees, deposits, interest, and surcharges incurred on a personal credit card shall not be reimbursed;
- 8) When personal and municipal travel is combined, only documented expenses directly related to the Municipality's portion are reimbursable. Extended travel time and related expenses are the traveler's own expense;
- 9) Reimbursement shall not be provided for loss of personal effects; for medical and hospital treatment; for purchase of luggage, clothing, and other personal equipment; or for personal services such as shoeshines, valet services, dry-cleaning, laundry, haircuts, and other personal services.
- 10) Hotel accommodations shall be booked by municipal staff;
- 11) Hotel services including room service and video rentals shall not be charged to the room;
- 12) Reimbursement of one personal long-distance phone call, to a maximum of \$15 shall be permitted for each night of overnight travel;
- 13) The cost of any alcoholic beverages shall not be reimbursed;
- 14) A Council member shall not be reimbursed to travel to meetings within the Municipality with constituents, individual electors, and complainants. The expenses incurred in the discharge of these duties are deemed to be included in the Council member's remuneration.

Expense Claims

24. Authorized expense claims must be submitted on the form provided by the Municipality and shall be signed by the Claimant.
25. Receipts or other satisfactory documentary proof must be submitted with the reimbursement claim for all expenses except:
 - 1) bridge and highway tolls; and
 - 2) claims for personal vehicle kilometrage.
26. Expenses incurred by a Council member or the CAO on behalf of another individual are not eligible for reimbursement.
27. No expense claim shall be paid unless the claim is first approved for payment by the Signing Authorities who have authority to approve the claim. Before approving an expense claim, a Signing Authority must ensure that:
 - 1) The claim is consistent with this Policy;
 - 2) The expenses claimed were necessarily incurred in the performance of municipal business;
 - 3) Appropriate receipts are provided to support the claim, and the claim documentation is appropriately filed;
 - 4) All calculations are correct; and
28. In considering an expense claim for payment, a Signing Authority may request additional explanations, documentations, or justification from the Claimant, and may refuse to approve any claim or expense that the Signing Authority decides is unreasonable or not in compliance with this Policy.
29. The use of petty cash to pay an expense claim is prohibited.
30. If a form requires adjustments, the form will be returned to the Claimant and must be re-authorized prior to reimbursement.

Timeframe

31. Expense claims shall be submitted at a minimum on monthly basis.
32. Expenses must be submitted and charged to the year in which they occurred. Expenses cannot be carried forward to future years.
33. Claimants who charge for goods and services in a fiscal year must have received the goods or services from the vendor in that fiscal year.

Fraud, Misuse, or Misappropriation of Municipal Funds

34. Fraudulent irregularly, misuse, or misappropriation of municipal funds may result in disciplinary action up to and including termination of employment.
35. Suspicious activity and potential misuse of funds must be reported as per this Policy.

Municipal Reporting Requirements

36. Pursuant to section 65A of the *Municipal Government Act*, the CAO shall ensure that the Municipality does the following:
 - 1) Within 90 days of the end of each fiscal quarter, prepares and posts an expense report on the Municipality's website for the Mayor, CAO (including an employee of the Municipality delegated any of the responsibilities or powers of the CAO pursuant to subsection 29(b) of the *Municipal Government Act*) and each member of Council on their expenses regarding the following:
 - a) Travel and travel related expenses, including transportation, accommodation, and incidentals;
 - b) Meals; and
 - c) Training and professional development.
 - 2) By September 30th of each year, prepares and files with the Minister of Municipal Affairs an annual summary report that summarizes the expense reports for the preceding fiscal year, that is compliant with the requirements of the Department of Municipal Affairs and the requirements set out in the province's Financial Reporting and Accounting Manual.

Review Requirements

37. The Audit Committee shall review the expense annual summary report by October 31st of each year.
38. By the January 31st immediately following a regular election held under the *Municipal Elections Act*, Council shall review this Policy and, following a motion by Council, either re-adopt the Policy or amend the Policy and adopt the Policy as amended.
39. This Policy is effective upon adoption and replaces any previous Reimbursement for Members of Council Policies.

Municipality of Cumberland Policy 21-XX

Council Meetings and Proceedings Policy

General

1. The procedural requirements in this Policy are intended to complement and supplement, and not to replace, the requirements contained in applicable municipal legislation.
2. In this Policy, unless the context otherwise requires,
 - (1) "business day(s)" means a day when the Municipality's office is open for business;
 - (2) "Chair" means the presiding officer;
 - (3) "CAO" means the Chief Administrative Officer of the Municipality;
 - (4) "Committee of the Whole" means a committee consisting of all of the Councillors;
 - (5) "Council" means the Council of the Municipality;
 - (6) "Council Member(s)" include(s) the Mayor unless the context indicates otherwise;
 - (7) "majority" means more than one half of those present, unless the context indicates otherwise;
 - (8) "Municipality" means the Municipality of the County of Cumberland.
3. Unless otherwise specified pursuant to section 4, regular meetings of Council shall be held
 - (1) at the Council Chamber in the E. D. Fullerton Municipal Building, 1395 Blair Lake Road, Upper Nappan;
 - (2) (2) commencing at 3:30 p.m. on the first and third Wednesday of each month, except that there shall be no regular meeting during the month of August.
4. Regular meetings of Council may be rescheduled, relocated or canceled
 - (1) by resolution or consensus, including a contingent resolution or consensus, of Council at a previous meeting three or more days in advance of the additional or special meeting;
 - (2) by resolution or consensus, including a contingent resolution or consensus, of Committee of the Whole at a meeting three or more days in advance of the additional or special meeting; or
 - (3) by the CAO on behalf of the Mayor, owing to unforeseen circumstance, provided the Mayor believes that the majority of Council Members would support such a step.
5. Additional or special meetings of Council may be convened
 - (1) by resolution or consensus, including a contingent resolution or consensus, of Council at a previous meeting three or more days in advance of the additional or special meeting;
 - (2) by resolution or consensus, including a contingent resolution or consensus, of Committee of the Whole at a meeting three or more days in advance of the additional or special meeting; or
 - (3) by the CAO on behalf of the Mayor, owing to unforeseen circumstances, provided the Mayor believes that the majority of Council Members would support such a step.

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6. Specific notice to Council Members and to the public need not be provided of
(1) meetings held pursuant to section 3; or
(2) meetings held pursuant to subsection 1 and 2 of section 4 or 5;
but, subject to any statutory relaxation of notice requirements, three days notice shall be specifically provided for other meetings to Council Members in the manner described in sections 7 and 8 and to the public in the manner described in section 9.

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7. Subject to section 6, notice of meetings shall be provided in writing (including e-mail) to each Council Member.

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8. Within 30 days following the first meeting of Council after a municipal election or by-election, the Municipality will provide each elected Councillor and the Mayor, an official Municipal email address and a cell phone which the Council Member will maintain and use for conducting Council business, the Council Member will be expected to check these at least once per day, the Council Member shall also be responsible for checking the mailbox assigned to the Council Member and marked with the Council Member's name located at the E D Fullerton Municipal Building. The Council Member shall be deemed to have received any notice within one business day of its being sent pursuant to this section.

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9. Subject to section 6, notice of meeting shall be provided to the public by posting a "Notice of Council Meeting" containing the time, date and place of the meeting, on the outer doors leading to the main lobbies of the Municipal Service Centres in Upper Nappan, Springhill, and Parrsboro; and on the Municipality's web site and social media accounts.

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Conduct of Meetings: General

10. During a meeting Council may adjourn for short periods or move to another place, without ending the meeting.
11. At regular meetings of Council, except when Council resolves to defer approval of minutes for a maximum of one additional meeting, the minutes of the last preceding regular meeting and subsequent special meetings shall be reviewed and after all necessary corrections and amendments have been made and the minutes approved, the approved minutes shall be entered in the minute book of the proceedings of Council and such entry shall conclusively constitute the minutes of Council.

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12. The minutes shall be kept by the Municipal Clerk and shall:
(1) record the time when any Council member joins or leaves a meeting which is in progress;
(2) contain all resolutions, decisions by consensus and motions, with the name of the movers and seconders and a brief summary of the issues discussed;
(3) record the outcome of each vote; and
(4) mention reports, petitions and other papers submitted to Council only by their respective titles, or a brief description of their contents.

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13. It shall be the duty of the Chair to:

- (1) open the meeting of Council by taking the chair and calling the Council Members to order;
- (2) Read the territorial acknowledgement -The Municipality of the County of Cumberland acknowledges that we are in Mi'kma'ki, the ancestral and unceded territory of the Mi'kmaq people.
- (3) ask the Council whether there is a consensus of an item of procedure or business, and if no Council Member indicates dissent, may treat the item as resolved to the same extent as if a motion had been duly moved, seconded and passed by vote;
- (4) receive and submit to Council motions properly presented by a Council Member;
- (5) put to a vote a question which is regularly moved and seconded or necessarily arising in the course of the proceedings and to announce the result of the vote;
- (6) decline to put to a vote, a motion which infringes upon the rules of procedure;
- (7) restrain the Council Members, when engaged in debate, within the rules of conduct of debate;
- (8) enforce on all occasions, the observance of order and decorum;
- (9) call by name any Council Member persisting in a breach of the rules of order of Council thereby ordering him or her to vacate the Council Chambers;
- (10) inform the Council when necessary, or when referred to, on a point of order;
- (11) permit the CAO to speak on any point upon request;
- (12) permit proper questions to be asked through the Chair of any official or employee of the Municipality, to provide information to assist any debate;
- (13) declare a meeting dissolved if no quorum has been achieved within 15 minutes after the scheduled meeting time; unless a Councillor has within the previous hour, indicated his or her arrival within 30 minutes after the scheduled meeting time; and
- (14) adjourn the meeting when the business is concluded or, when an adjournment time has been set and approved by a majority vote or consensus, when the adjournment time has been reached, except when it is extended by unanimous consent.

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14. At Council and Committee of the Whole meetings, unless a majority consents to a different order for that meeting, Council shall conduct business in the following order:

- (1) Call to Order
 - 1.1 Territorial Acknowledgement
 - 1.2 O Canada
 - 1.3 Roll call
- (2) Administrative and Procedural Issues;
 - 2.1 Approval of agenda
 - 2.2 Approval of minutes from the previous meeting
 - 2.3 Action List from Previous Meeting
 - 2.4 Delegations Presentations Petitions
 - 2.5 Public Hearings
- (3) Strategic Priorities;
- (4) Major Organizational Issues;
- (5) Organizational Policy / By-Law Issues;
- (6) Business Issues;
- (7) Information Items; and
- (8) Adjournment

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15. At the time the agenda is put forward for approval the Chair shall inquire of Council Members whether they have any new or other business. Council Members having such business shall then identify it for the Chair or shall lose the right to raise new or other business at the meeting.
16. Every Council Member, prior to speaking on any question or motion, shall raise a hand and wait to be recognized by the Chair. When two or more Council Members raise their hands to speak, the Chair shall designate as the Council Member who has the floor the Council Member who, in the opinion of the Chair, first raised a hand.
17. No Council Member shall speak for a second time on any question or motion until all Council Members who wish to speak have spoken once.
18. The mover of a motion shall have the right to reply and sum up in closing the debate.
19. No Council Member shall speak more than ten minutes upon any matter without the leave of Council.

Conduct of Council Meetings: Motions and Voting

20. The Chair shall state every question properly presented to Council and before putting it to a vote, shall ask "Is Council ready for the question?" and if no Council Member offers to speak, the Chair shall put the question, after which no Council Member shall be permitted to speak upon it.
21. The usual form of voting on any question shall be by the Chair calling for a show of hands, and any Council Member can call for, and obtain through the Chair, a recorded vote with each Council member's vote entered into the minutes. If the Chair believes a question is generally supported by Council, he or she may, instead of calling for a show of hands, ask if there are any objections to the motion or question. If no objections are voiced by any Councillor, the Chair may declare the matter resolved in the affirmative. If any objections are voiced by a Councillor, the issue shall be decided by vote.
22. A motion must be seconded and then repeated by the Chair or read aloud by the Municipal Clerk before it is debated. The Chair may direct that the motion be put in writing.
23. After reading of a motion by the Chair or Municipal Clerk, it shall be open for discussion.
24. A motion may at any time before the Council has voted on it be withdrawn by the mover with the consent of the seconder.
25. When any question is before the Council, the only motions in order shall be:
 - (1) a motion in amendment of the original motion;
 - (2) a motion to refer the question, including the motion and amendment if one is moved, to any committee;
 - (3) a motion to defer the consideration of the question either indefinitely or to a specified time;
 - (4) a motion to close the debate at a specified time;

- (5) a motion that the question be put to a vote;
 - (6) a motion to adjourn.
26. When any one of the motions mentioned in the next preceding section has been made as an amendment to the original motion, no other motion may be made as an amendment to the original motion or to the amendment, except the following:
- (1) to refer to a committee;
 - (2) to defer the consideration of the question;
 - (3) to close the debate at a specified time;
 - (4) that the question be put to a vote;
 - (5) to adjourn;
- any of which may be moved either to the original motion or to the amendment of the original motion.
27. A motion:
- (1) that the debate be closed at a specified time; or
 - (2) that the question be put to a vote;
- shall be put to a vote without further amendment or debate, but a motion that the question be put to a vote shall not itself be put to a vote until every Council Member who has not spoken on the question and claims a right to speak has been heard, and the mover of the question has had the right to reply and sum up as provided in section 18 herein.
28. A motion that the question be put to a vote shall preclude all amendments to the main question until the motion is decided, and shall be put to a vote, without debate, in the following words: "That this question be put to a vote." If this motion is resolved in the affirmative, the original question shall be put to a vote immediately, without any amendment or debate, but if such motion is resolved in the negative, then the Council shall continue to debate the question.
29. A motion to adjourn shall always be in order except in the following cases:
- (1) when a Council Member is in possession of the floor;
 - (2) when the vote is being called;
 - (3) while the Council Members are voting; or
 - (4) when the adjournment was the last preceding motion.
30. The following questions shall be decided without debate:
- (1) all motions as to priority of business or as to the suspension of the order of the day;
 - (2) a motion to allow any person other than the Council member to address the Council;
 - (3) a motion to postpone to a specified time or day;
 - (4) a motion to lay on the table when claiming a privilege over another person; and
 - (5) a motion to adjourn.
31. Amendments shall be put in the reverse order to that in which they are moved. Every amendment submitted shall be decided or withdrawn before the main question is put to vote. Only one amendment shall be allowed to an amendment and any further amendment must be to the main question.
32. Except for matters arising from correspondence, committee or other reports, agenda items, or

notice of motion or other material circulated to Council Members on or before the day before the meeting, and except for matters arising from an in-camera meeting, no motion committing the Municipality to the expenditure of funds shall be accepted by the Chair for the consideration of Council except with the unanimous consent of Council Members present.

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33. Any notice of motion given by a Council Member for a subsequent meeting may, in the absence of the Council Member giving such notice, be taken up by any other Council Member.

Committee of the Whole Meetings

1. Council hereby establishes a Committee of the Whole, consisting of all the councillors, to meet on the third Wednesday of each month commencing at 3:30 p.m. except that there shall be no meeting during the month of August.
2. Council or Committee of the Whole may cancel or re-schedule a meeting of the Committee of the Whole, providing the public is given at least three days' notice.
3. The Committee of the Whole will be responsible for all matters which would be of concern to the Municipal Council.
4. Meetings of the Committee of the Whole shall be open to the public, unless the Committee moves into an In-Camera session which complies with the Municipal Government Act (MGA) (Section 22(2)). The public, with permission from the majority of Council, may address the Committee, with a time limit of ten minutes. This excludes comments on matters where there are existing meeting procedures with First or Second Readings, or other matters that have a public process in place.
5. Staff reports and Councillor's reports shall be presented to the Committee of the Whole.
6. Committee of the Whole will meet for the purposes of discussion and possible recommendation to Council. No formal decisions will be made when the councillors are meeting as Committee of the Whole.
7. Committee of the Whole may, in its discretion, decide not to refer a staff recommendation to Council if the Committee feels that recommendation would not be appropriate at that time.
8. a) The Mayor shall act as chairperson and presiding officer at the meetings of the Committee of the Whole.
(b) In the absence of the Mayor, the Deputy Mayor shall so serve.
(c) In the absence of both the Mayor and Deputy Mayor, the Committee of the Whole may appoint a chairperson from the members present.
9. The Clerk shall keep minutes of the discussions and recommendations of the Committee of the Whole.

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Conduct of Meetings: Points of Order

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10. It shall be the duty of the Chair, and the privilege of any Council Member, to call any Council Member to order, who violates any established rule or order. A point of order must be decided before the subject under consideration is proceeded with.
11. When a Council Member is called to order, the Council Member shall remain seated and silent until the point is determined, until called upon by the Chair to be heard on the point of order.
12. A point of order is not debatable amongst other Council Members, unless the Chair invites discussion in an effort to assist in making a ruling. Where the Chair permits discussion of a point of order, no Council Member shall speak more than once.
13. Decisions of the Chair on points of order or procedure, including an order expelling and excluding a person from the Council Chambers pursuant to section 40 and 44, are not debatable but are appealable to Council by any Council Member. When an appeal is made from the decision of the Chair, the Chair shall simply put the question, "Shall the decision of the Chair be sustained?"
14. No Council Member shall use offensive or unparliamentary language or speak disrespectfully to or about anyone while in Council, or speak outside the parameters of the question in debate.
15. If a Council Member resists the rules of Council, willfully obstructs the business of Council or disobeys the decision of the Chair, or of Council on appeal, on any question or order or practice or upon the interpretation of the rule of Council after being called to order by the Chair, or otherwise disrupts the proceedings of Council, the Council Member may be ordered by the Chair to leave the Council Member's seat provided that a majority vote of Council shall be required to sustain the expulsion.
16. If the Council Member refuses to leave the Council Member's seat, the Chair may order the Council Member to be expelled and excluded from the Council Chambers.
17. Such Council Member may, by vote of Council, later in the meeting or at a subsequent meeting, be permitted to re-enter Council Chambers and to resume participation in Council's business with or without conditions.
18. Persons who are not Council Members or officers or employees of the Municipality shall observe silence and order in the Council Chambers, unless given permission to speak. Any such persons disturbing the proceedings of Council shall be called to order by the Chair and, if they fail to comply, shall be ordered, by the Chair, to be expelled and excluded from the Council Chambers, provided that a majority vote of Council shall be required to sustain the expulsion.
19. Such member of the public may, by vote of Council, later in the meeting or at a subsequent meeting, be permitted to re-enter Council Chambers with or without conditions.
20. An order of the Chair to expel a person from the Council Chamber pursuant to sections 40 and 44 of this Policy constitutes a direction from the Municipality to leave the premises for purposes of the *Protection of Property Act* and other applicable laws.
21. If any question arises that is not provided for by applicable legislation or the foregoing rules, it shall be decided according to the ruling of the Chair, having regard to general principles of parliamentary procedure to the best of the Chair's ability, but the Chair shall not be expected to

conform its decisions with parliamentary procedure texts or precedents.

22. Any of the rules of order may be suspended in its operation by the unanimous consent of the Council Members present.

23. All former Council Meetings and Proceedings Policies of the Municipality are hereby repealed.

Clerks Annotation for Official Policy Book

Date of Notice to Council Members of Intent to Consider;
Date of Passage of Policy;

I hereby certify that this Council Meetings and Proceedings Policy was adopted as indicated above.

Clerk

Date

Deleted: March 1, 2017

Deleted: March 15, 2017

Deleted: 17-03

MEMORANDUM

TO: Staff & Council
FROM: Melanie Prendergast
DATE: April 23, 2021
RE: Grant Request for Council Review

6.1

Organization	Project	Request	Staff Recommends
<p>Wentworth Valley Trail Runners</p>	<p>This group hosted a successful 12-hour track run in 2019 – Amherst’s first “Ultra Marathon”. Their plans were put on hold last year due to Covid. This year they have received permission from the Department of Natural Resources to host a 24-hour trail run at the Wentworth Provincial Park. They will be following Covid guidelines and have submitted a Covid plan that has been approved. The event will host 50 runners and begins at 9:00am on May 29th. Runners will follow the trail in a loop as long as they can for 24 hours. Aid stations with nutrition and first aid will be set up. They had 30 people register within the first week the run was open for registration. The cost to host this event is \$1600.</p>	<p>\$400</p>	<p>\$400</p>

Nova Scotia is in Danger of becoming an Island

The Chignecto Isthmus Project, will be hosting an awareness building online event on May 11, 2021.

The Isthmus is a critical corridor between Nova Scotia and New Brunswick, indeed, between Nova Scotia and the rest of Canada. Trade worth roughly \$50M passes through this corridor daily; it is a link for many creatures including moose and birds on their search for sustenance and homes; private and public assets worth many millions are within the isthmus; and it is the major transportation corridor serving Nova Scotia and New Brunswick families who live and work across provincial borders.

Yes, the Isthmus is important and it is in danger of permanent flooding that would jeopardize all this.

Our moderated event will include knowledgeable experts, scientists, writers and politicians. Our presenters include Bill Casey, David Kogon, Ron Aiken, Jenn Houghtaling, Mike Johnson, Tim Webster, David Holt and Elder Billy Lewis. Through their eyes, we will examine the place, the people, the crisis and the solutions. The event is also attracting attention from invited world-wide guests who are committed to watching.

The event is free to all and will be broadcast live online at <https://www.facebook.com/IsthmusNS> on May 11, 7pm.