

1. **Council Convenes - O Canada** –Warden Hunter called to order the January 23rd, 2013 session of Cumberland Municipal Council at 1:00 p.m. The meeting was held in the Council Chambers of the E. D. Fullerton Municipal Building, Upper Nappan. O Canada was sung.
2. **Roll Call** - The roll was called by Shelley Hoeg, Executive Assistant to the CAO. Councillors in attendance were: Warden Keith Hunter, Deputy Warden Don Smith, Councillor Kellegrew, Councillor Gillis, Councillor Welton, Councillor Baker, Councillor Rector, Councillor Gilbert, and Councillor McLellan. The CAO and many staff were in attendance.
3. **Approval of Agenda (Additions/Deletions)** –The Agenda was approved with the following additions and deletions:

Additions: 15.4 – Condition of Lake Road, 16.1 – Resident 600 World Record

Deletions: 6 – Delegations and Presentations, 7, 10, 12
4. **Approval of Minutes**
 - 4.1 **Minutes from January 9, 2013 Council Session**
The minutes of the January 9, 2013 Council were approved as presented.
5. **Business Arising from the Minutes**
 - 5.1 **Action List, January 9, 2013** –
 - #2 – Deputy Warden Smith requested clarification on the item. This was a request for funding for funding for 2013/2014.
 - #9 is completed.
 - #6 and 7 are both completed
6. **Delegations and Presentations**
These will be rescheduled for Feb
7. **Public Hearings**
This item was deleted.
8. **Correspondence**
Provided for information.
9. **Planning Issues:**
 - 9.1 **Public Estuary Environmental Study** – Ms. Henneberry, Director of Planning and Development advised that our Stantec Report has resulted in students from the School of Planning from Dalhousie University looking at how to implement the report. Their Case Study is the Pugwash Estuary and they will be in that area on Feb 9th and 10th, 2013.
10. **Strategic Planning**
This item was deleted.
11. **Financial Reports/Issues**
 - 11.1 **Request for Funding – Fraserville Cemetary Bridge Replacement** - This item will be deferred to budget deliberations.
 - 11.2 **Community Development Grants - Sunrise Senior Citizens Club of Northport**
This club is seeking support to purchase an air to air heat exchange for their community hall. They currently use oil to heat the building and are finding it very expensive. The mini-split would cut down their heating costs and allow them to run the hall at a reduced cost. The cost of the mini-split has been quoted at **\$3,910.00** (tax included). They are requesting the total cost of the project in assistance. They had applied to the provincial government to assist with the project but unfortunately their request was denied.

**Warden Hunter recommends that \$3,900.00 be debited from District 3 Community Development Funds.*

IT WAS MOVED by Councillor Kellegrew, seconded by Councillor Baker to provide a Community Development Grant in the amount of \$3910.00 to the Sunrise Senior Citizens Club of Northport for the purchase of an air to air heat exchange system for their community hall.

MOTION CARRIED #13-011

Cumberland County 4-H Tours Committee

This Committee is seeking support to send 50 senior members on a cultural and recreational trip

to Montreal, Quebec and Quebec City, Quebec from May 16, 2013 to May 20, 2013. The total cost of the trip has been estimated at \$28,090.00. The Committee has been fundraising and will continue to fundraise for the trip. Their fundraising efforts have amounted to \$3-48.00 so far, with five more fundraisers still planned. In addition, the 4-H members will be asked to pay a \$100.00 registration fee to help with the cost of the trip, amounting to a total of \$5,000. They are also seeking support from The Scotia Bank and Walmart. We have assisted the 4-H Tour Committee in the past, giving them \$2,000.00 in 2011, \$3,500.00 in 2010, \$1,500.00 in 2009 and \$1,000.00 in 2008. It should be noted that the costs of past trips were significantly less than the costs of this year's planned trip. They are asking for assistance possible.

IT WAS MOVED by Councillor Gillis, seconded by Councillor Welton to fund this item from the 2013/2014 Community Development Grant Funds and to notify the Cumberland County 4H Tours Committee that funding in the amount of \$5,000 will be provided from the 2013/2014 Budget.

MOTION CARRIED #13-012

- 11.3 Gas Tax Extension Request – Mr. Bugley, CAO, advised that a request will be forwarded to the Canada Nova Scotia Infrastructure Secretariat requesting an extension to the March 31, 2014 deadline to March 31, 2015.

IT WAS MOVED by Councillor Kellegrew, seconded by Deputy Warden Smith to forward a request to the Canada Nova Scotia Infrastructure Secretariat requesting an extension to the March 31, 2014 deadline for Gas Tax Funds to March 31, 2015.

MOTION CARRIED #13-013

- 11.4 Valuation Allowance – This item is deferred to a Council session in February.

- 11.5 Remittal – AAN 01255088 – **IT WAS MOVED by Councillor Kellegrew, seconded by Councillor Baker, to deny a remittal in the amount of \$223.08 for AAN 01255088.**

MOTION CARRIED #13-014

It was agreed to review our Policy regarding Remittals at a future Council session.

- 11.6 Borrowing Resolution – Sunset – **IT WAS MOVED by Councillor Gilbert, seconded by Councillor Gillis, to approve an updated Borrowing Resolution for Sunset Residential and Rehabilitation Services in the amount of \$300,000; and authorized the CAO and Director of Finance to sign/execute said Borrowing Resolution.**

MOTION CARRIED #13-015

At this point in the meeting Warden Hunter declared a Conflict of Interest and left the room and Deputy Warden Smith took over Chairing the meeting.

- 11.7 Audit RFP – Mr. MacDonald, Director of Finance and Administration advised of the process for this RFP. He also advised that three firms submitted proposals:
Michael Hunter
McIsaac Darragh
Grant Thornton LLP

A selection committee consisting of Councillor Welton, the Director of Finance and Accountant from the Municipality of Cumberland and the Executive Directors and Accountants from East Cumberland Lodge and Sunset, was established to evaluate the submissions.

Mr. MacDonald advised that each response to this RFP was evaluated by the committee to determine the degree to which it responded to the requirements as set out. Because this is a RFP, other factors in addition to price were considered when submissions were evaluated. The scoring criteria was:

Qualifications of the Audit Team	20%
Municipal Auditing/PSAB Experience	20%
Audit Approach and Strategy	25%
Cost	35%

It is the recommendation of the Committee that the proposal submitted by McIsaac-Darragh, Chartered Accountants be accepted and that they be appointed as the External Auditors for the

Municipality of Cumberland, East Cumberland Lodge, and Sunset Residential and Rehabilitation Services Incorporated.

IT WAS MOVED by Councillor Welton, seconded by Councillor Kellegrew, to accept the proposal submitted by McIsaac-Darragh, Chartered Accountants as the successful proposal for External Auditors for the Municipality of Cumberland, East Cumberland Lodge, and Sunset Residential and Rehabilitation Services Incorporated.

MOTION CARRIED #13-016

Warden Hunter was invited back into Chambers following the vote and regained Chair of the Meeting.

12. **Operational Services/Reports Issues**

This item was deleted.

13. **Committee/Other Reports**

13.1 Wellness Committee Member – Councillor Kellegrew volunteered to become the Council member on this Committee.

13.2 Inter-Municipal Cooperation Principles Document – Mr. Bugley, CAO, went over the principles behind the inter-municipal cooperation of the Town of Amherst and the Municipality of Cumberland.

Mr. Bugley is requesting Council to approve the inter-municipal cooperation principles document as it was presented, and which contained such:

1. Organizational, political and staff threats should be removed from the process in order to ensure “buy in” at all levels. In that spirit, these discussions will not result in:
 - a. Annexation by either municipal unit
 - b. Amalgamation of the two units
 - c. Termination of current employees. Any staff related savings identified in a proposed shared service partnership business plan will be achieved through attrition and/or reassignment and reallocation of staff responsibilities. No current staff member will have their employment terminated as a result of a shared service partnership initiative. The human resource component of any shared service partnership proposal business plan shall include a requirement that the staffing complement be reviewed any time a current employee leaves the employ of the business unit involved to ensure that any potential efficiency identified may be captured.
2. All proposed shared service partnerships will be fully explored at the senior staff level and must be approved by both CAO’s before being presented to the respective Councils for final approval. CAO’s will not bring forward shared service partnership proposals which do not represent, in their opinion, workable service provision alternatives which are sustainable in the long term.
3. The role of the respective Councils shall be to receive and consider for approval any shared service partnership proposal brought forward to the CAO’s.
4. The role of the CAO’s shall be to coordinate the work of their respective senior staff members in preparing shared service partnership proposals. Both CAO’S must formally approve a shared service partnership proposal prior to it being presented to the respective Councils.
5. CAO’s will provide periodic updates to their respective Councils on potential shared service partnership proposals that will be coming forward for Council consideration.

Warden Hunter advised that he is in agreement with all the principles excepting the amalgamation principle. Warden Hunter would like the clause/principle on amalgamation to be removed as he finds it restrictive.

IT WAS MOVED by Councillor Kellegrew, seconded by Deputy Warden Smith, to sign an agreement based on the principles to shared service partnership for a two year term, with the principles being as such:

1. **Organizational, political and staff threats should be removed from the process in order to ensure “buy in” at all levels. In that spirit, these discussions will not result in:**
 - a. **Annexation by either municipal unit**
 - b. **Amalgamation of the two units**
 - c. **Termination of current employees. Any staff related savings identified in a proposed shared service partnership business plan will be achieved through**

attrition and/or reassignment and reallocation of staff responsibilities. No current staff member will have their employment terminated as a result of a shared service partnership initiative. The human resource component of any shared service partnership proposal business plan shall include a requirement that the staffing complement be reviewed any time a current employee leaves the employ of the business unit involved to ensure that any potential efficiency identified may be captured.

2. All proposed shared service partnerships will be fully explored at the senior staff level and must be approved by both CAO's before being presented to the respective Councils for final approval. CAO's will not bring forward shared service partnership proposals which do not represent, in their opinion, workable service provision alternatives which are sustainable in the long term.
3. The role of the respective Councils shall be to receive and consider for approval any shared service partnership proposal brought forward to the CAO's.
4. The role of the CAO's shall be to coordinate the work of their respective senior staff members in preparing shared service partnership proposals. Both CAO'S must formally approve a shared service partnership proposal prior to it being presented to the respective Councils.
5. CAO's will provide periodic updates to their respective Councils on potential shared service partnership proposals that will be coming forward for Council consideration.

MOTION CARRIED #13-017

14. **Old Business**

- 14.1 Due Diligence Training – Mr. Cottingham, Solid Waste and By-Law Enforcement Administrator advised that the new date for this training is January 31, 2013 and at 9:00 a.m., 1 p.m. and 6 p.m. Councillors were requested to advise Mr. Cottingham what session they would be attending.
- 14.2 Orientation - A draft multi-month orientation program has been developed and will be distributed to Council at an upcoming Council session. A series of professional development days will also be scheduled for Councillors.

15. **New Business**

- 15.1 Returning Officer's Report/Notice of Poll – Shelley Hoeg, Executive Assistant to the CAO, advised Council that Nomination for the Office of Councillor for District 10 closed on Tuesday, January 22, 2013. Nominations received were:

CLARKE, S. Susan
COLINS - O'BYRNE, Oralee
FLETCHER, Don
MELANSON, John
MORRIS, Greg

Ms. Hoeg also advised that any of the above candidates have until 4 p.m. today to withdraw their nomination.

Election dates are set for Advance Polls – Saturday, February 9th and Tuesday, February 12 from noon to 8 p.m. and for Ordinary Polling Day on Saturday, February 16, 2013 from 8 a.m. to 7 p.m.

- 15.2 Tariff of Fees and Expenses – **IT WAS MOVED by Councillor Gillis, seconded by Councillor Welton, to approve the Tariff of Fees and Expenses for the Special Election taking place February 16, 2013 in District 10.**

MOTION CARRIED #13-018

- 15.3 Tax Reduction on Destroyed Property Policy – The draft Policy and the current Policy were circulated at the last meeting and Notice was given to consider this Policy today.

IT WAS MOVED by Deputy Warden Smith, seconded by Councillor Gilbert to approve the Tax Reduction on Destroyed Property Policy which is as such:

Municipality of Cumberland Policy 13-01

Tax Reduction on Destroyed Property Policy

1. This Policy is entitled the “Tax Reduction on Destroyed Property Policy”.

Introduction

2. Section 69A of the *Municipal Government Act* allows Council, by policy, to provide for the reduction, to the extent that is considered appropriate, of the taxes payable with respect to a property if a building situated on the property has been destroyed or partially destroyed by fire or storm, or otherwise, and the destruction is not reflected in the property’s assessment, and to provide for the reimbursement of any overpayment resulting from the reduction.

Terms of the Policy

3. For the purpose of this Policy, “taxes” includes all applicable area rates which are calculated by reference to assessed values.
4. A taxpayer may submit a written request to the Municipal Treasurer asking for a reduction in, or reimbursement of, their taxes, if their property has been destroyed or partially destroyed by fire, flood or otherwise. The request shall include a sworn Declaration confirming the date, cause and extent of the destruction, the location of the property and eligibility pursuant to section 5 of this Policy.
5. This reimbursement or reduction shall only apply to owners who have no intention of repairing the structure within 6 months of the application date. Tidying up or securing a fire site to avoid injury, unsightliness or further deterioration of the property shall not be deemed a repair for the purposes of this section.
6. Upon receipt of the request the Treasurer shall submit a written request to the Director of Assessment to value the property.
7. The valuation must be at least 10% lower than the original assessment for the Municipality to proceed with a tax reduction under this Policy.
8. The Treasurer will then prorate and apply a tax reduction, based on the difference between the valuation and the original assessment, for the remaining portion of the taxation year, between the date of the destruction and March 31 of the same taxation year.
9. If the destruction is too late to be reflected in the annual assessment cut-off date of December 1 for the following taxation year, then the tax reduction shall be in effect for that following taxation year as well.
10. The tax reduction shall not follow into future years as the taxpayer has the option of appealing their assessment if it continues to reflect pre-destruction values.
11. If the destruction occurred during the 12 months immediately preceding the adoption of this Policy, the application for a tax reduction must be submitted within 6 months of the date this Policy is adopted. In all other cases the application must be submitted within six months of the date the destruction occurred.
12. The Treasurer may revoke any tax reduction granted pursuant to this Policy if any aspect of the Declaration made pursuant to section 4 is found to be inaccurate or is not adhered to, in which case the full amount of taxes which would otherwise have been payable shall become due and payable forthwith, plus interest.
13. The Municipality’s “Tax Reduction on Damaged Property” policy, adopted April 6, 2011, is hereby repealed.
14. This Policy comes into force upon adoption.

<u>Clerk’s Annotation For Official Policy Book</u>	
Date of Notice to Council Members of Intent to Consider [7 days minimum] <u>January 9, 2013</u>	
Date of Passage of Current Policy: <u>January 23, 2013</u>	
I certify that this Tax Reduction on Damaged Property Policy 13-01 was adopted by Council as indicated above.	
_____	_____
Clerk	Date

MOTION CARRIED #13-019

- 15.4 Condition of Lake Road – Councillor Baker spoke about the deplorable condition of this road and the request of the residents of that road for immediate repair.

IT WAS AGREED forward correspondence to the Department of Transportation and Infrastructure Renewal requesting repairs to the Lake Road and also to forward correspondence to the Municipality of Colchester to request they contact the DOT in Colchester for the section of Lake Road that lies in Colchester County.

16. **Information Items**

- 16.1 Resident 600 World Record – Deputy Warden Smith advised that Mr. Doug McManaman would like to perform his 600th world record attempt at a future council session. He currently holds 599 world records and some are in the Guinness Book of Records. He will be invited to a future Council session for this attempt.

Deputy Warden Smith requested information on what the balances are for Community Development Grants, what will be the amount for the next fiscal year and the criteria for those grants. The Director of Finance and Administration will be providing this to Council.

17. **Adjournment:** On motion the meeting was adjourned at 2:28 p.m.

18. **God Save the Queen**

Warden Keith Hunter

Municipal Clerk Brenda Moore