

1. **CALL TO ORDER**

1.1 O' Canada

Deputy Warden Gilbert called to Order the December 3, 2014 Council session of the Municipality of the County of Cumberland at 1:00 p.m. The meeting was held at the E. D. Fullerton Municipal Building. O'Canada was sung.

1.2 Roll Call

Executive Assistant to the CAO, Shelley Hoeg, called the roll with the following Councillors being present:
Councillor Smith, Councillor Kellegrew, Councillor Gillis, Councillor Welton, Councillor Baker, Councillor Rector, Deputy Warden Gilbert, Councillor McLellan and Councillor Fletcher.

Warden Hunter was absent due to serious illness.

2. **ADMINISTRATIVE AND PROCEDURAL ISSUES**

2.1 Approval of Agenda

Addition(s): 4.3 – Joggins Fossil Institute
6.6 – Nominations Committee Report
6.7 – 2nd December Council Session
7.1 – Letter of Thanks to Department of Transportation
7.2 – Staff Thank You
7.3 – Councillor(s) Leave of Absence

Deletion(s): 2.5 – Public Hearings

2.2 Approval of Minutes of November 19, 2014

The minutes of November 19, 2014 were approved with an amendment in 2.4 to reflect Deputy Warden Smith and not Deputy Warden Hunter.

2.3 Business Arising from the November 19, 2014 Council Session

#7 of On-going actions – Signage. An agreement has been forwarded to Ekistics and once this is signed and the outstanding account is paid, this issue will be resolved. This should be in the very near future.

#3, 4, and 5 re letters to Department of Transportation. Staff have not advised that this is complete as yet.

#16 – Oxford Junction Road, has been completed and can be removed from the list.

#13 has a spelling error (use not sue).

2.4 Delegations, Presentations, Petitions, Proclamations

a) ***Red Cross***

Angie Lohnes and Mike Johnson were on hand to advise Council of the success of the ENRICH program and to present a plaque to Council for their assistance (monetary) for this valuable program.

b) ***Cumberland Library Board***

Denise Corey, Chief Librarian was on hand to provide this presentation. Ms. Corey provided background information on the library and all its' facilities around the Municipality.

Deputy Warden Gilbert thanked Ms. Corey for her interesting and informative presentation.

2.5 Public Hearings

There were none for today's session.

3. **STRATEGIC PRIORITIES ISSUES**

3.1 Cumberland Energy Authority – A written report was presented which the CAO

expanded upon advising of the recent activity of the Cumberland Energy Authority.

3.2 Organizational Priorities – Mr. Bugley, CAO, went over this report with Council and

answered any and all questions.

3.3 Public Works/Planning and Development – Mr. Waugh-Cress, Director of Public Works,

reviewed his report with Council.

- 3.4 Policy and Research – Mr. Ferguson, Director of Policy and Research review his report with Council.

4. **MAJOR ORGANIZATIONAL ISSUES**

- 4.1 Letter of Intent – Mr. Bugley advised that this Letter of Intent has been approved and was signed in a formal ceremony on Monday of this week. An In-Camera Joint Council session with the Town of Springhill will be held on Friday, December 5, 2 p.m. at the Springhill Community Centre.

- 4.2 Fiscal Review – Staff will draft a submission and will forward this for the review of Council.

- 4.3 Joggisn Fossil Institute -

IT WAS MOVED by Councillor McLellan, seconded by Councillor Rector that:

WHEREAS, the Municipality has made several unsuccessful attempts with the Joggis Fossil Institute (JFI) Board to execute a Lease Agreement and a Funding Agreement;

WHEREAS, the Municipality is of the position that these Agreements as proposed to the JFI Board are fair and reasonable and necessary to set out the rights and responsibilities of the respective parties;

WHEREAS, the Municipality has an obligation to ensure that the JFI is accountable for grants provided by the Municipality; and that the JFI is exercising due diligence to remain sustainable; and

WHEREAS, the Municipality was informed that the JFI organization was not included in the scope of the forensic audit due to records not being available;

THEREFORE BE IT RESOLVED that the Municipality is requesting that MLA'S Farrell and Baillie work with the Municipality;

- 1) **To facilitate a process to resolve the impasse existing with the proposed Lease and Funding Agreement.**
- 2) **Determine if the Province of N.S. has an interest in the ownership of the JFI facility.**

FURTHER, that the Municipality request that the RCMP confirm that their current investigation of the Cumberland Regional Development Association include the facility capital project and operations of the JFI since the commencement of those operations.

MOTION CARRIED #14-244

5. **ORGANIZATIONAL POLICY/BY-LAW ISSUES**

- 5.1 Expenditures Policy – Council was previously forwarded a draft Expenditure Policy for review.

IT WAS MOVED by Councillor Smith, seconded by Councillor Fletcher to approve the Expenditures Policy which is as follows:

Expenditures Policy

Title

1. This Policy is entitled the “Expenditures Policy”.

Interpretation

2. In this Policy,

- (1) “budgeted expenditure” means an expenditure which, when taken together with other expenditures made in, or committed for, the fiscal year to date that are in the same specific budget category, does not exceed the amount currently budgeted by resolution of Council,

- provided however that an expenditure shall not be considered to be a budgeted expenditure solely because of the existence of a general contingency category to meet unbudgeted expenses;
- (2) “CAO” means the Municipality’s Chief Administrative Officer;
 - (3) “signing officer” means the CAO, Director of Finance, Accountant, Deputy CAO/Director of Policy and Research, and Warden
 - (4) “funds-over-budget resolution” means a resolution authorizing resources from unbudgeted revenues or underutilized budget expenditure categories to be used for other budget expenditure categories;
 - (5) “immediate expenditure condition” means a condition that was not foreseen at a preceding Council meeting and which, in the CAO’s reasonable judgment, requires a decision to be made:
 - (a) before the next scheduled Council meeting, in the case of expenditures aggregating \$50,000 or less; and
 - (b) before an emergency meeting of Council can practically be convened.
3. In making expenditures or incurring a liability to make expenditures, the CAO and any employee of the Municipality to whom the CAO delegates authority to make expenditures shall comply with all applicable By-laws, Policies or resolutions of Council, and with any other restriction imposed by law.
 4. In the absence of an express direction by Council to the contrary in regards a specific possible expenditure, and subject to the other provisions in this Policy, the CAO may make or may authorize an employee of the Municipality to make expenditures:
 - (1) which are budgeted expenditures not greater than \$30,000;
 - (2) which have been specifically authorized by resolution of Council;
 - (3) which are necessary to carry out a contract which has been authorized by resolution of Council;
 - (4) which are within the terms and conditions of a funding agreement authorized by resolution of Council;
 - (5) to discharge a specific statutory obligation of the Municipality, such as, but not limited to, payments to a School Board mandated by the *Education Act*;
 - (6) to transfer tax revenues rated and collected for a special purpose body, such as, but not limited to, a village commission;
 - (7) to comply with a Court Order or other valid and subsisting legal obligation;
 - (8) which are within the parameters of a “funds over budget resolution” of Council authorizing the use of budget authority to be transferred from one budget category to another;
 - (9) to respond to an immediate expenditure condition; or
 - (10) which are within a temporary spending authority conferred by Council resolution.
 5. The CAO shall not delegate to any Director of the Municipality the authority to make expenditures in excess of \$10,000.
 6. The CAO or any Director shall not delegate to any Supervisor the authority to make expenditures in excess of \$3,000.
 7. The CAO or any Director or Supervisor shall not delegate to any other employee the authority to make expenditures in excess of \$1,000.

8. For purposes of sections 2 to 7 of this Policy, the amount of an expenditure which is made in installments or other periodic payments is deemed to be the aggregate of the installments or periodic payments.
9. The following expenditures of the Municipality may be paid by:
 - (1) Pre-authorized debit:
 - (a) approved debenture payments;
 - (b) bank service charges in accordance with approved credit agreement;
 - (c) approved lease payments; and
 - (d) Canada Savings Bonds contributions;
 - (2) Electronic funds transfers
 - (a) quarterly operating grants to volunteer fire departments
 - (b) payroll;
 - (c) council travel reimbursement;
 - (d) statutory payroll remittances;
 - (e) registered pension plan contributions;
 - (f) corporate visa remittance; and
 - (g) purchasing card remittance.
 - (3) Corporate visa
 - (a) At the discretion of the CAO.
 - (4) Purchasing Cards
 - (a) In accordance with the Purchasing Card Policy
10. Expenditures to persons owing money to the Municipality may be made by set-off.
11. Low value, less than \$100, expenditures may be made from petty cash.
12. All pre-authorized debit agreements are to be approved by the Director of Finance and one other signing officer.
13. Electronic fund transfers are to be approved in advance by any two of the signing officers.
14. All cheques are to be signed by any two of the signing officers.

When being presented with cheques to sign, and/or electronic fund transfers to approve, the signing officers shall be presented with supporting documentation indicating authorization, propriety and account distribution signed by the person authorized under this Policy to make the expenditure. The signing officers may request any additional information required to determine that the expenditure is in accordance with the expenditure and procurement policies.

MOTION CARRIED #14-245

6. **BUSINESS ISSUES**

- 6.1 Cumberland Libraries November, 2014 Report – Provided as information.
- 6.2 CNTA Board Meeting Minutes – Provided in Councillors boxes as information.
- 6.3 Community Development Grants – Council was advised of the following Community Development Grant request:

Collingwood Community Hall

The Community Hall makes in the vicinity of \$1,200 each year from a flea market and about \$400 from hall rentals. They are requesting **\$1,000** to assist with upkeep of the hall. Their fuel charges alone were \$1,342 in 2013-14, and \$2,716 in 2012-13. We have assisted this project in the past. Council granted \$1,000 in 2011 and 2013 and \$1,500 in 2010.

IT WAS MOVED by Councillor Baker, seconded by Councillor Fletcher to approve a Community Development Grant for the Collingwood Community Hall in the amount of \$1,000 from District 6 funds.

MOTION CARRIED #14-246

There was discussion on if the current formula for fund disbursements is equitable and fair and that it should be referred to Policy discussion and also that the amount of negative fund balances be discussed as part of the Policy discussion.

- 6.4 Camp Pagweak Letter of Support – Council was advised that Camp Pagweak is applying for a grant from Health and Wellness and requires a letter of support from Municipal as part of the application process.

The grant will be used to defray the costs of installing a new septic system as the current one is not adequate to handle the rapid increase in the numbers of children attending this past year. Without the new system they would not have been able to open for the 2015 camping season.

The cost of the project is \$55,875.00 (does not include HST).

IT WAS MOVED by Councillor Gillis, seconded by Councillor Welton to provide a letter of support to Camp Pagweak as part of their application for funding to install a new septic system.

MOTION CARRIED #14-247

- 6.5 Canine Control Report - Provided as information.
- 6.6 Nominations Committee Report – **IT WAS MOVED by Councillor Kellegrew, seconded by Councillor Fletcher to accept the report of the Nominations Committee for Council appointments to Committees for 2015.**

MOTION CARRIED #14-248

- 6.7 2nd December Council Session – A second date is tentatively set for December 17th, 2014. January 21st, is set as the tentative date for January.

7. INFORMATION ITEMS

- 7.1 Department of Transportation Thank you Letter – **IT WAS MOVED by Councillor Kellegrew, seconded by Councillor Rector to send a thank you letter to N.S. Department of Transportation for their prompt attention and repair to the Jungle Road, the Pumping Station Bridge and the Little River Bridge.**

MOTION CARRIED #14-249

- 7.2 Staff Thank You
Councillor Fletcher thanked all staff for the professionalism and dedication during the recent renovations and for their exemplary customer support during that period.

Staff were also congratulated by Councillors for their beautiful Christmas parade float.

- 7.3 Councillors Leave of Absence
IT WAS MOVED by Councillor Kellegrew, seconded by Councillor Fletcher to extend Councils approval for a leave of absence to Warden Hunter and Councillor Baker for personal reasons (health).

MOTION CARRIED #14-250

8. **ADJOURNMENT**

8.1 The Queen

The meeting was adjourned at 2:19 p.m. and The Queen was sung.

Warden Keith Hunter

Municipal Clerk Brenda Moore