

1. CALL TO ORDER**1.1 O' Canada**

Warden Al Gillis called the October 17, 2018 Council session of the Municipality of the County of Cumberland to Order at 6:03p.m. The meeting was held in the council chambers of the E.D. Fullerton Municipal Building, Upper Nappan. O'Canada was sung.

1.2 Roll Call

Executive Assistant to the Cumberland Energy Authority, Sarah LeBlanc, called the roll with the following Councillors present: Councillor Porter, Councillor Chase, Warden Gillis, Councillor Welton, Councillor Palmer, Councillor Rector, Councillor Gilbert, Councillor McLellan, Councillor Fletcher, Councillor Williams, Councillor Rafuse, Deputy Warden Van Vulpen, and Councillor Jackson

Absent with regrets: All Councillors were in attendance.

Staff present: Steve Ferguson, Director of Community Development; Andrew MacDonald, Director of Finance; Justin Waugh-Cress, Director of Engineering and Operations; Allie McCormick, Manager of Organizational Development & Innovation; Mike Carter, Fire Service Coordinator

2. ADMINISTRATIVE AND PROCEDURAL ISSUES**2.1 Approval of Agenda**

The agenda was approved with the following additions:

- 6.10 November 11 ceremonies
- 6.11 Southampton Fire Department
- 7.1 Springhill Communities in Bloom Project- Pit Pond

2.2 Approval of Minutes of October 3, 2018 Council meeting.

The minutes were approved with the correction in 1.2 Roll Call. Deputy Warden van Vulpen was not in attendance for the October 3, 2018 Council meeting.

IT WAS MOVED by Councillor Fletcher seconded by Councillor Williams to approve the minutes of the September 19, 2018 Council meeting.

MOTION CARRIED #18-188

2.3 Action List(s) from the September 26, 2018 Council meeting and October 3, 2018 Council Meetings

The Action Lists were reviewed and Council was brought up to date on the status of the items.

**2.4 Delegations, Presentations, Petitions
Oxford Sinkhole**

Our Remo Coordinator Mike Johnson was present and provided an update presentation to Council regarding the Oxford Sinkhole and REMO's role within the situation. There were some questions and discussion afterwards.

2.5 Public Hearings

There were no public hearings for today's meeting.

3. STRATEGIC PRIORITIES ISSUES**3.1 Two Stream Recycling**

Mr. Waugh-Cress reviewed section 2 of the Solid Waste By-Law 18-01. Council was made aware of a suggestion to change the current Two Stream Recycling System By-law to a One Stream Recycling System By-law for commercial customers.

IT WAS AGREED that the By-law will remain the same and that commercial containers will remain on a two stream recycling process and be charged accordingly.

4. MAJOR ORGANIZATIONAL ISSUES**4.1 Discussion on Wheeler Report**

To begin the discussion of the Report of the Nova Scotia Independent Review Panel on Hydraulic Fracturing Stephen Ferguson opened for questions and reviewed the sections to be read by Councillors. In addition to the Wheeler Report. The following Dalhousie Students are working with the Cumberland Energy Authority to complete a project entitled "A close look at the evidence: what do we know about the impacts of hydraulic fracturing?"

David Beekhuizen; B. Sc Geophysics, Masters of Business Administration

Ashley Dickey; B. Sc Biology with Co-op, Masters in Business Administration & Juris Doctorate

Elliot McLauchlan; B. Sc Geology, Masters of Resource and Environmental Management

Jillian Pulsifer; Arts English and Sociology, Masters of Library and Information Sciences

Venukasan Thavarajah; B. Environmental Studies, Masters of Resource and Environmental Management

Romeet Gonsalves; B.Sc Petroleum Geology; working in unconventional and conventional assets, Masters of Environmental Studies, Thesis in water contamination in NS. The students have been requested to put extra focus on the economic benefits for Cumberland County. Some discussion followed.

4.2 Pugwash Water – Debenture Issue

IT WAS MOVED by Councillor Rafuse seconded by Councillor Fletcher to approve the Pugwash Water resolution for pre-approval of debenture issuance subject to interest rate.

Name of Unit: Municipality of Cumberland

1 Resolution for Pre-Approval of Debenture Issuance Subject to Interest Rate

WHEREAS Section 91 of the Municipal Government Act provides that a municipality is authorized to borrow money, subject to the approval of the Minister of Municipal Affairs (hereinafter ‘the Minister);

AND WHEREAS the resolution of council to borrow for Pugwash Water Supply was approved by the Minister on May 1, 2018;

AND WHEREAS clause 91(1)(b) of the Municipal Government Act authorizes the council to determine the amount and term of, and the rate of interest, on each debenture, when the interest on a debenture is to be paid, and where the principal and interest on a debenture are to be paid;

AND WHEREAS clause 91(2) of the Municipal Government Act states, that in accordance with the Municipal Finance Corporation Act, the mayor or warden and clerk or the person designated by the council, by policy, shall sell and deliver the debentures on behalf of the municipality at the price, in the sums and in the manner deemed proper;

BE IT THEREFORE RESOLVED

THAT under the authority of Section 91 of the Municipal Government Act, the Municipality of Cumberland borrow by the issue and sale of debentures a sum or sums not exceeding \$3,033,000, for a period not to exceed 20 years, subject to the approval of the Minister;

THAT the sum be borrowed by the issue and sale of debentures of the Municipality of Cumberland in the amount that the mayor or warden and clerk or the person designated by the council deems proper, provided the average interest rate of the debenture does not exceed the rate of 5.5%;

THAT the debenture be arranged with the Nova Scotia Municipal Finance Corporation with interest to be paid semi-annually and principal payments made annually;

THAT this resolution remains in force for a period not exceeding twelve months from the passing of this resolution.

THIS IS TO CERTIFY that the foregoing is a true copy of a resolution duly passed at a meeting of the Council of the Municipality of Cumberland held on the 17th day of October, 2018

GIVEN under the hands of the Mayor/Warden and the Clerk of the Municipality of Cumberland

MOTION CARRIED #18-189

4.3 Parrsboro Wastewater – Debenture Issue

IT WAS MOVED by Councillor Gilbert seconded by Councillor Fletcher to approve the Parrsboro Wastewater resolution for pre-approval of debenture issuance subject to interest rate.

Name of Unit: Municipality of Cumberland

II Resolution for Pre-Approval of Debenture Issuance Subject to Interest Rate

WHEREAS Section 91 of the Municipal Government Act provides that a municipality is authorized to borrow money, subject to the approval of the Minister of Municipal Affairs (hereinafter “the Minister);

AND WHEREAS the resolution of council to borrow for Parrsboro Waste Water was approved by the Minister on May 1, 2018;

AND WHEREAS clause 91(1)(b) of the Municipal Government Act authorizes the council to determine the amount and term of, and the rate of interest, on each debenture, when the interest on a debenture is to be paid, and where the principal and interest on a debenture are to be paid;

AND WHEREAS clause 91(2) of the Municipal Government Act states, that in accordance with the Municipal Finance Corporation Act, the mayor or warden and clerk or the person designated by the council, by policy, shall sell and deliver the debentures on behalf of the municipality at the price, in the sums and in the manner deemed proper;

BE IT THEREFORE RESOLVED

THAT under the authority of Section 91 of the Municipal Government Act, the Municipality of Cumberland borrow by the issue and sale of debentures a sum or sums not exceeding \$4,400,000, for a period not to exceed 20 years, subject to the approval of the Minister;

THAT the sum be borrowed by the issue and sale of debentures of the Municipality of Cumberland in the amount that the mayor or warden and clerk or the person designated by the council deems proper, provided the average interest rate of the debenture does not exceed the rate of 5.5%;

THAT the debenture be arranged with the Nova Scotia Municipal Finance Corporation with interest to be paid semi-annually and principal payments made annually; resolution.

THAT this resolution remains in force for a period not exceeding twelve months from the passing of this

THIS IS TO CERTIFY that the foregoing is a true copy of a resolution duly passed at a meeting of the Council of the Municipality of Cumberland held on the 17th day of October, 2018

GIVEN under the hands of the Mayor/Warden and the Clerk of the Municipality of Cumberland.

MOTION CARRIED #18-190

5. ORGANIZATIONAL POLICY/BY-LAW ISSUES

5.1 Flag Policy

Council voted that option 2 was most appropriate for the Municipality's Flag Policy.

IT WAS MOVED by Councillor Jackson seconded by Councillor Rector to include option 2 in the Policy.

2. Do not purchase additional flag poles. Instead, each service centre will designate the following flag poles as the special purpose flag poles:

- a. Upper Nappan Service Centre – municipal flag pole;
- b. Parrsboro Service Centre – provincial flag pole; and
- c. Dr. Carson & Marion Murray Community Centre – federal flag pole.

This option allows all three service centres to participate in recognizing approved community organizations and will not incur any additional costs.

MOTION CARRIED #18-191

IT WAS MOVED by Councillor Chase seconded by Councillor Jackson to approve the amended Flag Policy.

Municipality of the County of Cumberland Policy 18-XX

Flag Policy

Purpose

1. The purpose of the Flag Policy ("the Policy") is to establish a policy that provides a constant protocol for flying flags on properties and flag poles owned by the Municipality of the County of Cumberland. This Policy also provides guidelines for flying flags of community organizations. Finally, this Policy establishes protocol for when the flags will be flown at half-mast.

Definitions

2. In this Policy:
 - a) "CAO" means the Chief Administrative Officer; and
 - b) "Municipality" means Municipality of the County of Cumberland;

Protocol and Etiquette for Flag Flying on Municipal Property

3. Flags shall be flown in a manner consistent with flag etiquette of the Federal Department of Canadian Heritage.

Flying Flags of Community Organizations

4. The Municipality receives requests periodically from community organizations to fly the flag of their group on a municipally owned flag pole. To meet these requests in a fair and equitable manner, the Municipality has established the following protocol for flying flags of community organizations:
 - a) Flag poles in each service centre location are designated the special purpose flag pole for community organizations that request their flags be flown for a certain period. The following flag poles will be designated the special purpose flag pole:
 - i. Upper Nappan Service Centre – municipal flag pole;
 - ii. Parrsboro Service Centre – provincial flag pole; and
 - iii. Dr. Carson & Marion Murray Community Centre – federal flag pole.
 - b) Approved flags from community organizations will be permitted on the special purpose flag pole.
 - c) Applications must be received in writing (Appendix A – Request for Community Flag to be Flown) from community organizations wishing to have their flag flown. Applications are to be submitted a minimum of one month prior to the date the group would like the flag flown. A calendar will be maintained by the office of the CAO to track availability. Consideration will be given to the order in which requests are received.
 - d) All applications will require approval by Council.
 - e) The community organization will provide the flags to be flown at the three service centres. If the community organization does not have three flags to be flown, the Municipality will work with the organizations to compensate them for the cost of the flags. The Municipality will not fly a flag that is in poor condition.
 - f) The maximum period for flying a community organization's flag is two weeks.
 - g) The Municipality will maintain the flags of community organizations that annually submit applications (Appendix B- List of Reoccurring Flags) in the Municipality's flag inventory.
 - h) The Municipality will not approve applications from community organizations in support of:
 - i. Political parties;
 - ii. Religious groups; and
 - iii. Community groups or organizations that support social or racial intolerance, violence, or hatred.
 - i) When there is no community organization's flag on the flag pole, the original flag will be flown.
 - j) The public will be advised of the significance of the community organization's flag being flown through communication efforts on the part of the Municipality.

Protocol for Flying Flags at Half-Mast

Flags flown at half-mast signify a period of mourning, respect for lives lost, or to commemorate a solemn occasion. When one flag is flown at half-mast, all other flags flown together with it also will be flown at half-mast.

- a. The CAO will advise the staff to lower the flags at half-mast to mark the passing for the following individuals:
- b. Warden or former Warden of the Municipality;
- c. Councillor or former Councillor of the Municipality;
- d. Staff of the Municipality;
- e. Recognition of persons residing in the Municipality whose duties were in the field of protective services (i.e. RCMP, Canadian military personnel, fire fighter/first responder) whose lives were lost in the line of duty;
- f. Commemorating lives lost in a tragic national or international event. In these circumstances, a decision to lower flags, and the duration they will remain half-mast will be reflective of the practice of the Province of Nova Scotia;
- g. Other individuals may be recognized at the direction of Council; and

- h. Following the lead of the Province, when they initiate a half-mast flying of the Provincial flag for other dignitaries.
- 5. The public will be advised of the solemn occasion for which the flag is being flown at half-mast. The CAO will advise the staff to lower the flags at half-mast through communication efforts on the part of the Municipality.

Effective Date

- 6. This Policy is effective upon adoption and replaces any previous Flag Policies.

APPENDIX A – APPLICATION FORM

Application for Flying a Community Organization’s Flag - Municipality of the County of Cumberland
 Upper Nappan Service Centre
 Dr. Carson & Marion Murray Community Centre
 Parrsboro Service Centre

Consideration will be given to the order in which applications are received.

Please note: To have an application placed on an upcoming Council agenda for approval, submit this form at least one month prior to the date being requested. Once Council reaches a decision, you will be advised by staff through the contact information you provide below. If approved applicants do not have flags available to be flown, the Municipality will work with the community organization to purchase the flags. Approved applicants will be requested to provide a jpeg of their flag, along with promotional text/media release. Approved flags may be dropped off at any of the three municipal service centres.

Community Organization Requesting Flag to be Flown: _____

Flag to be Flown: _____

Significance of Flag: If additional space is required, please attach information to the application form.

This information will be used for communication purposes by the Municipality:

Contact Person: _____

Contact Address: _____

Contact Phone: _____ Contact Email: _____

Please indicate the dates of the period that your organization would like the flag to be flown, along with a second choice should the first choice be unavailable:

First Choice: _____ Second Choice: _____

FOR OFFICE USE ONLY	
Date/Time Received: _____	Meets Policy: __ Yes __ No ____ CAO initials
Council Agenda: _____	Approved: _____

APPENDIX B – LIST OF RECURRING FLAGS

Recurring Flags to be Flown

Flags/Events	Date/Approximate Dates

MOTION CARRIED #18-192

- 5.2 Protection from Second Hand Smoke Bylaw
 The bylaw did not pass the second reading. Councillors could not come to an agreement on designated smoking areas for staff resulting in no motion. Council would also like clarification of employee responsible for monitoring smoking in restricted areas. The policy will be brought back to Council with revisions at a later date.

MOTION CARRIED #18-193

- 5.3 Deputy Warden Policy
 Council reviewed the Warden Deputy Warden Policy with no amendments.

5.4 Health and Safety Policy

IT WAS MOVED by Councillor Van Vulpen seconded by Councillor Fletcher to reaffirm the Municipality's Health and Safety Policy.

**Municipality of Cumberland Policy 15-13
Health and Safety Policy**

This policy will apply to the Municipality of the County of Cumberland and all of its employees, officers and agents.

1. The Municipality of the County of Cumberland is committed to providing a healthy and safe work environment for its employees and preventing occupational illness and injury. To express that commitment, the Municipality has issued this policy on occupational health and safety.
2. As the employer, the Municipality of the County of Cumberland is responsible for the health and safety of its employees, elected officials and the general public while on Municipal property. The Municipality will make every reasonable effort to provide a healthy and safe work environment. The Municipality is dedicated to the objective of minimizing the possibility of injury and illness.
3. Municipal Council will take all reasonable precautions to prevent harm to workers, elected officials and the general public.
4. Managers and supervisors will be trained and are responsible for ensuring that the employees under their supervision follow this policy. They are held accountable for ensuring that employees use safe work practices and receive training to protect their health and safety.
5. Managers and supervisors also have a general responsibility for ensuring the safety of equipment and facilities.
6. The Municipality, through all levels of management, will co-operate with the occupational health and safety committee and employees to create a healthy and safe work environment.
7. The employees of the Municipality will be required to support this organization's health and safety initiative and to co-operate with the occupational health and safety committee and with other exercising authority under applicable legislation and policy.
8. It is the duty of each employee to report to their supervisor or manager, as soon as possible, any hazardous condition, injury, accident or illness related to the workplace. Also, employees must protect their health and safety by complying with applicable Acts and Regulations and by following policies, procedures, rules and instructions as prescribed by the Municipality.
9. The Municipality will, where possible, eliminate hazards. When appropriate, employees will be required to use safety equipment, clothing, devices and materials for personal protection.
10. The Municipality will support and encourage employees to play an active role in identifying hazards and in offering suggestions or ideas to improve the health and safety program.
11. The Municipality of Cumberland acknowledges that violence in the workplace is an occupational health and safety hazard that can cause physical and emotional harm. The Municipality views any acts of violence or threats of violence in the workplace as unacceptable.
12. The Municipality is committed to working to prevent workplace violence and to responding appropriately if work place violence does occur. Every effort will be made to identify possible sources of violence and implement procedures to eliminate or minimize the risk they create.
13. Municipal Council and all employees of the Municipality are responsible for creating and maintaining a safe working environment.
14. The Municipality's previous Health and Safety Policy, Policy 14-03 is hereby repealed.

MOTION CARRIED #18-194

6. **BUSINESS ISSUES**6.1 Grants to Organizations

IT WAS MOVED by Councillor Williams, seconded by Councillor Rafuse to approve a grant to the Springhill Junction Community Recreation Centre for \$993.18 to install new LED lights in the main hall as well as installing a light for the ramp at the back of the building. This grant will be funded from the Local Grant funds; \$993.18 from District 8.

MOTION CARRIED #18-195

Councillor McLellan would like to contribute to the Christmas by the Sea Dance grant from the District 9 Local Grants Fund.

IT WAS MOVED by Councillor Fletcher, seconded by Councillor McLellan to add District 9 as a funding partner and approve a grant to the Advocate Christmas by the Sea Dance for \$279. This grant will be funded from the Local Grant funds; \$69.75 from District 8, \$69.75 from District 9, \$69.75 from District 10, and \$69.75 from District 13.

MOTION CARRIED #18-196

IT WAS MOVED by Councillor Fletcher, seconded by Councillor Gilbert to approve a grant to the Spook"o"rama RCMP Parrsboro for \$1000. This grant will be funded from the Local Grant funds; \$333.33 from District 8, \$333.33 from District 10, and 333.34 from District 13.

MOTION CARRIED #18-197

IT WAS MOVED by Councillor Rector, seconded by Councillor Fletcher to approve a grant to the Spook"o"rama RCMP Oxford for \$700. This grant will be funded from the Local Grant funds; \$350 from District 8, \$350 from District 10, pending receipt of application.

MOTION CARRIED #18-198

Councillor Fletcher requested that District 10 be removed from funding the Parrsboro & District Headstart Program Society for \$3000. There is no Headstart Program in District 10 until next year. Funding for the program will be reduced to \$2000.

IT WAS MOVED by Councillor Palmer, seconded by Councillor Rafuse to remove District 10 as a funding partner and approve a grant to the Parrsboro & District Headstart Program Society for \$2000. This grant will be funded from the Local Grant funds; \$1000 from District 8, and \$1000 from District 13.

MOTION CARRIED #18-199

- 6.2 Tax Collection Report/Tax Sale Update(s)
Council reviewed the memo from Jen Moore, Tax Revenue Officer.
- 6.3 Tourism Strategic Planning Committee Update
Council reviewed the memo from the Planning Committee. There was some discussion.
- 6.4 Fire Services Fire Coordinator Report
Council reviewed the report from the fire coordinator. There were questions and discussion.
- 6.5 NSFM Report of the Nominating Committee and Elections Policy
Council reviewed the NSFM Report of the Nominating Committee and Elections Policy. Warden Gillis called for questions and discussion from Councillors. There were no questions or discussion.
- 6.6 Financial Training for Elected Officials (contact Shelley)
Council members will contact Shelley if interested in training.
- 6.7 NSFM Board Report
Council reviewed the NSFM Board Report. Warden Gillis called for questions and discussion from Councillors. There were no questions or discussion.
- 6.8 Finance Department Report
Council reviewed the Finance Department Report. Warden Gillis called for questions and discussion from Councillors. There were no questions or discussion.
- 6.10 November 11 Ceremonies
Council decided on what November 11 ceremony locations they will be attending:

Councillor	Ceremony Location
Councillor Chase	Maccan

Councillor Fletcher	Joggins
Councillor Gilbert	Westchester
Councillor Jackson Councillor Williams	Springhill
Councillor McLellan	River Hebert
Councillor Palmer	Wentworth
Councillor Porter	Amherst
Councillor Rafuse	Parrsboro
Councillor Rector	Oxford
Councillor Welton	Malagash
Warden Gillis	Pugwash

6.11 Southampton Fire station

There was discussion on the poor washroom conditions in the Southampton Fire Department. Mike Carter will prepare a presentation with pictures of the poor conditions for the next Council meeting.

7. INFORMATION ITEMS

7.1 Springhill Communities in Bloom, Pit Pond - Trail Development and Revitalization

Councillor Jackson gave an update on the Springhill Communities in Bloom project. The organization is waiting for their final invoice for the project.

8. ADJOURNMENT

8.1 The Queen

The meeting was adjourned at 8:08p.m. The Queen was sung.

Warden Alison Gillis

Municipal Clerk Brenda Moore

Amended according to motion #18-200 November 14, 2018