

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 the June 17, 2020 Council video meeting via Zoom. This meeting was also streamed live on Facebook.

1. CALL TO ORDER

1.1 Warden Al Gillis called the June 17, 2020 Council session of the Municipality of the County of Cumberland to Order at 6:00 p.m.

1.2 Roll Call

Municipal Clerk, Brenda Moore, called the roll with the following Councillors present: Councillor Paul Porter; Councillor Marlon Chase; Councillor Joe Van Vulpen, Warden Al Gillis; Councillor Welton, Councillor Barb Palmer, Councillor Dan Rector, Deputy Warden Ernie Gilbert, Councillor Mike McLellan, Councillor Don Fletcher, Councillor Doug; Williams, Councillor Maryanne Jackson; and Councillor Norman Rafuse.

Staff present Rennie Bugley, Chief Administrative Officer; Steve Ferguson, Director of Community Development; Andrew MacDonald, Director of Finance; Justin Waugh Cress, Director of Operations and Engineering; Shelley Hoeg, Communications and Executive Assistant to the CAO; Amanda MacLeod, Sustainable Communities Marketing Officer; Eric Levy, Organizational Development; Dannie Sampson, IT; Vicki Weaver, Physical Recreation Coordinator; and Brenda Moore, Municipal Clerk who recorded the meeting.

Media representatives present:

Bill Martin, Six Rivers News

Darrell Cole, Saltwire

Maurice Rees, Shoreline Journal

2. ADMINISTRATIVE AND PROCEDURAL ISSUES

2.1 Approval of Agenda

The agenda was approved as presented.

2.2 Approval of the Minutes of the June 3, 2020 Council Meeting

IT WAS MOVED BY Councillor Fletcher seconded by Councillor Jackson to approve the minutes of the June 3, 2020 meeting.

**No Objections
MOTION CARRIED**

2.3 Action List and on-going Action List from the June 3, 2020 Council Meeting

This item was deferred to the July

2.4 Presentations, Delegations, Petitions, Public Hearing(s)

Elizabeth Smith-McCrossin, MLA Cumberland North was on hand to discuss issues with our Provincial Border(s) during the pandemic. Ms. Smith-McCrossin Being contacted by angry residents and business owners regarding the border restrictions farmers and business owners being denied entrance to New Brunswick. Wrote many letters Wants the maritime provinces to work as a region in relation to COVID19 restrictions. Residents in this area often work in New Brunswick and live in Nova Scotia or vice versa these people deal with different restrictions in each province. Also, many businesses operate in more than one province. These businesses are operating under different restrictions in each province. Any support council can give would be greatly appreciated.

IT WAS MOVED by Councillor van Vulpen seconded by Deputy Warden Gilbert that the municipality send letters of support for a Maritime or Atlantic Bubble regarding border crossings.

**No Objections
MOTION CARRIED**

3. STRATEGIC PRIORITIES ISSUES

There were no strategic priority items.

4. MAJOR ORGANIZATIONAL ISSUES

There were no major Organizational Issues for today's meeting.

5. ORGANIZATIONAL POLICY/BY-LAW ISSUES5.1 Alternative Voting By-Law

IT WAS MOVED by Councillor van Vulpen seconded by Councillor Mary Anne Jackson to approve First Reading of the Alternative Voting By-Law

MUNICIPALITY OF THE COUNTY OF CUMBERLAND
ALTERNATIVE VOTING BY-LAW

BE IT ENACTED by the Council of the Municipality of the County of Cumberland, under the authority of Section 146A of the *Municipal Elections Act*, 1989 R.S.N.S. c. 300, as amended, as follows:

Short Title

1. This By-law shall be known as the "Alternative Voting By-law".

Definitions

2. In this by-law:

- (a) "Act" means the *Municipal Elections Act*, 1989 R.S.N.S. c. 300, as amended;
- (b) "advance poll" means the Tuesday immediately preceding ordinary polling day; and either
 - (i) one other day fixed by the Council by resolution that is either Thursday, the ninth day before ordinary polling day, or Saturday the seventh day before ordinary polling day; or
 - (ii) if Council has delegated its authority to fix a day to the Returning Officer, one other day fixed by the Returning Officer that is either Thursday, the ninth day before ordinary polling day, or Saturday the seventh day before ordinary polling day;
- (c) "alternative polling days" means any hours and dates fixed by a resolution of Council for alternative voting;
- (d) "alternative voting" means voting by telephone or via the internet and includes a combination of telephone and internet voting;
- (e) "ballot box" means a computer database in the system where cast internet ballots and telephone ballots are put;
- (f) "candidate" means a person who has been nominated as a candidate pursuant to the Act;
- (g) "Council" means the Council of the municipality;
- (g) "Deputy Returning Officer" means a person appointed under the Act to preside over a polling station;
- (h) "Education Act" means the *Education Act*, 1995-1996 S.N.S. c. 1, as amended;
- (i) "election" means an election held pursuant to the Act, including a school board election, special election and a plebiscite;
- (j) "Election Officer" means an "election official" under the Act;
- (k) "elector" means a person:
 - (i) qualified to vote pursuant to the Act and the Education Act; and
 - (ii) entitled to vote for an election pursuant to section 7 of this by-law;
- (l) "final list of electors" means the final list of electors completed pursuant to section 40 of the Act;
- (m) "friend voter" means a friend who votes for an elector pursuant to section 9 of this by-law;
- (n) "internet ballot" means an image of a ballot on a computer screen including all the choices available to an elector and the spaces in which an elector marks a vote;
- (o) "municipality" means the Municipality of the County of Cumberland;

- (p) “normal business hours” means the time between 8:30 am and 4:30 pm Monday through to and including Friday;
- (q) “ordinary polling day” means the third Saturday in October in a regular election year and in the case of any other election means the Saturday fixed for the election;
- (r) “PIN” means the Personal Identification Number issued to an elector for alternative voting on alternative polling days;
- (s) “plebiscite” means a plebiscite directed to be held by the Council pursuant to section 56(2) of the *Municipal Government Act*;
- (t) “proxy voter” means an elector who votes by a proxy pursuant to the Act;
- (u) “regular election year” means 2016 and every fourth year thereafter;
- (v) “rejected ballot” means the refusal by an elector to accept a ballot in a race;
- (w) “Returning Officer” means a Returning Officer appointed pursuant to the Act;
- (x) “seal” means to secure the ballot box and prevent internet and telephone ballots from being cast;
- (y) “special election” means a special election held pursuant to the Act, including a special election for a vacancy on a school board;
- (z) “spoiled ballot” means an internet ballot or telephone ballot marked by an elector indicating a refusal to cast a vote for any candidate in a race;
- (za) “system” means the technology, including software, that:
 - (i) records and counts votes; and
 - (ii) processes and stores the results of alternative voting during alternative polling days;
- (zb) “System Elections Officer” means:
 - (i) a person who maintains, monitors, or audits the system, and
 - (ii) a person who has access to the system beyond the access necessary to vote by alternative voting.
- (zc) “telephone ballot” means:
 - (i) an audio set of instructions which describes the voting choices available to an elector; and
 - (ii) the marking of a selection by an elector by depressing the number on a touch tone keypad;

Alternative Voting Permitted

3. Subject to this by-law, alternative voting shall be permitted on alternative polling days.

Notification of Electors

4. (1) The Returning Officer shall cause notice of alternative polling days to be published in a newspaper circulating in the municipality.
- (2) The notice of alternative polling days shall:
 - (a) identify the alternative polling days for alternative voting; and
 - (b) inform the elector that telephone voting and internet voting is permitted during alternative polling days.
- (3) The notice may include any other information the Returning Officer deems necessary.

Form of Telephone and Internet Ballots

5. (1) A telephone ballot and internet ballot shall:
 - (a) identify the title “Election for Mayor” or “Election for Councillor” or “Election for School Board Member”, as the case may be;
 - (b) identify the names or names by which they are commonly known of the candidates with given names followed by surnames, arranged alphabetically in order of their surnames and, where necessary, their given names, and
 - (c) warn the elector to “vote for one candidate only” or “vote for not more than (the number of candidates to be elected) candidates” as the case may be.

(2) No title, honour, decoration or degree shall be included with a candidate's name on an internet ballot or telephone ballot.

Oath

6. Any oath that is authorized or required shall be made in the form specified by the Act.

Electors

7. No person shall vote by alternative voting unless:
- (a) the person's name appears on the final list of electors on the date chosen by Council for the final list of electors to be completed pursuant to section 40 of the Act; or
 - (b) the person's name does not appear on the final list of electors and:
 - (i) the person appears before the Returning Officer or the Deputy Returning Officer during normal business hours during alternative polling days; and
 - (ii) the person swears an oath in the prescribed by the Act.

Proxy Voting

8. A proxy voter shall not vote for an elector by alternative voting.

Friend Voting

9. (1) A friend voter shall only vote for an elector by alternative voting if:
- (a) an elector is unable to vote because:
 - (i) the elector is blind;
 - (ii) the elector cannot read; or
 - (iii) the elector has a physical disability that prevents him or her from voting by alternative voting.
 - (b) the elector and the friend appear, in person, before the Returning Officer or the Deputy Returning Officer and take the prescribed oaths.
- (2) A candidate shall not act as a friend voter unless the elector is a child, grandchild, brother, sister, parent, grandparent, or spouse of the candidate.
- (3) The elector shall take an oath in the form prescribed by the Act providing that he or she is incapable of voting without assistance.
- (4) The friend of the elector shall take an oath in the prescribed form to this by-law that:
- (a) the friend has not previously acted as a friend for any other elector in the election other than an elector who is a child, grandchild, brother, sister, parent, grandparent, or spouse of the friend of the elector;
 - (b) the friend will mark the ballot as requested by the elector; and
 - (c) the friend will keep secret the choice of the elector.
- (5) The Returning Officer shall enter in the poll book:
- (a) the reason why the elector is unable to vote;
 - (b) the name of the friend; and
 - (c) the fact that the oaths were taken.

Voting

- 10 (1) The system shall put internet ballots and telephone ballots cast by an elector in the ballot box.
- (2) The system shall put spoiled ballots in the ballot box.

Seal

11. (1) Where alternative voting closes before the close of the polls on ordinary polling day, the system shall seal the ballot box until after the close of the poll on ordinary polling day.
- (2) The system shall seal the ballot box even where fewer than ten persons from any polling district voted for a candidate during alternative polling days.

List of persons who voted

12. Where alternative voting closes before the close of the polls on ordinary polling day, the system shall:
 - (a) generate a list of all electors who voted by alternative voting; and
 - (b) on the Final List of Electors cause a line to be drawn through the name of all the electors who voted during alternative polling days.
13. (a) A printed and electronic copy of the lists under section 12 shall be delivered to the Returning Officer within 24 hours of the close of alternative voting.

(b) Where alternative voting closes at the close of the polls on ordinary polling day, the system shall generate a list of all electors who voted by alternative voting.

Counting

14. (1) At the close of ordinary polling day, the system shall generate a count of the telephone ballots and internet ballots in the ballot box that were cast for each candidate during alternative polling days.

(2) In counting the votes that were cast for each candidate during alternative polling days, the system shall count spoiled ballots and shall not count rejected ballots.

Tallying of Spoiled Ballots

15. At the close of ordinary polling day, the system shall tally the number of spoiled ballots that were cast during alternative polling days and the tally shall be delivered to the Returning Officer.

Recount by System

16. In the event of a recount, the system shall regenerate the election count and a printed copy of the regenerated count shall be given to the Returning Officer.
17. If the initial count and the regenerated count match, the regenerated count shall be the final count of the votes cast by alternative voting.
18. (1) If the regenerated count and the initial count do not match, the Returning Officer shall:
 - a) direct one final count be regenerated by the system of the votes cast by alternative voting, and
 - b) attend while the final count is being regenerated.
(2) The regenerated final count pursuant to subsection (1) shall be the final count of the votes cast by alternative voting.

Recount by Court

19. (1) For a recount, the judge shall only consider the final count by the system, as determined by section 17 or 18, of the total number of votes that were cast by alternative voting for each candidate.

(2) The final count by the system, as determined by section 17 or 18, of the total number of votes that were cast by alternative voting for each candidate shall be added to the judge's count of the number of votes for each candidate cast by non alternative voting.

Secrecy

20. An election officer and system election officer shall maintain and aid in maintaining the secrecy of the voting.
21. Every person in attendance at a polling station, or at the counting of the votes, shall maintain and aid in maintaining the secrecy of the voting.

Other Methods of Voting

22. If voting via the Internet through the unsupervised use of a personal computing device is permitted during an election, voting shall be permitted by some other means on each advance polling day and on ordinary polling day.

Severability

23. If a court of competent jurisdiction should declare any section or part of a section of this by-law to be invalid, such section or part of a section shall not be construed as having persuaded or influenced Council to pass the remainder of the by-law and it is hereby declared that the remainder of the by-law shall be valid and shall remain in force.

Prohibitions

24. No person shall:
- (a) use another person's PIN to vote or access the system unless the person is a friend voter;
 - (b) take, seize, or deprive an elector of his or her PIN; or
 - (c) sell, gift, transfer, assign or purchase a PIN.
25. No person shall:
- (a) interfere or attempt to interfere with an elector who is casting an internet ballot or telephone ballot;
 - (b) interfere or attempt to interfere with alternative voting; or
 - (c) attempt to ascertain the name of the candidate for whom an elector is about to vote or has voted.
26. No person shall, at any time, communicate or attempt to communicate any information relating to the candidate for whom an elector has voted.

Offences and Penalty

27. (1) A person who:
- (a) violates any provision of this by-law; or
 - (b) permits anything to be done in violation of any provision of this by-law; is guilty of an offence.
- (2) A person who contravenes subsection (1) of this section is guilty of an offence and is liable, on summary conviction, to a penalty of not less than five thousand dollars and not more than ten thousand dollars and in default of payment, to imprisonment for a term of two years less a day, or both.
- (3) In determining a penalty under subsection (2), a judge shall take into account:
- (a) the number of votes attempted to be interfered with;
 - (b) the number of votes interfered with; and
 - (c) any potential interference with the outcome of an election.
- (4) Pursuant to section 146A of the Act:
- (a) the limitation period for the prosecution of an offence under this by-law is two years from the later of the date of the commission of the offence and the date on which it was discovered that an offence had been committed; and
 - (b) *The Remission of Penalties Act, 1989 SNS c. 397*, as amended, does not apply to a pecuniary penalty imposed by this by-law.

**No Objections
MOTION CARRIED**

6. BUSINESS ISSUES**6.1 2020/2021 Grant Requests**

Staff have provided a memo which outlines the grant requests that were discussed at the June 8th Committee of the Whole. Staff are requesting ratification of these grants.

IT WAS MOVED BY Councillor Palmer that \$1000 be added to the schedule of grants for the Cumberland Genealogical society.

Motion died for want of a seconder

IT WAS MOVED by Councillor Welton seconded by Councillor Rafuse that the grants be approved, in the amounts indicated in the memo from Vicki Weaver to Council dated June 10th (shown below) with the following conditions:

- Grants with outstanding paperwork will be required to have all documentation completed before receipt of grant funding;
- The Cumberland YMCA amount shall be held in reserve, pending receipt of additional information;
- The Town of Oxford amount shall be held in reserve, pending receipt of additional information;
- The Malagash Area Development Association amount shall be moved to the Regional Grants fund.
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C.C.

MEMORANDUM

TO: Council
FROM: Vicki Weaver
DATE: June 10, 2020
RE: Grants 2020-21

Council met on June 8, 2020 for a Public Committee of the Whole meeting to discuss the 2020-21 grants program. At that meeting, Council agreed to the staff recommendations, but also provided direction to staff to move \$5,000 from the Regional funds to top up the Cliffs of Fundy Geopark request to the full \$75,000 requested. All other recommendations were accepted. That change has been made and you will find an updated list of grants attached to this memo.

Staff have created an Implementation Plan for getting these grants into the hands of the organizations as soon as possible. Though it may be ambitious with staff working from home, our goal will be to have all grant cheques and letters sent out before the end of June.

Implementation Plan:

Task	Responsible	Deadline
Draft new approval/denial letters with COVID-19 information	Vicki	June 12
Prepare cheque requisitions under \$3,000	Melanie	June 17
Sign cheque requisitions under \$3,000	Michelle	June 18
Prepare cheque requisitions over \$3,000	Melanie	June 17
Sign cheque requisitions over \$3,000	Steve	June 18
Draft press release with Amanda re: 2020-21 grant funding	Vicki	June 17
Enter cheque requisitions in SAP to be released by Deana	Melanie	June 26
Prepare letters, envelopes & cheque requisitions	Melanie	June 26
Send cheque requisitions to Shelby for processing	Melanie	June 26
Shelby mails cheques and letters	Shelby	ASAP

Staff recommendation:
If Council agrees, a motion to approve the grants as listed would be in order.



Local Grants (District Grants)	
Local Grants (District Grants)	\$ 12,000
Regional Grants (Reserve for year)	
Regional Grants (Reserve for year)	\$ 15,000
Scholarships (Graduation Bursaries)	
Scholarships (Graduation Bursaries)	\$ 3,500
Pre-Approved:	
NSCC Foundation	\$ 20,000
Cumberland YMCA	\$ 132,264
Development Associations:	
Advocate District Development Association	\$ 2,000
Joggins Improvement Committee	\$ 2,000
*Malagash Area Development Assoc. (waiting on paperwork)	\$ 2,000
River Hebert/Joggins Area Dev. Association	\$ 2,000
Shore Drive Community Development Association	\$ 2,000
Spencer's Island Community Development Association	\$ 2,000
Wallace & Area Development Association	\$ 2,000
Capital:	
Advocate District Development Association	\$ 7,000
Advocate District School	\$ 12,500
Chignecto Glooscap Snowmobile Association	\$ -
Dr. D.M. Cochrane Medical Centre	\$ -
Greville Bay Citizens for Health & Fitness	\$ -
Malagash Mines Community Club	\$ 5,000
Mlnudie Tourist Association	\$ 2,500
Parrsboro Band Association	\$ -
River Hebert/Joggins Area Development Association (Brookside Curling Club)	\$ 10,000
Royal Canadian Legion Branch 14, River Hebert	\$ 4,000
Operations and Maintenance:	
Amherst Little League Baseball Association	\$ -
Autumn House	\$ 5,000
Cliffs of Fundy Geopark Society	\$ 75,000
Cumberland County Genealogical Society (CCGS)	\$ -
Cumberland County Transportation Services Society	\$ 20,000
Cumberland Geological Society (Fundy Geological Museum)	\$ -
Cumberland Museum Society (Cumberland County Museum)	\$ 1,000
Dr. D.M. Cochrane Medical Centre	\$ 3,000
Greville Bay Shipbuilding Museum Society	\$ 3,000
Heritage Models Association	\$ 1,500
Joggins Fossil Institute Association	\$ 25,000



Maggie's Place - a Resource Centre for Families Association (Cumberland)	\$ 8,000
Minudie Heritage Association	\$ 1,400
Minudie Tourist Association	\$ 1,300
North Cumberland Historical Society	\$ 950
Parrsboro & Area Lions Recreation Centre	\$ 23,500
Pugwash Ground Search & Rescue	\$ 2,800
River Phillip Community Hall Association	\$ 750
Ship's Company Theatre	\$ 9,700
*Springhill Ground Search & Rescue (waiting on paperwork)	\$ 2,800
Town of Oxford	\$ 18,500
Wallace and Area Museum Society	\$ 1,500
Wentworth Learning Centre Cooperative Ltd.	\$ 2,000
Programs:	
Anne Murray Centre	\$ 1,000
Cumberland County Minor Hockey Association	\$ -
Fundy Youth Soccer Club	\$ -
Open Hamper Food Bank	\$ 2,385
Oxford Pioneer Heritage Club	\$ 1,500
Parrsboro Creative	\$ 4,446
Parrsborough Shore Historical Society	\$ 5,000
Sexual Health Centre of Cumberland County	\$ 4,677
Sunrise Film Festival Society	\$ -
Events:	
Autism Nova Scotia - Cumberland Chapter	\$ 1,435
Cumberland County Triathlon Club	\$ -
Pugwash Communities in Bloom	\$ -
Pugwash Harbourfest Association	\$ -
Village of Pugwash	\$ -
Trails:	
Cobequid Off Highway Vehicle Club	\$ 14,500
Cumberland Snowmobile Club	\$ 5,000
Cumberland Trails Association	\$ 2,500
Fundy Trails Snowmobile Club	\$ -
Oxford and Area Trails Association	\$ 4,000
Route 6 Snowmobile Club	\$ 2,500
Sutherland Lake Trail Groomers Assoc.	\$ 5,000
Chignecto Glooscap Snowmobile Assoc.	\$ 1,500
Totals	\$ 499,907.00

**No Objections
MOTION CARRIED**

- 6.2 Distinguished Persons Selection Team Grant Request
IT WAS MOVED by Councillor Fletcher seconded by Councillor Jackson to approve a District Grant for the Distinguished Persons Selection Team in the amount of \$140. Funds to come from District 4 Funds.

**No Objections
MOTION CARRIED**

- 6.3 Special Constables
 Justin Waugh-Cress, Director of Engineering and Operations will provide the CJSMA Board members with notice of the Municipality's wish to appoint Brenda Rioux and Michelle Canfield as Special Constables.

IT WAS MOVED by Councillor Jackson seconded by Councillor Williams that Council authorize application by Brenda Rioux and Michelle Canfield to become Special Constables pursuant to Nova Scotia's Police Act, for the purpose of enforcing the Municipality of Cumberland's Solid Waste By-Law.

**No Objections
MOTION CARRIED**

IT WAS MOVED by Councillor Williams seconded by Councillor van Vulpen that Council authorize application by Jaime Spicer, By-Law & Canine Control Officer to become Special Constable pursuant to Nova Scotia's Police Act, for the purpose of enforcing the Municipality of Cumberland's By-Laws.

**No Objections
MOTION CARRIED**

- 6.4 Public Consultation – Fate of Building at 4030 Eastern Ave, Parrsboro
A memo from staff was included in the meeting material regarding a public consultation that they would like to undertake through a mailout to the residents of Parrsboro in regard to gathering community input for proposed uses of the property located at 4030 Eastern Ave., Parrsboro.

IT WAS the consensus of Council that staff carry out the mailout to gather feedback on the property at 4030 Eastern Avenue.

- 6.5 Dangerous and Unsightly Premise Update
A memo was included in the meeting material outlining the activities of the By-Law Enforcement, Canine Control and Solid Waste departments over the last couple of months.
- 6.6 Paving in Springhill and Parrsboro
Councillor Jackson indicated that she is not comfortable with the capital budget that was approved with no paving for Springhill and Parrsboro for this year and she asked Council to reconsider this decision.
Discussion followed with each Councillor stating their position on this subject. 9 Councillors wished to leave the Capital Budget as it was approved while 4 were willing to reconsider the decision. The budget remains as is.

7. INFORMATION ITEMS

- 7.1 Temporary Borrowing Resolutions
Three approved Temporary Borrowing Resolutions were included in the meeting material. They are for the River Hebert Lagoons, Various Capital and the Former CIBC Building.

July meetings will be held July 8 and the July 22, 2020

8. ADJOURNMENT

- 8.1 Adjournment
The meeting was adjourned at 7:27 p.m.

Warden Allison Gillis

Municipal Clerk Brenda Moore