

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 July 8, 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 July 22, 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 Marlon Chase; Councillor Joe Van Vulpen, Warden Al Gillis; Councillor Welton, Councillor Barb Palmer, Deputy Warden Ernie Gilbert, Councillor Don Fletcher, Councillor Doug; Williams, Councillor Maryanne Jackson; and Councillor Norman Rafuse.

Absent with regrets: Councillor Dan Rector, Councillor Mike McLellan

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; Allie McCormick, Organizational Development and Innovation; Eric Levy, Organizational Development; Dannie Sampson, IT; and Brenda Moore, Municipal Clerk who recorded the meeting.

Media representatives present:

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 additions

5.4 MPS/LUB Amendment

6.5 Grant Request- R Bell

6.6 East Cumberland Lodge – Property Acquisition

2.2 (i) Approval of the Minutes of the July 8, 2020 Council Meeting

IT WAS MOVED BY Councillor Fletcher seconded by Councillor Welton to approve the minutes of the July 8, 2020 Council meeting.

**No Objections
MOTION CARRIED**

2.3 Action Lists and on-going Action List from the July 8, 2020 Council Meeting

The Action Lists were reviewed, and Council was brought up to date on the actions and on-going actions.

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

Deborah Cameron, Commodore and Rebecca Purdy, Vice Commodore, of the Pugwash Yacht Club, gave a presentation and funding request to Council on the proposed

harbour dredging and expansion of the Pugwash Yacht Club. Warden Gillis thanked the ladies for the presentation and advised that Council will discuss this at the July 29, 2020 Council meeting.

2.5 Alternative Voting By-Law

Warden Gillis called the Public Hearing to order at 6:38 p.m. The Warden asked if there had been any submissions from the public. It was confirmed by the Clerk that there had not. The Warden asked Council if there were any comments or questions. Deputy Warden Gilbert asked if the Municipality would need 2 by-laws, one for paper ballots and this one for other methods. Shelley Hoeg Assistant Returning Officer for the Municipality explained traditional paper ballot voting was covered by the Municipal Elections Act and a by-law would not be needed for that aspect of voting. Hearing no other questions or comments, the Warden closed the Public Hearing at 6:41.

3. **STRATEGIC PRIORITIES ISSUES**

There are no strategic priorities for this meeting.

4. **MAJOR ORGANIZATIONAL ISSUES**

4.1 Returning Officer Report

This item was deferred until the July 29, 2020 meeting.

4.2 Intellivote Agreements

IT WAS MOVED by Councillor van Vulpen seconded by Councillor Jackson that Council give authority to the CAO to execute an E Vote Service Agreement with Intellevote for the 2020 Municipal Election.

**No Objections
MOTION CARRIED**

IT WAS MOVED by Councillor Welton seconded by Councillor Palmer that Council authorize the CAO to execute an agreement with Intellevote to allow them to use our voters list for information for the 2020 Municipal Election.

**No Objections
MOTION CARRIED**

4.3 Priority Issues

The CAO provide a list of priorities in the meeting material that are items that Council should attempt to finish within the current term of office. There was discussion on the importance of these issues and why this Council should bring them to conclusion if possible. The Shinimicas Fire Department replacement and direction from the Federal Government on their intentions to build up the Advocate seawall were added to the list at the meeting.

4.4 Compensation Plan Review

Staff have invited a Councillor to sit on the compensation Plan Review Committee. Warden Gillis volunteered to be on this committee.

5. ORGANIZATIONAL POLICY/BY-LAW ISSUES

5.1 Dr Carson and Marion Murray Ice Allocation Policy

IT WAS MOVED by Councillor van Vulpen seconded by Councillor Rafuse to adopt the Dr. Carson and Marion Murray Ice Allocation Policy.

**Municipality of Cumberland 20-XX
Ice Allocation Policy – Draft for Council Consideration on July 22, 2020**

1. This Policy is entitled the “Ice Allocation Policy”.
2. The purpose of the Ice Allocation Policy is to provide a set of consistent guidelines for all groups wanting to use the ice surface in the Richard Calder Arena (the “Arena”), which is part of the Dr. Carson and Marion Murray Community Centre (the “Community Centre”). This Policy will be implemented in a manner that ensures the Municipality of the County of Cumberland (the “Municipality”) is providing fair ice times to users while optimizing facility usage.
3. This Policy applies to all ice user groups who use the Arena.

DEFINITIONS:

4. In this Policy, unless the context otherwise requires:
 - 1) “Community groups” means a not-for-profit organization that offers programs and services to meet the needs of the community.
 - 2) “Cumberland Jr. B Blues” means groups affiliated with Cumberland Jr. B Blues.
 - 3) “Figure Skating Club Association” means groups affiliated with a skating club or groups affiliated with Skate Nova Scotia and/or Skate Canada.
 - 4) “Ice user group” means community groups, Cumberland Jr B. Blues, Figure Skating Club Association, Minor Hockey Association, private, recreational, and schools.
 - 5) “Minor Hockey Association” means groups affiliated with Cumberland County Minor Hockey Association, groups affiliated with another minor hockey association, or groups affiliated with Hockey Nova Scotia and/or Hockey Canada.
 - 6) “Private” means a group or individual requesting for a privately run program or service that is for profit.
 - 7) “Recreational” means a group or individual participating for recreational and/or leisure purposes in an unstructured program for personal satisfaction. This includes groups such as Pick Up Hockey, Cross Border Women’s Hockey, and Nova Scotia Community College Hockey.
 - 8) “Schools” means any school within the jurisdiction of Cumberland County.

5. ICE OPERATING SEASON

As a general guideline, the length of the ice season will be from September 1st until April 15th. The length of the season will be determined annually by the Municipality after consultation with local ice user groups. All ice user groups that rent ice on a regular basis will be invited to an annual ice user group meeting.

Generally, the Arena will be closed for regular operations on:

- Labour Day
- Thanksgiving Day
- Remembrance Day
- Christmas Day
- Boxing Day
- New Year's Day
- Heritage Day
- Good Friday
- Easter Sunday

6. TIME DESIGNATION

Fair Time Designation is considered:

- 8:00 am – 5:00 pm (Monday – Friday)

Prime Time Designation is considered:

- 5:15pm- 11:00pm (Monday – Friday)
- 8:00am-11:00pm (Saturday & Sunday)

Statutory Holidays (if applicable)

- 7:00am-12:00am

7. RATES

The chart below identifies the rates that will be in effect upon the adoption of this Policy.

	RATES (See notes and free ice time groups below)							
	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday	Holidays
Fair Time 8:00am-5:00pm	\$99.00	\$99.00	\$99.00	\$99.00	\$99.00	-	-	\$128.00
Prime Time 5:00pm-12:00am	\$128.00	\$128.00	\$128.00	\$128.00	\$128.00	\$128.00	\$128.00	\$128.00

NOTE: The rates above are per hour and include HST.

NOTES AND FREE ICE TIME USER GROUPS

- Cumberland County Minor Hockey Association - 270 hours free; everything above and beyond, \$99.00 (including HST) must be paid.
- Tournaments & Special Events affiliated with Cumberland County Minor Hockey or Skating Clubs - Free
- Skating Clubs- 200 hours free; everything above and beyond, \$99.00 (including HST) must be paid.
- Community groups – Free
- Schools- Free
- Recreational – As set out in the above table.
- Private – As set out in the above table.
- Tournaments – Free

Additional hours may be granted if ice is available

8. ICE ALLOCATION GUIDELINES

The Municipality reserves the right to allocate ice time.

It is recognized that it is advantageous to maintain a reasonable amount of consistency with ice time scheduling from year to year, therefore consideration shall be given to the allocation of ice time based on the previous year, as well as demand.

Ice time is not guaranteed to any ice user group until a final schedule is received and approved by the Municipality.

9. ICE ALLOCATION PROCESS

The table below sets out the process and a tentative timeline for the pre-season allocation of ice time. The Municipality will annually review the timelines for the pre-season allocation of ice time.

Tentative Timeline:	
May 31	Ice rental packages sent to previous ice user groups. Ice rental packages include: <ul style="list-style-type: none"> • Ice request forms • Ice start dates • Upcoming meeting dates
July 1	Ice Requests are due by previous ice user groups. Requests are to include regular ice schedule and special event schedule.
July 10	Draft schedule is sent to previous ice user groups with meeting date reminder.
July 15	User group meeting facilitated by the Municipality to discuss proposed ice schedules and special events.

August 10	Revisions completed and tentative schedules circulated.
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10. ICE RE-ALLOCATION

The Municipality reserves the right to reallocate ice time in the event of cancellations.

11. SPECIAL EVENTS AND TOURNAMENTS

When possible, special event and tournament requests should be submitted at the same time as regular ice requests.

12. GENERAL ICE AND FACILITY MANAGEMENT

Resurfacing/Ice flood schedules

Resurfacing scheduling and timing is at the sole discretion of the Municipality. No persons are allowed on the ice until the ice resurfacing machine and all municipal employees and volunteers have left the ice surface and the ice access doors have been closed.

Resurfacing will normally occur when ice time is complete, and 15 minutes will be scheduled for this work. Ice user groups may request additional resurfacing, which may be provided at the sole discretion of the Municipality.

Dressing Rooms

The Municipality reserves the right to allocate dressing rooms based on the number of participants and/or teams using the ice and other uses occurring in the Arena.

Any damages are to be reported to the Administrative Assistant or the Manager of Recreation Programs and Services at the Community Centre.

Dressing rooms will be available 30 minutes prior to scheduled agreement times and shall be vacated within 30 minutes of the expiration of the agreement time.

Curfew Ice

During special events and seasonal playoffs, all efforts will be made to maintain the scheduled ice times. If a game runs over the scheduled time, subsequent ice user groups will have their times adjusted accordingly. Ice user groups will be charged for extra time at the rates set out in this Policy.

New Organization or Emerging Sport

When reasonable, the Municipality will attempt to allocate ice time to enable establishment of new organizations and emerging ice sports. Ice time allocation will occur once the conditions and criteria outlined in this Policy are met. New organizations and emerging ice sports will be accommodated to provide for and meet community needs and Arena sustainability, while minimizing any adverse effects on existing users.

Operating Arena Outside of Standard Hours

Requests to use the Arena during times when it is normally closed may be submitted. If approved by the Municipality, the ice user group will be required to pay full operational costs. Application does not guarantee approval.

13. GENERAL ADMINISTRATION

Application

All applicants and ice user groups must submit all requests for ice time applications, amendments, and cancellations on forms approved by the Municipality.

The Municipality reserves the right to reject applications and requests from users which are incomplete or contain incorrect information.

Payment for Ice Time

As a general principal payment for ice time shall be made at the time of booking or in advance of usage. User groups making commitments(s) for ice time in advance of the season, in accordance with the ice allocation policy, shall be invoiced monthly provided a signed contract is completed. User groups booking ice on a semi-regular basis throughout the season may be invoiced on a weekly basis at the discretion of the Municipality. The Municipality reserves the right to cancel and reallocate ice time due to delinquent accounts.

The nonpayment of invoices issued, or repetitive late payments, may result in the denial of future ice rentals.

Damages

Each ice user group shall be responsible for any damage incurred to the premises or property of the Municipality as a result of any act or omission of the applicant or the group or their members. Damages which occur to the facility shall be the responsibility of the group and individual who signs the rental agreement.

Cancellation

The Municipality will charge an ice user group for booked ice time unless it has been provided with at least 48 hours written notice of a cancellation. If the Municipality is notified of a cancellation in less than 48 hours, the ice user group will not be charged a cancellation fee if the Municipality is able to rebook that ice time with another ice user group.

Cancellation fees will also be waived if the Municipality decides, in its sole discretion, to waive notice due to inclement weather or other unavoidable and unforeseen circumstances.

The Municipality reserves the right to cancel any rental agreement upon notice to the user should the facility be required for emergency purposes.

The Municipality shall not be held responsible for any failure in supplying ice time due to circumstances beyond its control.

14. SUBLET

The ice user group shall not sublet or render to others the facility without written authorization from the Municipality.

15. INSURANCE REQUIREMENTS FOR ALL ICE USERS

All ice user groups must provide current certificates of insurance evidencing coverage as required by the Municipality.

**No Objections
MOTION CARRIED**

5.2 Development Agreement

IT WAS MOVED by Councillor Rafuse seconded by Councillor Williams to approve first reading and give notice of Council's intent to enter into a Development Agreement for PID 25331653, 44 King St., Parrsboro.

Current Zone: low Density Residential

The subject property is designated as *Residential* on Schedule A of the Municipal Planning Strategy and zoned as *Low Density Residential*.

The current zoning of the property permits commercial, (including a liquor license) by development agreement.

MPS Policy 5-9A: Council shall consider proposals to establish commercial uses in the Lower Density Residential Zone and Multi-unit Residential Zone by development agreement, subject to the

following criteria:

- (a) the proposal shall be located in a conversion of an existing building and/or new construction that meets the scale and character of the surrounding neighbourhood;*
- (b) any potential nuisance on the surrounding neighbourhood shall be limited by the nature of the use and/or restrictions placed on the use, such as screening, building design, and limits on hours of operation; and*
- (c) the proposal shall meet the development agreement policies of Section 6.3.*

**No Objections
MOTION CARRIED**

5.3 Alternative Voting By-Law

IT WAS MOVED by Councillor Jackson seconded by Councillor Williams to adopt the Alternative Voting By-Law.

Municipality of Cumberland

Alternative Voting By-Law 20-xx

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.
- (c) 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**

5.4 MPS LUB Amendments

IT WAS MOVED by Councillor Chase seconded by Deputy Warden Gilbert to approve first reading of the following proposed Municipal Planning Strategy/Land Use By-Law amendments

MPS Amendments to Consider:

3.2 Key Directions.

Add recognizing Geo-Hazards when siting developments.

4.6.3 Floodplains.

Change the name of Environmental Zone to better reflect the floodplain hazard.

4.6.7 Geo-Hazards.

Add policy statement directing development away from and/or protect against geological hazards.

Policy 4-5: Public Streets.

Restrict new Public Streets to contiguous connections with existing Public Streets.

Policy 4-7: Private Roads. Permit Private Roads in other zones where it would be unsustainable to maintain new public streets. Restrict new private roads from wildlife corridors, flood zones and geohazards.

Policy 5-35 Rezoning. Add Geo-Hazards and protecting wildlife corridors to the list of items for consideration by Council when approving a rezoning.

Policy 6-19 Amending the land Use By-law & Adopting Development Agreements. Add Geo-Hazards and protecting wildlife corridors to the list of items for consideration by Council before approving a Development Agreement.

LUB Amendments to Consider:

3.3.4 Location Certificates. Change "dwelling" to "building" (Housekeeping).

4.4.2 Existing Undersized Lots. Add table of minimum lot sizes for undersized lots in other zones.

4.16.2 Watercourse & Shoreline Buffers. Consider a reduced buffer of 15m for RV Parking sites.

4.74 Non-conforming Structures. Make it clear that non-dwellings can't be replaced in different location and still be non-conforming (housekeeping).

5.20 Woods Cabins. Add Wilderness cabin as a use (to align with new Building Regulations)

5.21A Recreational Vehicle Parking Sites.

- Clarify that parking sites are only required for permanent parking (more than 4 months a year).
- Allow on existing undersized lots in the RRec, under 900m²
- Specify that RV Parking Sites are permitted as a main use and permitted on undersized lots.

8.1 Lower Density Residential Zone.

Add grouped dwellings, multi-units and townhouses by site plan agreement.

Allow conversion of large older homes to multi-unit by site plan agreement.

Allow conversion of large older homes for four or fewer housekeeping units by site plan agreement.

Allow conversion of large older homes for more than four housekeeping units by development agreement.

8.1.5 (also 9.1.5, 11.4.5, and 11.6.5) Permit taller accessory buildings by site plan agreement in CMix, RLow RCou RRec zones.

8.1.6 Special Requirements. (also 11.1.6, 11.2.6, 11.5.6, 12.8.7, 12.9.7, 12.10.7 [+typo in numbering] and

12.11.7) Allow one dwelling and one short-term rental per lot instead of one or the other in all zones.

9.1 Mixed-use Zone.

Add commercial uses permitted in the Downtown Commercial Zone and the General Commercial Zone by Site Plan Agreement.

9.3 General Commercial Zone.

Add certain uses allowed in the Highway Commercial Zone by Site Plan Agreement.

11.1.2 Agriculture Zone (Permitted Uses).

Add Farm Stay accommodation (housekeeping).

11.2.2 Rural Resource Zone (Permitted Uses).

Add Farm Stay accommodation (housekeeping).

11.4.4 Country Residential Zone (Uses Permitted by Development Agreement).

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Add following uses: Grouped Dwelling 5 to 16 units, Grouped Dwelling More than 16 dwelling units,

Multi-unit Dwelling 5 to 16 units, and Townhouse dwelling 5 to 16 units.

11.6 Recreational Residential Zone.

Clarify the total number of dwelling units and/or housekeeping units is four or fewer per lot (Housekeeping).

12.1 Highway Commercial Zone.

Add certain uses allowed in the General Commercial Zone by Site Plan Agreement.

12.4 Commercial Recreation Zone.

12.4.2B Require Campgrounds and Recreational Vehicle Parks to obtain approval by Site Plan Agreement.

12.8 Wellfield 2B Zone.

12.8.3 (b) correct reference to Flood Fringe Overlay (housekeeping).

12.11.3 Wellfield Zone WB3. Permit the expansion of a conforming use or Level 2 Home Based Business by site plan agreement.

12.11.4 Consider permitting other uses compatible with a 25-year time-of-travel by Development

Agreement (rezoning is not possible in wellfields).

13 Site Plan Approval Criteria.

Add criteria for additions mentioned above.

14 Definitions.

Agro-Tourism/Agricultural related industries. Clarify differences.

Heavy commercial. Add definition for Heavy Commercial.

Residential Facility. Expand definition to be clear that these include special care facilities such as nursing homes, group homes.

Sports Field. Add definition.

**No Objections
MOTION CARRIED**

6. BUSINESS ISSUES

6.1 Parrsboro Lions Arena

IT WAS MOVED by Councillor Rafuse seconded by Councillor Fletcher to approve a grant in the amount of \$2,500 from Regional Grants for the Parrsboro Lions Arena.

**6 Nay Votes
5 Yaw Votes
MOTION DEFEATED**

6.2 Grant Request – Geological Association

IT WAS MOVED by Councillor Chase seconded by Councillor Welton to approve a grant in the amount of \$2,500 for Cumberland Geological Association. Funds to come from Regional Grant Funds.

**No Objections
MOTION CARRIED**

6.3 Council Meetings

IT WAS THE CONSENSUS of Council that there would be no regularly scheduled Council Meetings in August. If it becomes necessary to hold a Council Meeting the CAO will notify Council well in advance of calling a meeting.

6.4 Mechanic Street Park Naming

IT WAS MOVED by Councillor Chase seconded by Councillor Jackson to direct staff to proceed with the Park naming project.

**No Objections
MOTION CARRIED**

6.5 Distinguished Persons Grant Request

IT WAS MOVED by Councillor Jackson seconded by Councillor Chase to provide an additional grant to the Distinguished Persons Committee in the amount of \$320.

**No Objections
MOTION CARRIED**

6.6 East Cumberland Lodge – Property Acquisition

Staff will research the legal aspects of this proposal and bring information back to Council.

6.7 Mechanic Street Park Update

Council was brought up to date on the vandalism that has happened at the construction site and the measures taken to alleviate the situation; i.e. installation of video cameras.

INFORMATION ITEMS

- 7.1 Provincial Volunteer Recognition
An email from the Department of Communities Culture and Heritage updating Council on plans for holding the Provincial Volunteer Award Celebration as a broadcast style virtual Facebook livestream event on Monday, September 28, 2020.

8. ADJOURNMENT

- 8.1 Adjournment
The meeting was adjourned at 7:38 p.m.

Warden Allison Gillis

Municipal Clerk Brenda Moore

DRAFT