

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 8, 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, Councillor Dan Rector, Deputy Warden Ernie Gilbert, Councillor Mike McLellan, Councillor Don Fletcher, Councillor Doug; Williams, Councillor Maryanne Jackson; and Councillor Norman Rafuse.

Regrets: Councillor Paul Porter

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; and Brenda Moore, Municipal Clerk who recorded the meeting.

Media representatives present:

Bill Martin, Six Rivers News; and Maurice Rees, Shoreline Journal

Moment of Silence

At this time, Warden Gillis called for those present to hold a minute of silence for Mr. Bob Arseneault, a former employee of the Town of Springhill. Bob worked for the Town of Springhill for 23 years and retired in 2012. Bob was recently recognized by the Province of NS for his quick thinking and timely response in evacuating close to 150 people when the roof of the Springhill Arena collapsed on February 1, 2001

2. ADMINISTRATIVE AND PROCEDURAL ISSUES

2.1 Approval of Agenda

The agenda was approved with the following additions

- 3.1 Organizational Review
- 3.2 FOIPOP Applications
- 3.3 Request to the NS UARB
- 4.2 APA Issue
- 6.7 Glooscap Campground

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

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

**No Objections
MOTION CARRIED**

(ii) Approval of the Minutes of the June 17, 2020 Council Meeting

IT WAS MOVED BY Councillor Rafuse seconded by Councillor Jackson to approve the minutes of the June 17, 2020 Council meeting.

**No Objections
MOTION CARRIED**

(iii) Approval of the Minutes of the June 25, 2020 Special Council Meeting

IT WAS MOVED BY Councillor van Vulpen seconded by Councillor Fletcher to approve the minutes of the June 25, 2020 Special Council meeting with the addition of a note that Deputy Warden Gilbert and Councillor Welton were not able to join the meeting in time to vote.

**No Objections
MOTION CARRIED**

2.3 Action Lists and on-going Action List from the April 14, May 6, May 20, June 3, and June 17, 2020 Council Meetings
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)
There are no presentation, delegations, petitions, or Public Hearings for today's meeting.

3. STRATEGIC PRIORITIES ISSUES

3.1 Organizational Review

The CAO brought Council up to date on a plan to conduct an Organizational Review. This review will be completed before the October election. The objective is to determine if we have the right number of staffing resources, the right positions in place for the next 10 -20 years with the proper capacity and the right organizational structure, i.e. the proper departments with the proper reporting relationships and accountability. Part of this review will be consulting with Council, consulting with staff and consulting with other Municipalities with respect to their structure.

3.2 FOIPOP Applications

IT WAS MOVED by Deputy Warden Gilbert seconded by Councillor Fletcher to direct the CAO to submit a FOIPOP application to Department of Municipal Affairs and Housing to request information regarding sewer system funding a second request regarding the Financial Sustainability Grant and a third request regarding the loss of funding for police officers under the Additional Officers Program

**No Objections
MOTION CARRIED**

3.3 Request to the NS UARB

IT WAS MOVED by Councillor Welton seconded by Dep Warden Gilbert to direct the CAO to forward correspondence to the Nova Scotia Utility and Review Board requesting they review the Orders with respect to dissolution of the former Towns of Springhill and Parrsboro and determine if the results were in fact in the best interest of all residents of the restructured municipality.

**No Objections
MOTION CARRIED**

4. MAJOR ORGANIZATIONAL ISSUES

4.1 Update on the Consultation Process-Former Parrsboro Town Hall

The CAO indicated there was confusion in the communication regarding the mailout and it will be done this week. There have been posters put up in the community and postings on the Municipality's web site and Facebook page asking for input from the citizens. The mailout will be done this week and the deadline extended to allow time for receiving input.

4.2 Atlantic Police Association Issue

The CAO, Rennie Bugley brought Council up to date on the Superintendent of Pensions decision that Amendment 11 was not triggered by the dissolution of the former Town of Springhill and the Municipality is not liable for the payment of same. There is a period during which this decision can be appealed.

Councillor Jackson and Councillor Williams were identified as being in conflict and were not permitted to participate in the discussion or to vote on the motion.

IT WAS MOVED by Councillor Rafuse seconded by Councillor van Vulpen to direct staff to:

- **forward correspondence to the Premier copied to Minister of Justice and the Minister of Municipal Affairs requesting the Province consider legislate Amendment 11 out of the contract for municipal police services; and**

- forward correspondence to all Municipalities with municipal police services requesting they provide a letter of support for this request to the Premier and the two Ministers; and
- request support from the NS Federation of Municipalities and the Association of Municipal Administrators; and
- forward correspondence to the Premier copied to Minister of Justice and the Minister of Municipal Affairs requesting the Province reimburse the Municipality of Cumberland for legal fees incurred managing this issue.

**No Objections
MOTION CARRIED**

5. ORGANIZATIONAL POLICY/BY-LAW ISSUES

5.1 First Reading on Amendment to Land Use Bylaw to rezone PID 25176561, 45 North Shore Road, East Wallace

The subject property is designated as Resource on Schedule A of the Municipal Planning Strategy and zoned as Recreational Residential.

The current Recreational Residential zoning of the property does not permit the development of an RV Park or Campground. Rezoning the property to Commercial Recreation would allow the development of an RV Park and Campground, and is consistent with the Resource Designation, and is supported by MPS Policy 4-66A.



IT WAS MOVED by Councillor Chase seconded by Councillor Welton to approve first Reading of the proposed amendment to rezone PID 25176561, 45 North Shore Road, East Wallace to Commercial Recreation.

**No Objections
MOTION CARRIED**

5.2 Dr. Carson and Marion Murray Community Centre Ice Allocation Policy

IT WAS MOVED by Councillor Fletcher seconded by Councillor Rafuse to give notice to all Councillors that a Policy similar to the Ice Allocation Policy included in the pkg will be considered for adoption at the July 22nd Council meeting.

Municipality of Cumberland
Ice Allocation Policy

PURPOSE:

The purpose of the ice allocation policy is to provide a set of consistent guidelines for all ice user groups of the Dr. Carson & Marion Murray Community Centre, Richard Calder Arena. This policy will be implemented in a manner that ensures the Municipality is providing equitable and fair ice times that allows for optimal facility usage.

This policy applies to all ice user groups who utilize the Dr. Carson & Marion Murray Community Centre, Richard Calder Arena.

DEFINITIONS:

In this Policy, ice user groups include but are not limited to:

- 1) Community Groups
 - A not-for-profit organization that offers programs and services to meet the needs of the community.
- 2) Figure Skating Club Association
 - Groups affiliated with a skating club; or
 - Groups affiliated with Skate Nova Scotia and/or Skate Canada.
- 3) Minor Hockey Association
 - Groups affiliated with Cumberland County Minor Hockey Association; or
 - Groups affiliated with another minor hockey association; or
 - Groups affiliated with Hockey Nova Scotia and/or Hockey Canada.
- 4) Cumberland Jr. B Blues
 - Groups affiliated with Cumberland Jr. B Blues
- 5) Private
 - A group or individual requesting for a privately run program or service that is for profit.
- 6) Recreational
 - 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.
- 7) Schools
 - A school within the jurisdiction of Cumberland County.

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 of Cumberland after consultation with local user groups. All user groups that rent ice on a regular basis will be invited to an annual user group meeting. Generally, the Richard Calder Arena will be closed for regular operations on:

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

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

RATES AND FEES

The below chart identifies what the prices were previously and the new proposed prices.

	PREVIOUS PRICES	PROPOSED – NEW PRICING							
		Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday	Holidays
Fair Time 8:00am -5:00pm	\$90.00	\$99.00	\$99.00	\$99.00	\$99.00	\$99.00	-	-	\$128.00
Prime Time 5:00-12:00am	\$130.00	\$128.00	\$128.00	\$128.00	\$128.00	\$128.00	\$128.00	\$128.00	\$128.00

****The rates above are per hour and include HST***

- Cumberland County Minor Hockey Association - 270 hours free; Everything above and beyond, \$99.00 (includes HST) must be paid.
- Tournaments - & Special Events affiliated with Cumberland County Minor Hockey or Skating Clubs- Free
- Skating Clubs- Free
- Not- for -profit 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****

ICE ALLOCATION GUIDELINES

The Municipality of Cumberland reserves the right to allocate ice time to maximize the rental of available ice time to increase the sustainability of the Richard Calder Arena.

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 user until a final schedule is received and approved by the Administrative Assistant.

ICE ALLOCATION PROCESS

Ice allocation timeline (to be used as a guideline; actual date will vary from year to year.)

- Ice Requests are due by previous ice season user groups.
 - Requests are to include regular ice schedule and special event schedule.
- Draft schedule is sent to previous ice user groups with meeting date reminder.
- User group meetings will be facilitated by the Municipality of Cumberland to discuss proposed ice schedules and special events.
- Revisions to drafts completed and tentative schedule released.
- May 31
 - Ice rental packages sent to previous ice season user groups.
 - Ice rental packages include:
 - Ice request forms
 - Ice start dates
 - Upcoming meeting dates
- July 1
 - Ice Requests are due by previous ice season 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 of Cumberland to discuss proposed ice schedules and special events.
- August 10
 - Revisions to drafts completed and tentative.

ICE RE-ALLOCATION

The Municipality of Cumberland reserves the right to re-allocate ice time in the event of cancellations.

SPECIAL EVENTS AND TOURNAMENTS

Special event and tournament requests must be submitted at the same time as regular ice requests.

GENERAL ICE AND FACILITY MANAGEMENT

Ice flood schedules

15 minutes is allocated for normal resurfacing. Resurfacing will occur when ice time is complete unless otherwise requested by the user.

Resurfacing schedule is at the sole discretion of the Municipality of Cumberland and maintenance staff to ensure safe ice conditions. The decision to resurface the ice at any time is the sole discretion of the maintenance staff. No persons are allowed on the ice until ice resurfacing machine and all Arena employees have left the ice surface and the doors have been closed.

Dressing Room

The Municipality of Cumberland and maintenance staff reserve 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 Dr. Carson & Marion Murray 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 Arena regular ice schedule. However, should a game run over its scheduled time, the subsequent users will have their time adjusted accordingly. Users will be charged for extra time at the policy rate in effect at the time.

New Organization or Emerging Sport

When reasonable, the Municipality of Cumberland will recognize a new organization or emerging ice sport and will make reasonable effort to allocate ice time to enable establishment of its programs and services. Recognition and ice allocation will occur once the conditions and criteria outlined in the policy are met and existing users are not adversely impacted. New organizations/programs will be accommodated only to provide for and meet community needs and Arena sustainability.

Operating Stadium Outside of Standard Hours

The opening of the Arena during times when it is closed, or beyond established operating hours may be considered if the applicant agrees to pay full operational costs for opening and pending staff availability. Application does not guarantee approval.

GENERAL ADMINISTRATION**Application**

All applicants and users must submit all requests for ice time applications, amendments, and cancellations on Municipality of Cumberland approved forms.

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

Payment of Ice

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 maybe invoiced on a weekly basis at the discretion of the Municipality of Cumberland. The Municipality of Cumberland 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 rental.

The user shall be responsible for any damage incurred to the premises or property of the Municipality of Cumberland as a result of any act or omission of the applicant or the group

named or their members. Damages which occur to the facility shall be the responsibility of the group or individual who signs the rental agreement.

Cancellation

The Municipality of Cumberland will implement the following:

- Requires two days' (48 hours) notice via email for all cancellations, addressed to the Municipality of Cumberland, Administrative Assistant or designate.
- The Municipality of Cumberland may accept cancellations of ice time that do not meet a 2-day (48 hour) minimum in the event the vacant time slot can be filled. Should ice time not be filled, the user shall be held responsible for the payment of the rental.
- In the case of inclement weather, the Municipality of Cumberland reserves the right to wave the cancellation requirements at its discretion.
- The Municipality of Cumberland reserves the right to cancel any rental agreement upon notice to the user should the facility be required for emergency purposes.
- The Municipality of Cumberland shall not be held responsible for any failure in supplying ice time due to circumstances beyond its control.

SUBLET

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

INSURANCE REQUIREMENTS FOR ALL ICE USERS

The organization shall provide certificates of insurance evidencing the coverage as required to the Municipality of Cumberland. Upon expiry, documents of renewed coverage are again to be provided and the organization will make policies available to the Municipality for review and in the event of claim.

**No Objections
MOTION CARRIED**

6. BUSINESS ISSUES

6.1 Remittal Request for AAN 02849577

IT WAS MOVED by Deputy Warden Gilbert seconded by Councillor Palmer to approve a remittal in the amount of \$244.64 to adjust the 2019 commercial tax levy portion on AAN 02849577.

**No Objections
MOTION CARRIED**

6.2 Grant Request – Cumberland County Exhibition

IT WAS MOVED by Councillor Rector seconded by Councillor Jackson to approve a grant in the amount of \$2,500 for Cumberland County Exhibition. Funds to come from Regional Grant Funds.

**No Objections
MOTION CARRIED**

Grant Request-Harbour Fest Pugwash

IT WAS MOVED by Councillor Welton seconded by Councillor Palmer to approve a grant in the amount of \$3,000 to repair and reinstall the docks at Dingy Beach. Funds to come from Regional Funds.

**No Objections
MOTION CARRIED**

6.3 Grant Request – Amherst Little League

IT WAS MOVED by Councillor Chase seconded by Councillor Welton to approve a grant in the amount of \$2,500 to Amherst Little League, conditional on the Amherst Little League Program going forward this year. Funds to come from Regional Grant Funds.

No Objections

MOTION CARRIED

- 6.4 Town of Oxford Arena Grant Funds Reallocation to Regional Funds
IT WAS MOVED by Councillor Fletcher seconded by Councillor van Vulpen to approve reallocation of Town of Oxford Arena grant fund of \$18,500 to Regional Grant Funds.
- No Objections
MOTION CARRIED**
- 6.5 Cumberland YMCA 2nd Quarter Installment
IT WAS MOVED by Councillor Rector seconded by Deputy Warden Gilbert to approve payment of the 2nd quarterly installment to the Cumberland YMCA in the amount of \$33,066.
- No Objections
MOTION CARRIED**
- 6.6 Permanent Memorial for the Victims of the April 18 and 19, 2020 Tragedy
IT WAS MOVED by Councillor Palmer seconded by Councillor Welton to approve the Warden and CAO to represent the Municipality on a joint committee to discuss a permanent memorial for the victims of the April 18 and 19 tragedy.
- No Objections
MOTION CARRIED**
- 6.7 Glooscap Campground
IT WAS MOVED by Councillor Rafuse seconded by Councillor van Vulpen to open the Glooscap Campground to transient campers. Number of transient campers allowed in the campground dependent on labour availability.
- No Objections
MOTION CARRIED**
- IT WAS MOVED by Councillor Rafuse seconded by Councillor Fletcher that Council waive the hiring provisions of the Personnel Policy for hiring additional staff for the 2020 camping season for the Glooscap Campground.**
- No Objections
MOTION CARRIED**
- 6.8 Whitehall Road Culvert Replacement Tender
IT WAS MOVED BY Councillor Rafuse seconded by Councillor Fletcher to increase the budget for the Parrsboro Whitehall Road Culverts Replacement Project to \$150,00 with the additional funds to come from Gas Tax Reserve Funds; and to award the contract for Tender T-MCC-2006, Parrsboro Whitehall Road Culverts Replacement to Cumberland Paving in the amount of \$108,352.50 plus HST; and that the paving be packaged with other work and tendered separately.
- No Objections
MOTION CARRIED**

7. INFORMATION ITEMS

- 7.1 Election Information
Warden Gillis announced he would not be reoffering as a Councillor nor would he run for Mayor in the upcoming Municipal Election. The Warden thanked staff for their support for the last 12 years and reminded Council that he feels they made the right decision in reducing the size of Council.

8. ADJOURNMENT

- 8.1 Adjournment
The meeting was adjourned at 7:18 p.m.

Warden Allison Gillis

Municipal Clerk Brenda Moore

DRAFT