

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 Council video meetings via Zoom. This meeting was also streamed live on Facebook.

1. CALL TO ORDER

1.1 Roll Call

Mayor Scott called the February 3, 2021 Council session of the Municipality of the County of Cumberland to Order at 6:00 p.m.

Brenda Moore, Municipal Clerk called the roll with the following members of Council present: Mayor Murray Scott, Councillor Fred Goud; Councillor Rod Gilroy, Councillor Jennifer Houghtaling, Deputy Mayor Kathy Redmond, Councillor Angela McCormick, Councillor Mark Joseph, Councillor Dale Porter, Councillor Carrie Goodwin.

Staff present Allie McCormick, Acting CAO; Steve Ferguson, Director of Community Development; Andrew MacDonald, Director of Finance; Justin Waugh-Cress, Director of Operations and Public Works; Kellie Seaman, Recruitment and Procurement Officer; Amanda MacLeod, Sustainable Communities Marketing Officer; Shelley Hoeg, Communications/Executive Assistant to the CAO, Nelson Bezanson, Planner; Will Balsler, Junior Planner; and Brenda Moore, Municipal Clerk who recorded the meeting.

Media present in the meeting:

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 and deletions

Additions: 6.10 Municipal Innovation Program

6.11 Cumberland North Memorial Hospital

Deletions: 6.6 St Andrews Wesley United Church Parking Lot

2.2 Approval of the Minutes

IT WAS MOVED by Councillor Gould seconded by councillor Houghtaling to approve the minutes of the January 13, 2021 Council meeting.

**No Objections
MOTION CARRIED**

IT WAS MOVED by Councillor Gilroy seconded by Councillor Porter to approve the minutes of the January 27, 2021 Council meeting.

**No Objections
MOTION CARRIED**

2.3 Business Arising

Council was brought up to date on the actions on the business arising from the January 13, 2021 meeting.

IT WAS MOVED by Councillor Gilroy seconded by Councillor Houghtaling to re-appoint Deputy Mayor Redmond to the Board of East Cumberland Lodge

**No Objections
MOTION CARRIED**

2.4 Delegations/ Presentations/ Petitions

i) Cumberland County Trails Committee – Greg Nix

Mr. Nix will provide information to Council regarding major upgrades to the trail system in Cumberland County. The Mayor thanked Mr. Nix for his presentation and Deputy Mayor Redmond thanked Mr. Nix for his hard work on the trails. The Mayor ensured Mr. Nix Council will consider the grant application through the Budget process.

ii) N. S. Department of Transportation and Public Works – Adam Cameron

Mr. Cameron the Dept. of Transportation and Infrastructure Area Manager for Cumberland County. Mr. Cameron was provided with a list of concerns

brought up by residents when the Councillors’ were campaigning during the last Municipal election Mr. Cameron reviewed this list and explained some of the procedural issues encountered by the DOTIR. The Mayor thanked MR. Cameron for his presentation

2.5 Public Hearings

There are no Public Hearings for this meeting.

3. STRATEGIC PRIORITIES ISSUES

There are no Strategic Priority Issues for this meeting,

4. MAJOR ORGANIZATIONAL ISSUES

4.1 Proposed Gym Enhancement – New Springhill Elementary School

IT WAS MOVED by Councillor McCormick seconded by Councillor Joseph that Council approve a proposed gym enhancement for the New Springhill Elementary School from the standard size to the Junior High sized gym at an estimated cost of \$550,000 to the Municipality and that this be funded by a transfer from the Capital Campaign Reserve Fund in the amount of \$463,000 and \$87,000 from the proceeds of the sale of the property on which the school will be built.

**No Objections
MOTION CARRIED**

4.2 Revenue and Expenditure Report November 30, 2020 General Operating Fund

Director of Finance, Andrew MacDonald reviewed and explained the reports for Council.

5. ORGANIZATIONAL POLICY/BY-LAW ISSUES

5.1 Reimbursement Policy for Members of Council and Chief Administrative Officer

IT WAS MOVED by Councillor Gilroy seconded by Councillor Porter to approve adoption of the Reimbursement Policy for Members of Council and Chief Administrative Officer.

Municipality of Cumberland Policy 20-01

Reimbursement Policy for Members of Council and Chief Administrative Officer

Title

1. This Policy is entitled the “Reimbursement Policy for Members of Council and Chief Administrative Officer”.

Policy Statement

2. This Policy ensures the appropriate use of municipal funds through the establishment of uniform standards and procedures respecting reimbursement of expenses incurred by Council members and the CAO in relation to business of the Municipality.

Definitions

3. In this Policy, unless the context otherwise requires:
 - 1) “CAO” means the Chief Administrative Officer;
 - 2) “CAO designate” means an employee of the Municipality delegated any of the responsibilities or powers of the CAO pursuant to subsection 29(b) of the *Municipal Government Act*; and
 - 3) “Municipality” means the Municipality of the County of Cumberland.

Signing Authority

4. The following are the Signing Authorities for the positions referred to, and shall be responsible for administering the policy with respect to the individuals in those positions:

Position	Signing Authority
Council Members and Mayor	CAO or designate AND Audit Committee Chair or Vice-Chair
CAO	Warden Mayor or designate AND Audit Committee Chair or Vice-Chair

5. A Signing Authority may designate a second signing authority. The designation of a secondary signing authority shall be in writing and shall state the name and position of the designate.
6. A Signing Authority is prohibited from authorizing expenses incurred on their own behalf.

Individual Responsibilities

7. Everyone who incurs an expense in relation to municipal business is responsible for:
 - 1) Familiarizing themselves and complying with the provisions of this Policy;
 - 2) By April 1 each year signing an acknowledgement document certifying that they have reviewed this policy and sought all clarifications necessary for a complete understanding of its provisions and their responsibilities pursuant to it. Failure to sign this acknowledgement document annually will disqualify the individual from claiming expenses for reimbursement under this policy until the document has been signed for that year;
 - 3) Completing and submitting expense claims with necessary supporting documentation;
 - 4) Exercising reasonable diligence and care in incurring expenses prudently and responsibly; and
 - 5) With respect to travel, cancelling reservations as required, safeguarding travel advances and funds provided, and considering alternatives to travel such as teleconferencing and video conferencing.

Permitted Expenses

8. Subject to and in accordance with this Policy, the following expenses incurred by a member of Council or the CAO are eligible for reimbursement:
 - 1) Authorized travel within Nova Scotia, including transportation, accommodation, and meal costs;
 - 2) Pre-approved out-of-province travel, including transportation, accommodation, and meal costs; and
 - 3) Pre-approved training or continuing education costs.

Authorized Travel

9. Council members shall be reimbursed for the reasonable expenses incurred for attending:
 - 1) Meetings, conferences, or workshops at which the Council member's attendance is authorized or requested by Council;
 - 2) Any Council or Committee of Council meeting;
 - 3) A meeting of any Board, Commission or other organization to which the Council member has been appointed by Council, except that no reimbursement shall be provided by the Municipality if the Council member is entitled to reimbursement of expenses directly from the applicable organization;
 - 4) If the ~~Warden~~ Mayor or Deputy ~~Warden~~ Mayor are invited to attend a function, meeting or conference on behalf of the Municipality, and if reimbursable expenses are less than \$500, pre-approval by Council will not be required.
 - 5) If a Council member attends a function, meeting or conference on behalf of the Municipality, and if reimbursable expenses are less than \$500, pre-approval by Council will not be required if:
 - a) At the request of the ~~Warden~~ Mayor or Deputy ~~Warden~~ Mayor to attend on their behalf;
 - b) At the request of the ~~Warden~~ Mayor or Deputy ~~Warden~~ Mayor to attend as a Council member who has a special interest in, or connection with the subject of the meeting or conference or because of special knowledge and experience of the Council member relative to the subject of the meeting or conference; and
 - 6) At a training or continuing education event in accordance with the provisions of this Policy concerning Council member training and education.
10. The CAO shall be reimbursed for the reasonable expenses pursuant to the CAO's employment agreement.

Out-of-Province Travel Authorization

11. All requests for out-of-province travel shall be made in writing and shall contain the following information:
 - 1) The purpose and duration of the trip;
 - 2) The location(s) to be visited;
 - 3) The dates and times of arrival and departure;

- 4) Any pre-paid transportation, meals, and accommodation; and
 - 5) Any other anticipated expenses.
12. All requests for out-of-province travel by Council members shall be reviewed by the CAO and ~~Warden~~ Mayor, who shall consider the necessity for travel based on information provided.
 13. When two or more out-of-province travel requests are made by Council members for the same purpose, Council shall determine the appropriate number of persons necessary to represent the Municipality.
 14. All requests for out-of-province travel by the CAO shall be reviewed by the ~~Warden~~ Mayor, who shall follow the same guidelines established for Council members.
 15. If a request for out-of-province travel is approved, and the Claimant pays all or some of the expenses for travel, the Claimant will be eligible for reimbursement of those expenses after submitting an expense claim in accordance with this Policy.

Training and Professional Development

16. If the Municipality has established a training and education budget expense item, a member of Council or the CAO may apply to the applicable Signing Authority in advance for approval to incur expenses out of this budget for training or professional development, provided that:
 - 1) The request is made in writing, and includes an estimate of all costs that will be incurred, including the course or enrolment fee and all required transportation, accommodation, and meals;
 - 2) The training or education course, meeting or conference, is related to municipal government;
 - 3) The course, meeting or conference is completed prior to the next municipal election date;
 - 4) the budget for Council member and CAO training and education for the year has not been exhausted and would not be exceeded by authorizing the request;
 - 5) the Council member and CAO shall reimburse the Municipality for the cost of all or, alternatively the pro-rated cost of a portion, of any enrollment fees in the event of failure to attend all, or alternatively some, of the event without reasonable justification; and
 - 6) A brief written summary is provided by the Claimant describing the nature and benefits of the training and education at the time of submitting an expense claim for reimbursement. If both applicable Signing Authorities approve an application to incur expenses in relation to training or education, and the Claimant (not the Municipality) pays all or some of the pre-approved expenses, the Claimant will be eligible for reimbursement of those expenses after submitting an expense claim in accordance with this Policy.

Per Diem Meal Allowances

17. For each day or part day that a Council member is travelling outside the Municipality for an authorized purpose, a Council member may claim a meal allowance for each meal for which a cost was incurred. Meals provided free of charge or included in registration fees paid directly by the Municipality are ineligible. The per diem meal allowance for Council members shall be the same as that for staff: \$20 for breakfast, \$20 for lunch, and \$35 for supper. This allowance includes gratuities and taxes. For purposes of this section, the Municipality will not pay breakfast allowance to Council members leaving home after 6:00 am or supper allowance to a Council member arriving home before 6:00 pm. Receipts are required for all meal expenses. Amounts reimbursed will be the lesser of the applicable meal allowance or cost shown on receipt.
18. If on any given day the Council member is attending more than one meeting within the Municipality, and the cost of paying kilometrage for the Council member to go home for a meal and return for a meeting being held later that same day is greater than the meal allowance, a Council member may claim a \$20.00 meal allowance. Receipts are required for all meal expenses.
19. Claimants whose religious beliefs or medical requirements prohibit them from consuming certain foods should be aware that appropriate meals can normally be obtained from caterers, provided that adequate notice of special requirement is given. Should these special dietary requirements negate the ability to participate in a meal that is provided free of cost, and as a result the Claimant must pay for a meal, the Claimant shall be paid a meal allowance for that meal.

Kilometrage

20. The kilometrage allowance reimbursed for Council members using personal vehicles for travel shall be at the rate stipulated from time to time by the Province of Nova

Scotia as the maximum.

Where several Council members or the CAO attend the same meeting, conference or function, each shall make reasonable efforts to share a vehicle.

Vehicle Rentals

21. The cost of rental of a vehicle shall be a reimbursable expense in instances where:
 - 1) Reasonable ground transportation services such as public transit, taxis, or hotel shuttles are unavailable; or
 - 2) Two or more Council members or the CAO are travelling together, and it is more economical than the combined costs of other reasonable ground transportation.
23. Compact, economical vehicles must be used unless three or more persons are travelling together, the bulk or weight of goods being transported necessitates a larger vehicle, or a compact, economical vehicle is unavailable.

Limits on Reimbursable Expenses

Notwithstanding any other provision of this Policy, the following limits shall apply to reimbursement of expenses:

- 1) A Claimant shall only be reimbursed for the costs that they have incurred;
- 2) The expenses of a Council member for political activity associated with election or re-election is not reimbursable by the Municipality.
- 3) Airplane travel shall be booked by municipal staff or shall only be reimbursed at the lowest rate which would have been available if municipal staff had booked the airfare;
- 4) Hotel accommodations shall not exceed the cost of a standard room, double occupancy, except when hotel accommodation has been booked by municipal staff for out-of-province hotels. Hotel upgrades shall be at the personal expense of the Claimant unless there are ergonomic necessities attributable to physical requirements including, but not limited to, wheelchair accessibility;
- 5) If a Council member chooses to take their personal vehicle in lieu of airplane travel, reimbursement will be based on the lesser of the lowest airfare rate which would have been available had the flight been booked by municipal staff or the kilometrage reimbursement pursuant to section 20;
- 6) Reimbursement for meals shall not exceed the per diem meal amounts set out in this Policy, except in the case of out-of-province travel, in which event Council may authorize reimbursement of meal expenses to a comparable standard;
- 7) Fees, deposits, interest, and surcharges incurred on a personal credit card shall not be reimbursed;
- 8) When personal and municipal travel is combined, only documented expenses directly related to the Municipality's portion are reimbursable. Extended travel time and related expenses are the traveler's own expense;
- 9) Reimbursement shall not be provided for loss of personal effects; for medical and hospital treatment; for purchase of luggage, clothing, and other personal equipment; or for personal services such as shoeshines, valet services, dry-cleaning, laundry, haircuts, and other personal services.
- 10) Hotel accommodations shall be booked by municipal staff;
- 11) Hotel services including room service and video rentals shall not be charged to the room;
- 12) Reimbursement of one personal long-distance phone call, to a maximum of \$15 shall be permitted for each night of overnight travel;
- 13) The cost of any alcoholic beverages shall not be reimbursed;
- 14) A Council member shall not be reimbursed to travel to meetings within the Municipality with constituents, individual electors, and complainants. The expenses incurred in the discharge of these duties are deemed to be included in the Council member's remuneration.

Expense Claims

24. Authorized expense claims must be submitted on the form provided by the Municipality and shall be signed by the Claimant.
25. Receipts or other satisfactory documentary proof must be submitted with the reimbursement claim for all expenses except:
 - 1) bridge and highway tolls; and
 - 2) claims for personal vehicle kilometrage.
26. Expenses incurred by a Council member or the CAO on behalf of another individual are not eligible for reimbursement.

27. No expense claim shall be paid unless the claim is first approved for payment by the Signing Authorities who have authority to approve the claim. Before approving an expense claim, a Signing Authority must ensure that:
 - 1) The claim is consistent with this Policy;
 - 2) The expenses claimed were necessarily incurred in the performance of municipal business;
 - 3) Appropriate receipts are provided to support the claim, and the claim documentation is appropriately filed;
 - 4) All calculations are correct; and
28. In considering an expense claim for payment, a Signing Authority may request additional explanations, documentations, or justification from the Claimant, and may refuse to approve any claim or expense that the Signing Authority decides is unreasonable or not in compliance with this Policy.
29. The use of petty cash to pay an expense claim is prohibited.
30. If a form requires adjustments, the form will be returned to the Claimant and must be re-authorized prior to reimbursement.

Timeframe

31. Expense claims shall be submitted at a minimum on monthly basis.
32. Expenses must be submitted and charged to the year in which they occurred. Expenses cannot be carried forward to future years.
33. Claimants who charge for goods and services in a fiscal year must have received the goods or services from the vendor in that fiscal year.

Fraud, Misuse, or Misappropriation of Municipal Funds

34. Fraudulent irregularly, misuse, or misappropriation of municipal funds may result in disciplinary action up to and including termination of employment.
35. Suspicious activity and potential misuse of funds must be reported as per this Policy.

Municipal Reporting Requirements

36. Pursuant to section 65A of the *Municipal Government Act*, the CAO shall ensure that the Municipality does the following:
 - 1) Within 90 days of the end of each fiscal quarter, prepares and posts an expense report on the Municipality's website for the ~~Warden~~ Mayor, CAO (including an employee of the Municipality delegated any of the responsibilities or powers of the CAO pursuant to subsection 29(b) of the *Municipal Government Act*) and each member of Council on their expenses regarding the following:
 - a) Travel and travel related expenses, including transportation, accommodation, and incidentals;
 - b) Meals; and
 - c) Training and professional development.
 - 2) By September 30th of each year, prepares and files with the Minister of Municipal Affairs an annual summary report that summarizes the expense reports for the preceding fiscal year, that is compliant with the requirements of the Department of Municipal Affairs and the requirements set out in the province's Financial Reporting and Accounting Manual.

Review Requirements

37. The Audit Committee shall review the expense annual summary report by October 31st of each year.
38. By the January 31st immediately following a regular election held under the *Municipal Elections Act*, Council shall review this Policy and, following a motion by Council, either re-adopt the Policy or amend the Policy and adopt the Policy as amended.
39. This Policy is effective upon adoption and replaces any previous Reimbursement for Members of Council Policies.

**No Objections
MOTION CARRIED**

5.2 Local Improvement Bylaw

IT WAS MOVED by Councillor Goodwin seconded by Councillor Gould to approve second reading and adoption of the Local Improvement By-Law.

Municipality of Cumberland By-Law 21-XX
Local Improvement By-Law

WHEREAS section 81(1) of the Municipal Government Act provides that a municipality may make by-laws imposing, fixing, and providing methods of enforcing payment for charge for local improvements, and

WHEREAS it is deemed expedient that such a by-law now be enacted:

TITLE AND APPLICATION

1. The By-Law is entitled the "Local Improvement By-Law" and shall apply to the local improvements identified in Schedule "A" of this By-Law, notwithstanding any other by-law of the Municipality that relates to local improvements.

PURPOSE

2. The Purpose of this By-Law is to establish the manner in which the Municipality shall impose, fix, and enforce payment of charges for local improvements. The local portion of capital costs associated with improvements will be funded through area rates or charges to be applied to defined properties that benefit from those improvements. The properties to be rated or charged shall be determined on a project by project basis and be included in, or added to, Schedule "A" of this By-law. The determination of the amount of the local portion of the capital costs, and the method of apportioning those costs between the properties affected, shall remain flexible to reflect the broader community interest in the projects.

DEFINITIONS

3. In this By-Law:
 - (a) "Council" means the Council of the Municipality;
 - (b) "Engineer" means the Municipal employee designated as Municipal Engineer pursuant to the Municipal Government Act;
 - (c) "Local Improvement" means and includes wastewater collection and treatment facilities, water systems, and roads and sidewalks and associated infrastructure installed, improved, constructed, or extended by, or on behalf of, the Municipality;
 - (d) "Municipality" means the Municipality of the County of Cumberland
"Owner" has the same meaning as in the Municipal Government Act, except where the context requires otherwise;
 - (e) "Property" means a parcel or lot of property or land;

CHARGE IMPOSED

4. Where a local improvement has been carried out by or on behalf of the Municipality in an area identified in Schedule "A" as amended from time to time, a tax is hereby levied upon every owner of real property situated in whole or in part within the identified area, except to the extent that any lot or the owner thereof is totally or partially exempt from tax by the provisions in this By-Law, or the provisions of Schedule "A" of this By-Law.

AMOUNT OF CHARGE

5. The amount of tax levied pursuant to section 4 shall be determined in accordance with the provisions of this By-Law and of Schedule "A" of this By-Law and may be calculated based on:
 - (a) a uniform amount for each lot or parcel of land in existence or subsequently created by subdivision;
 - (b) the frontage of the lot on any street;
 - (c) the use of the lot;
 - (d) the area of the lot;
 - (e) the assessed value of property;
 - (f) any combination of two or more such methods outlined above or
 - (g) such other method as Council deems fit.

VARIATIONS IN CHARGES

6. The tax levied pursuant to this By-Law may be fixed at different rates for different classes or uses of properties and may be fixed at different rates for different areas or zones.

EXEMPTIONS FROM CHARGES

7. An owner of a property subject to a charge pursuant to Schedule "A" of this By-Law may request that Council grant an exemption from the charge on the grounds the property will not benefit from the Improvement. The only factor that Council may consider with regard to such a request is whether there are physical or legal impediments that will, now and in the future, prevent the improvement from benefitting the property in question. Even if the current owner does not intend to use the Improvement, if it can be used by a future owner, it shall be deemed to benefit the property. A request for an exemption shall be made by filing a written request with the Clerk of the Municipality. The request must include the reasons why the Improvement will not benefit the property. The Clerk shall inform the property owner of the date and approximate time Council will consider the request. The owner or their representative shall be given an opportunity to speak before Council decides whether to grant an exemption. The decision of Council shall be final.

APPROVAL OF PROJECTS

8. Council may proceed with a Local Improvement at its own discretion or in response to a petition that receives majority approval. Unless Council provides otherwise in Schedule "A" to this By-Law, majority approval means a positive response from the owners of more than 50% of the lots that would be subject to a charge pursuant to this By-Law, as identified by Municipal staff at the time the petition is being prepared.
9. Council may direct Municipal staff to initiate the petition process with or without a request from property owners that would be affected by a proposed local improvement. Municipal staff are responsible for preparing petition documents which will include a description of the Local Improvement, map of the proposed charge area, the estimated cost assigned to each property, and financing options, if any. The actual petition will be conducted by Municipal Staff who will send this information to owners representing each property by mail. The documents will include a letter explaining the process and will give owners an opportunity to vote YES or NO for the Local Improvement. The package will warn property owners that the figures provided are estimates only, and that the actual amount of the charge may vary from the figures provided. The package will also include a stamped return envelope and shall give owners at least 30 days to respond. In the event information relied upon by Council or staff when preparing or assessing a petition later proves to be wrong, the decision based on such information shall be as valid as if the information were correct.

LIEN and COLLECTION OF CHARGES

10.
 - (a) A charge imposed pursuant to this By-Law constitutes a first lien on the subject real property in the same manner and with the same effect as rates and taxes under the Assessment Act.
 - (b) A charge imposed pursuant to this By-Law is collectable in the same manner as rates and taxes and, at the option of the Treasurer, collectable at the same time and by the same proceedings, as rates and taxes.
 - (c) The liens against the real property become effective on the earliest of the date on which the interim charges are imposed or the Engineer files with the Treasurer a certificate that the cost of the improvement has been paid in full.
 - (d) Where a property subject to a lien is subdivided, the amount of the charge plus interest then unpaid shall be apportioned among the new lots according to the method set out for the relevant project in Schedule "A" to this By-Law.

INTEREST

11. Interest shall accrue on charges outstanding from the due date forward, at the same rate as for outstanding taxes.

INSTALLMENTS

12. If so provided in the relevant portion of Schedule "A" to this By-Law, the amount owing may be paid in equal annual installments, including interest, and the whole balance becomes due and payable without notice or demand in the event of default of payment of an installment.
13. The property owner shall have 30 days from the date their initial notice of amounts owing was mailed, to notify the Treasurer, in writing, whether or not an option to pay by installments has been selected. If the Treasurer does not receive written

notification within the time allocated, the owner shall be deemed to have selected the annual installment payment option.

REPEAL OF PREVIOUS BY-LAWS

14. The “Local Improvement By-Law” adopted by Council on June 19, 2013 (By-Law 13-01), the “By-Law to amend schedule A of the Local Improvement By-law adopted by Council on September 3, 2014 (By-law 14.01), and the “Local Improvement By-Law” adopted by Council on January 24, 2018 (By-Law 18-01) are hereby repealed.
15. This Local Improvement By-Law replaces all previous Local Improvement By-Laws of the Municipality of the County of Cumberland.
16. All former Local Improvement By-laws of the Municipality are hereby repealed.

EFFECTIVE DATE

17. All former Local Improvement By-laws of the former Town of Springhill, former Town of Parrsboro and the Municipality of the County of Cumberland are repealed upon this By-Law coming into effect on the day of publication.

Schedule “A”

1. MACCAN WATER MAIN EXTENSION

- (a) The project will involve the design and construction of a watermain from the current terminus of the Amherst Water Utility Watermain in Nappan to, and including, the community of Maccan. The project will include portions of Highway 302, the Trider Road and the Mines Road, as well as Riverside Drive, Station Street, Hillside Drive and Rink Street. The “identified area”, for the purposes of section 4 of this By-law is comprised of the properties identified by the PIDs listed in subsection (j) below.
- (b) For the purpose of this project and the relevant charges created by this By-Law, “developed property” and “developed properties” mean those properties identified by Council in this Schedule, as properties which are residential, whether currently occupied or not, or which have been developed for any other purpose which does or would normally have a potable water supply, and which can reasonably be served by this project.
- (c) Upon completion of the project an equal charge per developed property shall be calculated based on the net cost of the local improvement and the number of developed properties identified in this Schedule at that time. Based on pre-design estimates and currently identified developed properties, the total charge is estimated to be \$2,332.40 per property, but the actual amount of the charge will depend upon a confirmed calculation based on the actual cost of the project and the number of developed properties at the time of completion.
- (d) Property owners shall be given the option of paying the charge, plus interest at 5%, in equal annual payments amortized over 10 years. Each annual payment shall constitute a charge and shall be collectable as provided in this By-Law. Based on pre-design estimates and currently identified developed properties, the annual charge is estimated to be \$302.06 per property for the 10 years, for a total cost of \$3,020.56, but the actual amount of the annual charge will depend upon a confirmed calculation based on the actual cost of the project and the number of developed lots at the time of completion.
- (e) Council shall, from time to time, add properties to this Schedule as developed properties to be charged, if Council determines they have become developed properties which can reasonably be served by this project. Properties added to this Schedule shall be subject to an annual charge in the same amount and on the same terms as the other properties identified in this Schedule would have been subject to if the annual payment option had been selected. This charge shall commence the taxation year following the property’s addition to this Schedule and shall continue for the balance of the 10-year period applied to the initial properties identified in this Schedule. For example, if a property is added during the year the fourth annual payment is due, the owner must begin paying the charge the next taxation year and continue for the following four years, paying five charges in total.
- (f) If Council is satisfied a development has been destroyed or removed, and that the property cannot be redeveloped due to reasons beyond the control of the owner (such as the Land Use By-Law or Provincial regulation), the property may be removed from this Schedule. The change shall become effective for the taxation year following Council’s decision.

- (g) If a property identified in this Schedule as a developed property is subdivided, Council shall determine which of the new lots shall be identified as developed lots.
- (h) All charges assessed are liens against the property regardless of whether the property is serviced by the local improvement or not.
- (i) Any costs associated with servicing properties beyond the end of the service laterals (generally considered to be where the road right of way ends) are the responsibility of the property owner, and that work must be carried out by the property owner in compliance with Amherst Water Utility Standards.
- (j) The following properties are hereby identified as developed properties for the purpose of this By-Law and Schedule and are subject to the charge created herein:

PID	Civic # and Road- for reference only
25068073	3005 Highway 302
25348202	3009 Highway 302
25348194	3011 Highway 302
25383076	3027 Highway 302
25067976	3031 Highway 302
25067968	3033 Highway 302
25067885	3069 Highway 302
25067950	3070 Highway 302
25067877	3074 Highway 302
25067844	3080 Highway 302
25067869	3083 Highway 302
25067836	3085 Highway 302
25067851	3086 Highway 302
25067828	3088 Highway 302
25067802	3095 & 3097 Highway 302
25067810	3099 Highway 302
25067794	3100 Highway 302
25064247	3106 Highway 302
25064254	3109 Highway 302
25064270	3114 Highway 302
25064288	3119 Highway 302
25064304	3120 Highway 302
25064312	3126 Highway 302
25064320	3129 Highway 302
25064684	3146 Highway 302
25064726	3152 Highway 302
25064742	3162 Highway 302
25064759	3166 Highway 302
25064775	3192 Highway 302
25064791	3194 Highway 302
25064809	3196 Highway 302
25064841	3253 Highway 302
25043043	3267 Highway 302
25064890	3304 Highway 302
25064908	3314 Highway 302
25064916	3324 Highway 302
25064924	3336 Highway 302
25064932	3341 Highway 302
25064940	3344 Highway 302
25367079	3356 Highway 302
25367061	3376 Highway 302
25376534	3389 Highway 302
25064965	3483 Highway 302
25064973	3524 Highway 302
25064981	3550 Highway 302
25065079	3583 Highway 302
25377581	3595 Highway 302
25064296	3611 Highway 302
25065152	3622 Highway 302
25065160	3656 Highway 302
25075094	3664 Highway 302
25065178	3705 Highway 302
25065178	3707 Highway 302
25384397	3713 Highway 302
25065202	3742 Highway 302

25065228	3776	Highway 302
25065210	3793	Highway 302
25065251	3822	Highway 302
25065277	3842	Highway 302
25340381	3856	Highway 302
25337627	3863	Highway 302
25065285	3866	Highway 302
25065335	3868	Highway 302
25065343	3882	Highway 302
25075136	3885	Highway 302
25065350	3902	Highway 302
25065368	3912	Highway 302
25366915	3936	Highway 302
25348244	20	Hillside Dr
25064429	28	Hillside Dr
25064411	30	Hillside Dr
25064437	33	Hillside Dr
25151002	38	Hillside Dr
25374679	44	Hillside Dr
25064361	63	Hillside Dr
25374687	64	Hillside Dr
25064346	69	Hillside Dr
25064338	75	Hillside Dr
25064395	78	Hillside Dr
25064783	81	Hillside Dr
25068099	1	Mines Branch Rd
25068107	5	Mines Branch Rd
25068115	17	Mines Branch Rd
25068123	19	Mines Branch Rd
25068131	21	Mines Branch Rd
25068016	30	Mines Branch Rd
25068149	10	Mines Rd
25477647	24	Mines Rd
25068164	54	Mines Rd
25229519	59	Mines Rd
25068180	64	Mines Rd
25068172	67	Mines Rd
25068198	77	Mines Rd
25358383	95	Mines Rd
25068222	119	Mines Rd
25343948	123	Mines Rd
25043142	133	Mines Rd
25068230	147	Mines Rd
25369828	152	Mines Rd
25067893	15	Rink St
25067901	21	Rink St
25067943	22	Rink St
25067935	30	Rink St
25064619	236	Riverside Dr
25064627	256	Riverside Dr
25064643	268	Riverside Dr
25064502	239	Station St
25064510	245	Station St
25064528	247	Station St
25064536	257	Station St
25064544	259	Station St
25064650	273	Station St
25047838	6	Trider Rd
25065087	7	Trider Rd
25065046	25	Trider Rd
25064601	200	Riverside Drive
25047838	6	Trider Road
25065087	7	Trider Road
25065046	25	Trider Road
25394008	63	Trider Road
25065020	64	Trider Road
25364704	78	Trider Road
25355017	81	Trider Road
25355025	107	Trider Road

2. PUGWASH WATER SYSTEM PROJECT

- (a) This Project relates to the design and installation of a Water System intended to serve the Village of Pugwash and some of the surrounding areas of the Municipality. The “area identified” for the purposes of section 4 of this By-Law is comprised of the developed properties that are accessed from the following highways, streets and roads, between and including the Civic Addresses indicated:

Ash Grove Lane	Entire road
Black Street	Entire road
Blue Heron Way	Entire road
Brickyard Road	Highway 6 to Civic Number 119
Church Street	Entire road
Crowley Road	Civic Numbers 2720 to 2866
Durham Street	Water Street to Highway 6
Freedom Lane	Entire road
Gulf Lane	Entire road
Gulf Shore Road	Church Street to Civic Number 599
Harbour View	Entire road
Highway 6	Civic Numbers 9711 to 11057
Howe Street	Entire road
Irishtown Road	Highway 6 to Civic Number 36
King Street	Entire road
Maple	Entire road
Mill Lane	Entire road
Miller Road	Civic Number 8
Murray Road	Civic Numbers 1139 to 1199, 1276, 1300, 1312, 1374 to 142
New Pugwash Road	Civic Numbers 1 and 49
Pleasure Cove Road	Entire road
Prince Albert Street	Entire road
Pugwash Point Road	Entire road
Pugwash River Road	Civic Numbers 1959 to 1983
Queen Street,	Entire road
Russell Street,	Entire road
Shea Island Road,	Civic 188
Sunset Lane,	Civic Number 140 (Sunset Home)
Victoria Street	Entire road
Walton Street	Entire road
Water Street	Entire road
Willow Lane	Entire road

- (b) In this section “Water System” means a water system consisting of the source, structures, pipes, flushing hydrants, meters, service laterals, devices, equipment or other things used, or intended, for the collection, transportation, pumping, treatment, or distribution of water.
- (c) For the purposes of the Pugwash Water System Project and the relevant tax created by this By-Law, “developed property” and “developed properties” mean those properties which are residential, commercial, institutional or industrial, whether currently occupied or not, or which have been developed for any other purpose which does or would normally have a potable water supply, and which can be served by the Project. Properties that have been developed solely for agricultural or forestry purposes, and which do not have a potable water supply, are not “developed properties” for the purposes of this section of this By-Law.
- (d) Upon completion of the Project, an equal tax per developed property, in the amount \$4,054.00 is hereby imposed pursuant to section 4 of this By-Law. Hereinafter this tax is referred to as a “Local Improvement Charge” or “LIC”.
- (e) A list of developed properties to be taxed pursuant to this By-Law shall be developed and maintained by the Engineer. The Engineer will notify by regular mail the owner, or owner’s representative, as identified in the

current Tax Roll for the Municipality, of the imposition of the Local Improvement Charge upon completion of the Project. Lack of notification shall not invalidate any LIC imposed. Inclusion by the Engineer on the list of properties to be taxed, in the absence of an exemption or adjustment granted by Council pursuant to section 7, and subsection (f) of section 2 of Schedule “A”, of this By-Law, is conclusive of the validity of the LIC.

- (f) Property owners shall be given the option of paying the LIC, plus interest at 2.98% per annum, in equal annual payments amortized over 10 years. Each annual payment, including interest, shall constitute a charge and be collectable as provided in this By-Law. The annual charge shall be in the amount of \$ ~~461.03~~. The principal amount of any charge outstanding at any time may be paid without penalty or the accrual of additional interest.
- (g) Any property which becomes a developed property after the imposition of the initial charges pursuant to this By-Law shall be added to the list created pursuant to subsection (c) above, and a charge in the amount of \$4,054 shall be, and is, hereby imposed, and shall be paid and collected in accordance with the provisions of this By-Law, *mutatis mutandis*.
- (h) Any lot created by subdivision within the geographic area served by this project, and approved for any type of development that normally requires a potable water supply, shall be added to the list created pursuant to subsection (e) above, and a charge in the amount of \$4,054 shall be, and is, hereby imposed, and shall be paid and collected in accordance with the provisions of this By-Law, *mutatis mutandis*.

3. PARRSBORO WASTEWATER COLLECTION SYSTEM EXPANSION AND TREATMENT PLANT PROJECT

- (a) This Project relates to the design and installation of a Wastewater System intended to serve the Community of Parrsboro and surrounding areas. The “area identified” for the purposes of section 4 of this By-Law is comprised of the developed properties that are accessed from the following highways, streets and roads, between and including the Civic Addresses indicated:

Western Ave.	Main St. to Civic 2054
Chambers Blvd	Civic 23
Maple Crt.	Entire road
King St.	Main St. to Civic 134 and Civic 189 to Western Ave.
Queen St.	Entire road
Sydney St.	Entire road
Stanley St.	Entire road
Stanley St. Extension	Entire road
Prince St.	Entire road
Victoria St.	Entire road
Howard Ave.	Entire road
Pleasant St.	Entire road
School St.	Entire road
Dominion St.	Entire road
Spring St.	Entire road
Main St.	Civic 18 to Civic 458
Chapel St.	Entire road
Church St.	Entire road
Moore St.	Entire road
Eastern Ave.	Civic 3842 to Main St.
Templar St.	From Eastern Ave. to Civic 79
Jenks Ave.	Entire road
Two Island Rd.	From Main St. to Civic 336

Pier Rd.	Entire Rd.
Eddy St.	From Pier Rd. to Civic 87
Skidmore Ln.	From Pier Rd. to Civic 94

- (b) In this section “Wastewater System” means a wastewater system consisting of the collection system, structures, pipes, pumping stations, plants, service laterals, devices, equipment or other things used, or intended, for the collection, transportation, pumping, or treatment of wastewater.
- (c) For the purposes of the Parrsboro Wastewater Collection System Expansion and Treatment Plant Project and the relevant tax created by this By-Law, “developed property” and “developed properties” mean those properties which are residential, commercial, institutional or industrial, whether currently occupied or not, or which have been developed for any other purpose which does or would normally have a sanitary sewer service, and which can be served by the Project. Properties that have been developed solely for agricultural or forestry purposes, and which do not generate wastewater, are not “developed properties” for the purposes of this section of this By-Law.
- (d) Upon completion of the Project, an equal tax per developed property, in the amount \$4,941.00 is hereby imposed pursuant to section 4 of this By-Law. Hereinafter this tax is referred to as a “Local Improvement Charge” or “LIC”.
- (e) A list of developed properties to be taxed pursuant to this By-Law shall be developed and maintained by the Engineer. The Engineer will notify by regular mail the owner, or owner’s representative, as identified in the current Tax Roll for the Municipality, of the imposition of the Local Improvement Charge upon completion of the Project. Lack of notification shall not invalidate any LIC imposed. Inclusion by the Engineer on the list of properties to be taxed, in the absence of an exemption or adjustment granted by Council pursuant to section 7, and subsection (f) of section 2 of Schedule “A”, of this By-Law, is conclusive of the validity of the LIC.
- (f) Property owners shall be given the option of paying the LIC, plus interest at 3.40% per annum:
- i. in equal annual payments amortized over 20 years. Each annual payment, including interest, shall constitute a charge and be collectable as provided in this By-Law. The annual charge shall be in the amount of \$345.00; or
 - ii. in equal monthly payments amortized over 20 years. Each monthly payment, including interest, shall constitute a charge and be collectable as provided in this By-Law. The monthly charge shall be in the amount of \$28.40.
- The principal amount of any charge outstanding at any time may be paid without penalty or the accrual of additional interest.
- (g) Any property which becomes a developed property after the imposition of the initial charges pursuant to this By-Law shall be added to the list created pursuant to subsection (c) above, and a charge in the amount of \$4,941.00 shall be, and is, hereby imposed, and shall be paid and collected in accordance with the provisions of this By-Law, *mutatis mutandis*.
- (h) Any lot created by subdivision within the geographic area served by this project, and approved for any type of development that normally requires a connection to a wastewater system, shall be added to the list created pursuant to subsection (e) above, and a charge in the amount of \$4,941.00 shall be, and is, hereby imposed, and shall be paid and collected in accordance with the provisions of this By-Law, *mutatis mutandis*.

**No Objections
MOTION CARRIED**

5.3 Amendment to the Land Use By-Law to rezone PID 25394859, Fort Lawrence Road



Councillor Gilroy declared a conflict of interest at 7:30 and was disconnected from the meeting by the Executive Assistant.

IT WAS MOVED by Deputy Mayor Redmond seconded by Councillor Gould to approve second reading and adoption of the Amendment to the Land Use By-Law to rezone PID 25394859, Fort Lawrence Road from Agriculture to Highway Commercial.

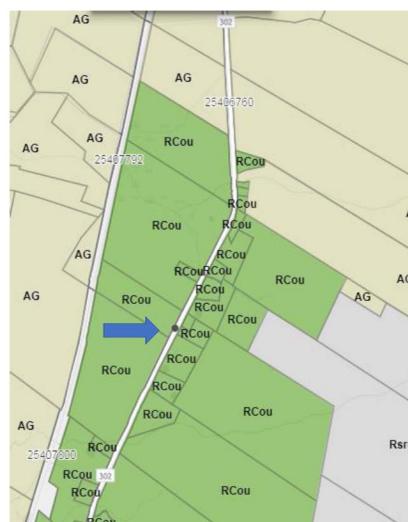
- 8 Objections
- Councillor Gould
- Councillor Porter
- Councillor McCormick
- Councillor Joseph
- Councillor Goodwin
- Deputy Mayor Redmond
- Councillor Houghtaling
- Mayor Scott

MOTION DEFEATED

Councillor Gilroy was reconnected to the meeting by the Executive Assistant at 7:45

5.4 Amendment to the Land Use By-Law to rezone PID 25508177, 3815 Highway 302, Nappan

IT WAS MOVED by Councillor Porter seconded by Councillor Joseph to approve second reading and adoption of the Amendment to the Land Use By-Law to rezone PID 25508177, 3815 Highway 302, Nappan from Country Residential to Country Commercial.



No Objections
MOTION CARRIED

5.5 Occupational Health and Safety Policy

IT WAS MOVED by Councillor Houghtaling seconded by Councillor Goodwin to give notice of intent to consider the Occupational Health Safety Policy at the next Council meeting.

Municipality of Cumberland Policy 21-xx
Health and Safety Policy

This policy will apply to the Municipality of the County of Cumberland (Municipality) and all of its employees, officers and agents. The term Management refers to the CAO, Directors, Managers and Supervisors.

1. The Municipality 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 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 and all employees of the Municipality are responsible for creating and maintaining a safe working environment.
4. Municipal Council will take all reasonable precautions to prevent harm to workers, elected officials and the general public.
5. Management will be trained and are responsible for ensuring that the employees under their supervision follow this policy. Management are held accountable for ensuring that employees use safe work practices and receive training to protect their health and safety.
6. Management have a general responsibility for ensuring the safety of equipment and facilities.
7. 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.
8. The employees of the Municipality will be required to support this organizations 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.
9. It is the duty of each employee to report to their supervisor, as soon as possible, any hazardous condition, injury, incident or illness related to the workplace. 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.
10. The Municipality will, where possible, eliminate hazards.
11. When appropriate, employees will be required to use safety equipment, clothing, devices and materials for personal protection.
12. 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.
13. The Municipality acknowledges that violence in the workplace is an occupational health and safety hazard that can cause physical and emotional harm. Any acts of violence or threats of violence in the workplace will not be tolerated by the Municipality.
14. The Municipality is committed to working to prevent workplace violence and to responding appropriately if workplace 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.
15. All previous Health and Safety Policies of the Municipality of the County of Cumberland, the former Town of Springhill, and the former Town of Parrsboro are hereby repealed.

**No Objections
MOTION CARRIED**

6. BUSINESS ISSUES**6.1 Nomination Committee Report**

IT WAS MOVED by Deputy Mayor Redmond seconded by Councillor Gilroy to accept the Nomination committee Report and to ratify the recommended citizen appointments to committees.

Municipality of Cumberland Nominations Committee
Wednesday, February 3, 2021
Via Zoom

1. Call to Order

The meeting was called to Order by the Deputy Mayor Redmond at 4:57 p.m.

Attendance

Council: Mayor Murray Scott, Councillor Fred Gould, Councillor Rod Gilroy, Councillor Jennifer Houghtaling, Councillor Kathy Redmond, Councillor Angela McCormick, Councillor Mark Joseph, Councillor Dale Porter, Councillor Carrie Goodwin.

Staff: Allie McCormick, Acting CAO; Andrew MacDonald, Director of Finance; Stephen Ferguson Director of Community Development; Justin Waugh-Cress, Director of Engineering and Operations; Shelley Hoeg, Executive Assistant to the Cao and Communications Officer; Brenda Moore, Municipal Clerk who recorded the proceedings.

2. Approval of the Agenda

The agenda was approved as circulated.

3. Decision Issues**3.1 Citizen Appointments to Committees**

IT WAS MOVED by Councillor Gilroy seconded by Councillor Goodwin to ratify the appointment of the following citizens to the listed committees.

Committee	Number of citizens needed	Ratified Citizen Appointment
Audit Committee	3	Rick James Leisa Babineau Barry Anderson
Border Entrance Committee	2	Alex Fisher Jeff Brennan
Cumberland Energy Authority	2	Rick James Doug Marshall
Cumberland RCMP Management Advisory Committee	3	James Kurchak Forrest McWade George Pugsley
Source Water Protection Committee – Pugwash Water	3	Brian Chase

No Objections
MOTION CARRIED

4. Adjournment

The meeting adjourned at 5:01 p.m.

**No Objections
MOTION CARRIED**

It was the consensus of Council that the Policy and By-Law Committee will review the procedure and make recommendations for changes in the process for recruitment of Citizen representatives.

6.2 Low Income Exemption Information

It was the consensus of Council to defer this to the next Council meeting. Prior to that meeting the finance department will provide more information and council will discuss the policy further.

6.3 Grant Requests

IT WAS MOVED by Deputy Mayor Redmond seconded by Councillor Gilroy to approve a grant in the amount of \$15,000 for the Oxford Lions Club to make renovations to the Oxford Rink to allow safe operation.

**No Objections
MOTION CARRIED**

6.4 Parrsboro Metered Sewer Rate

IT WAS MOVED BY Councillor Goodwin seconded by Councillor Gilroy to approve levying a Metered Sewer Rate for Parrsboro at \$2.65 /m³.

**No Objections
MOTION CARRIED**

6.5 Elevator Upgrades-Springhill

IT WAS MOVED BY Councillor Joseph seconded by Councillor McCormick that the elevator modernization budget be increased to \$260,000 plus HST from \$125,000, with \$244,750 plus HST in the budget for 2021/2022.

**No Objections
MOTION CARRIED**

6.6 Overflow Parking St Andrews Wesley United Church-Springhill

This Item was deleted from the agenda.

6.7 Tender – former River Hebert Elementary School

IT WAS MOVED BY Councillor Gilroy seconded by Councillor Gould to award tender T-MCC-2007 Sale of Property – Former River Hebert Elementary School to Yard Guys for the amount of \$1,000.

**No Objections
MOTION CARRIED**

6.8 Tax collection Information

Director of Finance reviewed the updated tax collection reports and a receivable analysis for the period ending December 31, 2020 included in the meeting material.

6.9 Public Committee of the Whole Meetings

IT WAS MOVED by Deputy Mayor Redmond seconded by Councillor McCormick that Council hold Public Council meetings as usual on the first and third Wednesdays of each month, and Public Committee of the Whole meetings on the second Wednesday of each month, and if necessary, hold a Public Committee of the Whole meeting on the fourth Wednesday of the month.

**No Objections
MOTION CARRIED**

6.10 Municipal Innovation Program Application

IT WAS MOVED by Councillor Gould seconded by Councillor Houghtaling that Council of the Municipality of the County of Cumberland agree to participate with the Town of Amherst and the Town of Oxford in the project to enhance education and enforcement with respect to solid waste, harmonizing solid waste by-laws, and exploring the potential for administrating joint solid waste collection contracts that is being submitted for consideration under the Municipal Innovation Fund."

**No Objections
MOTION CARRIED**

6.11 Cumberland North Memorial Hospital

IT WAS MOVED by Councillor Houghtaling seconded by Councillor Gould that the Municipality approve the sale by the Cumberland Senior Care Corporation of the parcel of land shown as Parcel "A" on the attached survey plan prepared by David Brown and dated August 5th, 2020, to the Province of Nova Scotia for the sum of \$39,000.00 plus HST."

**No Objections
MOTION CARRIED**

IT WAS MOVED by Councillor Houghtaling seconded by Deputy Mayor Redmond that Council agree with the request of the Cumberland Senior Care Corporation that they can have or retain the net proceeds of the sale of the lands required for the Future North Cumberland Memorial Hospital, after payment of the legal fees and other costs associated with the sale.

**No Objections
MOTION CARRIED**

IT WAS MOVED by Councillor Houghtaling seconded by Councillor Joseph that Council authorize The Mayor and Acting CAO to execute the attached Memorandum of Agreement with the Nova Scotia Department of Transportation and Infrastructure Renewal to allow access to lands of the Cumberland Senior Care Corporation required for the construction of the Future North Cumberland Memorial Hospital.

**No Objections
MOTION CARRIED**

7. INFORMATION ITEMS

7.1 Learn to Read

Information on this item was included in the meeting material.

7.2 Order of Nova Scotia

Information on this item was included in the meeting material.

7.3 Northern Region Solid Waste Minutes

These minutes were provided by the Chair of the Northern Region Solid Waste Resource Committee and are included in the meeting material for Council's review.

7.4 African Heritage Month

Mayor Scott has signed a proclamation proclaiming February as African Heritage Month in the Municipality.

8. ADJOURNMENT

8.1 Adjournment

The meeting was adjourned at 8:40 p.m.

Mayor Murray Scott

Municipal Clerk Brenda Moore

DRAFT