



Naturally Yours

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**REGULAR SESSION OF THE 51ST COUNCIL
OF THE
MUNICIPALITY OF THE DISTRICT OF SHELBURNE
November 26, 2018**

The Regular Session of the 51st Council of the Municipality of the District of Shelburne was held on Monday, November 26, 2018, commencing at 5:00 pm in the Council Chambers of the Municipal Administration Building, Shelburne, Nova Scotia.

THOSE IN ATTENDANCE WERE:

Deputy Warden David Levy
Warden Penny Smith
Councillor Doris Townsend
Councillor Terry McIntyre
Councillor Roger Taylor
Councillor John Roscoe
Councillor Norman Wallet
Tom MacEwan, CAO

ALSO IN ATTENDANCE:

Anita DeMings, Executive Assistant
Michelle Williams, Director of Finance/Deputy CAO
Adam Dedrick, Director of Recreation and Parks

1. CALL TO ORDER:

The meeting was called to order at 5:00 pm by Warden Penny Smith.

2. APPROVAL OF AGENDA:

Being duly moved and seconded, be it resolved that the Agenda of November 26, 2018, be approved with the following addition:

8.(e) Falls Lane Bridge - Added

- **MOTION CARRIED**

3. APPROVAL OF MINUTES:

Being duly moved and seconded, be it resolved that the Minutes of October 15, 2018, be approved as circulated.

- **MOTION CARRIED**

Being duly moved and seconded, be it resolved that the Minutes of October 22, 2018, be approved as circulated.

- **MOTION CARRIED**

4. Presentation:

Skate Park Update – Bob Sinden

Bob Sinden, Graham's Skate Park Committee, updated Council regarding the future of the skate park project. The budget for the fastener free ride surface was \$400,000. Mr. Sinden expressed that the family would like to return the funding that the Municipality has offered as they do not have adequate funds to proceed with this project. Mr. Sinden advised that the family plans to develop a business plan and request additional funding from the Federal and Provincial government. Discussion was held regarding an outside swimming pool and the status of the King Street Centre.

Mr. Sinden advised that the committee will be coming back to the Municipality for funding when they have their plan in place.

Council thanked Mr. Sinden for the update.

5. Administration: (*Resolution Prepared)

- a. Community Art Support*
- b. Destruction of Records – November 2018*
- c. Fire Boundary Change - Town of Shelburne*
- d. Councillor Remuneration*
- e. December Committee of the Whole and Council Meeting

5.(a) Tom MacEwan, CAO, presented the Community Art Support staff report as previously discussed at the November 13, 2018, Committee of the Whole Meeting.

MOTION: COMMUNITY ART SUPPORT

Being duly moved and seconded, be it resolved that Council of Municipality of the District of Shelburne agree to engage local artists through the facilitation of a community session to determine how best to support local arts.

- **MOTION CARRIED**

5.(b) Tom MacEwan, CAO, presented the Destruction of Records staff report as previously discussed at the November 13, 2018, Committee of the Whole Meeting. Two Council members requested to view files; these files have been viewed and returned for destruction.

MOTION: DESTRUCTION OF RECORDS – NOVEMBER 2018

Being duly moved and seconded, be it resolved that Council of the Municipality of the District of Shelburne approve the attached list of records be destroyed.

- **MOTION CARRIED**

5.(c) Tom MacEwan, CAO, presented the Fire Boundary Change – Town of Shelburne staff report as previously discussed at the November 13, 2018, Committee of the Whole Meeting.

CAO presented Council a map for clarification of the fire boundary.

Since April 1, 2018 Shelburne Volunteer Fire Department has provided temporary coverage of the Municipality of Shelburne's portion of the former Port Clyde Fire Department, however, this situation requires a permanent solution.

As negotiations continue with the Town of Shelburne proposed Fire Service Agreement, it is recommended that the Municipality include Port Clyde Fire District in this agreement to ensure consistency.

Discussion was held regarding the proposed Fire Service Agreement with the Town of Shelburne and concerns regarding the cost to cover the former Port Clyde Fire District within the Municipality. Mr. MacEwan explained the difference between coverage and mutual aid.

CAO advised that a meeting was scheduled with Ken Smith to review the final draft of the Fire Service Agreement and it will be presented to Council at an upcoming Council meeting.

MOTION: FIRE BOUNDARY CHANGE – TOWN OF SHELBURNE

Being duly moved and seconded, be it resolved that Council of the Municipality of the District of Shelburne approve the Shelburne Volunteer Fire Department provide permanent fire service coverage to the Municipality's portion of the former Port Clyde Fire District; and

That coverage of the former Port Clyde Fire District be included in the Fire Service Agreement being negotiated with the Town of Shelburne.

- **MOTION CARRIED**

5.(d) Tom MacEwan, CAO, presented the Tax Change – Elected Officials update staff report as previously discussed at the September 4, 2018, Council Meeting.

A draft letter was presented to Council. It is addressed to Ms. Hamm requesting support from the FCM in advocating for the restoration of the one-third tax exemption for elected officials. It was agreed that the letter be sent.

The Council Remuneration Policy currently provides that one-third of each council member's remuneration shall not be included as taxable income under section 81(3) of the Income Tax Act and section 23(1)(d)(iv) of the Municipal Government Act. The amount is deemed to be an allowance for expenses incidental to the discharge of duties of office on behalf of the Municipality and includes any travel to meet with residents in their electoral district.

The NSFAM is recommending that pre-tax compensation of elected officials be adjusted to allow them to maintain the same levels of post-tax compensation after the 2019 laws take effect.

As directed by Council, staff have calculated (1) the amount of increase in gross pay that is necessary for Members of Council to maintain the same annual net pay after the changes in the Income Tax Act take effect and (2) the full cost that would be incurred by the Municipality by offsetting the loss of the one-third tax exemption (see Table below).

	Current Salary	Proposed Increase	Change	CPP increase for MDS	Total Cost to MDS
Councillor Terry McIntyre	16,458.07	18,998.07	2,540.00	-	2,540.00
Councillor John Roscoe	16,458.07	18,998.07	2,540.00	420.44	2,960.44
Councillor Roger Taylor	16,458.07	18,998.07	2,540.00	-	2,540.00
Councillor Doris Townsend	16,458.07	18,998.07	2,540.00	420.44	2,960.44
Councillor Norman Wallet	16,458.07	18,998.07	2,540.00	420.44	2,960.44
Deputy Warden - David Levy	19,567.06	22,860.06	3,293.00		3,293.00
Warden - Penny Smith	25,321.77	27,056.77	1,735.00	538.92	2,273.92
Totals			17,728.00	1,800.24	19,528.24

The calculations were completed using the 2017 income tax rates and the 2019 CPP draft rates and assuming no other sources of income.

As indicated, the amount paid to councillors (not including the Deputy Warden or Warden) will have to increase by \$2,540 to maintain the same annual net pay with the Deputy Warden's increasing by \$3,293 and the Warden's increasing by \$1,735. The total cost to the MDS amounts to \$19,528.24.

Discussion was held regarding potential public perception of the salary increase as well as the additional cost to the Municipality. Councillor Wallet requested the votes to be registered.

MOTION: TAX CHANGE – ELECTED OFFICIAL – UPDATE

Being duly moved and seconded, be it resolved that the Council of the Municipality of the District of Shelburne increase the amount of gross pay as is necessary for Members of Council to maintain the same annual net pay after the changes in the Income Tax Act take effect on January 1st, 2019 and, in particular, that commencing January 1st, 2019, the following amounts be paid:

Councillors: \$18,998.07
Deputy Warden: \$22,860.06
Warden: \$27,056.77

- MOTION DEFEATED

Votes for the above motion were recorded as:

- Councillor Doris Townsend, District 1 - Yes
- Warden Penny Smith, District 2 - No
- Councillor Norman Wallet, District 3 - No
- Councillor Terry McIntyre, District 4 - No
- Councillor John Roscoe, District 5 - No
- Deputy Warden David Levy, District 6 - No
- Councillor Roger Taylor, District 7 – Yes

MOTION: TAX CHANGE – ELECTED OFFICIAL – UPDATE

Being duly moved and seconded, be it resolved that the Council of the Municipality of the District of Shelburne defer and consider during budget deliberations.

- **MOTION CARRIED**

5.(e) Tom MacEwan, CAO, requested direction from Council on scheduling the December Committee of the Whole and Council Meetings.

Discussion was held regarding the meeting dates in relation to the holidays. It was agreed that only one meeting of Council would be required. Council has been set for December 10, 2018.

6. Finance: (*Resolution Prepared)

- a. Write Off Report November 2018*
- b. Tax Sale Policy Revised*
- c. Financial Update as of November 19, 2018

6.(a) Michelle Williams, Director of Finance/Deputy CAO, presented the Write Off Report November 2018 staff report to Council as previously discussed at the November 13, 2018, Committee of the Whole Meeting.

MOTION: WRITE OFF REPORT NOVEMBER 2018

Being duly moved and seconded, be it resolved that the Council of the Municipality of the District of Shelburne approve that the balance of \$619.27 for assessment #04952553 be written off using the 2018/2019 valuation allowance account; and

That the Council of the Municipality of the District of Shelburne approve that the balance of \$120 from three Recreation Day Camps in the summer of 2017 be written off using the 2018/2019 valuation allowance account.

- **MOTION CARRIED**

6.(b) Michelle Williams, Director of Finance/Deputy CAO, presented the Tax Sale Policy Revised staff report to Council as previously discussed at the November 13, 2018, Committee of the Whole Meeting.

As of April 1, 2016, the Tax Sale Policy stated that properties would be sold for tax sale if taxes were in arrears for the proceeding two fiscal years.

The revision to one year of arrears will apply to the 2020 tax sale going forward. By changing the Tax Sale Policy to state that a property is eligible to be sold if taxes are in arrears for the proceeding one fiscal year will mean that residents, by the time they reach the tax sale date in March, will owe two-years of taxes with the next billing starting April 1 of that fiscal.

Discussion was held regarding communication to inform the public of the change in the Tax Sale Policy. Ms. Williams advised Council that it would be put on social media and in the newsletter.

MOTION: TAX SALE POLICY REVISED

Being duly moved and seconded, be it resolved that the Council of the Municipality of the District of Shelburne adopt the attached revised Tax Sale Policy.

- **MOTION CARRIED**

6.(c) Michelle Williams, Director of Finance/Deputy CAO, presented the Financial Update staff report to Council regarding the Municipality's financial position as of November 19, 2018.

Discussion was held regarding revenues, expenses, aged receivables and collections.

7. Committee Reports/Council Member Updates:

- (a) Committee Reports
- (b) Council Member Updates

7.(a) Councillor McIntyre advised Council of the financial management training for elected officials seminar he attended on November 22&23, 2018. He noted it was very informative and included great discussion, topics were fraud and financial implementation.

Councillor Townsend updated Council on the Roseway Manor Board meeting she attended. She advised that the Board approved the Budget and Audit Report 2017 by Redding and Redding. Discussion was held regarding the cost of meals, upcoming repairs to the building, patients and staffing. CAO advised of the difficulties that are involved in dissolving the society including the assets and deficit. Council requested that staff review the Municipality's legal opinion regarding their liability in this matter.

7.(b) Warden Smith advised she attended a Beach Stewardship meeting on November 19, 2018. The group is working with Bird and Branch Consultants regarding the future of the group. A report will follow.

Warden Smith attended a Shelburne County Mental Health and Wellness meeting.

Warden Smith and Councillor Roscoe attended a Recreation meeting which covered the Strategic Plan for 2019-2021 which will be brought forward to future Council Meeting.

Warden Smith attended a Shelburne County East Emergency Measures Organization meeting, topics were on future drought planning in Eastern Shelburne County. Mike Shand the EMO Coordinator advised that the Shelburne Community Centre is at the present time not operational as a comfort centre due to mold. The Shelburne Lions Hall is the backup comfort centre but does not have a generator. Mike Shand is going to check with Rev. Ed Trevors regarding the Anglican Church Hall as a back up facility.

Warden Smith advised Council that she and the CAO attended a Health Care meeting on November 14, 2018 with Janet Knox, CEO NSHA, and Krista Grant regarding the Roseway Hospital and Collaborative Care Centre. She advised that she had requested a response to the letter that was sent to her in August.

Warden Smith advised that the Alms House Monument unveiling went well.

Warden Smith and Councillor Taylor attended an Entrepreneurship Expo at NSCC.

Warden Smith advised that the November 21, 2018 Public Information Session at the Black Loyalist Heritage Society went well.

As part of Municipal Awareness Week, Warden Smith spoke to the grade 7 and 8 students at Shelburne Regional High School and grade 10 students at Lockeport Regional High School.

And to wrap up Municipal Awareness Week there was a Free Family Skate at Shelburne County Arena on November 21, 2018, that was well attended.

Councillor McIntyre advised Council that the Audit and Internal Control Committee has a vacancy. Councillor McIntyre has approached Dana Dares to see if he would like to sit on the Committee. He has agreed to read over the terms of reference and will get back to Council with any questions.

MOTION: AUDIT AND INTERNAL CONTROL COMMITTEE APPOINTMENT

Being duly moved and seconded, be it resolved that the Council of the Municipality of the District of Shelburne appoint Dana Dares to be a member of the Audit and Control Committee.

- MOTION CARRIED

Councillor Taylor sent an emailed to Council regarding Department of Fisheries – Shell Fish Harvesting. Council Taylor advised that there is a consultation being held on December 11, 2018 at the Canada Business Development Centre. Councillor Taylor plans to attend, as well as the Warden.

Councillor Wallet advised that he was at a Roseway Hospital Foundation meeting and advised the CAO that the foundation will require a letter when Doctor MacFarlane signs the service agreement to allow them to release the funds.

8. Other:

- (a) Nova Scotia Health Authority – Physiotherapist Signing Bonus*
- (b) Council Implementation Report
- (c) Fire Dispatch Service*
- (d) Elizabeth Cromwell – Order of Canada
- (e) Falls Lane Bridge

8.(a) Tom MacEwan, CAO, presented the Nova Scotia Health Authority – Physiotherapist Signing Bonus staff report to Council as previously discussed at the November 13, 2018, Committee of the Whole Meeting.

MOTION: NOVA SCOTIA HEALTH AUTHORITY – PHYSIOTHERAPIST SIGNING BONUS

Being duly moved and seconded, be it resolved that the Council of the Municipality of the District of Shelburne approve a financial contribution of \$5,000 to permit the NSHA to include a bonus of a 2-year return of service in the offer of employment for the Physiotherapist.

- MOTION CARRIED

8.(b) Council reviewed the Implementation Report.

8.(c) Tom MacEwan, CAO, presented the Fire Dispatch Service motion to Council as previously discussed at the November 13, 2018, Committee of the Whole Meeting.

Discussion was held regarding the concerns of accountability and the minimum standards for Fire Dispatch Service.

MOTION: FIRE DISPATCH SERVICE

Being duly moved and seconded, be it resolved that:

Whereas the one universal requirement for emergency service delivery in Nova Scotia is efficient, accurate, prompt and reliable dispatch services; and

Whereas both police and ambulance services in Nova Scotia have professional dispatch services provided either directly by their responsible municipalities or by the province; and

Whereas the largely volunteer fire service of Nova Scotia, other than the fully paid services in HRM and CBRM does not enjoy similar professional and coordinated services; and

Whereas the recently published Nova Scotia Standard for Fire Service Dispatch clearly provides guidance as to the minimum technical, structural, and operational requirements of a professional fire dispatch service; and

Whereas the Nova Scotia Trunked Mobile Radio System (TMR2) and the legacy Nova Scotia Emergency Mobile Radio System provide the foundational infrastructure to enable most of the technical requirements found in the Standard; and

Whereas the current arrangements for most fire dispatch in the province are based on a competitive commercial model rather than a public service model, thus limiting the interest or ability of the current service providers to invest in contemporary structures or technology; and

Whereas despite fire protection being a municipal responsibility, the province is the common element which could coordinate a public service model for fire dispatch;

Therefore, be it resolved that the Municipality of the District of Shelburne requests that the Nova Scotia Federation of Municipalities, the Association of Municipal Administrators of Nova Scotia, the Department of Municipal Affairs and the Department of Internal Services immediately open a discussion with the Fire Service Association of Nova Scotia towards rationalizing fire service dispatch across the province with the Fire Dispatch Standard as the guiding principle; and

Be it further resolved that the proposed discussion include a comprehensive examination of the current aggregate costs of providing fire dispatch across the province (excluding HRM and CBRM).

- MOTION CARRIED

8.(d) Warden Smith advised Council that Doctor Elizabeth Cromwell had received the Order of Canada in recognition of her work in preserving and promoting black history in Nova Scotia.

With only one other person in Shelburne County receiving this award, Warden Smith felt this was quite an event and should be recognized. Warden Smith advised that she spoke to the manager of the Black Loyalist Heritage Centre and they do plan to host an event for Dr. Cromwell.

Discussion was held regarding partnering with Black Loyalist Heritage Centre, it was agreed that they would correspond with the Black Loyalist Heritage Centre to partner on the event.

8.(e) Councillor Roscoe advised that a resident expressed concerns regarding the noise when vehicles go over the Falls Lane Bridge. It was suggested that a letter be sent to Nova Scotia Department of Infrastructure Renewal to make them aware and what they could recommend as a solution. Warden Smith reminded Council that Nova Scotia Department of Infrastructure Renewal will be attending a future Committee of the Whole Meeting to update Council of their projects and priorities.

9. In Camera:

- a. Contract Negotiations
- b. Contract Negotiations

MOTION: ENTER "IN CAMERA"

Being duly moved and seconded, be it resolved that the Council of the Municipality of the District of Shelburne enter "In Camera" at 7:57 pm to discuss contract negotiations.

- MOTION CARRIED

MOTION: EXIT "IN CAMERA"

Being duly moved and seconded, be it resolved that the Council of the Municipality of the District of Shelburne exit "In Camera" and return to Regular Session at 8:35 pm.

- MOTION CARRIED

10. ADJOURNMENT:

There being no further business, the meeting was adjourned at 8:36 pm.

**Anita DeMings
Recording Secretary**

Dec 11/18

Date



Warden Penny Smith



Erin Hartley, Director of Corporate Services