



Naturally Yours

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**REGULAR SESSION OF THE 51ST COUNCIL
OF THE
MUNICIPALITY OF THE DISTRICT OF SHELburne
April 14, 2020**

The Regular Session of the 51st Council of the Municipality of the District of Shelburne was held on Tuesday, April 14, 2020 commencing at 6:30 pm via teleconference call.

THOSE IN ATTENDANCE WERE:

Warden Penny Smith
Deputy Warden John Roscoe
Councillor Terry McIntyre
Councillor Doris Townsend
Councillor Roger Taylor
Councillor Norman Wallet
Trudy Payne, CAO

ALSO IN ATTENDANCE:

Michelle Williams, Director of Finance
Anita DeMings, Executive Assistant

1. CALL TO ORDER:

The meeting was called to order at 6:30 pm by Warden Smith. She advised Council of the format to be used for this evening's meeting and that a draft copy of the minutes will be posted on the Municipality's website within 24 hours as per directive from Minister Porter.

2. APPROVAL OF AGENDA:

Being duly moved and seconded, be it resolved that the Agenda of April 14, 2020, be approved as circulated.

- MOTION CARRIED

3. APPROVAL OF MINUTES:

- (a) Approval of Minutes – February 24, 2020
- (b) Approval of Minutes – March 25, 2020 - Special Council Meeting

3.(a) **MOTION: APPROVAL OF MINUTES – FEBRUARY 24, 2020**

Being duly moved and seconded, be it resolved that the Minutes of February 24, 2020, be approved as circulated.

- **MOTION CARRIED**

3.(b) **MOTION: APPROVAL OF MINUTES – MARCH 25, 2020 - SPECIAL COUNCIL MEETING**

Being duly moved and seconded, be it resolved that the Minutes of March 25, 2020 Special Council Meeting, be approved as circulated.

- **MOTION CARRIED**

4. **Business Arising:**

Discussion was held regarding the length of Council meetings and the possibility of holding more frequent and shorter Council meetings. Staff were considering this option and was going to raise it at the end of the meeting. It was agreed we would hold weekly meetings and cancel any if not necessary.

5. **Recreation:**

(a) Kids Fair Play FUNd March 2020 Application Review

5.(a) Trudy Payne, CAO, presented Council with the Kids Fair Play FUNd March 2020 Application Review staff report which included a summary of the six applications reviewed.

Kids Fair Play FUNd is a confidential sport, recreation, and cultural assistance program that provides a valuable service for children and youth of Shelburne County. The program operates in cooperation with the Town of Lockeport, Municipality of Barrington, Town of Shelburne, Canadian Tire Jumpstart, community groups and sports organizations in Shelburne County.

MOTION: KIDS FAIR PLAY FUND MARCH 2020 APPLICATION REVIEW

Being duly moved and seconded, be it resolved that the Council of the Municipality of the District of Shelburne authorize the release of \$935 from the Kids Fair Play FUNd based on the recommendations from the Kids Fair Play FUNd Application Review Committee Meeting of March 18, 2020.

- **MOTION CARRIED**

6. **Administration:**

- (a) New Building Expenses - Capital Reserves
- (b) Region of Queens – Organic Agreement

6.(a) Trudy Payne, CAO, presented to Council the New Building Expenses staff report.

Expenditures in the amount of \$37,012.42 were incurred for consulting services in relation to the new Municipal Building in 2019-2020. Although these expenditures were previously discussed and agreed upon by Council, a formal motion is required.

Discussion was held regarding the progress and development of the new building. Staff has been requested to update Council on expenditures to date for this project.

MOTION: NEW BUILDING EXPENSES – CAPITAL RESERVES

Being duly moved and seconded, be it resolved that Council of the Municipality of the District of Shelburne approve expenditures of \$37,012.42 from Capital Reserves 2019-20 for the purpose of Consulting Services in relation to the new Municipal Building.

- **MOTION CARRIED**

6.(b) Trudy Payne, CAO, presented Council with the Region of Queens – Organics Agreement staff report.

The Organics Agreement between the Region of Queens and the Municipality of the District of Shelburne was set to expire on March 31, 2020.

In preparing the Organics Agreement it was noted that the Municipality of Shelburne was the sole unit to sign off on the agreement. Staff sought a legal opinion, which identified language that should be considered in the Agreement going forward to ensure all three municipal units are responsible for cost they incur as a result of the contract.

The Region of Queens has agreed to informally extend the agreement for six months, until proper wording can be incorporated into our agreement.

7. **FINANCE:**

- (a) Tax Exemption for Community Organizations - Revised
- (b) Tax Sale Results March 3, 2020 & Tender Unsold Property
- (c) Cash Flow Analysis Report

7.(a) Michelle Williams, Director of Finance, presented to Council the Tax Exemption for Community Organizations – Revised staff report as previously discussed at the March 9, 2020 Committee of the Whole Meeting.

Two properties that are now owned by her Majesty the Queen will no longer meet requirements to be on this list. Thus, the policy requires amending to accurately update the list.

MOTION: TAX EXEMPTION FOR COMMUNITY ORGANIZATIONS - REVISED

Being duly moved and seconded, be it resolved that Council of the Municipality of the District of Shelburne approve the attached Tax Exemptions for the Community Organizations Policy as amended.

- **MOTION CARRIED**

7.(b) Michelle Williams, Director of Finance, presented to Council the Tax Sale Results March 3, 2020 & Tender Unsold Properties staff report as previously discussed at the March 25, 2020 Special Council Meeting.

Ms. Williams advised that due to COVID – 19 the motion has been changed to reflect the current situation.

Discussion was held regarding the pros and cons of delaying or cancelling the tax sale by tender, expenses incurred, title search fees, timelines, advertising, staff time, and MGA Regulations regarding timelines of next year's tax sale.

MOTION: TAX SALE RESULTS MARCH 3, 2020 & TENDER UNSOLD PROPERTY

Being duly moved and seconded, be it resolved that the Council of the Municipality of the District of Shelburne, in light of COVID-19, cancel the Tax Sale by Tender with ten properties that did not sell at the March 3, 2020 Tax Sale.

- **MOTION CARRIED**

7.(c) Michelle Williams, Director of Finance, presented the Cash Flow Analysis staff report in detail with the three scenarios.

At a Special Council Meeting on March 25, 2020, Council directed staff to do prepare a cash flow analysis showing financial impacts if the tax bill was delayed the end of July, end of August and end of September.

Discussion was held regarding the impact of delaying the tax bill, overdraft amounts, staff flexibility, payment of mandatory payments, wording on the tax bill. More specific discussion was held regarding the tax sale date, due date of the tax bill and cash flow requirements.

MOTION: CASH FLOW ANALYSIS REPORT

Being duly moved and seconded, be it resolved that Council of the Municipality of the District of Shelburne approve borrowing using the overdraft from the general operating bank account when cash flow requirements are necessary for the 2020-2021 fiscal year.

- **MOTION CARRIED**

Direction was provided to staff giving them the flexibility to work with community groups and other organizations who have been awarded funding, in determining when funds should be released. If a community group can wait until October, for example, for their funding staff can make the decision to send it out in October. This flexibility will help staff monitor the cash flow and make decisions to assist the Municipality in having adequate cash flow.

8. Committee Reports/ Recommendations:

- (a) Audit and Internal Control Year to Date Update 2019/20
- (b) Audit and Internal Control Committee
 - 1. Cyber Risk and Current Mitigation
 - 2. Atlantic Infrastructure Management Network

8.(a) Council reviewed the Audit and Internal Control Year to Date Update 2019/20.

8.(a)(1) Trudy Payne, CAO, presented Council with the recommendations regarding Cyber Risk and Current Mitigation from the Audit and Internal Control Committee.

Discussion was held regarding the cost of insurance and level of security required to protect the Municipality from cyber risk and to cap the amount set in a reserve account. Ms. Payne suggested that the motion be passed and invite our IT Consultant, David Muise to come to Council to give a presentation on this matter to address concerns and answer questions from Council and including potential costs.

MOTION: CYBER RISK AND CURRENT MITIGATION

Being duly moved and seconded, be it resolved, as recommended by the Audit and Internal Control Committee, that the Council of the Municipality of the District of Shelburne:

- Approve requesting a presentation on Cyber Risk and Current Mitigation of the IT department within the Municipality of the District of Shelburne.
- Accept the current cyber liability risk, investigate insurance option and cost. The Council should consider a reserve to cover potential cyber security breach and allocate \$5,000.00 annually.

- **MOTION CARRIED**

8.(a)(2) Trudy Payne, CAO, presented Council with the recommendations regarding Atlantic Infrastructure Management Network from the Audit and Internal Control Committee.

Discussion was held regarding the importance of in-house training, life cycle planning, asset management, infrastructure, and engineering expertise.

MOTION: ATLANTIC INFRASTRUCTURE MANAGEMENT NETWORK

Being duly moved and seconded, be it resolved, as recommended by the Audit and Internal Control Committee, that the Council of the Municipality of the District of Shelburne approve the Municipality of the District of Shelburne participate in the Atlantic Infrastructure Management Network's second Asset Management Cohort Program at the cost of \$7,500.00 in which gas tax funding can be used, and to select the Sewer Treatment Plant as their asset group; furthermore, enable the Sewer Treatment Plant Operator to participate in this program, along with the CAO and a Councillor.

- **MOTION CARRIED**

Councillor Wallet offered to be on this committee and by consensus it was agreed that he serve as the Council representative.

9. **Council Member Updates:**

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- (a) Warden Smith provided an update on her recent activities including:
- o She and the CAO are participating in the meetings with NSFM
 - o Participating in Shelburne County Mayor/Wardens and CAO/Clerk Treasurer of Shelburne County to ensure that the messages going out to the public are consistent
 - o Daily phone calls

10. **Other:**

- (a) Roseway Manor Incorporated Resolution to Wind-Up
- (b) Town of Shelburne - Joint Council Meeting
- (c) Support Request - Customs Officer being posted in Shelburne
- (d) Funding - Roseway Hospital Charitable Foundation – X-Ray Machine
- (e) Implementation Report – April 2020
- (f) Building Inspection Report – March 2020
- (g) COVID- 19 Budget Consideration Report
- (h) Low Income Tax Property Exemption Policy
- (i) NS Transportation and Infrastructure Renewal – Cost Share Program - J Class Roads

10.(a) Trudy Payne, CAO, presented Council with the letter regarding the Roseway Manor Incorporated Resolution to Wind-Up as previously discussed at the March 9, 2020 Committee of the Whole Meeting.

MOTION: RESOLUTION WIND-UP ROSEWAY MANOR INCORPORATED

Being duly moved and seconded, be it resolved that Council of the Municipality of the District of Shelburne approve;

1. The transfer by Roseway Manor Incorporated (the “Corporation”) of all of the Corporation’s assets to an independent and newly incorporated not-for-profit organization, not to be owned or controlled by the Municipality or the Corporation, at such date and time as to be determined (the “Transfer”);
2. Upon completion of the Transfer, it approves the wind-up of Roseway Manor Incorporated;
3. The Chief Administrative Officer of the Municipality, or such other person as may be designed by the Municipality, is hereby authorized and directed to do, execute and deliver such things or documents as may be necessary in order to carry out such Transfer and subsequent wind-up of Roseway Manor Incorporated.

- **MOTION CARRIED**

10.(b) Trudy Payne, CAO, presented Council with the letter from the Town of Shelburne, dated March 9, 2020 regarding a Joint Council Meeting.

Discussion was held regarding this request and it was the consensus of Council, and as previously discussed, for the Province to bring new funding information to the table and consideration would then be given to meet. Our Council will continue to gather information and meet with other municipal units who have gone through the unification, consolidation or dissolution process.

10.(c) Trudy Payne, CAO, presented Council with a memo from the Port Authority requesting support for a Customs Officer being posted in Shelburne.

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Ms. Payne advised that at the February 19, 2020 Shelburne Port Authority meeting it was suggested that the Town of Shelburne and the Municipality of the District of Shelburne write a letter to the Canada Border Services Agency (Customs) requesting they post a Customs Officer in Shelburne. In the past there was a Customs Office in Shelburne, but the staff have since been transferred to the Yarmouth office. The marine terminal has seen an increase in cruise ships and other companies using the site that may now warrant having an office in Shelburne.

MOTION: SUPPORT REQUEST - CUSTOMS OFFICER BEING POSTED IN SHELburne

Being duly moved and seconded, be it resolved that the Municipality of the District of Shelburne Council write a letter to the Canada Border Services Agency requesting a Customs Office, with staff, be re-established in Shelburne to better serve the area.

- **MOTION CARRIED**

10.(d) Trudy Payne, CAO, presented Council with the Funding to Roseway Hospital Charitable Foundation – X-Ray Machine staff report.

At the budget meeting held on March 5, 2019 staff was directed to bring back a motion to the March 23, 2020 Council meeting to approve the \$53,000 from the 2019-2020 Health Care budget. In light of COVID-19, the March 23, 2020 meeting did not take place. Due to COVID-19 and the realities it is bringing to our day to day lives and having a better picture of cash flow, it is now being recommended that a health care operating reserve be created and a transfer of \$28,000 from the operating surplus from the 2019-2020 operating budget to this reserve and a transfer of \$25,000 from the operating reserve to the new health care reserve. If approved, the Municipality will send a letter notifying the Foundation of the approval of \$53,000 for the x-ray machine and it will be released to them once the equipment has been purchased. It should be noted that any operating surplus from the 2019-2020 fiscal year is mandated to be transferred to the operating reserves.

MOTION: FUNDING - ROSEWAY HOSPITAL CHARITABLE FOUNDATION – X-RAY MACHINE

Being duly moved and seconded, be it resolved that the Council of the Municipality of the District of Shelburne approve the formation of a Health Care Reserve as of the 2020-2021 fiscal year and allocate \$53,000 for an x-ray machine from the current operating reserve to this fund for future use.

- **MOTION CARRIED**

10.(e) Council reviewed the Council Implementation Report.

10.(f) Council reviewed the Building Inspection Report for March 2020.

10.(g) Trudy Payne, CAO, presented Council with the COVID-19 Budget Consideration staff report.

On January 14, 2020 Council held a Strategic Planning Workshop to determine strategic priorities for the 2020-2021 fiscal year. Using a prioritization exercise, the new Civic Building, Health Care, High Speed Fibre to the Home Internet and Accessibility were deemed the top four priorities.

Based on discussions with colleagues across Nova Scotia, not having a full understanding of the possible financial impacts to municipalities due to COVID-19, and wanting to aid residents that are most in need, the following are the CAO's recommendations:

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1. To maintain the current tax rate for commercial, residential, resource and forestry as they were for the 2019-2020 fiscal year.
2. To make the recommended changes to the Low-Income Property Tax Policy and increase funds for this program in the 2020-2021 budget as presented in the staff report.
3. To consider an emergency funding program with the details to be worked out at a later date and to not include funds in the 2020-2021 operating budget but rather make a motion on what the program will look like and the amount to be allocated in the funds from the operating reserves at a later date; if the need for such a program is demonstrated. This fund could be used to support non-profit groups whose revenues may be dramatically impacted due to not being able to host fund raisers such as community suppers, community breakfasts, dances, festival and events; to aid fire emergency services who may require personal protective equipment not allocated for in their budget and training for fire fighters due to COVID-19; and perhaps aiding small businesses in some way as per Section 65 of the MGA.

Discussion was held regarding the pros and cons of maintaining the tax rate or decreasing, capital projects, the benefits and impact for the municipality's residents. Each Councillor provided their views on the recommendations and some provided their own recommendations regarding the budget. Some expressed that the Municipal reserves were too high.

MOTION: COVID -19 BUDGET CONSIDERATION

Being duly moved and seconded, be it resolved that the Municipality of the District of Shelburne Council direct staff to finalize the 2020-2021 operating budget maintaining the tax rates from the 2019-2020 fiscal year.

- MOTION CARRIED

Recorded Vote:

Councillor Townsend – Yes

Councillor Wallet – No

Councillor McIntyre – Yes

Warden Penny Smith – Yes

Deputy Warden John Roscoe – Yes

Councillor Roger Taylor – No

10.(h) Michelle Williams, Director of Finance, presented Council with the Revised Low-Income Property Tax Exemptions staff report.

Citing the 2016 Census report, the Municipality of the District of Shelburne's population was 4,288 with 2,635 total private dwellings and 1,971 private dwelling occupied by usual residents.

It was noted that currently in the policy, there are times that someone is eligible for an amount but only receives a portion as there are people that are on the deed that are not living in the home year-round.

Due to COVID-19, several municipal units have changed or are planning to change their low-income property tax exemption policy, as such a policy is a more target.

Discussion was held regarding clarifications of the policy, benefit of an additional tier being added to the policy (under \$35,000 up to \$50) provincial rebate qualifications, taxpayers subsidizing the province's tax rebate program, and clarification on application request.

MOTION: LOW INCOME TAX PROPERTY EXEMPTION POLICY

Being duly moved and seconded, be it resolved that Council of the Municipality of the District of Shelburne approve the attached Low-Income Property Tax Exemption Policy as amended; and

Council of the Municipality of the District of Shelburne increase the amount in the 2020 2021 budget from \$25,000 to \$50,000 for Low Income Applications.

- **MOTION CARRIED**

Recorded Vote:

Councillor Townsend – Yes

Councillor Wallet – No

Councillor McIntyre – Yes

Warden Penny Smith – Yes

Deputy Warden John Roscoe – Yes

Councillor Roger Taylor – No

10.(i) Trudy Payne, CAO, presented Council with a letter received from Nova Scotia Transportation and Infrastructure Renewal regarding cost sharing program – J Class Roads.

It was the consensus of Council to not participate in a cost share program at this time.

Due to time limitations, it was the consensus of Council that the In-Camera items be deferred to Monday, April 20, 2020 at 6:30 pm.

11. **In Camera:**

- a. Contract Negotiations as per the MGA, Section 22(2) (e) - DEFERRED
- b. Contract Negotiations as per the MGA, Section 22(2) (e) – DEFERRED

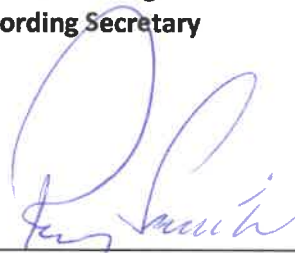
12. ADJOURNMENT:

There being no further business, the meeting was adjourned at 9:50 pm.

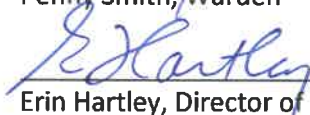
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Anita DeMings
Recording Secretary

May 27/20
Date



Penny Smith, Warden



Erin Hartley, Director of Corporate Services