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MUNICIPALITY OF THE COUNTY OF ANNAPOLIS

COMMITTEE OF THE WHOLE AGENDA

Tuesday, April 9, 2024

10:00 a.m. (by request of Council)



PAGES

	1.	ROLL CALL
	2.	DISCLOSURE OF INTEREST
	3.	APPROVAL of the Order of the Day
3-15	4.	11:00 PRESENTATION – Kings Transit Authority
	5.	APPROVAL OF MINUTES
16-18	5.1	2024-03-12 Regular Committee of the Whole
	6.	INFORMATION/STAFF REPORTS
19-27	6.1	SR2024-19 Policy 114 Council Remuneration New
28-30	6.2	SR2024-20 Tax Sale Surplus
31-62	6.3	SR2024-21 Policy 116 Council Meetings New
63-64	6.4	SR2024-22 Appoint Development Officer –
65-68	6.5	SR2024-23 Policy 115 Pension New
69-70	6.6	SR2024-24 Repeal AM-1.4.9, AM-1.4.11 and AM-1.4.12 Grants Policies
71-75	6.7	SR2024-25 Policy 111 Planning Advisory Committee New
76-97	6.8	SR2024-26 Policy 112 Area Advisory Committees New
98-104	6.9	SR2024-27 Policy 113 Public Participation New
105-106	6.10	IR Dangerous & Unsightly Quarterly Report
107-111	6.11	SR2024-28 Policy 110 Special Reserve for Culture and Recreation
	7.	RECOMMENDATIONS/REPORTS from Boards/Committees
112	7.1	2024-03-20 TCTS Board Report
113-115	7.2	2024-03-28 Physician Recruitment and Retention Committee Recommendation
	8.	IN-CAMERA
	8.1	In accordance with Section 22(2)(a) acquisition, sale, lease and security of municipal property
	8.2	In accordance with Section 22(2)(a) acquisition, sale, lease and security of municipal property
	9.	5:00 p.m. STATED ADJOURNMENT

King's Transit Strategic Plan 90% Report

King's Transit Authority Board
March 27, 2024



Project Objectives

- Strengthen the environment within which transit operates to better connect people to jobs, services, recreation, and each other
- Implement transit solutions that reduce need for auto trips and reduce the cost of travel
- Adopt new technologies to reduce GHGs

We listened to the Community



10 Open House Sessions with 137 attendees
On-line survey with 228 responses

What We Heard

- Two hour frequency is not sufficient
- Buses are chronically late
- Routes are cancelled too frequently
- Buses should not do “side trips”
- Buses should run later in the evening and on Sundays
- Service should be extended to Halifax, Windsor and Yarmouth

We also heard how much people value the service and love the drivers

Issues to be evaluated in the Strategy

- Two-hour frequency is insufficient

Solution: Put more buses into service

- Routes are too long to complete reliably in the time allocated

Solution: Trim the routes or add to the route time

- Buses break down too often

Solution: Decommission and replace aging buses

- Bus arrivals for the Route #1 and #2 overlap area are inconsistent

Solution: Redesign routing

- Technology expectations are beyond the capability of small systems

Solution: Advocate for province-wide co-ordination

Route Trimming

FIXED ROUTING

My bus arrives on a regular schedule and travels along a consistent route.



DYNAMIC ROUTING

The bus will divert from its route to come to the bus stop(s) in my community only if I call in advance (or use the transit app on my phone) to indicate that I want to be picked up. When I'm returning on the bus, I tell the driver I'd like to get off at the bus stop in my community.



Unified Governance and Funding Model

- All Municipalities are equal partners
- Kings Transit own the buses and operate the service on behalf of their partners
- Operating costs are funded based on value received
proposed formula blends pay-by-minute with pay-by-boarding

Stand-Pat Approach

- Existing seven buses
- Connection point at Greenwood
- Some route trimming
- Single west route with 120 minute frequency
- Two east routes overlap, 60 minute frequency (average) in overlap area, 120 minute frequency outside

Move Forward Approach

- Eight buses
- Connection point at Berwick
- Some route trimming
- Single west route with 100 minute frequency
- Three east routes, 50 minute frequency in core, 100 minute frequency outside
- New service to Canning

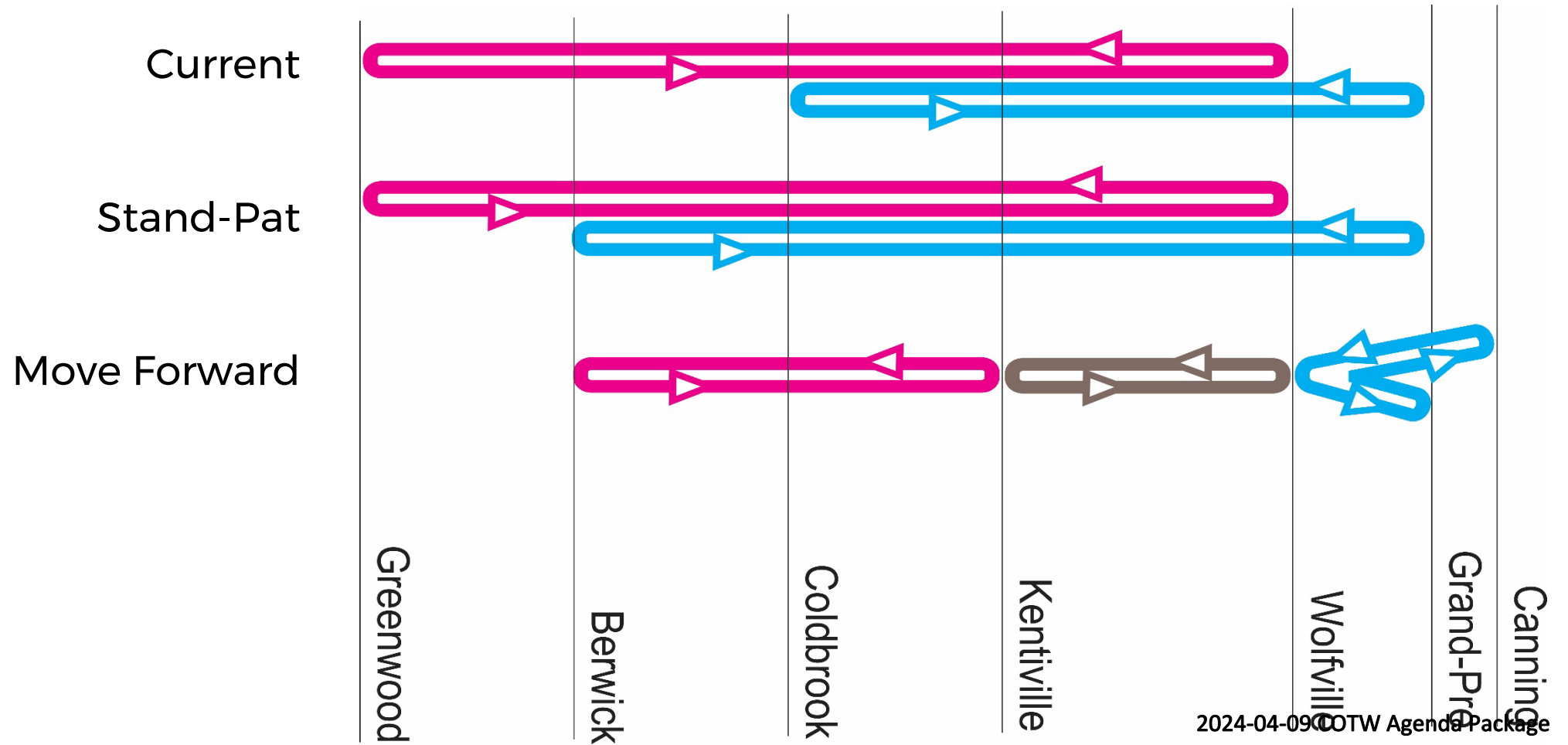
Why move to a centralized hub in Berwick?

- Utilize cleaner power at more favourable rates
- Centralizing overnight bus storage reduces the need for expensive charging infrastructure
- Better management and maintenance of fleet vehicles

Why combine three west routes into a single route?

- Common turn-around point for all buses can justify an in-route charging system
- Passenger transferring is reduced
- Waiting time for connections is eliminated
- More time to recover from single-point road delays (i.e. construction)

Achieving higher frequency in high ridership areas



Transition Planning – Moving to Battery-Electric

- Replacement schedule for buses beyond or at useful service life
- Cost-benefit analysis for capital and operating costs
- Quantify GHG emissions reduction



Thank you



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Minutes of the regular Committee of the Whole meeting held on Tuesday, March 12, 2024, at 10:00 a.m., at the Municipal Administration Building, 752 St. George St. Annapolis Royal, NS.

ROLL CALL

District 1 – Bruce Prout, present
District 2 - Brian “Fuzzy” Connell, present
District 3 – Dustin Enslow, present
District 4 – Clyde Barteaux, present
District 5 – Lynn Longmire, present (via Zoom)
District 6 – Alex Morrison, Warden, present
District 7 – David Hudson, present
District 8 – Michael Gunn, present
District 9 – Wendy Sheridan, present
District 10 – Brad Redden, Deputy Warden, present
District 11 – Diane Le Blanc, present

Also Present: CAO Chris McNeill; Municipal Clerk Carolyn Young; other staff, L. Bent, D. Campbell, S. Hudson, C. Mason, N. McCormick, B. Olsen, D. Ryan, N. Whitman, and Jim Young.

Disclosure of Interest

None.

Order of the Day

Councillor Gunn requested to remove item 6.1. *2024-02-13 Forestry Advisory Committee Recommendation*

To approve the agenda as amended

Moved: Councillor Prout

Seconded: Councillor LeBlanc

Motion carried.

Minutes

Re: 2024-02-12 Special Committee of the Whole

Approved, no errors or omissions.

Re: 2024-02-13 Regular Committee of the Whole

Approved, no errors or omissions.

Re: 2024-03-04 Special Committee of the Whole

Approved, no errors or omissions.

Information/Staff Reports

Re: SR2024-14 Policy 109 Tax Exemption and Reduction NEW

That Municipal Council approve *Policy 109 Tax Exemption and Reduction (New)*, seven-day notice.

Moved: Councillor Sheridan
Seconded: Councillor Gunn
Motion carried.

Re: SR2024-15 Derelict Vehicle Collection Program

That Municipal Council approve the Derelict Vehicle Collection Program for a three-year term (2024-2025 to 2026-2027) with an option for the County of Annapolis to extend the Program for an additional two years.

Moved: Councillor Connell
Seconded: Councillor Hudson
Motion carried.

• ***Community Grants Applications***

SR2023-04 (3) Community Grants Application Upper Clements District Community Hall Association

That Municipal Council approve a grant to the Upper Clements and District Community Hall Association in the amount of \$1,200 to support roof repairs to the hall in accordance with *AM 1.4.9 Community Grants, Community Halls and Centres Assistance Program*.

Moved: Councillor Gunn
Seconded: Councillor LeBlanc
Motion carried.

SR2023-04 (3) Community Grants Application Fundy Folk Association

That Municipal Council approve a grant to the Fundy Folk Association in the amount of \$5,000 to help support the Evergreen Theatre Stage Lighting Replacement Project in accordance with *AM 1.4.9 Community Grants, Small Project Matching Grants*.

Moved: Councillor Connell
Seconded: Councillor Prout
Motion carried.

SR2023-04 (3) Community Grants Application Round Hill and District Recreation Commission

That Municipal Council approve a grant to the Round Hill and District Recreation Commission in the amount of \$16,679.87 to support building repairs and upgrades to the Bishop Park recreation facility in accordance with *AM 1.4.9 Community Grants, Large Capital Pledge Grant*.

Moved: Councillor Barteaux
Seconded: Councillor Gunn
Motion carried.

Re: SR2024-16 Bridgetown Dog Park

That Municipal Council enter into a three-year lease agreement with Bridgetown Dog Park Association for the lease of PID# 05149505; Bridgetown, to allow for the creation of a dog park.

Moved: Councillor Enslow
Seconded: Councillor Gunn
Motion carried, 10 in favour, 1 against.

Recommendations / Reports from Boards / Committees

Re: 2024-02-13 Forestry Advisory Committee Recommendation – this item was removed from the agenda

• ***2024-02-29 Physician Recruitment and Retention Committee Recommendations***

Re: Policy 108 Medical Recruitment Financial Assistance Policy

To recommend that Municipal Council approve *Policy 108 Medical Recruitment Financial Assistance Policy*, seven-day notice. (*see attached*)

Moved: Councillor Gunn

Seconded: Councillor Connell

Motion carried.

Re: Confirm Mandate of Physician Recruitment and Retention Committee (Ad Hoc)

That Municipal Council confirm that the mandate for the Physician Recruitment and Retention Committee includes supporting community recruitment and retention activities such as community navigators and welcomers.

Moved: Councillor Gunn

Seconded: Councillor Enslow

Motion carried.

New Business

Re: Warden' Update – March

In-Camera

To meet in-camera from 10:47 a.m. to 11:24 a.m. in accordance with Section 22(2)(a) acquisition, sale, lease and security of municipal property of the *Municipal Government Act*.

Moved: Councillor Hudson

Seconded: Councillor Sheridan

Motion carried.

Adjournment

The Warden declared the meeting adjourned at 11:25 a.m.

Warden

Municipal Clerk



COUNTY of ANNAPOLIS
NATURALLY ROOTED

STAFF REPORT

Report To: Committee of the Whole
Meeting Date: April 9, 2024
Prepared By: Chris McNeill, Chief Administrative Officer
Dawn Campbell, Director of Corporate Services
Report Number: **SR2024-19 Policy 114 Council Remuneration NEW**
Subject: Approve Policy 114 Council Remuneration NEW

RECOMMENDATION

To recommend that Municipal Council approve *Policy 114 Council Remuneration*, seven-day notice.

BACKGROUND

A policy determining remuneration for warden, deputy warden and councillors has been maintained by the County since 1999. It coincided with the *Municipal Government Act* which became effective at that time. It has undergone twenty-five (25) amendments in subsequent years.

DISCUSSION

The new policy has been adapted to be more clear and concise. It consolidates councillor remuneration, benefits, travel allowances and deductions for absences. The new policy repeals the former policy (*AM-1.2.1 Remuneration for Warden, Deputy Warden and Councillors Policy*).

LEGISLATIVE AUTHORITY

Section 23(1)(d) of the *Municipal Government Act* states that the council may make policies providing for and fixing:

- (i) the annual remuneration to be paid to the mayor or warden,
- (ii) the annual remuneration to be paid to the deputy mayor or deputy warden,
- (iii) the annual remuneration to be paid to councillors,
- (iv) that part of the salary or remuneration that is an allowance for expenses incidental to the discharge of the duties of such persons as elected officers of the municipality,

- (v) the deduction to be made from the remuneration of such persons, other than persons on parental accommodation, for missing more than three council or committee meetings in a year, and
- (vi) the rate per kilometre as a travelling allowance for such persons for actual distance travelled once each day to go to, and return from, every daily session of a meeting of the council or of a committee.

BUDGET IMPACTS

The new policy imposes no new financial or budget impacts

COMMUNICATIONS

This approval will be posted on our social media sites, as well as our website.

Prepared by:

Policy – Chris McNeill, Chief Administrative Officer
Staff Report - Dawn Campbell, Director of Corporate Services

Approved by:

CY for Chris McNeill

Chris McNeill
Chief Administrative Officer

Approval Date:

April 4, 2024

(Date)

MUNICIPALITY OF THE COUNTY OF ANNAPOLIS POLICY AND ADMINISTRATION MANUAL	POLICY 114
ADMINISTRATION	Council Remuneration

1. GENERAL

This policy is referred to as the “**Council Remuneration Policy.**”

2. AUTHORITY FOR POLICY

Section 23(1)(d) of the *Municipal Government Act* states that the council may make policies providing for and fixing:

- (i) the annual remuneration to be paid to the mayor or warden,
- (ii) the annual remuneration to be paid to the deputy mayor or deputy warden,
- (iii) the annual remuneration to be paid to councillors,
- (iv) that part of the salary or remuneration that is an allowance for expenses incidental to the discharge of the duties of such persons as elected officers of the municipality,
- (v) the deduction to be made from the remuneration of such persons, other than persons on parental accommodation, for missing more than three council or committee meetings in a year, and
- (vi) the rate per kilometre as a travelling allowance for such persons for actual distance travelled once each day to go to, and return from, every daily session of a meeting of the council or of a committee.

3. DEFINITIONS

Terms used in this policy shall have the same meaning as in the *Municipal Government Act*, or as their context applies according to a dictionary of the Canadian language.

4. REMUNERATION

a. Warden

The position of Warden shall be compensated at a rate of \$71,342 per annum or part thereof, payable in bi-weekly installments.

b. Deputy Warden

The position of Deputy Warden shall be compensated at a rate of \$47,319 per annum or part thereof, payable in bi-weekly installments.

c. Councillor

The position of Councillor shall be compensated at a rate of \$35,671 per annum or part thereof, payable in bi-weekly installments.

MUNICIPALITY OF THE COUNTY OF ANNAPOLIS POLICY AND ADMINISTRATION MANUAL	POLICY 114
ADMINISTRATION	Council Remuneration

d. **Annual Increases**

On January 1, 2025, and on every January 1st anniversary date thereafter, the Warden, Deputy Warden, and Councillor remuneration amounts will increase by the same percentage increase provided to all non-union staff on the same day.

e. **Pension Equivalent**

Upon election of a new council every four years, each member of council may elect to immediately enter the Municipality's Public Sector Superannuation Pension Plan through the Province of Nova Scotia by making equal contributions according to the terms and conditions of the Plan. Should a council member be ineligible for entry into the Plan for any reason, the council member shall be compensated with an additional 8.4% of taxable salary.

f. **Health Care Benefits**

Upon election of a new council every four years, each member of council may elect to immediately enter the Municipality's medical, dental, and life insurance program according to the terms and conditions of the program.

5. ABSENCES

- a. Members of council who are absent from more than three Council, Committee of the Whole, or other meetings of committees in any one year to which they have been appointed by council, shall have their remuneration reduced by \$75.00 for each such absence over three absences, with the dates running from November 1st in any year to October 31st in the following year.
- b. A member of council who is not provided at least five (5) business days' notice of a meeting date shall not be deemed to be absent and shall not accrue any missed meeting time.
- c. Absence from multiple meetings on the same day shall only be deemed to be one absence.
- d. Where a member of council is required to attend an event or function at the request of council at the same time as a formal council or committee meeting, the council member shall not be considered absent and shall not accrue any missed meeting time.

MUNICIPALITY OF THE COUNTY OF ANNAPOLIS POLICY AND ADMINISTRATION MANUAL	POLICY 114
ADMINISTRATION	Council Remuneration

6. MILEAGE

Members of council shall be reimbursed for mileage expenses in order to attend Council and Committee meetings at the rate contained within the Municipality's Travel and Expenses Policy.

7. EFFECTIVE DATE

This policy shall come into effect upon its passing by Council. Notwithstanding this, no council member shall have their pay or benefit plans changed during the period of April 1 to October 31, 2024.

8. REPEAL

Policy *AM-1.2.1 Remuneration for Warden, Deputy Warden and Councillors Policy*, adopted by Municipal Council of the County of Annapolis on February 21, 2023, is hereby repealed.

Municipal Clerk's Annotation for Official Policy Book I certify that this policy was adopted by Municipal Council as indicated below: <i>Seven (7) Day Notice.....</i> PENDING April 9, 2024 <i>Council Approval</i> PENDING April 16, 2024 <div style="display: flex; justify-content: space-around; align-items: flex-end;"> <div style="text-align: center;"> <hr style="width: 200px; border: 0.5px solid black;"/> Municipal Clerk At <u>Annapolis Royal</u> Nova Scotia </div> <div style="text-align: center;"> <u>PENDING</u> Date </div> </div>	
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MUNICIPALITY OF THE COUNTY OF ANNAPOLIS POLICY AND ADMINISTRATION MANUAL	AM - 1.2.1
Section Council and Committees	Subject Remuneration for Warden, Deputy Warden and Councillors Policy

1. APPLICATION

This policy applies to members of Municipal Council.

2. AUTHORITY

Sections 23 and 24, *Municipal Government Act*, as amended
Income Tax Act (Canada), as amended

3. REMUNERATION OF MEMBERS OF COUNCIL

Commencing on January 1, 2023

3.1 Each Councillor shall be paid \$34,565 per annum.

3.2 In addition to the payment as a Councillor:

- The Warden shall be paid a further \$34,565 per annum; and
- The Deputy Warden shall be paid a further \$11,287 per annum.

4. DEDUCTION FOR ABSENCES FROM MEETINGS

Members of Council shall normally attend all meetings of Council, Committee of the Whole and all advisory boards and committees to which Council has appointed them. Unless Municipal Council specifically determines by resolution to excuse the absence of a councillor, a deduction of \$75.00 from remuneration shall be made for each absence, subject to the following:

- three absences from meetings of Council, Committee of the Whole, or an advisory board or committee during any year (November to October) shall not be penalized;
- absences from meetings of Council, Committee of the Whole, or an advisory board or committee for which 5 business days' notice of the meeting or a change in the meeting date has not been provided shall not be penalized.
- absence from consecutive meetings on a single day shall be deemed one absence;
- failure to attend because of alternative formal business on behalf of Council shall not be deemed to be an absence; and
- attendance shall be at their respective discretion where the Warden and Deputy Warden are ex-officio members.

5. KILOMETRIC ALLOWANCE FOR MEETING ATTENDANCE

Members of Council shall be reimbursed for travel expenses incurred in order to attend Council and Committee meetings or meetings of any organization to which they have been appointed by council. Reimbursement shall be at the rates contained in *AM-1.8.1 Travel and Expenses Policy*. The rate per kilometre shall be for actual distance travelled once each day to go to, and return from, every daily session of a meeting of the council or of a committee.

MUNICIPALITY OF THE COUNTY OF ANNAPOLIS POLICY AND ADMINISTRATION MANUAL	AM - 1.2.1
Section Council and Committees	Subject Remuneration for Warden, Deputy Warden and Councillors Policy

6. MEDICAL / DENTAL BENEFITS

Participation in the group medical / dental plan shall be optional for all councillors.

7. ANNUAL INCREASE

Unless Municipal Council specifically determines otherwise by resolution, all council remuneration shall be adjusted annually by 1.7% commencing on January 1st.

8. PENSION EQUIVALENT

For councillors who are unable to register in the County's pension plan due to age restrictions, an additional taxable allowance shall be provided equivalent to nine (9) percent of gross earnings.

Municipal Clerk's Annotation for Official Policy Book

I certify that this policy was adopted by Municipal Council as indicated below:

Seven (7) Day Notice..... **February 14, 2023**

Council Approval **February 21, 2023**

Carolyn Young

Municipal Clerk

February 22, 2023

Date

At **Annapolis Royal** Nova Scotia

Amendments:

Enacted April 20, 1999

2002/09/17 Elected officials' remuneration and allowances increased (5% of 1999 base), effective April 1, 2002.

2003/10/21 Elected officials' remuneration and allowances increased (5% of 1999 base), effective April 1, 2003.

2003/10/21 Annual honoraria set for citizen members of Bridgetown Water Supply Area Advisory Committee.

2004/12/21 Annual honoraria set for citizen members of Lake Cady Water Supply Area Advisory Committee.

2006/07/18 Removed annual honoraria for Chair of the Board of Directors of the Annapolis Co. Municipal Housing Corp. and added bullet in Section 5 "*absences from meetings of Council, Committee of the Whole, or a Committee of Council for which 5 business days' notice of the meeting or a change in the meeting date has not been provided shall not be penalized*".

2008/11/18 Elected officials' remuneration and allowances increased effective April 1, 2009.

2008/12/16 Revisions to Sections 7.3 and 7.4 to reflect: the inclusion of the Lawrencetown Water Supply Area Advisory Committee and removing honorariums limitations during an interim or general review.

2010/08/17 Revision to delete Subsection 7.8 which reads "*The annual honorarium for the Chair of each of the Executive, Finance, Priorities & Planning, and Heritage Advisory Committees shall be \$600*"

2010/09/21 Deleted references to Employment Equity & Environmental Advisory Committees

2010/12/21 Policy Renamed as "*AM-1.2.1 Remuneration for Warden, Deputy Warden and Councillors Policy*" and all references to remuneration for committees / citizen members transferred to new policies

2012/05/15 Elected officials' remuneration and allowances increased by 10% effective retroactive to April 1, 2012.

Amended February 2023

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MUNICIPALITY OF THE COUNTY OF ANNAPOLIS POLICY AND ADMINISTRATION MANUAL	AM - 1.2.1
Section Council and Committees	Subject Remuneration for Warden, Deputy Warden and Councillors Policy

2013/02/19 In Section 5, changed the first bullet to reflect that absences would be tracked from November to October rather than in accordance with the fiscal year; inserted the new remuneration / allowance rates to commence April 1, 2013; and deleted the following from Section 6:
Notwithstanding, to be eligible to receive reimbursement for travel expenses each councillor is required to be in attendance when the meeting is called to order and until the normal or stated adjournment time unless excused by municipal council. Also, approved an increase of 2% for remuneration and allowances for councillors commencing April 1, 2013.

2013/04/16 In Section 6 removed the words “and subject to the conditions”; removed the sentence “Kilometric charges shall be for the actual distance traveled once each day to go to, and return from, the location of each meeting or all meetings at the same location on the same day”; and added the sentence “The rate per kilometre shall be for actual distance travelled once each day to go to, and return from, every daily session of a meeting of the council or of a committee.”

2013/11/19 Added Section 8 formalizing optional medical / dental benefits for councillors.

2014/05/20 Elected officials’ remuneration and allowances increased by 5% effective retroactive to April 1, 2014.

2015/04/21 ~~DELETED:~~

~~ANNUAL INCREASE CALCULATION FOR BUDGET~~

~~All council remuneration shall be adjusted annually in accordance with the Nova Scotia Consumer Price Index of the previous fiscal year (average – all items) for approval as part of the annual operating budget.~~

~~REPLACED WITH:~~

~~ANNUAL INCREASE~~

Unless Municipal Council specifically determines otherwise by resolution, all council remuneration shall be adjusted for one year equivalent to 1.7 % commencing in 2015-16.

2016/04/19 Elected officials’ remuneration and allowances increased by 10%

2016/06/21 In Section 5, added in the second sentence “*Unless Municipal Council specifically determines by resolution to excuse the absence of a councillor*”.

2017/06/20

- Elected officials’ remuneration and allowances increased by 25%
- Added Section 9 - Pension Equivalent

2018/06/19

- Elected officials’ remuneration and allowances increased by 1.7%

2019/04/16

- Removed all references to “Allowances” (*necessary due to changes to Income Tax Act as of January 2019*)
- Made numbering changes resulting from deletions
- Increased elected officials’ remuneration to off-set loss in “take home” resulting from elimination of tax free allowances

2020/06/16

- Deleted Section 3:

~~REMUNERATION OF MEMBERS OF COUNCIL~~

~~3.1 Each Councillor shall be paid \$32,861 per annum.~~

~~3.2 In addition to the payment as a Councillor:~~

~~the Warden shall be paid a further \$32,861 per annum; and~~

~~the Deputy Warden shall be paid a further \$10,730 per annum.~~

- and re-numbered subsequent sections

2021/02/16

- Deleted in Section 7 “(subject to providing proof that he / she has established an instrument such as a Tax Free Savings Account or other suitable investment instrument for this purpose)”

MUNICIPALITY OF THE COUNTY OF ANNAPOLIS POLICY AND ADMINISTRATION MANUAL	AM - 1.2.1
Section Council and Committees	Subject Remuneration for Warden, Deputy Warden and Councillors Policy

2023/01/17

- Inserted new Section 3 (re-numbered subsequent sections):

REMUNERATION OF MEMBERS OF COUNCIL

Commencing on January 1, 2023

- 3.1 Each Councillor shall be paid \$33,988 per annum.
- 3.2 In addition to the payment as a Councillor:
 - * the Warden shall be paid a further \$33,988 per annum; and
 - * the Deputy Warden shall be paid a further \$11,098 per annum.

And amended Section 7 as follows:

ANNUAL INCREASE

Unless Municipal Council specifically determines otherwise by resolution, all council remuneration shall be adjusted for one year equivalent to **annually by 1.7 % commencing in 2015-16 on January 1st**.

2023/02/21

- Corrected remuneration amounts as follows:

REMUNERATION OF MEMBERS OF COUNCIL

Commencing on January 1, 2023

- 3.1 Each Councillor shall be paid \$34,565 per annum.
- 3.2 In addition to the payment as a Councillor:
 - * the Warden shall be paid a further \$34,565 per annum; and
 - * the Deputy Warden shall be paid a further \$11,287 per annum.



COUNTY of ANNAPOLIS
NATURALLY ROOTED

STAFF REPORT

Report To: Committee of the Whole
Meeting Date: April 9, 2024
Prepared By: Chris McNeill, Chief Administrative Officer
Report Number: **SR2024-20 Tax Sale Surplus – Letter to Minister to Reduce Redemption Period**
Subject: Letter to Minister of Municipal Affairs and Housing to Reduce Tax Sale Surplus Redemption Period

RECOMMENDATION

That Municipal Council send a letter to the Nova Scotia Minister of Municipal Affairs and Housing requesting that the Financial Reporting and Accounting Manual be amended to reduce the length of time tax sale surplus funds are required to be held before transfer to the Capital Reserve Fund from 20 years to 8 years, or one year post tax sale, whichever is greater.

BACKGROUND

Currently in Nova Scotia, when a property is outstanding in its taxes for more than 3 years, it is required to be put up for tax sale, with a few exceptions. After a property is sold at tax sale, if the property was not behind in its taxes by more than six years, it can be redeemed by the original owner within six months of the sale by paying the outstanding tax amounts at the time of the sale plus any approved expenses incurred by the tax sale purchaser. If the property at the time of the tax sale was more than six years in arrears on its taxes, the property is not subject to redemption by the former owner.

DISCUSSION

Despite the above date and time restrictions for redemption of properties sold at tax sale, the Financial Reporting and Accounting Manual adopted by government regulation in Nova Scotia states that any surplus received over and above the outstanding taxes that are paid at the time of the tax sale are to be held in a reserve for 20 years. This allows time for the original owner to come forward to claim this excess sale

price. While that time frame is in place, the money is frozen in a municipal reserve fund and collects interest for the original owner for up to 20 years and makes this money inaccessible for the municipality to use for other purposes. At the conclusion of the 20-year period if no redemption of the surplus takes place by the original owner, the money is then required to be transferred to the municipality's capital reserve. The future use of this money is then restricted to future capital spending only and cannot be used to defray general operating expenses.

This freezing of surplus tax sale revenue for 20 years is punitive to municipalities and is out of line with the normal tax sale redemption process of 6 years. It is therefore suggested that a more reasonable time frame for redemption of any surplus should be two years after the time for redemption when a property is more than six years outstanding. Therefore, if a person has a claim to the surplus, they would have potentially up to eight years from the time they stopped paying property taxes on it to claim it. Therefore, if a property is outstanding for more than eight years when the property is sold for taxes, the surplus would not be held for more than one year after that date. To be fair, it is suggested that where a property is sold for taxes that is more than eight years outstanding, that a person would have one year from the time of the sale to come forward to claim their surplus, but in no case would the time period be less than eight years.

This change in the regulation will free up a tax sale surplus sooner and reduce the administrative burden of maintaining these records for more than 20 years. This 20-year time frame was established many decades ago when communication to residents and property owners was only done by regular mail. Nowadays, access to these public records, tax notices, and tax bills can all be done electronically around the world within minutes instead of weeks and therefore the tax sale surplus time no longer needs to be such a long period of time of 20 years.

LEGISLATIVE AUTHORITY

Section 134 of the *Municipal Government Act* states that:

- (1) Property may be sold for taxes if the taxes with respect to the property are not paid in full for the taxation year immediately preceding the year in which the tax sale proceedings are commenced, but the proceedings shall not commence before June 30th in the year immediately following that taxation year.
- (2) Property shall be put up for tax sale if taxes are in arrears for the preceding three fiscal years.
- (3) The council may defer tax sale proceedings for a property for up to two years.

Section 3(2)(c) of the Financial Reporting and Accounting Manual of the Nova Scotia Department of Municipal Affairs and Housing dated 2023 states that:

(i) Definition - Tax sale surplus represents excess funds at tax sales over and above the original amounts that were owing to the municipality at the time a particular property was sold.

(ii) Length Held - This surplus is to be held for twenty years, and if the excess proceeds are not claimed at the end of that time, they are to be transferred to the Capital Reserve Fund.

Prepared by:

Chris McNeill, Chief Administrative Officer

CY for Chris McNeill, April 4, 2024



STAFF REPORT

Report To: Committee of the Whole
Meeting Date: September 12, 2023
Prepared By: Carolyn Young, Municipal Clerk
Report Number: SR2024-21 Policy 116 Committees of Council and Council Meetings – Procedures Policy - NEW
Subject: COTW Start/End Times

RECOMMENDATION(S):

That municipal council approve Policy 114 Committees of Council and Council Meetings – Procedures Policy NEW, seven-day notice.

LEGISLATIVE AUTHORITY

Section 23, Council May Make Policies, *Municipal Government Act*, as amended.

BACKGROUND

Following discussions with municipal council, staff is bringing this request. It includes changing the start time of Committee of the Whole to 10:00 and removing the stated adjournment time for Committee of the Whole. There

DISCUSSION

This Policy is a procedural guideline for all committees of Council.

FINANCIAL IMPLICATIONS

None known.

POLICY IMPLICATIONS

Provides clear communication regarding a consistent start time for Committee of the Whole.

ALTERNATIVES / OPTIONS

N/A

NEXT STEPS

In accordance with Sub-section 48 (1) of the *Municipal Government Act*, seven (7) day notice to municipal council is required to amend the policy.

ATTACHMENTS

AM-1.2.0 Committees of Council and Council Meetings – Procedures Policy (former)
Policy 116 Committees of Council and Council Meetings Procedures (new)

Carolyn Young, Municipal Clerk

Reviewed by:
Dawn Campbell, Director of Corporate Services/Deputy CAO

Approved by:	Approval Date:
CY for Chris McNeill	April 4, 2024
Chris McNeill, Chief Administrative Officer	(Date)

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GENERAL

The procedural requirements in the Policy are intended to complement and supplement, and not to replace, the requirements contained in applicable municipal legislation.

In this Policy, unless otherwise defined herein, terms used in this policy shall have the same meanings as those defined in the *Municipal Government Act*.

- a) "business day(s)" means a day when the administrative offices of the Municipality of the County of Annapolis are open for business;
- b) "CAO" means Chief Administrative Officer of the Municipality of the County of Annapolis;
- c) "Chair" means the presiding officer;
- d) "Clerk" means the Clerk of the Municipality of the County of Annapolis;
- e) "Council" means the Municipal Council of the Municipality of the County of Annapolis;
- f) "Councillor(s)" include(s) the Warden and Deputy Warden;
- g) "majority" means more than one half of those present;

Although the *Municipal Government Act* does not provide a definition for *Member*, it is defined in this policy as follows:

- h) "member" means any person appointed to a committee

This policy shall be applicable for Committees of Council and Council meetings of Municipal Council, and include periods of adjournment to "in camera". The rules contained in the current edition of Robert's Rules of Order Newly Revised shall govern all cases to which they are applicable and in which they are not inconsistent with provincial legislation or the bylaws, policies or procedures of the municipality.

MEETINGS

Committees of Council and Council meetings shall be held in person in the Council chambers of the Municipal Administration Building, 752 St. George Street, Annapolis Royal, NS or an alternative location. Council and Special Council meetings can be conducted by video conference as outlined in the *Council Videoconferencing Policy, AM-1.2.0.1*.

All meetings of Committees of Council and Council, regular or special, shall be open to the public, and no person shall be excluded from a meeting that is open to the public except for improper conduct.

- 1) **INAUGURAL MEETING** - the Inaugural meeting of Council shall take place on the first business day following the 10-day appeal period of a municipal election. The Clerk shall preside as Chair of the meeting until such time as the Warden is elected.
- 2) **REGULAR MEETINGS OF COMMITTEE OF THE WHOLE** - meetings of the Committee of the Whole shall be held on the **second Tuesday of each month at 10:00 a.m.** ~~starting at 9:00 a.m. and ending no later than 5:00 p.m.~~ with Notice of Meeting to the public at least five business days in advance, unless Council



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by resolution directs otherwise, in which case a notice shall be posted three or more days in advance of the meeting in the municipal office(s) and on the County website advising of the time and place.

Meetings from November to March (inclusive) will start at 10:00 a.m.

There shall be no regular meeting during the month of August.

- 3) **REGULAR MEETINGS OF COUNCIL** - meetings of Council shall be held on the **third Tuesday of each month at 10:00 AM** with Notice of Meeting to the public at least five business days in advance, unless Council by resolution directs otherwise, in which case a notice shall be posted three or more days in advance of the meeting in the municipal office(s) and on the County website advising of the time and place.

There shall be no regular meeting during the month of August.

- 4) **SPECIAL MEETINGS OF COMMITTEE OF THE WHOLE OR COUNCIL**

A special meeting may be convened by resolution or consensus at a previous meeting three or more days in advance of the special meeting, or by the CAO or Clerk in consultation with the Warden.

- 5) **COMMITTEES OF COUNCIL MEETINGS**

Committee(s) shall meet at such time and place which it sets at a preceding meeting or at such other time and place as municipal council, the committee's Chair, or a quorum of committee members may set by providing notice of meeting to all committee members at least five business days in advance. There shall be no regular meetings during the month of August.

- 6) **IN-CAMERA**

Such meetings may be closed to the public when the subject matter under consideration involves the following matters under Section 22(2) of the *Municipal Government Act*:

- a) acquisition, sale, lease and security of municipal property;
- b) setting a minimum price to be accepted by the municipality at a tax sale;
- c) personnel matters;
- d) labour relations;
- e) contract negotiations;
- f) litigation or potential litigation;
- g) legal advice eligible for solicitor-client privilege; and
- h) public security.

When In-Camera matters are listed on the Committee of the Whole agenda, they will be the last order of business.

When In-Camera matters are listed on the Council agenda, they will be the last order of business.

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Direction may be given to staff In-Camera; however, any motions forthcoming from In-Camera discussions must be added to the agenda under New Business and adopted during the open portion of the meeting.

Minutes of a closed meeting will be recorded, circulated physically by the Clerk, and approved at the next meeting. Approved minutes are signed by the Warden and Clerk and kept in the Clerk's office. Councillors may peruse the physical minutes at any time.

7) WARDEN'S ABSENCE

In the case of the absence of the Warden from the Municipality, the Deputy Warden shall act in the place and stead of the Warden, and shall have all the rights, powers, and authority of the Warden, while so acting.

8) CALLING THE MEETING TO ORDER AND QUORUM

As soon after the hour fixed for the holding of the meeting, and quorum is present, the Warden shall take the Chair and call the meeting to order.

9) QUORUM

A quorum for Council and Committee of the Whole shall be the majority of councillors elected.

A quorum for other committees of council shall be a majority of the appointed members.

10) NO QUORUM

If no Quorum is present 15 minutes after the time appointed for a meeting, the Clerk or recording secretary shall record the names of the councillors/members present and the meeting shall stand adjourned until the date of the next regular meeting; or until otherwise scheduled.

11) THE CONDUCT OF PROCEEDINGS AT A MEETING

It shall be the duty of the Warden or other presiding officer:

- a) to open the meeting by taking the Chair and calling the councillors or members to order;
- b) to announce the business before the meeting in the order in which it is to be acted upon;
- c) to put to vote all questions which are regularly moved and seconded, or necessarily arise in the course of proceedings, and to announce the result;
- d) to decline to put to vote motions which infringe the rules of procedure;
- e) to restrain the councillors or members, within the rules of order, when engaged in debate;
- f) to call by name any councillor or member persisting in breach of the rules of order of Municipal Council, thereby ordering them to vacate the Council chambers;
- g) to inform the Council, when necessary or when referred to, on a point of order;
- h) to permit the CAO or Clerk to speak on any point upon request;

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- i) to permit proper questions to be asked through the Chair of any official or employee of the County, or any member of the public in attendance, to provide information to assist in debate;
- j) to authenticate by their signature when necessary, the minutes of Committee of the Whole and Council; and
- k) to adjourn the meeting when business is concluded.

The presiding officer may state their position on any matter before the meeting without leaving the Chair, but only after all other councillor/member comments have been heard. It shall not be permissible for the presiding officer to debate the question without first leaving the Chair and after having appointed the Vice Chair to preside in their place during their remarks.

12) AGENDA

- a) any councillor, no later than six business days prior to a council meeting, may file in writing, an item for inclusion in the agenda under New Business. Items are to include background information and proposed motion.
- b) the business of the meeting shall in all cases be taken up in the order in which it stands upon the agenda unless otherwise decided by the councillors, and the Order of the Day amended.
- c) an item of business not listed on the Committee of the Whole agenda cannot be introduced at a meeting without the approval of the councillors **by majority vote.**
- d) the Clerk shall have prepared and provided electronically and in hard copy for the use of the councillors at the meetings of Committee of the Whole and Council an agenda under the following headings:

AGENDA
for the Municipality of the County of Annapolis
Committee of the Whole Meeting
to be held on Tuesday, _____, 20 __,-9:00 AM
Council Chambers, Municipal Administration Building, 752 St George Street, Annapolis Royal

Roll Call

Presentations

Disclosure of Interest

Approval of the Agenda

Approval of the Minutes

Correspondence

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Staff Reports

Recommendations and Reports from Boards and Committees

Business Arising from the Minutes

New Business

In-Camera

5:00 Stated Adjournment

- e) The Clerk shall have prepared and provided electronically and in hard copy for the use of the councillors at the regular meetings of Council an agenda under the following headings:

AGENDA

for the Municipality of the County of Annapolis Council Meeting

to be held on Tuesday, _____, 20 __, 10:00 AM

Council Chambers, Municipal Administration Building, 752 St George Street, Annapolis Royal

Roll Call

Disclosure of Interest

Approval of the Agenda

Approval of the Minutes

COTW Recommendations

Business Arising from the Minutes

New Business

Councillor's Comments

In-camera

Adjournment

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[Definitions / Processes of Agenda Items \(in alphabetical order\):](#)

Adjournment – the Warden or Chair shall declare the meeting adjourned.

Approval of the Agenda – the agenda, once approved by motion, confirms the Order of the Day.

Approval of the Minutes – Minutes shall record:

- a) the place, date and time of meeting;
- b) attendance of councillors, present or absent; and
- c) all other proceedings of the meeting without note or comment.

It shall be the duty of the Clerk to ensure that the minutes of the last regular meeting, and all special meetings held more than five days prior to a regular meeting, together with the agenda are provided electronically to each councillor not less than 48 hours before the hour appointed for the holding of such regular meeting.

Business Arising from the Minutes – the items listed in the order of the topics set out in the agenda of prior Committee of the Whole / Council meetings which have not been disposed of and the date of their first appearance on the agenda shall be noted and repeated on each subsequent agenda until disposed of, unless removed from the agenda by motion.

Committee of the Whole Recommendations – all recommendations discussed and debated at Committee of the Whole will be brought to Council as individual recommendations for decision by Council.

Correspondence

All correspondence addressed to the county shall be distributed to the councillors and where in the opinion of the Clerk/CAO or a councillor it should be dealt with at a Committee of the Whole meeting, it shall be placed on the agenda of the next Committee of the Whole meeting.

Councillor's Comments – comments of councillors will relate to special items of interest in the districts they represent, or in the municipality as a whole.

Disclosure of Interest – any councillor shall disclose any conflict of interest dealing either with any item on the agenda or with a matter discussed at a previous meeting from which the councillor was absent. Every councillor who is present when a question is put, shall vote thereon unless personally interested in a pecuniary sense, and shall leave the room before the matter is discussed.

New Business – items of new business, in writing and including background information and a proposed motion, received by the Clerk six business days prior to the Committee of the Whole meeting will be included in the agenda.

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Presentations – will take place at Committee of the Whole, following Roll Call. Presenters must register with the Clerk six business days prior to the Committee of the Whole meeting they wish to address.

Presenters will be allowed a maximum of 10 minutes to address Committee of the Whole, unless extended by the Chair.

Council will not make a decision(s) at that time.

Recommendations and Reports from Boards and Committees – includes:

- **recommendations** from ad hoc and standing committees of Council, listed in Sections 48 and 49 this policy;
- **recommendations** from Advisory Boards and Committees (*Policies AM-1.3.6.1 to AM-1.3.6.16*); and
- **reports** from Joint, Regional and Community Organizations (*Policy AM-1.3.7*)

Recommendations and reports will be submitted to the Clerk by 4:30 PM six business days prior to the Committee of the Whole meeting and will be included with the agenda and circulated to councillors.

Roll Call – the Warden or presiding officer shall call the roll of councillors to verify attendance and to provide an opportunity to excuse, by motion, meeting attendance requirements of those councillors who wish to be excused. It is the duty of each councillor to advise the Chair of their absence and whether they wish to be excused in advance of the meeting.

Staff Reports – staff reports will be numbered by the Clerk, starting with the number “1” as the first report in each calendar year, with the prefix designating the year of the Committee of the Whole meeting, [i.e. SR2022-1 NAME OF REPORT]. Report numbers will re-start annually.

Reports will be submitted to the Clerk by 4:30 PM eight business days prior to the Committee of the Whole meeting.

Reports will be prepared pursuant to directions and a template as determined from time to time.

Urgent Business – a matter deemed to be urgent by the Warden or CAO may be considered without notice at any time by a simple majority vote of Council.

MOTIONS

13) WITHDRAWAL

- a) after a motion is moved and seconded it shall be deemed to be in possession of the Council but may, with the permission of the Council, be withdrawn at any time by the mover before decision or amendment.

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14) AMENDMENTS – a motion to amend

- a) shall receive disposition of Council before a previous amendment or the question,
- b) shall not be further amended more than once, and
- c) shall be put in the reverse order to that in which it is moved.

15) PRIVILEGE

- a) privileged motions take precedence over any or all of the motions listed before it. These motions include, in descending order of rank: Fix the Time to Which to Adjourn (highest ranking); Adjourn; Recess; Question of Privilege (noise, ventilation, introduction of a controversial subject in the presence of guests); Call for the Orders of the Day. When settled, the question so interrupted shall be resumed from the point where it was suspended.

16) LAY ON THE TABLE OR “TABLE”

- a) is the highest ranking of subsidiary motions. It is used to temporarily set aside an issue to take up something more urgent. This motion has no time reference; requires a mover and seconder; requires a majority vote; cannot be amended; and is not debatable.
- b) A question that has been “tabled” can be lifted from the table during the same session or until the end of the next regular business session if same is held before a quarterly time interval has elapsed. If not lifted within these time limits, the question dies, although it can be reintroduced later as a new question.

17) POSTPONE TO A DEFINITE TIME OR “DEFER”

- a) a subsidiary motion. It is used to set aside an issue to a specific date and time; requires a mover and seconder; requires a majority vote; may be amended and debated but only as to the time; cannot be interrupted.

18) COMMIT OR “REFER”

- a) a subsidiary motion. It is used to refer an issue to a committee or staff; requires a mover and seconder; requires a majority vote; may be debated.

19) POSTPONE INDEFINITELY

- a) the lowest ranking of subsidiary motions. It is used when Council declines to take a position on the main question. Its adoption kills the main motion for the duration of the session and avoids direct vote on the question.

20) RECONSIDER

- a) if a motion has been either adopted or defeated during a meeting, and announced from the Chair, a notice of an intention to move reconsideration can be made only on the same day on which the vote sought to be reconsidered was taken. If the motion was adopted, the motion to *Reconsider* can be made only by a councillor who voted in favour of the motion, or if the motion was defeated, then only by a councillor who voted against it. This motion can be seconded by any councillor no matter how they voted, and requires a majority vote.

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21) RESCIND OR AMEND SOMETHING PREVIOUSLY ADOPTED

- a) if it is too late to move to reconsider a motion, councillors can make either a motion to rescind or amend something previously adopted regardless of how they voted on the original motion. There is no time limit on making these motions. If previous notice is given, a majority vote is all that is required for adoption. However, if previous notice is not given of an intent to make one of these motions, so that councillors are not alerted ahead of time to the fact that the motion will be made, adoption of the motion requires either a two-thirds vote, or the vote of the a majority of the entire Council.

Voting on Motions

22) Questions Stated

- a) immediately preceding the taking of the vote, the Chair or Clerk may state the question in the form introduced and shall do so if required by a councillor. The Chair or Clerk shall state the question in the precise form in which it will be recorded in the minutes.

23) No Interruption After Question

- a) after a question is finally put by the Chair, no councillor shall speak to the question nor shall any other motion be made until after the vote is taken and the result has been declared.

24) Voting

The usual form of voting on any question shall be by the Chairman calling for “yes” and “no”, but any Council Member, before or after a voice vote can call for, and obtain through the Chairman, a show of hands, and any two Council Members can call for, and obtain through the Chairman, a recorded vote with each Council Member’s vote entered into the minutes. A Councillor may request that their vote is recorded.

Rules of Debate

- 25) Every councillor, prior to speaking on any question or motion, shall raise a hand and wait to be recognized by the Chair. When two or more councillors raise their hands to speak, the Chair shall designate the councillor who, in the opinion of the Chair, first raised a hand.
- 26) When a councillor is speaking no other councillor shall interrupt him/her except to raise a Point of Order.
- 27) Any councillor may require the question or motion under discussion to be read at any time during the debate but not so as to interrupt a councillor while speaking.
- 28) No councillor shall speak more than twice to the same question, without the leave of Council, except to explain a misconception of their remarks, but the mover of the motion shall have the right to reply and sum up in closing debate.

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- 29) When a councillor has been recognized as the next speaker, then immediately before speaking such councillor may ask a question of the Chair or an official of the Municipality on the matter under discussion but only for the purpose of obtaining information, following which the councillor shall speak.
- 30) The following motions may be introduced without written notice and without leave:
- a) a point of order or personal privilege;
 - b) to lay on the table (Table);
 - c) to postpone to a definite time (Defer);
 - d) to commit (Refer);
 - e) to postpone indefinitely;
 - f) to call the question;
 - g) to adjourn; and
 - h) to amend.

POINTS OF ORDER AND PRIVILEGE

- 31) The Chair shall preserve order and decide questions of order.
- 32) It shall be the duty of the Chair, and the privilege of any councillor, to call any councillor to order, who violates any established rule of order. A point of order must be decided before the subject under consideration is proceeded with.
- 33) When a councillor is called to order, the councillor shall remain seated and silent until the point is determined, until called upon by the Chair to be heard on the point of order.
- 34) A point of order is not debateable amongst other councillors and is decided by the Chair, who may invite discussion in an effort to assist in making a ruling. Where the Chair permits discussion on a point of order, no councillor shall speak more than twice.
- 35) Decisions of the Chair on points of order or procedure, including an order expelling and excluding a person from the Council chambers pursuant to Subsections 39 and 40 are not debatable but are appealable to Council by any councillor. When an appeal is made from the decision of the Chair, the Chair shall simply put the question, "Shall the decision of the Chair be sustained?"
- 36) If a councillor resists the rules of Council, wilfully obstructs the business of Council or disobeys the decision of the Chair, or of Council on appeal, on any question of order or practice or upon the interpretation of the rules of Council after being called to order by the Chair, or otherwise disrupts the proceedings of Council, the councillor may be ordered by the Chair to leave their seat provided that a majority vote of Council shall be required to sustain the expulsion.

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- 37) If the councillor refuses to leave their seat, the Chair may order the councillor to be expelled and excluded from the Council chambers.
- 38) Such councillor may, by vote of Council, later in the meeting or at a subsequent meeting be permitted to re-enter Council chambers and to resume participation in Council's business with or without conditions.
- 39) Persons who are not councillors or employees of the County of Annapolis shall observe silence and order in the Council chambers, unless given permission to speak by motion. Any such persons disturbing the proceedings of Council shall be called to order by the Chair and, if they fail to comply, shall be ordered, by the Chair to be expelled and excluded from the Council chambers, provided that a majority vote of Council shall be required to sustain the expulsion.
- 40) Such member of the public may, by vote of Council later in the meeting or at a subsequent meeting, be permitted to re-enter Council chambers with or without conditions.
- 41) An order of the Chair to expel a person from the Council chambers pursuant to Subsections 40 and 42 of this policy constitutes a direction from the County of Annapolis to leave the premises for purposes of the *Protection of Property Act* and other applicable laws.

CONDUCT OF COUNCILLORS

- 42) No councillor shall:
- a) use offensive or unparliamentary language in or against the Council, any councillor, or any staff;
 - b) speak on any subject other than the subject in debate;
 - c) criticize any decision of the Council except for the purpose of moving that the question be reconsidered;
 - d) disobey the rules of the Council or a decision of the Chair or the Council on questions of order or practice or upon the interpretation of the rules of the Council

- 43) When the Chair is putting the question, no councillor shall leave or make a disturbance.

COMMITTEES OF COUNCIL

- 44) **TERM OF APPOINTMENT** – except to the extent that the term of appointment is otherwise determined by statute, bylaw, or policy, councillors shall be appointed for two years, or the balance thereof, with the term commencing in December following each municipal general election or bi-annual election anniversary. Except as otherwise provided, no appointment shall cease until such time as a successor is appointed.

- 45) **PROVISIONS** – the following provisions shall apply to all Committees of Council, except where the policy specifically provides otherwise:

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- a) municipal council may replace at any time councillors who resign or who, in Council's opinion, are unable or unwilling to discharge their duties.
- b) if not appointed to a committee, the Warden shall be an *ex officio* councillor of the committee, with a voice but no vote. When attending as *ex officio* the Warden shall not be counted to establish quorum.
- c) a councillor is not entitled to additional remuneration for serving on the committee but may be reimbursed for reasonable expenses for attending committee meetings, and mileage / kilometrage shall be paid at such rate as may be prescribed by municipal council in *Travel and Expenses Policy AM-1.8.1*.
- d) except to the extent that the Chair is otherwise determined by statute, bylaw, or policy, municipal council may appoint a person to serve as Chair of the committee, after seeking the advice of the Nominating Committee; but if municipal council does not appoint a Chair, the committee shall elect a Chair from one of its councillors.
- e) an *ex-officio* councillor of a committee shall not be eligible for election as Chair.
- f) the Chair shall be entitled to speak and to vote on any motion. Subject to the other provisions of this policy, the Chair shall have the same powers and responsibilities at committee meetings that are conferred upon the Chair at Council meetings.
- g) votes shall be recorded by a show of hands.
- h) the Clerk (or designate) shall call the first meeting of any committee after its appointment, upon the request of municipal council or a majority of the councillors of the committee. The CAO or Clerk or their designate shall Chair the meeting until a Chair has been chosen.
- i) the committee shall choose a scribe from one of its councillors, in which event the scribe shall be a full voting councillor of the committee. The scribe shall keep notes of the committee's meetings and ensure that the Clerk is provided with a copy of all approved minutes, which have been signed by the Chair.
- j) no order or authority to do any matter or thing shall be recognized as emanating from any committee, and all committee recommendations shall be referred to the Clerk in writing to be included with the Committee of the Whole agenda under Reports from Boards and Committees.

46) **AD HOC COMMITTEES OF COUNCIL** - may be established by Council as deemed necessary and advisable to provide input on matters of timely consideration. Such a committee shall be for a limited time period as per its mandate determined by Council, and ceases to exist as soon as Council, through Committee of the Whole, receives and accepts a final report. Committees include:

- a) **Cornwallis Park & Area Asset Review Committee** – established to consider and make recommendations to Council pertaining to potential possibilities for current and future assets of Cornwallis Park and area (*MOTION 180717.28*);
- b) **Glyphosate Advisory Committee** – established to "... invite stakeholders to present to the committee in order to bring a recommendation to June 2021 Committee of the Whole ..." (*MOTION 201020.04*); and

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- c) **Physician Recruitment & Retention Committee** – established “with a mandate of physician recruitment and retention” (*MOTION 191119.09*); adopted descriptive mandate: To assist, as appropriate, in all aspects of recruiting and retention of medical personnel: physicians, physician assistants, nurse practitioners, and like medical professionals” (*MOTION 200218.07*).

47) **STANDING COMMITTEES OF COUNCIL** – may be established pursuant to Section 24 of the *Municipal Government Act*, or as otherwise determined by statute, bylaw or policy. Standing committees work on a continuous basis, and consist of councillors appointed by the Council. The committees include:

- a) **Committee of the Whole** – acts in an advisory capacity to Council, and meets to receive reports/recommendations from staff, and boards and committees.

It shall be the duty of Committee of the Whole to take action on such matters as are lawfully delegated to it by the County’s bylaws and policies, or by Council resolution, including but not restricted to:

- 1) ensuring regular, periodic and comprehensive review of all bylaws and policies of the County and such consideration shall be deemed as fulfilling the requirement for seven days’ notice to Municipal Council before a policy is passed, amended or repealed in accordance with Sub-section 48 (1) of the *Municipal Government Act*; and
- 2) exercising any authority pursuant to Part XV-Dangerous or Unsightly Premises of the *Municipal Government Act* that is not delegated to the Administrator, as set out in relevant policy.

The Chair of the Committee of the Whole is the Warden, and the Secretary is the Clerk (or designate).

- b) **Nominating Committee**

- 1) at the Inaugural meeting, Council shall appoint three councillors to serve as members. The procedure for selecting councillors shall be the same as that used for selection of a Warden.
- 2) the Warden shall automatically be a regular, voting councillor of the committee.
- 3) the mandate of the committee is to discuss, consider, advise and make recommendations to Council through Committee of the Whole concerning the nomination of persons to various committees, boards, and commissions, except where municipal council determines that consideration by the Nominating committee is not necessary or advisable.
- 4) Council may, by resolution, accept, reject, or vary a report of the Nominating committee in whole or in part.
- 5) it shall, at least annually, review the status of councillor appointments to ensure equity of workloads among councillors.
- 6) All committees should meet within thirty days of being struck to determine a Chair and Vice Chair.

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- c) **CAO Review Committee** – shall oversee the performance review process for the CAO after consultation with Council.
- 1) consists of the Warden, Deputy Warden, and two other councillors.
 - 2) the Warden shall be the Chair of the committee.
 - 3) to the extent practicable, selection of the remaining committee councillors (in addition to the Warden and Deputy Warden) should reflect the gender diversity of Council's composition. Accordingly, the remaining committee councillors shall be selected by placing the names of councillors confirming an interest in a box and having two names drawn by a person chosen by the Warden.
 - 4) in accordance with sub-section 21(2)(c) of the *Municipal Government Act*, the CAO Review Committee may meet in closed session. The CAO will be requested not to attend the CAO Review Committee and council meetings where their performance is discussed; no other staff persons shall attend.
 - 5) the CAO shall be evaluated at least once a year, with a mid-year review if desired by the CAO, the CAO Review Committee or Council.
- d) **Economic Development Committee**
- 1) consists of three councillors and the Warden.
 - 2) the mandate of the committee is to advise and make recommendations to Council through Committee of the Whole concerning the drafting, implementation, amendment, and facilitation of an Annapolis County Economic Development Strategy.
- e) **Fire Services Committee**
- 1) consists of two councillors as well as two or more invited representatives of the Annapolis County Fire Services Executive as appropriate.
 - 2) the mandate of the committee is to advise and make recommendations through Committee of the Whole to Council concerning fire services funding and such other matters as are necessary and expedient for the provision of fire suppression and prevention services in the municipality.
 - 3) meetings shall be held at the discretion of the Chair.
- f) **Fences Arbitration Committee** – committee continues pursuant to Section 4 of the *Fences and Detention of Stray Livestock Act*.
- 1) consists of one member from the municipality appointed by the Nova Scotia Federation of Agriculture and one member appointed by the council of the municipality
 - 2) the member appointed by the council of a municipality pursuant to subsection (1) may be an employee of the municipality and shall be the chair of the committee
 - 3) the Nova Scotia Federation of Agriculture and the council of the municipality shall each appoint an alternate member to serve on the committee when requested to do so by the member appointed by the council of the municipality or the Nova Scotia Federation of Agriculture, as the case may be
 - 4) the members of a committee hold office for a term of not more than four years

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- 5) Two members of the committee constitute a quorum
- 6) the annual honorarium for the Nova Scotia Federation of Agriculture appointees shall be \$50 per meeting attended. If the Fences Arbitration Committee does not meet during the calendar year, the appointees shall receive an honorarium of \$50.
- 7) Members of the committee and alternate members of the committee appointed pursuant to this Section shall be residents of the municipality for which the committee is established. 2

g) **Forestry Advisory Committee** – shall exist as an advisory committee of Council.

- 1) consists of not more than four councillors.
- 2) its purpose is to consider and make recommendations regarding forestry matters.
- 3)

48) REPEAL

AM-1.2.0 Committees of Council and Council Meetings Procedures Policy, adopted by Municipal Council of the County of Annapolis on September 19, 2023, is hereby repealed.

<p>Clerk's Annotation for Official Policy Book</p> <p>I certify that this policy was adopted by Municipal Council as indicated below:</p> <p>Seven (7) Day Notice..... Pending</p> <p>Council Approval..... Pending</p> <div style="display: flex; justify-content: space-around; margin-top: 20px;"> <div style="text-align: center;"> <p><u>Carolyn Young</u></p> <p>Clerk</p> </div> <div style="text-align: center;"> <p><u>Pending</u></p> <p>Date</p> </div> </div> <p style="text-align: center; margin-top: 10px;">At Annapolis Royal, Nova Scotia</p>	
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October 25, 2022:

Article 3 – change fourth to third; and

Article 12 – Change Council Agenda from COTW Consent to COTW Recommendations; and change the Definition for Committee of the Whole Consent to Committee of the Whole Recommendations – all recommendations discussed and debated at Committee of the Whole will be brought to Council as individual recommendations for decision by Council.

May 16, 2023:

Subsection 47 a) 1) – add “and such consideration shall be deemed as fulfilling the requirement for seven days’ notice to Municipal Council before a policy is passed, amended or repealed in accordance with Sub-section 48 (1) of the Municipal Government Act;”

September 19, 2023:

Added:

In Article 3 Regular Meetings of Council

“There shall be no regular meeting during the month of August”; and

In Article 5 Committees of Council Meetings

“There shall be no regular meetings during the month of August.”

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GENERAL

The procedural requirements in the Policy are intended to complement and supplement, and not to replace, the requirements contained in applicable municipal legislation.

In this Policy, unless otherwise defined herein, terms used in this policy shall have the same meanings as those defined in the *Municipal Government Act*.

- a) “business day(s)” means a day when the administrative offices of the Municipality of the County of Annapolis are open for business;
- b) “CAO” means Chief Administrative Officer of the Municipality of the County of Annapolis;
- c) “Chair” means the presiding officer;
- d) “Clerk” means the Clerk of the Municipality of the County of Annapolis;
- e) “Council” means the Municipal Council of the Municipality of the County of Annapolis;
- f) “Councillor(s)” include(s) the Warden and Deputy Warden;
- g) “majority” means more than one half of those present;

Although the *Municipal Government Act* does not provide a definition for *Member*, it is defined in this policy as follows:

- h) “member” means any person appointed to a committee

This policy shall be applicable for Committees of Council and Council meetings of Municipal Council, and include periods of adjournment to “in camera”. The rules contained in the current edition of Robert’s Rules of Order Newly Revised shall govern all cases to which they are applicable and in which they are not inconsistent with provincial legislation or the bylaws, policies or procedures of the municipality.

MEETINGS

Committees of Council and Council meetings shall be held in person in the Council chambers of the Municipal Administration Building, 752 St. George Street, Annapolis Royal, NS or an alternative location. Council and Special Council meetings can be conducted by video conference as outlined in the *Council Videoconferencing Policy, AM-1.2.0.1*.

All meetings of Committees of Council and Council, regular or special, shall be open to the public, and no person shall be excluded from a meeting that is open to the public except for improper conduct.

- 1) **INAUGURAL MEETING** - the Inaugural meeting of Council shall take place on the first business day following the 10-day appeal period of a municipal election. The Clerk shall preside as Chair of the meeting until such time as the Warden is elected.
- 2) **REGULAR MEETINGS OF COMMITTEE OF THE WHOLE** - meetings of the Committee of the Whole shall be held on the **second Tuesday of each month starting at 10:00 a.m. and ending no later than 5:00 p.m.** with Notice of Meeting to the public at least five business days in advance, unless Council



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by resolution directs otherwise, in which case a notice shall be posted three or more days in advance of the meeting in the municipal office(s) and on the County website advising of the time and place.

Meetings from November to March (inclusive) will start at 10:00 a.m.

There shall be no regular meeting during the month of August.

- 3) **REGULAR MEETINGS OF COUNCIL** - meetings of Council shall be held on the **third Tuesday of each month at 10:00 AM** with Notice of Meeting to the public at least five business days in advance, unless Council by resolution directs otherwise, in which case a notice shall be posted three or more days in advance of the meeting in the municipal office(s) and on the County website advising of the time and place.

There shall be no regular meeting during the month of August.

- 4) **SPECIAL MEETINGS OF COMMITTEE OF THE WHOLE OR COUNCIL**

A special meeting may be convened by resolution or consensus at a previous meeting three or more days in advance of the special meeting, or by the CAO or Clerk in consultation with the Warden.

- 5) **COMMITTEES OF COUNCIL MEETINGS**

Committee(s) shall meet at such time and place which it sets at a preceding meeting or at such other time and place as municipal council, the committee's Chair, or a quorum of committee members may set by providing notice of meeting to all committee members at least five business days in advance. There shall be no regular meetings during the month of August.

- 6) **IN-CAMERA**

Such meetings may be closed to the public when the subject matter under consideration involves the following matters under Section 22(2) of the *Municipal Government Act*:

- a) acquisition, sale, lease and security of municipal property;
- b) setting a minimum price to be accepted by the municipality at a tax sale;
- c) personnel matters;
- d) labour relations;
- e) contract negotiations;
- f) litigation or potential litigation;
- g) legal advice eligible for solicitor-client privilege; and
- h) public security.

When In-Camera matters are listed on the Committee of the Whole agenda, they will be the last order of business.

When In-Camera matters are listed on the Council agenda, they will be the last order of business.

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Direction may be given to staff In-Camera; however, any motions forthcoming from In-Camera discussions must be added to the agenda under New Business and adopted during the open portion of the meeting.

Minutes of a closed meeting will be recorded, circulated physically by the Clerk, and approved at the next meeting. Approved minutes are signed by the Warden and Clerk and kept in the Clerk's office. Councillors may peruse the physical minutes at any time.

7) WARDEN'S ABSENCE

In the case of the absence of the Warden from the Municipality, the Deputy Warden shall act in the place and stead of the Warden, and shall have all the rights, powers, and authority of the Warden, while so acting.

8) CALLING THE MEETING TO ORDER AND QUORUM

As soon after the hour fixed for the holding of the meeting, and quorum is present, the Warden shall take the Chair and call the meeting to order.

9) QUORUM

A quorum for Council and Committee of the Whole shall be the majority of councillors elected.

A quorum for other committees of council shall be a majority of the appointed members.

10) NO QUORUM

If no Quorum is present 15 minutes after the time appointed for a meeting, the Clerk or recording secretary shall record the names of the councillors/members present and the meeting shall stand adjourned until the date of the next regular meeting; or until otherwise scheduled.

11) THE CONDUCT OF PROCEEDINGS AT A MEETING

It shall be the duty of the Warden or other presiding officer:

- a) to open the meeting by taking the Chair and calling the councillors or members to order;
- b) to announce the business before the meeting in the order in which it is to be acted upon;
- c) to put to vote all questions which are regularly moved and seconded, or necessarily arise in the course of proceedings, and to announce the result;
- d) to decline to put to vote motions which infringe the rules of procedure;
- e) to restrain the councillors or members, within the rules of order, when engaged in debate;
- f) to call by name any councillor or member persisting in breach of the rules of order of Municipal Council, thereby ordering them to vacate the Council chambers;
- g) to inform the Council, when necessary or when referred to, on a point of order;
- h) to permit the CAO or Clerk to speak on any point upon request;

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- i) to permit proper questions to be asked through the Chair of any official or employee of the County, or any member of the public in attendance, to provide information to assist in debate;
- j) to authenticate by their signature when necessary, the minutes of Committee of the Whole and Council; and
- k) to adjourn the meeting when business is concluded.

The presiding officer may state their position on any matter before the meeting without leaving the Chair, but only after all other councillor/member comments have been heard. It shall not be permissible for the presiding officer to debate the question without first leaving the Chair and after having appointed the Vice Chair to preside in their place during their remarks.

12) AGENDA

- a) any councillor, no later than six business days prior to a council meeting, may file in writing, an item for inclusion in the agenda under New Business. Items are to include background information and proposed motion.
- b) the business of the meeting shall in all cases be taken up in the order in which it stands upon the agenda unless otherwise decided by the councillors, and the Order of the Day amended.
- c) an item of business not listed on the Committee of the Whole agenda cannot be introduced at a meeting without the approval of the councillors **by majority vote.**
- d) the Clerk shall have prepared and provided electronically and in hard copy for the use of the councillors at the meetings of Committee of the Whole and Council an agenda under the following headings:

AGENDA
for the Municipality of the County of Annapolis
Committee of the Whole Meeting
to be held on Tuesday, _____, 20 __,-9:00 AM
Council Chambers, Municipal Administration Building, 752 St George Street, Annapolis Royal

Roll Call

Presentations

Disclosure of Interest

Approval of the Agenda

Approval of the Minutes

Correspondence

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Staff Reports

Recommendations and Reports from Boards and Committees

Business Arising from the Minutes

New Business

In-Camera

5:00 Stated Adjournment

- e) The Clerk shall have prepared and provided electronically and in hard copy for the use of the councillors at the regular meetings of Council an agenda under the following headings:

AGENDA

for the Municipality of the County of Annapolis Council Meeting

to be held on Tuesday, _____, 20 __, 10:00 AM

Council Chambers, Municipal Administration Building, 752 St George Street, Annapolis Royal

Roll Call

Disclosure of Interest

Approval of the Agenda

Approval of the Minutes

COTW Recommendations

Business Arising from the Minutes

New Business

Councillor's Comments

In-camera

Adjournment

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[Definitions / Processes of Agenda Items \(in alphabetical order\):](#)

Adjournment – the Warden or Chair shall declare the meeting adjourned.

Approval of the Agenda – the agenda, once approved by motion, confirms the Order of the Day.

Approval of the Minutes – Minutes shall record:

- a) the place, date and time of meeting;
- b) attendance of councillors, present or absent; and
- c) all other proceedings of the meeting without note or comment.

It shall be the duty of the Clerk to ensure that the minutes of the last regular meeting, and all special meetings held more than five days prior to a regular meeting, together with the agenda are provided electronically to each councillor not less than 48 hours before the hour appointed for the holding of such regular meeting.

Business Arising from the Minutes – the items listed in the order of the topics set out in the agenda of prior Committee of the Whole / Council meetings which have not been disposed of and the date of their first appearance on the agenda shall be noted and repeated on each subsequent agenda until disposed of, unless removed from the agenda by motion.

Committee of the Whole Recommendations – all recommendations discussed and debated at Committee of the Whole will be brought to Council as individual recommendations for decision by Council.

Correspondence

All correspondence addressed to the county shall be distributed to the councillors and where in the opinion of the Clerk/CAO or a councillor it should be dealt with at a Committee of the Whole meeting, it shall be placed on the agenda of the next Committee of the Whole meeting.

Councillor's Comments – comments of councillors will relate to special items of interest in the districts they represent, or in the municipality as a whole.

Disclosure of Interest – any councillor shall disclose any conflict of interest dealing either with any item on the agenda or with a matter discussed at a previous meeting from which the councillor was absent. Every councillor who is present when a question is put, shall vote thereon unless personally interested in a pecuniary sense, and shall leave the room before the matter is discussed.

New Business – items of new business, in writing and including background information and a proposed motion, received by the Clerk six business days prior to the Committee of the Whole meeting will be included in the agenda.

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Presentations – will take place at Committee of the Whole, following Roll Call. Presenters must register with the Clerk six business days prior to the Committee of the Whole meeting they wish to address.

Presenters will be allowed a maximum of 10 minutes to address Committee of the Whole, unless extended by the Chair.

Council will not make a decision(s) at that time.

Recommendations and Reports from Boards and Committees – includes:

- **recommendations** from ad hoc and standing committees of Council, listed in Sections 48 and 49 this policy;
- **recommendations** from Advisory Boards and Committees (*Policies AM-1.3.6.1 to AM-1.3.6.16*); and
- **reports** from Joint, Regional and Community Organizations (*Policy AM-1.3.7*)

Recommendations and reports will be submitted to the Clerk by 4:30 PM six business days prior to the Committee of the Whole meeting and will be included with the agenda and circulated to councillors.

Roll Call – the Warden or presiding officer shall call the roll of councillors to verify attendance and to provide an opportunity to excuse, by motion, meeting attendance requirements of those councillors who wish to be excused. It is the duty of each councillor to advise the Chair of their absence and whether they wish to be excused in advance of the meeting.

Staff Reports – staff reports will be numbered by the Clerk, starting with the number “1” as the first report in each calendar year, with the prefix designating the year of the Committee of the Whole meeting, [i.e. SR2022-1 NAME OF REPORT]. Report numbers will re-start annually.

Reports will be submitted to the Clerk by 4:30 PM eight business days prior to the Committee of the Whole meeting.

Reports will be prepared pursuant to directions and a template as determined from time to time.

Urgent Business – a matter deemed to be urgent by the Warden or CAO may be considered without notice at any time by a simple majority vote of Council.

MOTIONS

13) WITHDRAWAL

- a) after a motion is moved and seconded it shall be deemed to be in possession of the Council but may, with the permission of the Council, be withdrawn at any time by the mover before decision or amendment.

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14) AMENDMENTS – a motion to amend

- a) shall receive disposition of Council before a previous amendment or the question,
- b) shall not be further amended more than once, and
- c) shall be put in the reverse order to that in which it is moved.

15) PRIVILEGE

- a) privileged motions take precedence over any or all of the motions listed before it. These motions include, in descending order of rank: Fix the Time to Which to Adjourn (highest ranking); Adjourn; Recess; Question of Privilege (noise, ventilation, introduction of a controversial subject in the presence of guests); Call for the Orders of the Day. When settled, the question so interrupted shall be resumed from the point where it was suspended.

16) LAY ON THE TABLE OR “TABLE”

- a) is the highest ranking of subsidiary motions. It is used to temporarily set aside an issue to take up something more urgent. This motion has no time reference; requires a mover and seconder; requires a majority vote; cannot be amended; and is not debatable.
- b) A question that has been “tabled” can be lifted from the table during the same session or until the end of the next regular business session if same is held before a quarterly time interval has elapsed. If not lifted within these time limits, the question dies, although it can be reintroduced later as a new question.

17) POSTPONE TO A DEFINITE TIME OR “DEFER”

- a) a subsidiary motion. It is used to set aside an issue to a specific date and time; requires a mover and seconder; requires a majority vote; may be amended and debated but only as to the time; cannot be interrupted.

18) COMMIT OR “REFER”

- a) a subsidiary motion. It is used to refer an issue to a committee or staff; requires a mover and seconder; requires a majority vote; may be debated.

19) POSTPONE INDEFINITELY

- a) the lowest ranking of subsidiary motions. It is used when Council declines to take a position on the main question. Its adoption kills the main motion for the duration of the session and avoids direct vote on the question.

20) RECONSIDER

- a) if a motion has been either adopted or defeated during a meeting, and announced from the Chair, a notice of an intention to move reconsideration can be made only on the same day on which the vote sought to be reconsidered was taken. If the motion was adopted, the motion to *Reconsider* can be made only by a councillor who voted in favour of the motion, or if the motion was defeated, then only by a councillor who voted against it. This motion can be seconded by any councillor no matter how they voted, and requires a majority vote.

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21) RESCIND OR AMEND SOMETHING PREVIOUSLY ADOPTED

- a) if it is too late to move to reconsider a motion, councillors can make either a motion to rescind or amend something previously adopted regardless of how they voted on the original motion. There is no time limit on making these motions. If previous notice is given, a majority vote is all that is required for adoption. However, if previous notice is not given of an intent to make one of these motions, so that councillors are not alerted ahead of time to the fact that the motion will be made, adoption of the motion requires either a two-thirds vote, or the vote of the a majority of the entire Council.

Voting on Motions

22) Questions Stated

- a) immediately preceding the taking of the vote, the Chair or Clerk may state the question in the form introduced and shall do so if required by a councillor. The Chair or Clerk shall state the question in the precise form in which it will be recorded in the minutes.

23) No Interruption After Question

- a) after a question is finally put by the Chair, no councillor shall speak to the question nor shall any other motion be made until after the vote is taken and the result has been declared.

24) Voting

The usual form of voting on any question shall be by the Chairman calling for “yes” and “no”, but any Council Member, before or after a voice vote can call for, and obtain through the Chairman, a show of hands, and any two Council Members can call for, and obtain through the Chairman, a recorded vote with each Council Member’s vote entered into the minutes. A Councillor may request that their vote is recorded.

Rules of Debate

- 25) Every councillor, prior to speaking on any question or motion, shall raise a hand and wait to be recognized by the Chair. When two or more councillors raise their hands to speak, the Chair shall designate the councillor who, in the opinion of the Chair, first raised a hand.
- 26) When a councillor is speaking no other councillor shall interrupt him/her except to raise a Point of Order.
- 27) Any councillor may require the question or motion under discussion to be read at any time during the debate but not so as to interrupt a councillor while speaking.
- 28) No councillor shall speak more than twice to the same question, without the leave of Council, except to explain a misconception of their remarks, but the mover of the motion shall have the right to reply and sum up in closing debate.

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- 29) When a councillor has been recognized as the next speaker, then immediately before speaking such councillor may ask a question of the Chair or an official of the Municipality on the matter under discussion but only for the purpose of obtaining information, following which the councillor shall speak.
- 30) The following motions may be introduced without written notice and without leave:
- a) a point of order or personal privilege;
 - b) to lay on the table (Table);
 - c) to postpone to a definite time (Defer);
 - d) to commit (Refer);
 - e) to postpone indefinitely;
 - f) to call the question;
 - g) to adjourn; and
 - h) to amend.

POINTS OF ORDER AND PRIVILEGE

- 31) The Chair shall preserve order and decide questions of order.
- 32) It shall be the duty of the Chair, and the privilege of any councillor, to call any councillor to order, who violates any established rule of order. A point of order must be decided before the subject under consideration is proceeded with.
- 33) When a councillor is called to order, the councillor shall remain seated and silent until the point is determined, until called upon by the Chair to be heard on the point of order.
- 34) A point of order is not debateable amongst other councillors and is decided by the Chair, who may invite discussion in an effort to assist in making a ruling. Where the Chair permits discussion on a point of order, no councillor shall speak more than twice.
- 35) Decisions of the Chair on points of order or procedure, including an order expelling and excluding a person from the Council chambers pursuant to Subsections 39 and 40 are not debatable but are appealable to Council by any councillor. When an appeal is made from the decision of the Chair, the Chair shall simply put the question, "Shall the decision of the Chair be sustained?"
- 36) If a councillor resists the rules of Council, wilfully obstructs the business of Council or disobeys the decision of the Chair, or of Council on appeal, on any question of order or practice or upon the interpretation of the rules of Council after being called to order by the Chair, or otherwise disrupts the proceedings of Council, the councillor may be ordered by the Chair to leave their seat provided that a majority vote of Council shall be required to sustain the expulsion.

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Procedure & Organization of Council	Committees of Council and Council Meetings - Procedures	

- 37) If the councillor refuses to leave their seat, the Chair may order the councillor to be expelled and excluded from the Council chambers.
- 38) Such councillor may, by vote of Council, later in the meeting or at a subsequent meeting be permitted to re-enter Council chambers and to resume participation in Council's business with or without conditions.
- 39) Persons who are not councillors or employees of the County of Annapolis shall observe silence and order in the Council chambers, unless given permission to speak by motion. Any such persons disturbing the proceedings of Council shall be called to order by the Chair and, if they fail to comply, shall be ordered, by the Chair to be expelled and excluded from the Council chambers, provided that a majority vote of Council shall be required to sustain the expulsion.
- 40) Such member of the public may, by vote of Council later in the meeting or at a subsequent meeting, be permitted to re-enter Council chambers with or without conditions.
- 41) An order of the Chair to expel a person from the Council chambers pursuant to Subsections 40 and 42 of this policy constitutes a direction from the County of Annapolis to leave the premises for purposes of the *Protection of Property Act* and other applicable laws.

CONDUCT OF COUNCILLORS

- 42) No councillor shall:
- a) use offensive or unparliamentary language in or against the Council, any councillor, or any staff;
 - b) speak on any subject other than the subject in debate;
 - c) criticize any decision of the Council except for the purpose of moving that the question be reconsidered;
 - d) disobey the rules of the Council or a decision of the Chair or the Council on questions of order or practice or upon the interpretation of the rules of the Council

- 43) When the Chair is putting the question, no councillor shall leave or make a disturbance.

COMMITTEES OF COUNCIL

- 44) **TERM OF APPOINTMENT** – except to the extent that the term of appointment is otherwise determined by statute, bylaw, or policy, councillors shall be appointed for two years, or the balance thereof, with the term commencing in December following each municipal general election or bi-annual election anniversary. Except as otherwise provided, no appointment shall cease until such time as a successor is appointed.
- 45) **PROVISIONS** – the following provisions shall apply to all Committees of Council, except where the policy specifically provides otherwise:

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MUNICIPALITY OF THE COUNTY OF ANNAPOLIS		AM-1.2.0
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- a) municipal council may replace at any time councillors who resign or who, in Council's opinion, are unable or unwilling to discharge their duties.
- b) if not appointed to a committee, the Warden shall be an *ex officio* councillor of the committee, with a voice but no vote. When attending as *ex officio* the Warden shall not be counted to establish quorum.
- c) a councillor is not entitled to additional remuneration for serving on the committee but may be reimbursed for reasonable expenses for attending committee meetings, and mileage / kilometrage shall be paid at such rate as may be prescribed by municipal council in *Travel and Expenses Policy AM-1.8.1*.
- d) except to the extent that the Chair is otherwise determined by statute, bylaw, or policy, municipal council may appoint a person to serve as Chair of the committee, after seeking the advice of the Nominating Committee; but if municipal council does not appoint a Chair, the committee shall elect a Chair from one of its councillors.
- e) an *ex-officio* councillor of a committee shall not be eligible for election as Chair.
- f) the Chair shall be entitled to speak and to vote on any motion. Subject to the other provisions of this policy, the Chair shall have the same powers and responsibilities at committee meetings that are conferred upon the Chair at Council meetings.
- g) votes shall be recorded by a show of hands.
- h) the Clerk (or designate) shall call the first meeting of any committee after its appointment, upon the request of municipal council or a majority of the councillors of the committee. The CAO or Clerk or their designate shall Chair the meeting until a Chair has been chosen.
- i) the committee shall choose a scribe from one of its councillors, in which event the scribe shall be a full voting councillor of the committee. The scribe shall keep notes of the committee's meetings and ensure that the Clerk is provided with a copy of all approved minutes, which have been signed by the Chair.
- j) no order or authority to do any matter or thing shall be recognized as emanating from any committee, and all committee recommendations shall be referred to the Clerk in writing to be included with the Committee of the Whole agenda under Reports from Boards and Committees.

46) **AD HOC COMMITTEES OF COUNCIL** - may be established by Council as deemed necessary and advisable to provide input on matters of timely consideration. Such a committee shall be for a limited time period as per its mandate determined by Council, and ceases to exist as soon as Council, through Committee of the Whole, receives and accepts a final report. Committees include:

- a) **Cornwallis Park & Area Asset Review Committee** – established to consider and make recommendations to Council pertaining to potential possibilities for current and future assets of Cornwallis Park and area (*MOTION 180717.28*);
- b) **Glyphosate Advisory Committee** – established to "... invite stakeholders to present to the committee in order to bring a recommendation to June 2021 Committee of the Whole ..." (*MOTION 201020.04*); and

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- c) **Physician Recruitment & Retention Committee** – established “with a mandate of physician recruitment and retention” (*MOTION 191119.09*); adopted descriptive mandate: To assist, as appropriate, in all aspects of recruiting and retention of medical personnel: physicians, physician assistants, nurse practitioners, and like medical professionals” (*MOTION 200218.07*).

47) **STANDING COMMITTEES OF COUNCIL** – may be established pursuant to Section 24 of the *Municipal Government Act*, or as otherwise determined by statute, bylaw or policy. Standing committees work on a continuous basis, and consist of councillors appointed by the Council. The committees include:

- a) **Committee of the Whole** – acts in an advisory capacity to Council, and meets to receive reports/recommendations from staff, and boards and committees.

It shall be the duty of Committee of the Whole to take action on such matters as are lawfully delegated to it by the County’s bylaws and policies, or by Council resolution, including but not restricted to:

- 1) ensuring regular, periodic and comprehensive review of all bylaws and policies of the County and such consideration shall be deemed as fulfilling the requirement for seven days’ notice to Municipal Council before a policy is passed, amended or repealed in accordance with Sub-section 48 (1) of the *Municipal Government Act*; and
- 2) exercising any authority pursuant to Part XV-Dangerous or Unsightly Premises of the *Municipal Government Act* that is not delegated to the Administrator, as set out in relevant policy.

The Chair of the Committee of the Whole is the Warden, and the Secretary is the Clerk (or designate).

- b) **Nominating Committee**

- 1) at the Inaugural meeting, Council shall appoint three councillors to serve as members. The procedure for selecting councillors shall be the same as that used for selection of a Warden.
- 2) the Warden shall automatically be a regular, voting councillor of the committee.
- 3) the mandate of the committee is to discuss, consider, advise and make recommendations to Council through Committee of the Whole concerning the nomination of persons to various committees, boards, and commissions, except where municipal council determines that consideration by the Nominating committee is not necessary or advisable.
- 4) Council may, by resolution, accept, reject, or vary a report of the Nominating committee in whole or in part.
- 5) it shall, at least annually, review the status of councillor appointments to ensure equity of workloads among councillors.
- 6) All committees should meet within thirty days of being struck to determine a Chair and Vice Chair.

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- c) **CAO Review Committee** – shall oversee the performance review process for the CAO after consultation with Council.
- 1) consists of the Warden, Deputy Warden, and two other councillors.
 - 2) the Warden shall be the Chair of the committee.
 - 3) to the extent practicable, selection of the remaining committee councillors (in addition to the Warden and Deputy Warden) should reflect the gender diversity of Council's composition. Accordingly, the remaining committee councillors shall be selected by placing the names of councillors confirming an interest in a box and having two names drawn by a person chosen by the Warden.
 - 4) in accordance with sub-section 21(2)(c) of the *Municipal Government Act*, the CAO Review Committee may meet in closed session. The CAO will be requested not to attend the CAO Review Committee and council meetings where their performance is discussed; no other staff persons shall attend.
 - 5) the CAO shall be evaluated at least once a year, with a mid-year review if desired by the CAO, the CAO Review Committee or Council.
- d) **Economic Development Committee**
- 1) consists of three councillors and the Warden.
 - 2) the mandate of the committee is to advise and make recommendations to Council through Committee of the Whole concerning the drafting, implementation, amendment, and facilitation of an Annapolis County Economic Development Strategy.
- e) **Fire Services Committee**
- 1) consists of two councillors as well as two or more invited representatives of the Annapolis County Fire Services Executive as appropriate.
 - 2) the mandate of the committee is to advise and make recommendations through Committee of the Whole to Council concerning fire services funding and such other matters as are necessary and expedient for the provision of fire suppression and prevention services in the municipality.
 - 3) meetings shall be held at the discretion of the Chair.
- f) **Fences Arbitration Committee** – committee continues pursuant to Section 4 of the *Fences and Detention of Stray Livestock Act*.
- 1) consists of one member from the municipality appointed by the Nova Scotia Federation of Agriculture and one member appointed by the council of the municipality
 - 2) the member appointed by the council of a municipality pursuant to subsection (1) may be an employee of the municipality and shall be the chair of the committee
 - 3) the Nova Scotia Federation of Agriculture and the council of the municipality shall each appoint an alternate member to serve on the committee when requested to do so by the member appointed by the council of the municipality or the Nova Scotia Federation of Agriculture, as the case may be
 - 4) the members of a committee hold office for a term of not more than four years

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- 5) Two members of the committee constitute a quorum
- 6) the annual honorarium for the Nova Scotia Federation of Agriculture appointees shall be \$50 per meeting attended. If the Fences Arbitration Committee does not meet during the calendar year, the appointees shall receive an honorarium of \$50.
- 7) Members of the committee and alternate members of the committee appointed pursuant to this Section shall be residents of the municipality for which the committee is established. 2

g) **Forestry Advisory Committee** – shall exist as an advisory committee of Council.

- 1) consists of not more than four councillors.
- 2) its purpose is to consider and make recommendations regarding forestry matters.

<p>Clerk's Annotation for Official Policy Book</p> <p>I certify that this policy was adopted by Municipal Council as indicated below:</p> <p>Seven (7) Day Notice..... September 12, 2023</p> <p>Council Approval..... September 19, 2023</p> <div style="display: flex; justify-content: space-around; margin-top: 20px;"> <div style="text-align: center;"> <p><u>Carolyn Young</u></p> <p>Clerk</p> </div> <div style="text-align: center;"> <p><u>September 20, 2023</u></p> <p>Date</p> </div> </div> <p style="text-align: center; margin-top: 10px;">At Annapolis Royal, Nova Scotia</p>	
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October 25, 2022:

Article 3 – change fourth to third; and

Article 12 – Change Council Agenda from COTW Consent to COTW Recommendations; and change the Definition for Committee of the Whole Consent to Committee of the Whole Recommendations – all recommendations discussed and debated at Committee of the Whole will be brought to Council as individual recommendations for decision by Council.

May 16, 2023:

Subsection 47 a) 1) – add “and such consideration shall be deemed as fulfilling the requirement for seven days’ notice to Municipal Council before a policy is passed, amended or repealed in accordance with Sub-section 48 (1) of the Municipal Government Act;”

September 19, 2023:

Added:

In Article 3 Regular Meetings of Council

“There shall be no regular meeting during the month of August”; and

In Article 5 Committees of Council Meetings

“There shall be no regular meetings during the month of August.”



COUNTY of ANNAPOLIS
NATURALLY ROOTED

STAFF REPORT

Report To: Committee of the Whole
Meeting Date: April 9, 2024
Prepared By: Linda Bent, Director of Planning & Inspection Services
Report Number: **SR2024-22 Appointment of Darren Shupe as Development Officer**
Subject: Appointment of Darren Shupe as Development Officer, Municipality of the County of Annapolis

RECOMMENDATION(S):

That Municipal Council appoint Darren Shupe as a Development Officer for the Municipality of the County of Annapolis to administer the Municipality's Land Use Bylaws and Subdivision Bylaw.

LEGISLATIVE AUTHORITY

MGA Section 243 (1)

BACKGROUND

Under the *Municipal Government Act (MGA)* Council must appoint Development Officers to administer their Land Use Bylaws and Subdivision Bylaw. Only an appointed Development Officer can review, grant, refuse or discharge a development permit, variance, site-plan, tentative or final plan of subdivision or concept plan. It is the opinion of staff that with the completion of the County Wide MPS and LUB review and updates to the secondary planning documents this will result in a significant increase in the amount of development permits the municipality will receive.

As set out in Section 245 of the *MGA* a municipality must assess a development permit for completeness and give notification of incompleteness within fourteen (14) days and approved within thirty (30) days or they are deemed rejected. If a development permit is deemed rejected due to a failure of the municipality to meet the deadlines set out within the *MGA*, the applicant can appeal the rejection through the Utility and Review Board. A repeal process will require the municipality to file a complete appeal record with the Board, and any other person as the Board may require, within fourteen (14) business days of the municipality being notified by the Board of the appeal, followed by a hearing (Section 247 (3): Appeals to the Board).

It is the opinion of staff that to ensure the municipality can process the increase in development permits and prevent any financial and time costs due to avoidable hearings with the Utility and Review Board, Council should appoint Darren Shupe as a Development Officer for the Municipality.

DISCUSSION

By appointing Darren Shupe as a Development Officer for the Municipality of the County of Annapolis, Council grants him the ability to administer the Municipality's Land Use Bylaws and Subdivision Bylaw. Increasing the number of appointed Development Officers will allow the Municipality to review, grant, refuse or discharge a larger number of development permits, variances, site-plans, tentative or final plans of subdivision or concept plans more quickly. It is common for the municipal planner be appointed as development officer in most municipal units.

FINANCIAL IMPLICATIONS

Costs associated with the appointment may include out of office training through annual development officer conferences but most training will occur in-house. Costs associated with additional training, as mention, will be included in the operating budget.

POLICY IMPLICATIONS

None Known

ALTERNATIVES / OPTIONS

The options available to Municipal Council are to appoint or not to appoint Darren Shupe as Development Officer for the Municipality to assist in administration of the County-Wide Municipal Planning Strategy and Land Use Bylaw and accompanying secondary plans.

Another option available to Council is the continued reliance on the current Development Officer to administer the Land Use Bylaws and Subdivision Bylaw. If the number of development permits to be process by the Municipality increases, relying on a single development officer could result in development permits failing to be approved within the time limits set out within the *Municipal Government Act*.

NEXT STEPS

Once appointed by Council, a Development Officer can begin the process of reviewing, granting, refusing or discharging a development permit, variance, and site-plan, tentative or final plan of subdivision or concept plan received by the municipality.

ATTACHMENTS

N/A

Prepared by:

Linda Bent, Director of Planning & Inspection Services

Approved by:

CY for Chris McNeill

Chris McNeill
Chief Administrative Officer

Approval Date:

April 4, 2024

(Date)



COUNTY of ANNAPOLIS
NATURALLY ROOTED

STAFF REPORT

Report To: Committee of the Whole
Meeting Date: April 9, 2024
Prepared By: Dawn Campbell, Director of Corporate Services
Report Number: SR2024-23 Policy 115 Pension New
Subject: Policy 115 Pension - NEW

RECOMMENDATION

To recommend that Municipal Council approve *Policy 115 Pension*, seven-day notice.

BACKGROUND

The Municipality enacted a policy providing for pensions for employees and councillors in 2013. On April 1, 2024, the County will transition part of its pension plan away from a privately held defined contribution plan to a defined benefit plan with the Nova Scotia Pension Agency under the provincial Public Service Superannuation Plan.

DISCUSSION

Municipal Council approved the following motion on November 21, 2023:

Motion 231121.12 SR2023-83 Transfer Municipal Pension Plan to PSSP

That Municipal Council engage the service of legal counsel that specializes in pension agreements and authorize the Warden and Municipal Clerk to enter into the required agreements for the successful transition of the Municipality's defined contribution pension plan into the Public Service Superannuation Plan as soon as possible; and that the costs of this transfer expected to be approximately \$30,000 to \$35,000 be funded as an unfunded liability in the 2023-2024 operating budget.

This transition will occur on April 1, 2024, and will only affect those employees that are not within 2 years of normal retirement age or are members of CUPE. CUPE members have opted out according to their collective agreement and those that are within 2 years of their normal retirement date would lose the municipal contributions towards their pension as they would not be vested. Employees that will not transfer to the new PSSP plan will continue with the same contribution rates and will not see any changes.

LEGISLATIVE AUTHORITY

Section 45 of the *Municipal Government Act* states:

- (2) *The council shall establish a pension plan to provide pensions for full-time employees in such manner as the council shall, by policy, determine.*
- (3) *The council may, by policy, establish pension plans to provide pensions for some or all other employees of the municipality in such manner as the council may, by policy, determine.*
- (4) *A pension plan may include employees of a board, commission or other body corporate established by the municipality alone or jointly with other municipalities.*
- (5) *The council may, by policy, establish a pension plan to provide a pension for the mayor or councillors or both.*
- (6) *The municipality, the employees and, where a pension plan is established for the mayor or councillors, those for whom the pension plan is established, shall make contributions to the plan's cost.*
- (7) *A pension plan may provide for annual increases in the pensions paid pursuant to the plan, but the increases shall not exceed the lesser of*
 - (a) *six per cent; or*
 - (b) *the percentage increase in the cost of living in the preceding year, as measured by the change in the Consumer Price Index for Canada prepared by Statistics Canada.*
- (8) *The Pension Benefits Act applies to a pension plan established pursuant to this Section. 1998, c. 18, s. 45*

BUDGET IMPACTS

After the transfer is complete, an initial estimate based on current staffing positions and levels will see an increase to the Municipality's budget to meet the needs of the new pension plan rate of 8.4% of approximately \$16,000 annually.

COMMUNICATIONS

This approval will be posted on our social media sites, as well as our website.

Prepared by:

Dawn Campbell, Director of Corporate Services

Approved by:

CY for Chris McNeill

Chris McNeill
Chief Administrative Officer

Approval Date:

April 4, 2024

(Date)

MUNICIPALITY OF THE COUNTY OF ANNAPOLIS POLICY AND ADMINISTRATION MANUAL	115
Section Benefits	Subject Pension

1.0 Purpose

The purpose of this policy is to establish and maintain a group pension plan for councillors and employees of the County of Annapolis. Terms and conditions of the plan shall be as stipulated in the plan documents and as revised from time to time.

2.0 Authority

Section 45 of the *Municipal Government Act* states:

- (9) *The council shall establish a pension plan to provide pensions for full-time employees in such manner as the council shall, by policy, determine.*
- (10) *The council may, by policy, establish pension plans to provide pensions for some or all other employees of the municipality in such manner as the council may, by policy, determine.*
- (11) *A pension plan may include employees of a board, commission or other body corporate established by the municipality alone or jointly with other municipalities.*
- (12) *The council may, by policy, establish a pension plan to provide a pension for the mayor or councillors or both.*
- (13) *The municipality, the employees and, where a pension plan is established for the mayor or councillors, those for whom the pension plan is established, shall make contributions to the plan's cost.*
- (14) *A pension plan may provide for annual increases in the pensions paid pursuant to the plan, but the increases shall not exceed the lesser of*
 - (c) *six per cent; or*
 - (d) *the percentage increase in the cost of living in the preceding year, as measured by the change in the Consumer Price Index for Canada prepared by Statistics Canada.*
- (15) *The Pension Benefits Act applies to a pension plan established pursuant to this Section. 1998, c. 18, s. 45*

MUNICIPALITY OF THE COUNTY OF ANNAPOLIS POLICY AND ADMINISTRATION MANUAL	115
Section Benefits	Subject Pension

3.0 Definitions

Terms used in this policy shall have the same meaning as in the *Municipal Government Act*, or as their context applies according to a dictionary of the Canadian language.

4.0 General Provisions

- 4.1 All employees shall be able to participate in the pension plan after one year of eligible service unless specifically stated otherwise in their employment agreement. Eligible service includes:
 - (a) full-time employment;
 - (b) part-time employment of at least 700 hours (including overtime) per year or taxable earnings of 35% of full-time "Years Maximum Pensionable Earnings (YMPE)."
- 4.2 Participation in the group pension plan shall be optional for all councillors until such time as they have reached the age of 71 years.
- 4.3 The pension plan shall be a defined benefit plan with the Nova Scotia Pension Agency under the provincial Public Service Superannuation Plan (PSSP) for all non-union employees. Notwithstanding this, no non-union employee within two years of retirement at April 1, 2024, shall be required to join the PSSP.
- 4.4 Non-union employees who are within two (2) years of retirement at April 1, 2024, and union employees, will not transfer to the PSSP and will be permitted to contribute at the rate of 5%, 6%, 7% or 8% of gross earnings at the employee's option; or 9% of gross earnings if within ten years of retirement or at least 55 years of age.
- 4.5 Councillor or employee contributions shall be deducted at source from each pay. The pension benefit amounts shall be as noted in the plan documents.
- 4.6 Normal retirement date for full pension benefit shall be 65 years of age. Reduced pension benefit in the event of earlier retirement is available to the extent and on the terms outlined in the plan documents.

5. REPEAL

AM-2.3.1 Pension Policy, adopted by Municipal Council of the County of Annapolis on November 19, 2013, is hereby repealed.

Municipal Clerk's Annotation for Official Policy Book I certify that this policy was adopted by Municipal Council as indicated below: Seven (7) Day Notice..... PENDING April 9, 2024 Council Approval PENDING April 16, 2024 <div style="display: flex; justify-content: space-between; margin-top: 10px;"> <div style="text-align: center; width: 40%;"> <hr style="width: 80%; margin: 0 auto;"/> Municipal Clerk At <u>Annapolis Royal</u> Nova Scotia </div> <div style="text-align: center; width: 40%;"> <hr style="width: 80%; margin: 0 auto;"/> PENDING Date </div> </div>	
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COUNTY of ANNAPOLIS
NATURALLY ROOTED

STAFF REPORT

Report To: Committee of the Whole
Meeting Date: April 9, 2024
Prepared By: Dawn Campbell, Director of Corporate Services
Report Number: SR2024-24 Repeal Policies AM-1.4.9, AM1-4.11 and AM-1.4.12
Subject: Repeal Redundant Policies

RECOMMENDATION

To recommend that Municipal Council repeal the following policies:

- *AM-1.4.9 Community Grants Policy*
- *AM-1.4.11 Community Contributions Policy*
- *AM-1.4.12 Tax Exemption and Reduction Policy*

Seven day notice

BACKGROUND

Municipal Council approved *Policy 101 Community Grants* on October 17, 2023. The new policy became effective on April 1, 2024. Therefore, it is now timely to repeal the two former policies which the new policy replaces.

Similarly, a new policy for tax exemptions and reductions was approved on March 19, 2024. Therefore, the old policy should be formally repealed.

DISCUSSION

These repeals are “housekeeping.”

LEGISLATIVE AUTHORITY

Sub-section 47(1) of the *Municipal Government Act* states:

The council shall make decisions in the exercise of its powers and duties by resolution, by policy or by by-law.

The process to approve a policy is described in Sub-section 48(1) of the *Municipal Government Act*:

Before a policy is passed, amended or repealed the council shall give at least seven days’ notice to all council members.

The Committees of Council and Council Meetings Policy provides in Sub-section 47 a) 1):

It shall be the duty of Committee of the Whole to take action on such matters as are lawfully delegated to it by the County's bylaws and policies, or by Council resolution, including but not restricted to: ensuring regular, periodic and comprehensive review of all bylaws and policies of the County and such consideration shall be deemed as fulfilling the requirement for seven days' notice to Municipal Council before a policy is passed, amended or repealed in accordance with Sub-section 48 (1) of the Municipal Government Act; . . .

BUDGET IMPACTS

No financial or budget impact resulting from repeals

COMMUNICATIONS

This approval will be posted on our social media sites, as well as our website.

Prepared by:

Dawn Campbell, Director of Corporate Services

Approved by:

CY for Chris McNeill

Chris McNeill
Chief Administrative Officer

Approval Date:

April 4, 2024

(Date)



COUNTY of ANNAPOLIS
NATURALLY ROOTED

STAFF REPORT

Report To: Committee of the Whole
Meeting Date: April 9, 2024
Prepared By: Chris McNeill, Chief Administrative Officer
Linda Bent, Director of Planning & Inspection Services
Report Number: **SR2024-25 Policy 111 Annapolis County Planning Advisory Committee New**
Subject: Approve Policy 111 Annapolis County Planning Advisory Committee NEW

RECOMMENDATION

That Municipal Council approve *Policy 111 Annapolis County Planning Advisory Committee*, seven-day notice.

BACKGROUND

AM-1.3.6.2 Annapolis County Planning Advisory Committee Policy was created in September 2020 as a stand-alone policy to replace *AM-1.3.6 Advisory Committees and Boards Policy*. Its purpose was to provide transparency and clarity to support the process of the Planning Advisory Committee that would be less confusing.

DISCUSSION

The new policy has been adapted to be more clear and concise. This policy provides clarity to the purpose and role of the Planning Advisory Committee. The new policy repeals the former policy (*AM-1.3.6.2 Annapolis County Planning Advisory Committee Policy*).

LEGISLATIVE AUTHORITY

Section 200(1) of the *Municipal Government Act* states that a municipality may, by policy, establish a planning advisory committee and may establish different planning advisory committees for different parts of the municipality.

Section 201(1) of the *Municipal Government Act* states that a municipality may establish, by policy, one or more area planning advisory committees to advise the planning advisory committee or joint planning advisory committee on planning matters affecting a specific area.

BUDGET IMPACTS

The new policy imposes no new financial or budget impacts

COMMUNICATIONS

This approval will be posted on our social media sites, as well as our website.

ATTACHMENTS

- Policy 111 Annapolis County Planning Advisory Committee
- AM-1.3.6.2 Annapolis County Planning Advisory Committee Policy

Prepared by:

Policy – Chris McNeill, Chief Administrative Officer

Staff Report – Linda Bent, Director of Planning & Inspection Services

Approved by:

CY for Chris McNeill

Chris McNeill
Chief Administrative Officer

Approval Date:

April 4, 2024

(Date)

MUNICIPALITY OF THE COUNTY OF ANNAPOLIS POLICY AND ADMINISTRATION MANUAL	POLICY 111
PLANNING AND DEVELOPMENT	Annapolis County Planning Advisory Committee Policy

1. GENERAL

This policy is referred to as the “**Planning Advisory Committee Policy**”.

2. AUTHORITY FOR POLICY

Section 200(1) of the *Municipal Government Act* states that a municipality may, by policy, establish a planning advisory committee and may establish different planning advisory committees for different parts of the municipality.

Section 201(1) of the *Municipal Government Act* states that a municipality may establish, by policy, one or more area planning advisory committees to advise the planning advisory committee or joint planning advisory committee on planning matters affecting a specific area.

3. DEFINITIONS

Terms used in this policy shall have the same meaning as in the *Municipal Government Act*, or as their context applies according to a dictionary of the Canadian language.

4. TERMS AND CONDITIONS

Persons appointed to this Committee shall normally be appointed for a two (2) year term beginning on November 1st immediately following each municipal election, and then two years thereafter, with no appointment ending until their successor is appointed.

Council may, through a recommendation from the Nominating Committee, appoint replacement members should a member resign or become no longer eligible for appointment during the term of their appointment.

No person may be appointed for more than two consecutive terms.

Except as otherwise determined by statute, bylaw or policy, every person shall be qualified to be appointed as a citizen member who meets the qualifications of Section 4.3 in *AM1.3.4 Citizen Appointments to Committees Policy*.

Except to the extent that the chairperson is otherwise determined by statute, bylaw or policy, municipal council may appoint a person to serve as chairperson of the committee, upon recommendation of the Nominating Committee.

MUNICIPALITY OF THE COUNTY OF ANNAPOLIS POLICY AND ADMINISTRATION MANUAL	POLICY 111
PLANNING AND DEVELOPMENT	Annapolis County Planning Advisory Committee Policy

If municipal council does not appoint a chairperson, the committee shall elect a chairperson from one of its members.

Persons appointed to the Committee serve at the pleasure of Council.

5. QUORUM

A quorum for the committee shall consist of a majority of the members appointed to the committee by municipal council at the time of each meeting.

6. MEETINGS

The committee shall meet at such time and place as directed by the chairperson, or committee at a preceding meeting, by providing notice of all such meetings to all committee members at least five (5) business days in advance of the meeting. This five-day notice provision does not apply to re-scheduled meetings due to weather, lack of a quorum at a meeting, or another deemed emergency need for a meeting by the chairperson.

All approved meeting minutes, and records of the committee shall be open to the public except as expressly prohibited by law, or not yet approved by the committee.

7. MEMBERSHIP

Membership on the committee shall consist of all members of council as well as up to three members of the public.

8. PURPOSE AND ROLE

Planning Advisory Committee shall carry out the following functions and no others unless specifically requested by municipal council to do so:

- a. Review applications for development agreements, amendments to development agreements, re-zonings, text and bylaw amendments, and other planning matters that are required by law, and make recommendations to municipal council for amendments and / or adoption.
- b. Review draft Municipal Planning Strategies and Land Use Bylaws forwarded to the Committee by Area Advisory Committees or municipal staff and make recommendations to municipal council for amendment and / or adoption.
- c. Attends all meetings of the Planning Advisory Committee, completely reading all meeting materials prior to meetings, providing feedback and

MUNICIPALITY OF THE COUNTY OF ANNAPOLIS POLICY AND ADMINISTRATION MANUAL		POLICY 111
PLANNING AND DEVELOPMENT	Annapolis County Planning Advisory Committee Policy	

advice on reports, planning strategy and land use bylaw proposed changes, development agreements, and site plan applications where required.

- d. Attends all public information meetings and public hearings related to matters before the Planning Advisory Committee to ensure a full understanding of public input before discussing and voting on such matters before the Committee.
- e. Always acting in the best interest of the municipality, its communities and residents, and not advocating for any changes, amendments, or adoption of documents, plans, or strategies that are personally beneficial where such changes are not in the best interest of the wider community.

9. RECOMMENDATIONS

In the event the Planning Advisory Committee fails to provide a report or recommendation to municipal council within any set deadline established by council; municipal council may proceed with a decision regarding a matter within the Committee's mandate without awaiting the committee report or recommendation.

10. REPEAL

Policy AM-1.3.6.2 Annapolis County Planning Advisory Committee Policy, adopted by Municipal Council of the County of Annapolis on April 20, 2021, is hereby repealed.

(a) Municipal Clerk's Annotation for Official Policy Book	
I certify that this policy was adopted by Municipal Council as indicated below:	
Seven (7) Day Notice	April 9, 2024
Council Approval	
<u>Carolyn Young</u> Municipal Clerk Date At Annapolis Royal Nova Scotia	

MUNICIPALITY OF THE COUNTY OF ANNAPOLIS POLICY AND ADMINISTRATION MANUAL		AM - 1.3.6.2
Section Procedure & Organization of Council	Subject Annapolis County Planning Advisory Committee Policy	

Former Policy

GENERAL

1. This policy is entitled “**Annapolis County Planning Advisory Committee Policy.**”

AUTHORITY FOR POLICY

2. Sections 22, 23, 24, 25, 26, 44, 200 and 345 *Municipal Government Act*, as amended

DEFINITIONS

3. Unless otherwise defined below, terms used in this policy shall have the same meanings as those defined in the *Municipal Government Act*.
 - (a) **Term of Appointment** – Except to the extent that the term of appointment is otherwise determined by statute, bylaw or policy, committee members shall be appointed for two (2) years with the term commencing in December following each municipal general election or bi-annual election anniversary. Except as otherwise provided in this policy, no appointment shall cease until such time as a successor is appointed.

PROVISIONS

4. Except as otherwise determined by statute, bylaw or policy, every person shall be qualified to be appointed as a citizen member who meets the qualifications of Sub-section 4.3 in *AM-1.3.4 Citizen Appointments to Committees Policy*.
5. Municipal Council may replace at any time committee members who resign or who, in Council’s opinion, are unable or unwilling to discharge their duties.
6. Except to the extent that the chair is otherwise determined by statute, bylaw or policy, municipal council may appoint a person to serve as chair of the committee, after seeking the advice of the Nominating Committee.
7. If Municipal Council does not appoint a chair, the committee shall elect a chair from one of its members.
8. The chair shall be entitled to speak and to vote on any motion. Subject to the other provisions of this policy, the chair shall have the same powers and responsibilities at committee meetings that are conferred upon the chair at municipal council meetings pursuant to *AM-1.2.0 Council Meetings and Proceedings Policy*, with any necessary modifications for context.
9. Except to the extent that the secretary is otherwise determined by bylaw or policy, the Chief Administrative Officer or his / her designate may appoint an employee of the County to serve as Secretary, with a voice but no vote.
10. If the Chief Administrative Officer or his/her designate does not appoint a secretary, the committee shall elect a secretary from one of its members, in which event the Secretary shall be a full voting member of the committee.
11. The secretary shall keep minutes of the committee meetings and ensure that the Municipal Clerk is provided with a signed copy of all approved minutes which are signed by the chairperson and recording secretary.

MUNICIPALITY OF THE COUNTY OF ANNAPOLIS POLICY AND ADMINISTRATION MANUAL		AM - 1.3.6.2
Section Procedure & Organization of Council	Subject Annapolis County Planning Advisory Committee Policy	

Former Policy

12. The committee shall meet at such time and place which it sets at a preceding meeting or at such other time and place as the Municipal Council, the Committee's Secretary, the Committee's Chair or a quorum of committee members may set by providing notice of meeting to all committee members at least 5 business days in advance.
13. The Secretary shall provide notice of meetings to the public by posting a "Notice of Committee Meeting" containing the time, date and place at the Administration Office in Annapolis Royal and the Planning Office in Lawrencetown.
14. Subject to any resolution of municipal council, the resources which may be utilized by the committee include:
 - (1) advice and support of the Chief Administrative Officer OR the Municipal Clerk or his or her designate;
 - (2) use of the county's facilities and supplies for meetings, arranged through the Secretary or the Municipal Clerk;
 - (3) such other resources as may reasonably be required, by arrangement through the CAO.
15. All meetings minutes, and records of the committee shall be open to the public except as expressly authorized by law.
16. The committee may meet in closed session to discuss matters relating to:
 - acquisition, sale, lease and security of municipal property;
 - setting a minimum price to be accepted by the municipality at a tax sale;
 - personnel matters;
 - labour relations;
 - contract negotiations;
 - litigation or potential litigation;
 - legal advice eligible for solicitor-client privilege; and
 - public security.
17. No decision shall be made in closed session except a decision concerning procedural matters.
18. A quorum of the committee shall be a majority (more than half) of the members appointed by Municipal Council at the time the meeting occurred.
19. A committee member who, without leave of the committee, is absent from three consecutive regular meetings, ceases to be a member (Subsection 25(1), MGA).
20. The secretary shall ensure that the Municipal Clerk is apprised immediately of any such circumstances which create a vacancy on any committee.
21. A committee may make recommendations to Municipal Council regarding the allocation or expenditure of funds but no committee shall have the power to expend funds (Sub-section 23 (c) MGA).

MUNICIPALITY OF THE COUNTY OF ANNAPOLIS POLICY AND ADMINISTRATION MANUAL		AM - 1.3.6.2
Section Procedure & Organization of Council	Subject Annapolis County Planning Advisory Committee Policy	

Former Policy

22. Subject to the other provisions of this policy, the rules of procedure, conduct and debate pursuant to AM-1.2.0 Council Meetings and Proceedings Policy apply at committee meetings with any necessary modifications for context, except that no notices of reconsideration shall be permitted at committee meetings.
23. In the event the committee fails to provide a report or recommendation to municipal council within any set deadline established by the council, municipal council may proceed with a decision regarding a matter within the committee's mandate without awaiting the committee report or recommendation.

TERMS OF REFERENCE

24. An Annapolis County Planning Advisory Committee is hereby established pursuant to Section 200 of the Municipal Government Act to perform the duties assigned by Part VIII of the Act with respect to the entire area of the municipality. The committee shall consist of all members of the council and not more than three (3) citizen members. The meetings of the committee shall be chaired by the Warden and shall normally be scheduled to coincide with the regular sessions of the Committee of the Whole.

Municipal Clerk's Annotation for Official Policy Book I certify that this policy was adopted by Municipal Council as indicated below: Seven (7) Day Notice April 13, 2021 Council Approval April 20, 2021 <div style="display: flex; justify-content: space-around; margin-top: 10px;"> <div style="text-align: center;"> <u>Carolyn Young</u> Municipal Clerk <i>At Annapolis Royal Nova Scotia</i> </div> <div style="text-align: center;"> <u>April 21, 2021</u> Date </div> </div>	
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Amendments:

September 2020:

-AM-1.3.6 *Advisory Committees and Boards Policy* separated into separate policies for individual committees

April 2021:

Deleted section 18:

~~18. A quorum of the committee shall be the same as that which applies to municipal council pursuant to provincial legislation, with any necessary changes for context.~~

and replaced with the following:

18. A quorum of the committee shall be a majority (more than half) of the members appointed by Municipal Council at the time the meeting occurred.



COUNTY of ANNAPOLIS
NATURALLY ROOTED

STAFF REPORT

Report To: Committee of the Whole
Meeting Date: April 9, 2024
Prepared By: Chris McNeill, Chief Administrative Officer
Linda Bent, Director of Planning & Inspection Services
Report Number: **SR2024-26 Policy 112 Area Advisory Planning Committee New**
Subject: Approve Policy 112 Area Advisory Planning Committee Policy NEW

RECOMMENDATION

To recommend that Municipal Council approve *Policy 112 Area Advisory Planning Committee Policy*, seven-day notice.

BACKGROUND

Policy AM-1.3.6.6 Bridgetown Area Advisory Committee Policy, Policy AM-1.3.6.7 Cornwallis Park Area Advisory Committee Policy, Policy AM-1.3.6.8 East End Area Advisory Committee Policy, Policy AM-1.3.6.10 Habitation Community Area Advisory Committee Policy, and Policy AM-1.3.6.16 Upper Clements Area Advisory Committee Policy were created in September of 2020 as stand-alone policies and last amended by Municipal Council of the County of Annapolis on April 20, 2021 and set out the terms of reference for each committee and member requirements for each planning area.

DISCUSSION

The new policy has been adapted to be more clear and concise. This policy consolidates the previous policies by setting out membership requirements for area advisory committees and provides clarity to the purpose and role of the area advisory committee. The new policy repeals the former policies (*Policy AM-1.3.6.6 Bridgetown Area Advisory Committee Policy, Policy AM-1.3.6.7 Cornwallis Park Area Advisory Committee Policy, Policy AM-1.3.6.8 East End Area Advisory Committee Policy, Policy AM-1.3.6.10 Habitation Community Area Advisory Committee Policy, and Policy AM-1.3.6.16 Upper Clements Area Advisory Committee Policy*

LEGISLATIVE AUTHORITY

Section 201 of the *Municipal Government Act* states that (1) A municipality may establish, by policy, one or more area planning advisory committees to advise the planning advisory committee or joint planning advisory committee on planning matters affecting a specific area.

- (2) An area planning advisory committee shall include members of the public.
- (3) An area planning advisory committee, with jurisdiction over an area that includes all or part of a village, shall include at least one member appointed by the village commission.
- (4) The council shall appoint members of an area planning advisory committee by resolution.

BUDGET IMPACTS

The new policy imposes no new financial or budget impacts

COMMUNICATIONS

This approval will be posted on our social media sites, as well as our website.

ATTACHMENTS

Policy 112 – New

Policy AM-1.3.6.6, AM-1.3.6.7, AM-1.3.6.8, AM-1.3.10 and AM-1.6.16 - Old

Prepared by:

Policy – Chris McNeill, Chief Administrative Officer

Staff Report – Linda Bent, Director of Planning & Inspection Services

Approved by:

CY for Chris McNeill

Chris McNeill
Chief Administrative Officer

Approval Date:

April 4, 2024

(Date)

MUNICIPALITY OF THE COUNTY OF ANNAPOLIS POLICY AND ADMINISTRATION MANUAL		POLICY 112
PLANNING AND DEVELOPMENT	Area Advisory Planning Committee Policy	

1. GENERAL

This policy is referred to as the “**Area Advisory Committee Policy**”.

2. AUTHORITY FOR POLICY

Section 201 of the *Municipal Government Act* states that

(1) A municipality may establish, by policy, one or more area planning advisory committees to advise the planning advisory committee or joint planning advisory committee on planning matters affecting a specific area.

(2) An area planning advisory committee shall include members of the public.

(3) An area planning advisory committee, with jurisdiction over an area that includes all or part of a village, shall include at least one member appointed by the village commission.

(4) The council shall appoint members of an area planning advisory committee by resolution.

3. DEFINITIONS

Terms used in this policy shall have the same meaning as in the *Municipal Government Act*, or as their context applies according to a dictionary of the Canadian language.

4. TERMS AND CONDITIONS

Persons appointed to this Committee shall normally be appointed for a two (2) year term beginning on November 1st immediately following each municipal election, and then two years thereafter, with no appointment ending until their successor is appointed.

Council may, through a recommendation from the Nominating Committee, appoint replacement members should a member resign or become no longer eligible for appointment during the term of their appointment.

No person may be appointed for more than two consecutive terms.

Except as otherwise determined by statute, bylaw or policy, every person shall be qualified to be appointed as a citizen member who meets the qualifications of the *Citizen Appointments to Committees Policy*.

Except to the extent that the chairperson is otherwise determined by statute, bylaw or policy, municipal council may appoint a person to serve as chairperson of the committee, upon recommendation of the Nominating Committee.

MUNICIPALITY OF THE COUNTY OF ANNAPOLIS POLICY AND ADMINISTRATION MANUAL		POLICY 112
PLANNING AND DEVELOPMENT	Area Advisory Planning Committee Policy	

If municipal council does not appoint a chairperson, the committee shall elect a chairperson from one of its members.

Persons appointed to the Committee serve at the pleasure of Council.

5. QUORUM

A quorum for the committee shall consist of a majority of the members appointed to the committee by municipal council at the time of each meeting.

6. MEETINGS

The committee shall meet at such time and place as directed by the chairperson, or committee at a preceding meeting, by providing notice of all such meetings to all committee members and the public at least five (5) business days in advance of the meeting. This five-day notice provision does not apply to re-scheduled meetings due to weather, lack of a quorum at a meeting, or another deemed emergency need for a meeting by the chairperson.

All approved meeting minutes, and records of the committee shall be open to the public except as expressly prohibited by law, or not yet approved by the committee.

7. MEMBERSHIP

Membership on each area advisory committee shall consist of not more than two (3) members of council and not more than five (5) members of the public.

Public committee members should live or own property within their respective area advisory committees' geographic boundaries and represent a mix of residential and commercial interests.

If, during the course of a public members appointment, that person no longer resides within or owns land within the area advisory committees' geographic boundaries, that person shall cease to be qualified to be a member of the Committee upon the appointment of their replacement.

8. PURPOSE AND ROLE

Area Advisory Committees shall carry out the following functions and no others unless specifically requested by municipal council to do so:

MUNICIPALITY OF THE COUNTY OF ANNAPOLIS POLICY AND ADMINISTRATION MANUAL		POLICY 112
PLANNING AND DEVELOPMENT	Area Advisory Planning Committee Policy	

- a. Review and provide input into proposed amendments to Municipal Planning Strategy and Land Use Bylaw within their specific geographic area.
- b. Participate in public information meetings related to planning applications for proposed amendments to county-wide or their specific area Municipal Planning Strategy and Land Use Bylaw amendments.
- c. When requested, provide reports and recommendations concerning the county-wide MPS and LUB in areas of requested review, including applications for re-zonings, text or bylaw amendments, development agreements, and site plan approvals that specifically affect their geographic area.
- d. Plan and hold regular meetings of their Area Advisory Committee to review community planning issues, new or changes to current developments, demographic or statistical reviews, and general plan updates.
- e. Acts in the best interest of the municipality, its communities and residents, and does not advocate for any changes, amendments, or adoption of documents, plans, or strategies that are personally beneficial where such changes are not in the best interest of the wider community.
- f. Area Advisory Committees are sub-committees of the Planning Advisory Committee (PAC) and shall submit all feedback and recommendations to PAC only.

9. RECOMMENDATIONS

In the event the Planning Advisory Committee fails to provide a report or recommendation to municipal council within any set deadline established by council; municipal council may proceed with a decision regarding a matter within the Committee's mandate without awaiting the committee report or recommendation.

10. AREA ADVISORY COMMITTEES DESIGNATED

The following area advisory committees are hereby established with their respective boundaries contained within their specific area planning strategies and land use bylaws:

East End

MUNICIPALITY OF THE COUNTY OF ANNAPOLIS POLICY AND ADMINISTRATION MANUAL		POLICY 112
PLANNING AND DEVELOPMENT	Area Advisory Planning Committee Policy	

Bridgetown Area
Habitation
Upper Clements
Cornwallis Park

11. REPEAL

Policy AM-1.3.6.6 Bridgetown Area Advisory Committee Policy, Policy AM-1.3.6.7 Cornwallis Park Area Advisory Committee Policy, Policy AM-1.3.6.8 East End Area Advisory Committee Policy, Policy AM-1.3.6.10 Habitation Community Area Advisory Committee Policy, and Policy AM-1.3.6.16 Upper Clements Area Advisory Committee Policy, adopted by Municipal Council of the County of Annapolis on April 20, 2021, are hereby repealed.

(a) Municipal Clerk's Annotation for Official Policy Book

I certify that this policy was adopted by Municipal Council as indicated below:

Seven (7) Day Notice April 9, 2024

Council Approval

Carolyn Young

Municipal Clerk _____ Date _____
At Annapolis Royal Nova Scotia

MUNICIPALITY OF THE COUNTY OF ANNAPOLIS POLICY AND ADMINISTRATION MANUAL		AM - 1.3.6.6
Section Procedure & Organization of Council	Subject Bridgetown Area Advisory Committee Policy	

Former Policy

GENERAL

1. This policy is entitled “**Bridgetown Area Advisory Committee Policy.**”

AUTHORITY FOR POLICY

2. Sections 22, 23, 24, 25, 26, 44, 200, 201 and 345 *Municipal Government Act*, as amended

DEFINITIONS

3. Unless otherwise defined below, terms used in this policy shall have the same meanings as those defined in the *Municipal Government Act*.
 - (a) **Term of Appointment** – Except to the extent that the term of appointment is otherwise determined by statute, bylaw or policy, committee members shall be appointed for two (2) years with the term commencing in December following each municipal general election or bi-annual election anniversary. Except as otherwise provided in this policy, no appointment shall cease until such time as a successor is appointed.

PROVISIONS

4. Except as otherwise determined by statute, bylaw or policy, every person shall be qualified to be appointed as a citizen member who meets the qualifications of Sub-section 4.3 in *AM-1.3.4 Citizen Appointments to Committees Policy*.
5. Municipal Council may replace at any time committee members who resign or who, in Council’s opinion, are unable or unwilling to discharge their duties.
6. Except to the extent that the chair is otherwise determined by statute, bylaw or policy, municipal council may appoint a person to serve as chair of the committee, after seeking the advice of the Nominating Committee.
7. If Municipal Council does not appoint a chair, the committee shall elect a chair from one of its members.
8. The chair shall be entitled to speak and to vote on any motion. Subject to the other provisions of this policy, the chair shall have the same powers and responsibilities at committee meetings that are conferred upon the chair at municipal council meetings pursuant to *AM-1.2.0 Council Meetings and Proceedings Policy*, with any necessary modifications for context.
9. Except to the extent that the secretary is otherwise determined by bylaw or policy, the Chief Administrative Officer or his / her designate may appoint an employee of the County to serve as Secretary, with a voice but no vote.
10. If the Chief Administrative Officer or his/her designate does not appoint a secretary, the committee shall elect a secretary from one of its members, in which event the Secretary shall be a full voting member of the committee.
11. The secretary shall keep minutes of the committee meetings and ensure that the Municipal Clerk is provided with a signed copy of all approved minutes which are signed by the chairperson and recording secretary.
12. The committee shall meet at such time and place which it sets at a preceding meeting or at such other time and place as the Municipal Council, the Committee’s Secretary, the Committee’s Chair or a quorum of committee members may set by providing notice of meeting to all committee members at least 5 business days in advance.

MUNICIPALITY OF THE COUNTY OF ANNAPOLIS POLICY AND ADMINISTRATION MANUAL		AM - 1.3.6.6
Section Procedure & Organization of Council	Subject Bridgetown Area Advisory Committee Policy	

- Former Policy
13. The Secretary shall provide notice of meetings to the public by posting a “Notice of Committee Meeting” containing the time, date and place at the Administration Office in Annapolis Royal and the Planning Office in Lawrencetown.
 14. Subject to any resolution of municipal council, the resources which may be utilized by the committee include:
 - (1) advice and support of the Chief Administrative Officer OR the Municipal Clerk or his or her designate;
 - (2) use of the county’s facilities and supplies for meetings, arranged through the Secretary or the Municipal Clerk;
 - (3) such other resources as may reasonably be required, by arrangement through the CAO.
 15. All meetings minutes, and records of the committee shall be open to the public except as expressly authorized by law.
 16. The committee may meet in closed session to discuss matters relating to:
 - acquisition, sale, lease and security of municipal property;
 - setting a minimum price to be accepted by the municipality at a tax sale;
 - personnel matters;
 - labour relations;
 - contract negotiations;
 - litigation or potential litigation;
 - legal advice eligible for solicitor-client privilege; and
 - public security.
 17. No decision shall be made in closed session except a decision concerning procedural matters.
 18. A quorum of the committee shall be a majority (more than half) of the members appointed by Municipal Council at the time the meeting occurred.
 19. A committee member who, without leave of the committee, is absent from three consecutive regular meetings, ceases to be a member (Subsection 25(1), *MGA*).
 20. The secretary shall ensure that the Municipal Clerk is apprised immediately of any such circumstances which create a vacancy on any committee.
 21. A committee may make recommendations to Municipal Council regarding the allocation or expenditure of funds but no committee shall have the power to expend funds (*Sub-section 23 (c) MGA*).
 22. Subject to the other provisions of this policy, the rules of procedure, conduct and debate pursuant to *AM-1.2.0 Council Meetings and Proceedings Policy* apply at committee meetings with any necessary modifications for context, except that no notices of reconsideration shall be permitted at committee meetings.

MUNICIPALITY OF THE COUNTY OF ANNAPOLIS POLICY AND ADMINISTRATION MANUAL		AM - 1.3.6.6
Section Procedure & Organization of Council	Subject Bridgetown Area Advisory Committee Policy	

23. In the event the committee fails to provide a report or recommendation to municipal council within any set deadline established by the council, municipal council may proceed with a decision regarding a matter within the committee's mandate without awaiting the committee report or recommendation.

TERMS OF REFERENCE

24. The Bridgetown Area Advisory Committee is established pursuant to Section 201 of the Municipal Government Act.
25. The committee shall exist as a sub-committee of the Annapolis County Planning Advisory Committee and may be reorganized, from time to time, or dissolved, as Municipal Council deems appropriate.
26. The committee shall exist for the purpose of providing input on planning matters affecting the area governed by the Bridgetown Area Municipal Planning Strategy and Land Use Bylaw, hereinafter called the Planning Area.
27. The overall purpose of the committee is to provide a forum for conveying and receiving information and advice into planning matters affecting the Planning Area.
28. The specific objectives of the Advisory Committee are to:
- (a) provide comment, advice and assistance in the administration of the Bridgetown Area Municipal Planning Strategy and Land-Use Bylaw;
 - (b) participate in and conduct a public participation process as directed by Municipal Council involving consultation with the Planning Area residents and landowners through a public consultation process (by means of holding open meetings, advertisements, information circulars or other appropriate means of conveying information and receiving input); and
 - (c) provide comments, advice and assistance to the Annapolis County Planning Advisory Committee on and to participate in periodic and mandatory reviews and amendments of the Bridgetown Area Municipal Planning Strategy and Land-Use Bylaw.
29. The committee shall be comprised of council and citizen members as follows:
- (a) Municipal Council shall appoint, in total, not more than two (2) council members and not more than five (5) citizen members.
 - (b) The council appointees shall normally be the councillors from Districts 3 and 7.
 - (c) Three (3) of the citizen members must be persons who reside and have resided or own and have owned property in the Bridgetown planning area for a minimum of six months.
 - (d) Two (2) of the citizen members must be persons who own, operate or manage an existing commercial, institutional or industrial business within the community of Bridgetown and have owned, operated or managed an existing commercial, institutional or industrial business within the community of Bridgetown a minimum of six (6) months prior to their appointment.
30. A citizen member who ceases to reside and/or own property within the Planning Area ceases to be qualified to serve as a citizen member of the Advisory Committee.
31. The Director of Community Services or designate shall attend meetings of the Advisory Committee and provide technical and resource support. He / she shall call the first meeting of any committee after its appointment and shall chair the meeting until a chair has been chosen.

MUNICIPALITY OF THE COUNTY OF ANNAPOLIS POLICY AND ADMINISTRATION MANUAL		AM - 1.3.6.6
Section Procedure & Organization of Council	Subject Bridgetown Area Advisory Committee Policy	

32. Any councillor may attend the meetings of the committee but may not vote and may only take part in any discussion or debate with the permission of the majority of members present.

Former Policy

Municipal Clerk's Annotation for Official Policy Book	
I certify that this policy was adopted by Municipal Council as indicated below:	
<i>Seven (7) Day Notice</i>	April 13, 2021
<i>Council Approval</i>	April 20, 2021
<u>Carolyn Young</u>	<u>April 21, 2021</u>
Municipal Clerk	Date
<i>At Annapolis Royal Nova Scotia</i>	

Amendments:

September 2020:

- **AM-1.3.6 Advisory Committees and Boards Policy** separated into separate policies for individual committees

April 2021:

Deleted section 18:

~~18. A quorum of the committee shall be the same as that which applies to municipal council pursuant to provincial legislation, with any necessary changes for context.~~

and replaced with the following:

18. A quorum of the committee shall be a majority (more than half) of the members appointed by Municipal Council at the time the meeting occurred.

MUNICIPALITY OF THE COUNTY OF ANNAPOLIS POLICY AND ADMINISTRATION MANUAL		AM - 1.3.6.7
Section Procedure & Organization of Council	Subject Cornwallis Park Area Advisory Committee Policy	

Former Policy

GENERAL

1. This policy is entitled “**Cornwallis Park Area Advisory Committee Policy.**”

AUTHORITY FOR POLICY

2. Sections 22, 23, 24, 25, 26, ~~44~~, 200, 201 and 345 *Municipal Government Act*, as amended

DEFINITIONS

3. Unless otherwise defined below, terms used in this policy shall have the same meanings as those defined in the *Municipal Government Act*.
 - (a) **Term of Appointment** – Except to the extent that the term of appointment is otherwise determined by statute, bylaw or policy, committee members shall be appointed for two (2) years with the term commencing in December following each municipal general election or bi-annual election anniversary. Except as otherwise provided in this policy, no appointment shall cease until such time as a successor is appointed.

PROVISIONS

4. Except as otherwise determined by statute, bylaw or policy, every person shall be qualified to be appointed as a citizen member who meets the qualifications of Sub-section 4.3 in *AM-1.3.4 Citizen Appointments to Committees Policy*.
5. Municipal Council may replace at any time committee members who resign or who, in Council’s opinion, are unable or unwilling to discharge their duties.
6. Except to the extent that the chair is otherwise determined by statute, bylaw or policy, municipal council may appoint a person to serve as chair of the committee, after seeking the advice of the Nominating Committee.
7. If Municipal Council does not appoint a chair, the committee shall elect a chair from one of its members.
8. The chair shall be entitled to speak and to vote on any motion. Subject to the other provisions of this policy, the chair shall have the same powers and responsibilities at committee meetings that are conferred upon the chair at municipal council meetings pursuant to *AM-1.2.0 Council Meetings and Proceedings Policy*, with any necessary modifications for context.
9. Except to the extent that the secretary is otherwise determined by bylaw or policy, the Chief Administrative Officer or his / her designate may appoint an employee of the County to serve as Secretary, with a voice but no vote.
10. If the Chief Administrative Officer or his/her designate does not appoint a secretary, the committee shall elect a secretary from one of its members, in which event the Secretary shall be a full voting member of the committee.
11. The secretary shall keep minutes of the committee meetings and ensure that the Municipal Clerk is provided with a signed copy of all approved minutes which are signed by the chairperson and recording secretary.

MUNICIPALITY OF THE COUNTY OF ANNAPOLIS POLICY AND ADMINISTRATION MANUAL		AM - 1.3.6.7
Section Procedure & Organization of Council	Subject Cornwallis Park Area Advisory Committee Policy	

Former Policy

12. The committee shall meet at such time and place which it sets at a preceding meeting or at such other time and place as the Municipal Council, the Committee's Secretary, the Committee's Chair or a quorum of committee members may set by providing notice of meeting to all committee members at least 5 business days in advance.
13. The Secretary shall provide notice of meetings to the public by posting a "Notice of Committee Meeting" containing the time, date and place at the Administration Office in Annapolis Royal and the Planning Office in Lawrencetown.
14. Subject to any resolution of municipal council, the resources which may be utilized by the committee include:
 - (1) advice and support of the Chief Administrative Officer OR the Municipal Clerk or his or her designate;
 - (2) use of the county's facilities and supplies for meetings, arranged through the Secretary or the Municipal Clerk;
 - (3) such other resources as may reasonably be required, by arrangement through the CAO.
15. All meetings minutes, and records of the committee shall be open to the public except as expressly authorized by law.
16. The committee may meet in closed session to discuss matters relating to:
 - acquisition, sale, lease and security of municipal property;
 - setting a minimum price to be accepted by the municipality at a tax sale;
 - personnel matters;
 - labour relations;
 - contract negotiations;
 - litigation or potential litigation;
 - legal advice eligible for solicitor-client privilege; and
 - public security.
17. No decision shall be made in closed session except a decision concerning procedural matters.
18. A quorum of the committee shall be a majority (more than half) of the members appointed by Municipal Council at the time the meeting occurred.
19. A committee member who, without leave of the committee, is absent from three consecutive regular meetings, ceases to be a member (Subsection 25(1), *MGA*).
20. The secretary shall ensure that the Municipal Clerk is apprised immediately of any such circumstances which create a vacancy on any committee.
21. A committee may make recommendations to Municipal Council regarding the allocation or expenditure of funds but no committee shall have the power to expend funds (*Sub-section 23 (c) MGA*).

MUNICIPALITY OF THE COUNTY OF ANNAPOLIS POLICY AND ADMINISTRATION MANUAL		AM - 1.3.6.7
Section Procedure & Organization of Council	Subject Cornwallis Park Area Advisory Committee Policy	

Former Policy

22. Subject to the other provisions of this policy, the rules of procedure, conduct and debate pursuant to *AM-1.2.0 Council Meetings and Proceedings Policy* apply at committee meetings with any necessary modifications for context, except that no notices of reconsideration shall be permitted at committee meetings.
23. In the event the committee fails to provide a report or recommendation to municipal council within any set deadline established by the council, municipal council may proceed with a decision regarding a matter within the committee's mandate without awaiting the committee report or recommendation.

TERMS OF REFERENCE

24. The Cornwallis Park Area Advisory Committee is established pursuant to Section 201 of the Municipal Government Act.
25. The committee shall exist as a sub-committee of the Annapolis County Planning Advisory Committee and may be reorganized, from time to time, or dissolved, as Municipal Council deems appropriate.
26. The committee shall exist for the purpose of providing input on planning matters affecting the area governed by the Cornwallis Park Municipal Planning Strategy and Land-Use Bylaw, hereinafter called the Planning Area.
27. The overall purpose of the committee is to provide a forum for conveying and receiving information and advice into planning matters affecting the Planning Area.
28. The specific objectives of the Advisory Committee are to:
 - (a) provide comment, advice and assistance in the administration of the Cornwallis Park Municipal Planning Strategy and Land-Use Bylaw;
 - (b) participate in and conduct a public participation process as directed by Municipal Council involving consultation with the Planning Area residents and landowners through a public consultation process (by means of holding open meetings, advertisements, information circulars or other appropriate means of conveying information and receiving input); and
 - (c) provide comments, advice and assistance to the Annapolis County Planning Advisory Committee on and to participate in periodic and mandatory reviews and amendments of the Cornwallis Park Municipal Planning Strategy and Land-Use Bylaw.
29. The committee shall be comprised of council and citizen members as follows:
 - (a) Municipal Council shall appoint, in total, not more than one council member and not more than six (6) citizen members.
 - (b) The council member shall normally be the councillor from District 6.
 - (c) Three (3) of the citizen members must be persons who reside and have resided or own and have owned property in the Cornwallis Park planning area for a minimum of six months.

MUNICIPALITY OF THE COUNTY OF ANNAPOLIS POLICY AND ADMINISTRATION MANUAL		AM - 1.3.6.7
Section Procedure & Organization of Council	Subject Cornwallis Park Area Advisory Committee Policy	

Former Policy

- (d) Three (3) of the citizen members must be persons who own, operate or manage an existing commercial, institutional or industrial business within the community of Cornwallis Park and have owned, operated or managed an existing commercial, institutional or industrial business within the community of Cornwallis Park a minimum of six (6) months prior to their appointment.
30. A member who ceases to meet their appointment criteria ceases to qualify to be a member of the committee.
31. The Director of Community Services or designate shall attend meetings of the Advisory Committee and provide technical and resource support. He / she shall call the first meeting of any committee after its appointment and shall chair the meeting until a chair has been chosen.
32. Any councillor may attend the meetings of the committee but may not vote and may only take part in any discussion or debate with the permission of the majority of members present.

Municipal Clerk's Annotation for Official Policy Book	
I certify that this policy was adopted by Municipal Council as indicated below:	
Seven (7) Day Notice.....	April 13, 2021
Council Approval	April 20, 2021
<u><i>Carolyn Young</i></u>	<u>April 21, 2021</u>
Municipal Clerk	Date
At Annapolis Royal Nova Scotia	

Amendments:

September 2020:

-AM-1.3.6 *Advisory Committees and Boards Policy* separated into separate policies for individual committees

April 2021:

Deleted section 18:

~~18. A quorum of the committee shall be the same as that which applies to municipal council pursuant to provincial legislation, with any necessary changes for context.~~

and replaced with the following:

18. A quorum of the committee shall be a majority (more than half) of the members appointed by Municipal Council at the time the meeting occurred.

MUNICIPALITY OF THE COUNTY OF ANNAPOLIS POLICY AND ADMINISTRATION MANUAL		AM - 1.3.6.8
Section Procedure & Organization of Council	Subject East End Area Advisory Committee Policy	

Former Policy

GENERAL

1. This policy is entitled “**East End Area Advisory Committee Policy.**”

AUTHORITY FOR POLICY

2. Sections 22, 23, 24, 25, 26, 44, 200, 201 and 345 *Municipal Government Act*, as amended

DEFINITIONS

3. Unless otherwise defined below, terms used in this policy shall have the same meanings as those defined in the *Municipal Government Act*.
 - (a) **Term of Appointment** – Except to the extent that the term of appointment is otherwise determined by statute, bylaw or policy, committee members shall be appointed for two (2) years with the term commencing in December following each municipal general election or bi-annual election anniversary. Except as otherwise provided in this policy, no appointment shall cease until such time as a successor is appointed.

PROVISIONS

4. Except as otherwise determined by statute, bylaw or policy, every person shall be qualified to be appointed as a citizen member who meets the qualifications of Sub-section 4.3 in *AM-1.3.4 Citizen Appointments to Committees Policy*.
5. Municipal Council may replace at any time committee members who resign or who, in Council’s opinion, are unable or unwilling to discharge their duties.
6. Except to the extent that the chair is otherwise determined by statute, bylaw or policy, municipal council may appoint a person to serve as chair of the committee, after seeking the advice of the Nominating Committee.
7. If Municipal Council does not appoint a chair, the committee shall elect a chair from one of its members.
8. The chair shall be entitled to speak and to vote on any motion. Subject to the other provisions of this policy, the chair shall have the same powers and responsibilities at committee meetings that are conferred upon the chair at municipal council meetings pursuant to *AM-1.2.0 Council Meetings and Proceedings Policy*, with any necessary modifications for context.
9. Except to the extent that the secretary is otherwise determined by bylaw or policy, the Chief Administrative Officer or his / her designate may appoint an employee of the County to serve as Secretary, with a voice but no vote.
10. If the Chief Administrative Officer or his/her designate does not appoint a secretary, the committee shall elect a secretary from one of its members, in which event the Secretary shall be a full voting member of the committee.
11. The secretary shall keep minutes of the committee meetings and ensure that the Municipal Clerk is provided with a signed copy of all approved minutes which are signed by the chairperson and recording secretary.
12. The committee shall meet at such time and place which it sets at a preceding meeting or at such other time and place as the Municipal Council, the Committee’s Secretary, the Committee’s Chair or a quorum of committee members may set by providing notice of meeting to all committee members at least 5 business days in advance.

MUNICIPALITY OF THE COUNTY OF ANNAPOLIS POLICY AND ADMINISTRATION MANUAL		AM - 1.3.6.8
Section Procedure & Organization of Council	Subject East End Area Advisory Committee Policy	

Former Policy

13. The Secretary shall provide notice of meetings to the public by posting a “Notice of Committee Meeting” containing the time, date and place at the Administration Office in Annapolis Royal and the Planning Office in Lawrencetown.
14. Subject to any resolution of municipal council, the resources which may be utilized by the committee include:
 - (1) advice and support of the Chief Administrative Officer OR the Municipal Clerk or his or her designate;
 - (2) use of the county’s facilities and supplies for meetings, arranged through the Secretary or the Municipal Clerk;
 - (3) such other resources as may reasonably be required, by arrangement through the CAO.
15. All meetings minutes, and records of the committee shall be open to the public except as expressly authorized by law.
16. The committee may meet in closed session to discuss matters relating to:
 - acquisition, sale, lease and security of municipal property;
 - setting a minimum price to be accepted by the municipality at a tax sale;
 - personnel matters;
 - labour relations;
 - contract negotiations;
 - litigation or potential litigation;
 - legal advice eligible for solicitor-client privilege; and
 - public security.
17. No decision shall be made in closed session except a decision concerning procedural matters.
18. A quorum of the committee shall be a majority (more than half) of the members appointed by Municipal Council at the time the meeting occurred.
19. A committee member who, without leave of the committee, is absent from three consecutive regular meetings, ceases to be a member (Subsection 25(1), *MGA*).
20. The secretary shall ensure that the Municipal Clerk is apprised immediately of any such circumstances which create a vacancy on any committee.
21. A committee may make recommendations to Municipal Council regarding the allocation or expenditure of funds but no committee shall have the power to expend funds (*Sub-section 23 (c) MGA*).
22. Subject to the other provisions of this policy, the rules of procedure, conduct and debate pursuant to *AM-1.2.0 Council Meetings and Proceedings Policy* apply at committee meetings with any necessary modifications for context, except that no notices of reconsideration shall be permitted at committee meetings.

MUNICIPALITY OF THE COUNTY OF ANNAPOLIS POLICY AND ADMINISTRATION MANUAL		AM - 1.3.6.8
Section Procedure & Organization of Council	Subject East End Area Advisory Committee Policy	

Former Policy

23. In the event the committee fails to provide a report or recommendation to municipal council within any set deadline established by the council, municipal council may proceed with a decision regarding a matter within the committee's mandate without awaiting the committee report or recommendation.

TERMS OF REFERENCE

24. The East End Area Advisory Committee is established pursuant to Section 201 of the Municipal Government Act.
25. The committee shall exist as a sub-committee of the Annapolis County Planning Advisory Committee and may be reorganized, from time to time, or dissolved, as Municipal Council deems appropriate.
26. The committee shall exist for the purpose of providing input on planning matters affecting the area governed by the Annapolis County East End Area Municipal Planning Strategy and Land Use Bylaw, hereinafter called the Planning Area.
27. The overall purpose of the committee is to provide a forum for conveying and receiving information and advice into planning matters affecting the Planning Area.
28. The specific objectives of the Advisory Committee are to:
 - (a) provide comment, advice and assistance in the administration of the East End Area Municipal Planning Strategy and Land-Use Bylaw;
 - (b) participate in and conduct a public participation process as directed by Municipal Council involving consultation with the Planning Area residents and landowners through a public consultation process (by means of holding open meetings, advertisements, information circulars or other appropriate means of conveying information and receiving input); and
 - (c) provide comments, advice and assistance to the Annapolis County Planning Advisory Committee on and to participate in periodic and mandatory reviews and amendments of the East End Area Municipal Planning Strategy and Land-Use Bylaw.
29. The committee shall be comprised of council and citizen members as follows:
 - (a) Municipal Council shall appoint, in total, not more than four (4) council members and not more than five (5) citizen members.
 - (b) The council appointees shall normally be the councillors from Districts 1, 2, 9 and 11.
 - (c) The citizen members must be persons who reside and have resided or own and have owned property in the East End Planning Area for a minimum of six months.
30. A citizen member who ceases to reside and/or own property within the Planning Area ceases to be qualified to serve as a citizen member of the Advisory Committee.
31. The Director of Community Services or designate shall attend meetings of the Advisory Committee and provide technical and resource support. He / she shall call the first meeting of any committee after its appointment and shall chair the meeting until a chair has been chosen.
32. Any councillor may attend the meetings of the committee but may not vote and may only take part in any discussion or debate with the permission of the majority of members present.

MUNICIPALITY OF THE COUNTY OF ANNAPOLIS POLICY AND ADMINISTRATION MANUAL		AM - 1.3.6.8
Section Procedure & Organization of Council	Subject East End Area Advisory Committee Policy	

Former Policy

Municipal Clerk's Annotation for Official Policy Book	
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Council Approval	April 20, 2021
<u>Carolyn Young</u>	<u>April 21, 2021</u>
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<i>At Annapolis Royal Nova Scotia</i>	

Amendments:

September 2020:

-**AM-1.3.6 Advisory Committees and Boards Policy** separated into separate policies for individual committees

April 2021:

Deleted section 18:

~~18. A quorum of the committee shall be the same as that which applies to municipal council pursuant to provincial legislation, with any necessary changes for context.~~

and replaced with the following:

18. A quorum of the committee shall be a majority (more than half) of the members appointed by Municipal Council at the time the meeting occurred.

MUNICIPALITY OF THE COUNTY OF ANNAPOLIS POLICY AND ADMINISTRATION MANUAL		AM - 1.3.6.10
Section Procedure & Organization of Council	Subject Habitation Community Area Advisory Committee Policy	

GENERAL

1. This policy is entitled “**Habitation Community Area Advisory Committee Policy.**”

AUTHORITY FOR POLICY

2. Sections 22, 23, 24, 25, 26, 44, 200, 201 and 345 *Municipal Government Act*, as amended

DEFINITIONS

3. Unless otherwise defined below, terms used in this policy shall have the same meanings as those defined in the *Municipal Government Act*.
 - (a) **Term of Appointment** – Except to the extent that the term of appointment is otherwise determined by statute, bylaw or policy, committee members shall be appointed for two (2) years with the term commencing in December following each municipal general election or bi-annual election anniversary. Except as otherwise provided in this policy, no appointment shall cease until such time as a successor is appointed.

PROVISIONS

4. Except as otherwise determined by statute, bylaw or policy, every person shall be qualified to be appointed as a citizen member who meets the qualifications of Sub-section 4.3 in *AM-1.3.4 Citizen Appointments to Committees Policy*.
5. Municipal Council may replace at any time committee members who resign or who, in Council’s opinion, are unable or unwilling to discharge their duties.
6. Except to the extent that the chair is otherwise determined by statute, bylaw or policy, municipal council may appoint a person to serve as chair of the committee, after seeking the advice of the Nominating Committee.
7. If Municipal Council does not appoint a chair, the committee shall elect a chair from one of its members.
8. The chair shall be entitled to speak and to vote on any motion. Subject to the other provisions of this policy, the chair shall have the same powers and responsibilities at committee meetings that are conferred upon the chair at municipal council meetings pursuant to *AM-1.2.0 Council Meetings and Proceedings Policy*, with any necessary modifications for context.
9. Except to the extent that the secretary is otherwise determined by bylaw or policy, the Chief Administrative Officer or his / her designate may appoint an employee of the County to serve as Secretary, with a voice but no vote.
10. If the Chief Administrative Officer or his/her designate does not appoint a secretary, the committee shall elect a secretary from one of its members, in which event the Secretary shall be a full voting member of the committee.
11. The secretary shall keep minutes of the committee meetings and ensure that the Municipal Clerk is provided with a signed copy of all approved minutes which are signed by the chairperson and recording secretary.
12. The committee shall meet at such time and place which it sets at a preceding meeting or at such other time and place as the Municipal Council, the Committee’s Secretary, the Committee’s Chair or a quorum of committee members may set by providing notice of meeting to all committee members at least 5 business days in advance.

MUNICIPALITY OF THE COUNTY OF ANNAPOLIS POLICY AND ADMINISTRATION MANUAL		AM - 1.3.6.10
Section Procedure & Organization of Council	Subject Habitation Community Area Advisory Committee Policy	

Former Policy

13. The Secretary shall provide notice of meetings to the public by posting a “Notice of Committee Meeting” containing the time, date and place at the Administration Office in Annapolis Royal and the Planning Office in Lawrencetown.
14. Subject to any resolution of municipal council, the resources which may be utilized by the committee include:
 - (1) advice and support of the Chief Administrative Officer OR the Municipal Clerk or his or her designate;
 - (2) use of the county’s facilities and supplies for meetings, arranged through the Secretary or the Municipal Clerk;
 - (3) such other resources as may reasonably be required, by arrangement through the CAO.
15. All meetings minutes, and records of the committee shall be open to the public except as expressly authorized by law.
16. The committee may meet in closed session to discuss matters relating to:
 - acquisition, sale, lease and security of municipal property;
 - setting a minimum price to be accepted by the municipality at a tax sale;
 - personnel matters;
 - labour relations;
 - contract negotiations;
 - litigation or potential litigation;
 - legal advice eligible for solicitor-client privilege; and
 - public security.
17. No decision shall be made in closed session except a decision concerning procedural matters.
18. A quorum of the committee shall be a majority (more than half) of the members appointed by Municipal Council at the time the meeting occurred.
19. A committee member who, without leave of the committee, is absent from three consecutive regular meetings, ceases to be a member (Subsection 25(1), *MGA*).
20. The secretary shall ensure that the Municipal Clerk is apprised immediately of any such circumstances which create a vacancy on any committee.
21. A committee may make recommendations to Municipal Council regarding the allocation or expenditure of funds but no committee shall have the power to expend funds (*Sub-section 23 (c) MGA*).
22. Subject to the other provisions of this policy, the rules of procedure, conduct and debate pursuant to *AM-1.2.0 Council Meetings and Proceedings Policy* apply at committee meetings with any necessary modifications for context, except that no notices of reconsideration shall be permitted at committee meetings.
23. In the event the committee fails to provide a report or recommendation to municipal council within any set deadline established by the council, municipal council may proceed with a decision regarding a matter within the committee’s mandate without awaiting the committee report or recommendation.

MUNICIPALITY OF THE COUNTY OF ANNAPOLIS POLICY AND ADMINISTRATION MANUAL		AM - 1.3.6.10
Section Procedure & Organization of Council	Subject Habitation Community Area Advisory Committee Policy	

Former Policy

TERMS OF REFERENCE

24. The Habitation Community Area Advisory Committee is established pursuant to Section 201 of the Municipal Government Act.
25. The committee shall exist as a sub-committee of the Annapolis County Planning Advisory Committee and may be reorganized, from time to time, or dissolved, as Municipal Council deems appropriate.
26. The committee shall exist for the purpose of receiving input on the preparation of a Municipal Planning Strategy and Land-Use Bylaw for the Habitation area communities, herein defined as that portion of the Annapolis River Watershed between the east boundary of District 5 and the west property boundary of civic address 3599 Granville Road, Port Royal, hereinafter called the Habitation Area Planning Area.
27. The overall purpose of the committee is to provide a forum for conveying and receiving info and advice into planning matters affecting the Habitation Area Planning Area.
28. The specific objectives of the Advisory Committee are to:
 - (a) provide comments, advice and assistance in the development of the Habitation Area Municipal Planning Strategy and Land-Use Bylaw.
 - (b) participate in and conduct a public participation process as directed by Municipal Council involving consultation with the planning area residents and landowners through a public consultation process (by means of open meetings, advertisements, info circulars and other appropriate means of conveying information and receiving input).
 - (c) provide comments, advice and recommendations to the Annapolis County Planning Advisory Committee regarding periodic, mandatory reviews and amendments of the Habitation Area Municipal Planning Strategy and Land-Use Bylaw.
29. The committee shall be comprised of council and citizen members as follows:
 - (a) Municipal Council shall appoint, in total, not more than one (1) council member and not more than six (6) citizen members.
 - (b) The council member shall normally be the councillor from District 5.
 - (c) The citizen members shall be persons who presently reside in or own property within the Habitation Area Planning Area and have resided in or owned property within the Habitation Area Planning Area for a minimum of six (6) months prior to their appointment.
 - (d) A citizen member who ceases to meet the appointment criteria ceases to be a member of the committee.
30. The Director of Community Development or designate shall attend meetings of the advisory committee and provide technical and resource support. He / she shall call the first meeting of any committee after its appointment and shall chair the meeting until a chair has been chosen.
31. Any councillor may attend the meetings of the advisory committee but may not vote and may only take part in any discussion or debate with the permission of the majority of members present.

MUNICIPALITY OF THE COUNTY OF ANNAPOLIS POLICY AND ADMINISTRATION MANUAL		AM - 1.3.6.10
Section Procedure & Organization of Council	Subject Habitation Community Area Advisory Committee Policy	

Former Policy

Municipal Clerk's Annotation for Official Policy Book	
I certify that this policy was adopted by Municipal Council as indicated below:	
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<i>Council Approval</i>	<i>April 20, 2021</i>
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Municipal Clerk	Date
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Amendments:

September 2020:

-AM-1.3.6 *Advisory Committees and Boards Policy* separated into separate policies for individual committees

April 2021:

Deleted section 18:

~~18. A quorum of the committee shall be the same as that which applies to municipal council pursuant to provincial legislation, with any necessary changes for context.~~

and replaced with the following:

18. A quorum of the committee shall be a majority (more than half) of the members appointed by Municipal Council at the time the meeting occurred.

MUNICIPALITY OF THE COUNTY OF ANNAPOLIS POLICY AND ADMINISTRATION MANUAL		AM - 1.3.6.16
Section Procedure & Organization of Council	Subject Upper Clements Area Advisory Committee Policy	

Former Policy

GENERAL

1. This policy is entitled “**Upper Clements Area Advisory Committee Policy.**”

AUTHORITY FOR POLICY

2. Sections 22, 23, 24, 25, 26, ~~44~~, 200, 201 and 345 *Municipal Government Act*, as amended

DEFINITIONS

3. Unless otherwise defined below, terms used in this policy shall have the same meanings as those defined in the *Municipal Government Act*.
 - (1) **Term of Appointment** – Except to the extent that the term of appointment is otherwise determined by statute, bylaw or policy, committee members shall be appointed for two (2) years with the term commencing in December following each municipal general election or bi-annual election anniversary. Except as otherwise provided in this policy, no appointment shall cease until such time as a successor is appointed.

PROVISIONS

4. Except as otherwise determined by statute, bylaw or policy, every person shall be qualified to be appointed as a citizen member who meets the qualifications of Sub-section 4.3 in *AM-1.3.4 Citizen Appointments to Committees Policy*.
5. Municipal Council may replace at any time committee members who resign or who, in Council’s opinion, are unable or unwilling to discharge their duties.
6. Except to the extent that the chair is otherwise determined by statute, bylaw or policy, municipal council may appoint a person to serve as chair of the committee, after seeking the advice of the Nominating Committee.
7. If Municipal Council does not appoint a chair, the committee shall elect a chair from one of its members.
8. The chair shall be entitled to speak and to vote on any motion. Subject to the other provisions of this policy, the chair shall have the same powers and responsibilities at committee meetings that are conferred upon the chair at municipal council meetings pursuant to *AM-1.2.0 Council Meetings and Proceedings Policy*, with any necessary modifications for context.
9. Except to the extent that the secretary is otherwise determined by bylaw or policy, the Chief Administrative Officer or his / her designate may appoint an employee of the County to serve as Secretary, with a voice but no vote.
10. If the Chief Administrative Officer or his/her designate does not appoint a secretary, the committee shall elect a secretary from one of its members, in which event the Secretary shall be a full voting member of the committee.
11. The secretary shall keep minutes of the committee meetings and ensure that the Municipal Clerk is provided with a signed copy of all approved minutes which are signed by the chairperson and recording secretary.
12. The committee shall meet at such time and place which it sets at a preceding meeting or at such other time and place as the Municipal Council, the Committee’s Secretary, the Committee’s Chair or a quorum of committee members may set by providing notice of meeting to all committee members at least 5 business days in advance.

MUNICIPALITY OF THE COUNTY OF ANNAPOLIS POLICY AND ADMINISTRATION MANUAL		AM - 1.3.6.16
Section Procedure & Organization of Council	Subject Upper Clements Area Advisory Committee Policy	

Former Policy

13. The Secretary shall provide notice of meetings to the public by posting a “Notice of Committee Meeting” containing the time, date and place at the Administration Office in Annapolis Royal and the Planning Office in Lawrencetown.
14. Subject to any resolution of municipal council, the resources which may be utilized by the committee include:
 - (1) advice and support of the Chief Administrative Officer OR the Municipal Clerk or his or her designate;
 - (2) use of the county’s facilities and supplies for meetings, arranged through the Secretary or the Municipal Clerk;
 - (3) such other resources as may reasonably be required, by arrangement through the CAO.
15. All meetings minutes, and records of the committee shall be open to the public except as expressly authorized by law.
16. The committee may meet in closed session to discuss matters relating to:
 - acquisition, sale, lease and security of municipal property;
 - setting a minimum price to be accepted by the municipality at a tax sale;
 - personnel matters;
 - labour relations;
 - contract negotiations;
 - litigation or potential litigation;
 - legal advice eligible for solicitor-client privilege; and
 - public security.
17. No decision shall be made in closed session except a decision concerning procedural matters.
18. A quorum of the committee shall be a majority (more than half) of the members appointed by Municipal Council at the time the meeting occurred.
19. A committee member who, without leave of the committee, is absent from three consecutive regular meetings, ceases to be a member (Subsection 25(1), *MGA*).
20. The secretary shall ensure that the Municipal Clerk is apprised immediately of any such circumstances which create a vacancy on any committee.
21. A committee may make recommendations to Municipal Council regarding the allocation or expenditure of funds but no committee shall have the power to expend funds (*Sub-section 23 (c) MGA*).
22. Subject to the other provisions of this policy, the rules of procedure, conduct and debate pursuant to *AM-1.2.0 Council Meetings and Proceedings Policy* apply at committee meetings with any necessary modifications for context, except that no notices of reconsideration shall be permitted at committee meetings.
23. In the event the committee fails to provide a report or recommendation to municipal council within any set deadline established by the council, municipal council may proceed with a decision regarding a matter within the committee’s mandate without awaiting the committee report or recommendation.

MUNICIPALITY OF THE COUNTY OF ANNAPOLIS POLICY AND ADMINISTRATION MANUAL		AM - 1.3.6.16
Section Procedure & Organization of Council	Subject Upper Clements Area Advisory Committee Policy	

Former Policy

TERMS OF REFERENCE

24. The Margaretville Water Supply Area Advisory Committee is established pursuant to Section 201 of the Municipal Government Act.
25. The Upper Clements Area Advisory Committee is established pursuant to Section 201 of the Municipal Government Act.
26. The committee shall exist as a sub-committee of the Annapolis County Planning Advisory Committee and may be reorganized, from time to time, or dissolved, as Municipal Council deems appropriate.
27. The committee shall exist for the purpose of providing input on planning matters affecting the area governed by the Annapolis County Upper Clements Area Municipal Planning Strategy and Land Use Bylaw, hereinafter called the Planning Area.
28. The overall purpose of the committee is to provide a forum for conveying and receiving information and advice into planning matters affecting the Planning Area.
29. The specific objectives of the Advisory Committee are to:
 - (1) provide comment, advice and assistance in the administration of the Upper Clements Area Municipal Planning Strategy and Land-Use Bylaw;
 - (2) participate in and conduct a public participation process as directed by Municipal Council involving consultation with the Planning Area residents and landowners through a public consultation process (by means of holding open meetings, advertisements, information circulars or other appropriate means of conveying information and receiving input); and
 - (3) provide comments, advice and assistance to the Annapolis County Planning Advisory Committee on and to participate in periodic and mandatory reviews and amendments of the Upper Clements Area Municipal Planning Strategy and Land-Use Bylaw.
30. The committee shall be comprised of council and citizen members as follows:
 - (1) Municipal Council shall appoint, in total, not more than one (1) council member and not more than four (4) citizen members.
 - (2) The council member shall normally be the councillor from District 6.
 - (3) The citizen members shall be persons who presently reside in or own property within the Planning Area and have resided in or owned property within the Planning Area a minimum of six (6) months prior to their appointment.
 - (4) A citizen member who ceases to reside and/or own property within the Planning Area ceases to be qualified to serve as a citizen member of the Advisory Committee.
 - (5) The Director of Community Services or designate shall attend meetings of the Advisory Committee and provide technical and resource support. He / she shall call the first meeting of any committee after its appointment and shall chair the meeting until a chair has been chosen.

MUNICIPALITY OF THE COUNTY OF ANNAPOLIS POLICY AND ADMINISTRATION MANUAL		AM - 1.3.6.16
Section Procedure & Organization of Council	Subject Upper Clements Area Advisory Committee Policy	

Former Policy

31. Any councillor may attend the meetings of the committee but may not vote and may only take part in any discussion or debate with the permission of the majority of members present.

Municipal Clerk's Annotation for Official Policy Book	
I certify that this policy was adopted by Municipal Council as indicated below:	
Seven (7) Day Notice	April 13, 2021
Council Approval	April 20, 2021
<u>Carolyn Young</u>	<u>April 21, 2021</u>
Municipal Clerk	Date
<i>At Annapolis Royal Nova Scotia</i>	

Amendments:

September 2020:

- **AM-1.3.6 Advisory Committees and Boards Policy** separated into separate policies for individual committees

April 2021:

Deleted section 18:

~~18. A quorum of the committee shall be the same as that which applies to municipal council pursuant to provincial legislation, with any necessary changes for context.~~

and replaced with the following:

18. A quorum of the committee shall be a majority (more than half) of the members appointed by Municipal Council at the time the meeting occurred.



COUNTY of ANNAPOLIS
NATURALLY ROOTED

STAFF REPORT

Report To: Committee of the Whole
Meeting Date: April 9, 2024
Prepared By: Chris McNeill, Chief Administrative Officer
Linda Bent, Director of Planning & Inspection Services
Report Number: SR2024-27 Policy 113 Public Participation New
Subject: Approve Policy 113 Public Participation New

RECOMMENDATION

To recommend that Municipal Council approve *Policy 113 Public Participation*, seven-day notice.

BACKGROUND

Policy AM-1.3.2 Public Participation Policy was adopted by Municipal Council of the County of Annapolis on July 19, 2022 and was established a transparent process for public participation related to planning documents.

DISCUSSION

The new policy has been adapted to be more clear and concise. It gives clarity to the meaning of public participation as it relates to comments and feedback from the public regarding Municipal Planning Strategy and Land Use Bylaw changes or amendments. The new policy repeals the former *AM-1.3. Public Participation Policy* adopted by Municipal Council July 19, 2022.

LEGISLATIVE AUTHORITY

Section 190(c) of the *Municipal Government Act* states that the purpose of this part of the MGA is to establish a consultative process to ensure the right of the public to have access to information and to participate in the formulation of planning strategies and by-laws, including the right to be notified and heard before decisions are made pursuant to this Part.

Section 204 of the *Municipal Government Act* states that

- (1) A council shall adopt, by policy, a public participation program concerning the preparation of planning documents.
- (2) A council may adopt different public participation programs for different types of planning documents.
- (3) The content of a public participation program is at the discretion of the council, but it shall identify opportunities and establish ways and means of seeking the opinions of the public concerning the proposed planning documents.

BUDGET IMPACTS

The new policy imposes no new financial or budget impacts

COMMUNICATIONS

This approval will be posted on our social media sites, as well as our website.

ATTACHMENTS

Policy 113 Public Participation

Policy AM-1.3.2 Public Participation Policy

Prepared by:

Policy – Chris McNeill, Chief Administrative Officer

Staff Report – Linda Bent, Director of Planning & Inspection Services

Approved by:

CY for Chris McNeill

Chris McNeill
Chief Administrative Officer

Approval Date:

April 4, 2024

(Date)

MUNICIPALITY OF THE COUNTY OF ANNAPOLIS POLICY AND ADMINISTRATION MANUAL		POLICY 113
PLANNING AND DEVELOPMENT	Public Participation Policy	

1. GENERAL

This policy is referred to as the “**Public Participation Policy**”.

2. AUTHORITY FOR POLICY

Section 190(c) of the *Municipal Government Act* states that the purpose of this part of the MGA is to establish a consultative process to ensure the right of the public to have access to information and to participate in the formulation of planning strategies and by-laws, including the right to be notified and heard before decisions are made pursuant to this Part.

Section 204 of the *Municipal Government Act* states that

(1) A council shall adopt, by policy, a public participation program concerning the preparation of planning documents.

(2) A council may adopt different public participation programs for different types of planning documents.

(3) The content of a public participation program is at the discretion of the council, but it shall identify opportunities and establish ways and means of seeking the opinions of the public concerning the proposed planning documents.

3. DEFINITIONS

Terms used in this policy shall have the same meaning as in the *Municipal Government Act*, or as their context applies according to a dictionary of the Canadian language, except as follows:

“public participation” means an opportunity afforded to members of the public who live or own property in Annapolis County to provide comments, feedback, input, suggestions, or recommendations, either in favour of or against, any proposed Municipal Planning Strategy or Land Use Bylaw changes or amendments, including applications for a development agreement, amendments to a development agreement, re-zoning, or text amendment, and does not include a Public Hearing.

4. PUBLIC PARTICIPATION PROCESS

a. Public Information Meetings

Prior to any review of final drafts of Municipal Planning Strategy (MPS) or Land Use Bylaw (LUB) amendments, re-zonings, development agreements, amendments to a development agreement, or new MPS or LUB full updates being reviewed by Planning Advisory Committee the Municipality shall hold one or more public information meetings.

MUNICIPALITY OF THE COUNTY OF ANNAPOLIS POLICY AND ADMINISTRATION MANUAL		POLICY 113
PLANNING AND DEVELOPMENT	Public Participation Policy	

All public information meetings shall be advertised by the Municipal Clerk, with such notice(s) being placed in a newspaper circulating in the municipality with the first of any such notices appearing at least seven (7) before the beginning of the public information program.

In addition to mandatory newspaper advertisements, the municipality may also publish notice of such public information meetings on its website, social media platforms, other locally available publications, or sites, where the document relates to one specific area by unaddressed admail to that area, and where the planning documents relate to a county-wide document, on a local radio station.

At public information meetings, members of the public who are residents of Annapolis County, or who own property in Annapolis County, as welcome to make respectful comments and seek clarification on the documents from municipal staff or municipal consultants.

During public information sessions, those eligible to make comments are welcome to speak more than once after each person who wishes to speak has been provided an opportunity to speak once.

Public information meetings may be held at one or more geographic locations considering the geographic impact of the documents under consideration, and supplemental information meetings may be held on-line.

b. Public Hearings

The Municipality shall hold formal public hearings in all cases when required by the *Municipal Government Act* or other legislation.

All public hearings shall be chaired by the Warden, or their designate, and shall take place in the municipal office, or some other suitable location nearest to the municipal office that contains the required space for the meeting.

5. MEETING RECOGNITION

Written records of all meetings held as part of the public information process shall be kept by municipal staff.

Upon the completion of all public information meetings, staff or a municipal consultant shall provide a summary document to Planning Advisory Committee of the comments received that require a review for potential changes. This document shall include comments by municipal staff or the municipal consultant concerning whether the input

MUNICIPALITY OF THE COUNTY OF ANNAPOLIS POLICY AND ADMINISTRATION MANUAL	POLICY 113
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is supported at least in part with any proposed changes noted, or if not supported, the reasons for.

The Planning Advisory Committee shall consider the revised draft of the proposed document(s) at their first meeting afterwards and agree upon a final draft to take to a formal Public Hearing when required.

All approved meeting minutes, and records of the public information meetings shall be open to the public except as expressly prohibited by law, or not yet approved by the Planning Advisory Committee.

6. PURPOSE OF PUBLIC INFORMATION MEETINGS

The purpose of Public Information Meetings shall be to provide information to members of the public about proposed changes to municipal planning documents and to seek feedback on the proposed changes prior to the final draft documents being forwarded to Planning Advisory Committee for review and the start of formal Public Hearings. Specifically, the public information meetings may:

- a. Review applications for development agreements, amendments to development agreements, re-zonings, text and bylaw amendments, and other planning matters that are required by law, allowing opportunities for the applicant to comment and explain their reasons for the application or proposal.
- b. Review draft Municipal Planning Strategies and Land Use Bylaws amendments being proposed by municipal staff or municipal consultants, while providing background information and context for the proposed changes.
- c. Review application and review processes, including required submission information and approval process going forward for planning changes.
- d. Document and record public feedback received during information meetings and forward the comments and staff responses to Planning Advisory Committee.

10. REPEAL

Policy AM-1.3.2 Public Participation Policy, adopted by Municipal Council of the County of Annapolis on July 19, 2022, is hereby repealed.

MUNICIPALITY OF THE COUNTY OF ANNAPOLIS		AM -1.3.2
POLICY AND ADMINISTRATION MANUAL		
Section	Subject	
Procedure and Organization of Council	Public Participation Policy	

Former Policy

1.0 Purpose

To establish an open and transparent policy for public participation, procedural registration and notification related to planning documents as required by section 204 of the *Municipal Government Act*.

2.0 Scope

This policy is applicable to Council, members of the Annapolis County Planning Area Advisory Committee, staff of the planning department and the Clerk.

3.0 References

Municipal Government Act, s. 204, 204a, 205 and 206.

4.0 Definitions

- A. **“Planning Document (s)”** means a Municipal Planning Strategy, Land Use By law, Subdivision By law, Development Agreement, and amendments thereto.
- B. **“Staff”** refers to staff of the Planning Department, or Clerk at the County of Annapolis.
- C. **“County”** refers to the County of Annapolis.
- D. **“Public Hearing”** refers to any public meeting or public hearing had where the public has the chance to share their opinions and views on specific topics with Municipal Council or the Annapolis County Planning Advisory Committee.
- E. **“PAC”** Refers to the Annapolis County Planning Area Advisory Committee

5.0 Policy

5.1 Meaningful Engagement

It is the intent of the County of Annapolis to provide meaningful opportunities for the public to engage directly with staff, the PAC, and Municipal Council on planning documents through a variety of engagement methods and notification procedures as outlined in Appendix A.

5.2 Newspaper Notice of Public Hearing

The County of Annapolis shall advertise public hearings relating to planning documents as outline in Appendix A.

5.3 Online Notices

The County of Annapolis will use its website and social media platforms as a tool for notices of planning documents.

MUNICIPALITY OF THE COUNTY OF ANNAPOLIS		AM -1.3.2
POLICY AND ADMINISTRATION MANUAL		
Section Procedure and Organization of Council	Subject Public Participation Policy	

5.4 Engagement Reporting

Former Policy

Staff will include in Reports to the PAC and Council, summaries of engagement methods, who was engaged, and feedback received, as appropriate, for all planning documents.

5.5 Public Participation Methods

- a. The PAC will provide opportunities for public participation on planning documents at all its meetings prior to making a recommendation to Council.
- b. A summary of the public participation meeting will be provided to all members of Council prior to first reading.

5.6 Public Hearings

- a. As per s. 206 and 230 of the *Municipal Government Act*, staff shall give notice of the public hearing in a newspaper circulating in the community once a week for two successive weeks.
- b. The first notice of the public hearing shall be published at least fourteen days before the date of the public hearing.
- c. The notice of the public hearing shall state:
 - a. Where planning documents may be inspected by the public
 - b. The date, time, and location of the public hearing
 - c. Describe the area affected by the planning documents (e.g. maps, address, etc.)
 - d. Summarize the planning document (i.e. respect to an amendment to a Municipal Planning Strategy or Land Use By law, or the approval of amendment of a Development Agreement).

5.7 Procedural Registration Process for Public Hearings

When registering to speak at a public meeting an individual can only add their own name to the list and not the name of another person.

There are three opportunities to sign up as a speaker for an in-person or virtual public hearing.

1. Contact the Clerk's Office by 4:30pm prior to the day of the hearing
 - a. Members of the public wishing to speak may send an email to cyoung@annapoliscounty.ca.
 - b. Members of the public may call 902-532-3136 Monday through Friday 8:30am-4:30pm to register

MUNICIPALITY OF THE COUNTY OF ANNAPOLIS		AM -1.3.2
POLICY AND ADMINISTRATION MANUAL		
Section Procedure and Organization of Council	Subject Public Participation Policy	

Former Policy

- c. Send a fax to the County at 902-532-2096 and include a call back phone number or email.
2. Sign up in-person on the night of the hearing
 - a. On the night of the public hearing, a sign-up sheet will be made available at the meeting location, starting at least 30 minutes before the hearing. Anyone who would like to speak may add their name to the list in person.
3. During the meeting, after speakers on the list have spoken.
 - a. After all the names on the list have been called, the Chair will call three times for any additional speakers. Anyone who is present in the meeting room can indicate their wish to speak at this time.

5.8 Procedural Process for Speaking at Public Hearings

- After registering to speak has closed, staff will begin the hearing by giving a presentation outlining the planning documents of the hearing, the process that has been undertaken to this point in the process, and the assessment against all relevant Municipal policies or by-laws.
- Staff will answer any questions members of Council or the PAC may have.
- Then the public hearing will open, individuals who have registered to speak will be called up to provide comments on the planning documents.
- Individuals called up to speak will be asked to state their name and community in which they reside.
- The speaker will have 5 minutes to state their opinions on the proposed change which is the subject of the public hearing.
- After all the names on the list have been called, the chair will call three times for any additional speakers.
- Once the last speaker has been heard, the applicant will be given an opportunity to briefly respond to comments made by the public at the hearing.
- Each member of Council or PAC will have the chance for final remarks.
- The public hearing will close.

MUNICIPALITY OF THE COUNTY OF ANNAPOLIS POLICY AND ADMINISTRATION MANUAL		AM -1.3.2
Section Procedure and Organization of Council	Subject Public Participation Policy	

5.9 Notification to Property Owners

Former Policy

Property owners within 30m of the subject property shall be notified of applications to amend the Land Use Bylaw or applications to enter into or amend a Development Agreement of the public hearing.

Municipal Clerk’s Annotation for Official Policy Book I certify that this policy was approved by Municipal Council as indicated below: <i>Seven (7) Day Notice..... July 12, 2022</i> <i>Council Approval July 19, 2022</i>	
<u><i>Carolyn Young</i></u> Municipal Clerk	<u>July 20, 2022</u> Date
At Annapolis Royal Nova Scotia	

MUNICIPALITY OF THE COUNTY OF ANNAPOLIS POLICY AND ADMINISTRATION MANUAL		AM -1.3.2
Section Procedure and Organization of Council	Subject Public Participation Policy	

Appendix A: Public Participation Program Policy Engagement Matrix

This matrix serves as a checklist for the types of public engagement that will occur for new or amended planning documents as outlined in 5.1

	Municipal Planning Strategy	Land Use By law	Subdivision By law	Development Agreement	Site Plan/Variance
County Website	Yes	Yes	Yes	Yes	Yes
Social Media	Yes	Yes	Yes	Yes	No
Public Participation Meeting at Planning Advisory Committee	Yes	Yes	Yes	Yes	No
Newspaper notice of hearing	Yes	Yes	Yes	Yes	No
Notification to Property Owners	No	Yes, within 30m of subject property	No	Yes, within 30m of subject property	Yes, within 30m of subject property
Public Hearing	Yes	Yes	Yes	Yes	No



INFORMATION REPORT

Report To: Committee of the Whole
Meeting Date: March 28, 2024
Prepared By: Cheryl Mason, Manager of Protective Services
Subject: Dangerous and Unsightly Premises 4th Quarter 2023/24 Report

ORIGIN

Report to Committee of the Whole for 4th quarter January 1 to March 31, 2024 for information.

LEGISLATIVE AUTHORITY

Municipal Government Act PART XV 345(3)
AM-1.4.15 Dangerous and Unsightly Premises Policy

DANGEROUS AND UNSIGHTLY PREMISES OUTSTANDING FILES

File No.	DIST	Date of Complaint	Property location	Dangerous	Unsightly	Diary	Comments /Status
2023/24							
2023/24-017	10	30-May-23	4914 Highway #10, New Albany		x	Diary Spring 2024	to revisit first week of April/24
2023/24-030	2	25-Jul-23	519 Seaman Street, Margaretsville			Diary Spring 2024	to revisit first week of April/24
2023/24-033	9	01-Aug-23	8611 Highway 10, Nictaux South			Diary Spring 2024	to revisit first week of April/24
2023/24-038	8	22-Oct-23	West Dalhousie Road, Lequille			Diary April 15, 2024	unable to contact family member - Spring tender??
2023/24-039	3	23-Oct-23	267 Granville Street, Bridgetown			Diary Spring 2024	Property sold before tax sale - need to contact new owner
2023/24-040	3	23-Oct-23	249 Granville St., Bridgetown			Diary April 15, 2024	spoke to owner - revisit in April 2024
2023/24-041	7	23-Oct-23	292 Granville Road, Bridgetown			Diary April 15, 2024	2nd 30 day letter sent
2023/24-042	3	01-Nov-23	1760 Arlington Road. Mount Rose			Diary Spring 2024	spoke to him - ongoing removal - to revisit when ground is not so soft
2023/24-043	5	30-Nov-23	163 Parker Mountain Rod., Granville Ferry	x		Diary April 15, 2024	spoke to owner - will be returning to AC to demolish
2023/24-046	6	08-Jan-24	1616 Highway #1, Clementsport	x	x	Diary April 15, 2024	Spoke with owner; demo permit issued - contractor in place
2023/24-048	5	11-Jan-24	3021 Shore Road West, Litchfield	x		Diary Spring 2024	to apply for DEMO permit
2023/24-049	7	17-Jan-24	390 Granville St., Bridgetown		x	Diary April 15, 2024	follow-up letter to tenant - property sold in tax sale.
2023/24-051	10	26-Mar-24	5586 Highway 10, New Albany	x	x		to visit
2023/24-052	10	26-Mar-24	5531 Highway 10, New Albany	x			to visit
2023/24-053	10	26-Mar-24	376 Eves Road, New Albany		x		to visit
2022/23							
2022/23-007	10	11-May-22	641 Main Street Lawrencetown		x	Diary April 15, 2024	cleaned up substantially; ongoing work
2022/23-020	11	17-Aug-22	1918 Torbrook Rd., Meadowvale	x	x	Diary April 15, 2024	controlled burn November 28/23; 70% complete
2022/23-037	3	04-Jan-23	295 Granville Street, Bridgetown		x	Diary April 15, 2024	Property sold - new owner - property under repair
2022/23-039	3	04-Jan-23	54 Church Street, Bridgetown		x	Diary April 15, 2024	1st 30 day to new owner - responded but not well; started to bring in equipment

2022/23-040	10	06-Jan-23	1429 Inglisville Road, Inglisville		x	ON HOLD	Possible tax sale 2025
2022/23-046	11	13-Mar-23	181 Meadowvale Rod, Meadowvale		x	Diary April 15, 2024	to revisit - ongoing issue
2022/23-048	11	20-Mar-23	93 E. Torbrook Rd., Torbrook			Diary May 1, 2024	keep going; to send letter
2019/20							
2019/20-015	9	28-May-19	9413 Hwy #10		x	Diary April 15, 2024	demo permit issued; fire dept to do controlled burn but missed winter weather!

Report Prepared by: Cheryl Mason
Cheryl Mason, Manager of Protective Services/Administrator under
Dangerous & Unsightly Premises

Report Approved by: CY for Chris McNeill, April 4, 2024
Chris McNeill, Chief Administrative Officer



COUNTY of ANNAPOLIS
NATURALLY ROOTED

STAFF REPORT

Report To: Committee of the Whole
Meeting Date: April 9, 2024
Prepared By: Debra Ryan, Director of Community Development
Report Number: SR2024-28 Policy 110 Recreation and Culture Reserve Fund New
Subject: Policy 110 Recreation and Culture Reserve Fund New

RECOMMENDATION

That Municipal council approve Policy 110 Recreation and Culture Reserve Fund, seven-day notice.

BACKGROUND

A request was made to clarify the Special Reserve Fund for Culture and Recreation.

CURRENT SITUATION

The existing policy on Special Reserve for Culture and Recreation was created March 18, 2014 and amended on August 21, 2018. It is the intent to repeal this and create a policy that provides for better clarity around the Recreation and Cultural Reserve Fund.

The annual funds for this policy come from the general operating budget that are put into the reserve fund in the amount of \$55,000.

The original funds came from a portion allocated from the deed transfer tax.

Since 2020-2021 \$ 331,153.84 were allocated from this special reserve and have been spent in the following manner.

Lawrencetown Youth Arena Grant 2018 \$5,000
Lawrencetown Youth Arena Grant 2019 \$5,000
Annapolis Valley Exhibition 2019 \$29,216.90
ABCC (Cornwallis Park) Infrastructure upgrades 2019 \$50,000
Raven Haven Canteen Roof Replacement 2019 \$12,638
Upper Clements Amusement Park Grant 2019 \$50,000
Annapolis County Ground Search and Rescue 2020 \$3,000
Raven Haven Washroom upgrades 2020 \$294.47
Annapolis Causeway Park electrical expenditures 2020 \$ \$2,085.72
Bridgetown Arena Boards expenditures 2020 \$45,000
Raven Haven Supervisor Cabin Roof replacement 2021 \$3918.75
Jubilee Park Pavilion accessibility improvements and pathways 2023 \$90,000
Cornwallis Tidal Beach Park 2023 \$ 20,000
Upper Clements Trails 2023 \$15,000

Total \$331,153.84

Funds available to spend in 2024-2025 include approximately \$170,000 which includes the \$55,000 committed for this fiscal year.

ATTACHMENTS

- Draft Policy 110 Recreation and Culture Reserve Fund
- AM-6.5.1 Special Reserve for Culture and Recreation

Approved by:

Approval Date:

CY for Chris McNeill April 4, 2024

Chris McNeill
Chief Administrative Officer

MUNICIPALITY OF THE COUNTY OF ANNAPOLIS POLICY AND ADMINISTRATION MANUAL		110
Section Procedure & Organization of Council <u>Financial Administration</u>	Subject RECREATION AND CULTURE RESERVE FUND	

GENERAL

1. This policy is entitled “Recreation and Culture Reserve Fund”.

AUTHORITY FOR POLICY

2. Section 65 and 65A of the *Municipal Government Act*, states that the council shall adopt an operating budget and a capital budget for each fiscal year and the municipality may only spend money for municipal purposes if (a) the expenditure is included in the municipality’s operating budget or capital budget or is otherwise authorized by the municipality.

DEFINITIONS

3. Terms used in this policy shall have the same meaning as in the *Municipal Government Act*, or as their context applies according to a dictionary of the Canadian language.

PURPOSE

4. The purpose of this policy is to clearly state Council’s intention to contribute funds to a Recreation and Culture Reserve Fund and how those funds once invested are to be accessed and used in the future.

PROGRAM CRITERIA

5. Each fiscal year prior to budget approval, Council shall consider whether it wishes to add funds to this reserve and / or to spend or grant funds from the Reserve Fund. The amounts added or removed shall be at the sole discretion of Council.
6. The Municipality may choose to use the funds in the Reserve Fund directly in support of its own programs, services, or infrastructure, or may choose to grant the funds to incorporated non-profit organizations located within Annapolis County who will use the funds for similar capital purposes only on publicly available recreation and culture programs, services and infrastructure.
7. Any funds granted from this fund to an external non-profit organization shall be for a one-time capital contribution only and thereafter that non-profit organization shall not be eligible in the future for funding from this Reserve Fund.
8. Any organization that receives a financial contribution from this Reserve Fund shall not be eligible to receive funding from the Municipality in the same fiscal year through its Community Grants Policy, and vice versa.

MUNICIPALITY OF THE COUNTY OF ANNAPOLIS POLICY AND ADMINISTRATION MANUAL		110
Section Procedure & Organization of Council <u>Financial Administration</u>		Subject RECREATION AND CULTURE RESERVE FUND

9. No funds shall be added to or removed from the Recreation and Culture Reserve Fund unless authorized by Council as part of the annual budget approval process, or through a separate motion of Council to withdraw funds for a special purpose.

USE OF RESERVE FUNDS

10. Funds deposited in the Recreation and Culture Reserve Fund shall only be used for the following purposes:
- a. capital acquisition, development, improvement, or demolition of municipally-owned or community organization owned current or potential for future recreation or cultural facilities.
 - b. significant municipal programs or services that require funding outside the annual operating budget for one-time special initiatives.

REPEAL

11. ~~Policy~~ AM-6.5.1 *Special Reserve for Culture and Recreation* Policy, adopted by Municipal Council of the County of Annapolis on August 21, 2018, is hereby repealed.

<p>Municipal Clerk's Annotation for Official Policy Book</p> <p>I certify that this policy was adopted by Municipal Council as indicated below:</p> <p><i>Seven (7) Day Notice</i> April 9, 2024</p> <p><i>Council Approval</i> PENDING</p> <div style="display: flex; justify-content: space-between; margin-top: 20px;"> <div style="text-align: center;"> <hr style="width: 30%; margin: 0 auto;"/> <p>Municipal Clerk at Annapolis Royal, Nova Scotia</p> </div> <div style="text-align: center;"> <p><u>PENDING</u></p> <p>Date</p> </div> </div>	
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THE MUNICIPALITY OF THE COUNTY OF ANNAPOLIS POLICY AND ADMINISTRATION MANUAL	AM – 6.5.1
Section Financial Administration	Subject Special Reserve for Culture and Recreation

Former Policy

1. APPLICATION

This policy shall apply to the Special Reserve for Culture and Recreation.

2. AUTHORITY FOR POLICY

Sections 65 and 99 of the *Municipal Government Act (MGA)*

3. PURPOSE OF FUND

3.1 The reserve was established for strategic recreation and culture initiatives of the municipality. The use of funds is for:

- land acquisition and development of County owned parks, open space, trails and facilities for public recreation and historical & cultural purposes; and
- County land assembly, conservation or development initiatives and projects of historical, cultural, recreational, environmental or community development significant to the County of Annapolis; and
- a purpose at the discretion of Municipal Council.

4. SPECIFIC GUIDELINES

4.1 Beginning in the 2014/15 fiscal year, and subject to annual review by Municipal Council, the County shall annually make provision in the draft general operating budget in the amount of \$55,000 as a transfer to the Special Reserve for Culture and Recreation.

4.2 Municipal Council shall annually have discretion to vary the amount of the annual transfer to the Special Fund for Culture and Recreation based upon budget conditions and priorities.

5. ADMINISTRATION

5.1 The Chief Administrative Officer or designate shall be responsible for administering this policy.

Municipal Clerk's Annotation for Official Policy Book	
I certify that this policy was adopted by Municipal Council as indicated below:	
Seven (7) Day Notice	July 17, 2018
Council Approval	August 21, 2018
 <u><i>Carolyn Young</i></u> Municipal Clerk	 <u>August 21, 2018</u> Date
At <u>Annapolis Royal</u> Nova Scotia	

Approved 2014/03/18

Amended 2018/08/21:

Added Sub-section 3.1 c) "a purpose at the discretion of Municipal Council."



BOARDS and COMMITTEES

Information Report

Joint, Regional or Community Organizations (AM-1.3.7)

Report To: Committee of the Whole
Submitted by: Councillor Bruce Prout
Submission Date: April 9, 2024
Subject: 2024-03-20 TCTS Board Meeting Report

Background

TCTS is a Community Organization which has a MOCA Councillor who attends their meetings.

The March Board Meeting of TCTS was held in the Bridgetown Office on March 20th at 3:30. The following items comprise highlights of the meeting:

The meeting was called to order at 3:29 with all members present.

The minutes of the January 17th meeting were approved.

There was no Business Arising or Correspondence.

The General Manager Report was accepted and approved. Highlights included:

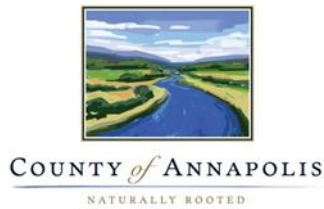
- A. new Drivers Policy has been created and is on today's agenda.
- B. The final stages of the financial reports to RTSF are underway.
- C. The last group demo session for the proposed dispatch system was held on March 15th. Further personal training sessions will be held in the near future.
- D. TCTS will be sending the Province a refund of \$823.67 to cover an overpayment.
- E. The 2013 model 21 passenger bus is facing a number of repairs over the next six months. A decision whether to declare the unit surplus, and sell it, will be made soon.

The Treasurers Report was accepted as presented.

Under New Business, the proposed Budget for 2024-2025 was adopted. Also, the Driver policy and Procedures were approved. The Review Membership booklet and Application Form will be discussed at the next Board Meeting.

The date for the next meeting was set for April 17th at 3:30 in the TCTS office in Bridgetown.

The meeting adjourned at 5:06.



BOARDS and COMMITTEES

Recommendations

AdHoc, Standing, and Advisory Committees

To: Committee of the Whole

Meeting Date: April 9, 2024

Prepared By: C. Young, Municipal Clerk

Subject: 2024-03-28 Physician Recruitment and Retention Committee

RECOMMENDATION:

To recommend that Municipal Council approve *Policy 108 Medical Financial Assistance, seven-day notice*.

MUNICIPALITY OF THE COUNTY OF ANNAPOLIS POLICY AND ADMINISTRATION MANUAL		108
Section Procedure & Organization of Council	Subject MEDICAL FINANCIAL ASSISTANCE	

GENERAL

1. This policy is entitled “Medical Financial Assistance Policy”.

AUTHORITY FOR POLICY

2. Section 65 *Municipal Government Act*, as amended.

DEFINITIONS

3. Terms used in this policy shall have the same meaning as in the *Municipal Government Act*, or as their context applies according to a dictionary of the Canadian language.

PURPOSE

4. The purpose of this policy is to establish the criteria and conditions under which the Municipality may wish to contribute financially to physicians and nurse practitioners that establish a full-time or part-time medical practice within Annapolis County.

PROGRAM CRITERIA

5. Any physician or nurse practitioner may apply to the Municipality for financial assistance within six (6) months of setting up a full-time or part-time practice in any community within Annapolis County.
6. Financial assistance may be provided at the sole discretion of the Municipality in the amount of \$10,000 for eligible full-time medical practitioners and \$5,000 for part-time medical practitioners, but in no case shall any applicant receive funding more than once.
7. The Municipality may choose to provide the financial support directly, or indirectly to a community based non-profit society or another government entity.
8. In order to be eligible for financial assistance, the physician or nurse practitioner must sign a minimum three-year return of service agreement with the province; proof of which must be provided with their letter of request and application for financial support.
9. Funding under this program may be provided in addition to any incentive funding provided by the province, other government agency, or non-profit organization.
10. The Municipality will provide any approved funding in two installments, one half upon approval of the application, and the second installment one year later.

MUNICIPALITY OF THE COUNTY OF ANNAPOLIS POLICY AND ADMINISTRATION MANUAL		108
Section Procedure & Organization of Council	Subject MEDICAL FINANCIAL ASSISTANCE	

REPEAL

11. *Policy AM-1.4.9.1 Medical Recruitment Financial Assistance Program Policy*, adopted by Municipal Council of the County of Annapolis on December 20, 2022, is hereby repealed.

<p>Municipal Clerk's Annotation for Official Policy Book</p> <p>I certify that this policy was adopted by Municipal Council as indicated below:</p> <p><i>Seven (7) Day Notice</i> April 9, 2024</p> <p><i>Council Approval</i> PENDING</p>	
<p>_____</p> <p>Municipal Clerk at Annapolis Royal, Nova Scotia</p>	<p><u>PENDING</u></p> <p>Date</p>