

# 2024-02-13 COTW Agenda Package

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# MUNICIPALITY OF THE COUNTY OF ANNAPOLIS

## COMMITTEE OF THE WHOLE AGENDA

Tuesday, February 13, 2024

10:00 a.m. (*winter start time*)

Municipal Administration Building, 752 St. George Street, Annapolis Royal

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### PAGES

	1.	<b>ROLL CALL</b>
	2.	<b>DISCLOSURE OF INTEREST</b>
	3.	<b>APPROVAL of the Order of the Day</b>
	4.	<b>APPROVAL OF MINUTES</b>
3-5	4.1	2024-01-09 Regular COTW
	5.	<b>INFORMATION/STAFF REPORTS</b>
6-10	5.1	SR2024-06 Policy 108 Medical Assistance Recruitment Program New
11-12	5.2	SR2024-07 Development Officer Appointment Mahsa Koushki
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32-33	5.5	SR2024-10 2024 Election – List of Electors Information Sharing Agreement
34-36	5.6	SR2024-11 AM-1.3.1 Presentation of Annual Reports Policy Repeal
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43-50	5.9	SR2024-13 Marketing Levy Bylaw New
	6.	<b>RECOMMENDATIONS/REPORTS from Boards/Committees</b>
51	6.1	2024-01-17 TCTS Board Report
52	6.2	2024-01-26 Nominating Committee Recommendations
53	6.3	2024-02-02 Physician Recruitment and Retention Committee Recommendation
	7.	<b>NEW BUSINESS</b>
54	7.1	Warden' Update – February
55	7.2	2024 Volunteer Week Selection Committee
	8.	<b>IN-CAMERA</b>
	8.1	In accordance with MGA Section 22(2)(e) contract negotiations
	8.2	In accordance with MGA Section 22(2)(e) contract negotiations
	8.3	In accordance with MGA Section 22(2)(h) public security

**5:00 p.m. STATED ADJOURNMENT**

Minutes of the regular Committee of the Whole meeting held on Tuesday, January 9, 2024, at 10:00 a.m., at the Municipal Administration Building, 752 St. George St. Annapolis Royal, NS.

Warden – UNDRIP mentioned last meeting. John Humphrey, 1947-48 first director of UN office for HR wrote the first draft of the universal dec of HR. Eleanor Roosevelt, widow of FDR, was in on the drafting of the dec as well, main work done by Canadian John Humphrey. Warden had several conversations with him, a typical Canadian, who gave credit to others.

Received Atlantic Forestry magazine, an article of people who 'toured' trees in Germany. All of the forests had forest masters, forest wardens, who could talk about each tree.

### **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  
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, C. Mason, N. McCormick, B. Olsen, N. Whitman, and Jim Young; and 3 members of the public.

### **Disclosure of Interest**

None.

### **Order of the Day**

The Clerk requested to add under In-Camera, two items under Section 22(2)(e) contract negotiation at the end of the meeting, and under Correspondence, (following the presentation) 2023-12-05 Copy of AVRLE Letter to Minister CCH; and the Deputy Warden requested to add under New Business Annapolis Valley Exhibition Board.

To approve the Order of the Day as amended.

Moved: Councillor LeBlanc

Seconded: Councillor Longmire

Motion carried.

### **Minutes**

Re: 2023-12-12 Regular Committee of the Whole

Approved, no errors or omissions.

**Information/Staff Reports**

**Re: IR Dangerous and Unsightly Premises 3<sup>rd</sup> Quarter Report**

**Re: SR2024-01 Policy 107 – Source Water Protection Advisory Committee NEW**

That Municipal Council approve *Policy 107 Source Water Protection Advisory Committee*, seven-day notice.

Moved: Deputy Warden Redden

Seconded: Councillor Hudson

Motion carried.

**Re: SR2024-02 Tender to Demolish Dangerous Structure Nictaux Falls**

That Committee of the Whole authorize the Administrator under Dangerous and Unsightly Premises to call a tender for civic 2 River Lane, Nictaux Falls, Property Identification 05070248, Assessment Account Number 05065437 to demolish the dilapidated dwelling on the property, have the demolition debris removed to an approved C & D site, and in-fill the foundation to make it safe.

Moved: Deputy Warden Redden

Seconded: Councillor Sheridan

Motion carried.

**Re: SR2024-03 AM-13.8 Letters of Support and Acknowledgement Policy – Repeal**

That Municipal Council repeal *AM-1.3.8 Letters of Support and Acknowledgement Policy*, seven day notice.

Moved: Deputy Warden Redden

Seconded: Councillor Longmire

Motion carried.

**Re: SR2024-04 2023-24 Community Grants Applications**

That Municipal Council approve a grant to the Brickton Community Hall in the amount of \$1,200 to support Chimney repair and kitchen upgrades to the hall in accordance with *AM 1.4.9 Community Grants, Community Halls and Centres Assistance Program*.

Moved: Deputy Warden Redden

Seconded: Councillor Gunn

Motion carried.

That Municipal Council approve a grant to the Fundy Community Recreation Club in the amount of \$1,200 to support the installation of a heat pump and a generator for the community hall in accordance with *AM 1.4.9 Community Grants, Community Halls and Centres Assistance Program*.

Moved: Councillor Longmire

Seconded: Councillor LeBlanc

Motion carried.

**New Business**

**Re: Warden' Update - January**



**New Business**

Re: Annapolis Valley Exhibition Board

Deputy Warden noted that he has resigned from the Annapolis Valley Exhibition Board.

**Recess**

12:23 a.m. – 10:30 a.m.

**PRESENTATION**

Re: Bridgetown Dog Park Association – Angela Prive

Requesting Council to consider the creation and maintenance of an off-leash dog park/area, on county-owned PID 05149505 Jeffrey Street, Bridgetown by permitting use of the land and mowing and garbage pick up services.

**Correspondence**

Re: 2023-12-05 Copy of AVRL Letter to Minister MacMaster CCTH – highlighting the urgency of starting the funding review process as soon as possible and requesting support in ensuring continuation of the service.

Councillor Prout, who sits on the Annapolis Valley Regional Library Board, added that the decision to have this letter sent was made at the November AVRL Board meeting.

**In-Camera**

To meet in-camera from 11:06 a.m. to 11:46 a.m. in accordance with Section 22(2)(e) contract negotiation of the *Municipal Government Act*.

Moved: Councillor Gunn

Seconded: Councillor Longmire

Motion carried.

**Adjournment**

The Warden declared the meeting adjourned at 11:47 a.m.

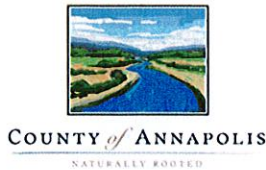
Unapproved  
Draft

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Warden

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Municipal Clerk



# STAFF REPORT

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**Report To:** Committee of the Whole  
**Meeting Date:** February 13, 2024  
**Prepared By:** Chris McNeill, Chief Administrative Officer  
**Report Number:** **SR2024-06 Policy 108 Medical Recruitment Financial Assistance New**  
**Subject:** Policy Respecting Financial Assistance for Physicians and Nurse Practitioners

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## RECOMMENDATION

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

## BACKGROUND

The Municipality enacted a policy in 2022 to make available financial assistance for physicians and nurse practitioners through a process of providing grants to either Soldiers Memorial Hospital Foundation or Annapolis West Health Foundation. To date, the Municipality has provided three grants totalling \$30,000 in financial grants provided in the past year.

## DISCUSSION

The Municipality has learned that there may be physicians and nurse practitioners that decide to set up a practice within Annapolis County that may not seek financial assistance through one of the two above foundations, or may not be approved for funding through these groups. In these cases, the Municipality may wish to provide funding assistance to these individuals through other avenues.

The proposed Policy 108 continues with the current practice of being open to providing funding assistance to new physicians and nurse practitioners through the two foundations, but adds the ability for the Municipality to provide similar funding through other avenues.

## LEGISLATIVE AUTHORITY

**Section 65A of the *Municipal Government Act* states that:**

(1) Subject to subsections (2) to (4), 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; (b) the expenditure is in respect of an emergency under the Emergency Management Act; or (c) the expenditure is legally required to be paid.

(2) The municipality may expend money provided for in an operating budget or capital budget for a purpose other than that set out in the operating budget or capital budget for that fiscal year if the expenditure does not affect the total of the amounts estimated for the operating budget and the capital budget.

(3) The municipality may authorize expenditures from its operating budget or transfer money from the operating budget to its capital budget if the total amount of such expenditures and transfers for the fiscal year does not exceed the total amount of estimated revenue from all sources in excess of the amount estimated for those sources in the operating budget for that fiscal year.

(4) The municipality may authorize capital expenditures that are not provided for in its capital budget if the total of such expenditures does not exceed the greater of  
(a) the amount authorized to be transferred from the operating budget to the capital budget under subsection (3);

(b) the borrowing limits established for the municipality under Section 86; or

(c) the amount withdrawn from a capital reserve fund under subsection 99(4).

(5) In the event of ambiguity in whether or not the municipality has the authority under this or any other Act to spend money or to take any other action, the ambiguity may be resolved so as to include, rather than exclude, powers the municipality had on the day before this Section came into force.

### **BUDGET IMPACTS**

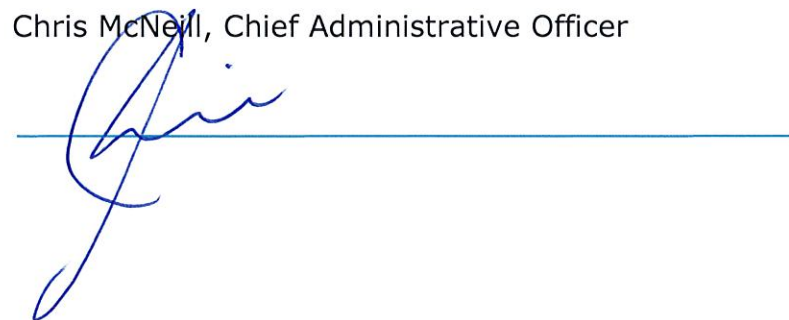
Each fiscal year the Municipality budgets an amount in its operating budget based on its expectations of new physicians or nurse practitioners expected to set up practice within Annapolis County in the upcoming fiscal year. The actual amounts budgeted each year or expended, are directly within the decision purview of Council.

### **COMMUNICATIONS**

This approval will be posted on our social media sites, as well as our website. Both foundations will be notified that our policy still applies to them, but that it simply allows the Municipality a little more flexibility going forward with requests for funding.

### **Prepared by:**

Chris McNeill, Chief Administrative Officer





<b>MUNICIPALITY OF THE COUNTY OF ANNAPOLIS POLICY AND ADMINISTRATION MANUAL</b>		<b>108</b>
<b>Section Procedure &amp; Organization of Council</b>	<b>Subject MEDICAL RECRUITMENT FINANCIAL ASSISTANCE</b>	

## **GENERAL**

1. This policy is entitled "Medical Recruitment 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 the recruitment and retention of physicians and nurse practitioners that establish a full-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 practice in any community within Annapolis County.
6. Financial assistance provided by the Municipality may be used for salary enhancements, training, lease or rent payments, leasehold improvements, equipment and materials, additional staffing support, or work-related travel.
7. The Municipality may choose to provide the financial support directly, or indirectly through 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; a copy of proof of which must be provided with their letter of request for financial support.
9. Funding under this program may be provided in addition to any incentive funding provided by the province or other government agency or non-profit organization.
10. The Municipality may choose to provide the funding in a lump sum, in two installments, or in three installments prior to the end of the return of service agreement.

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

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>	<b><i>February 13, 2024</i></b>
<i>Council Approval .....</i>	<b><i>PENDING</i></b>
<hr/> Municipal Clerk <i>at Annapolis Royal, Nova Scotia</i>	<b><u>PENDING</u></b> Date

MUNICIPALITY OF THE COUNTY OF ANNAPOLIS POLICY AND ADMINISTRATION MANUAL		AM - 1.4.9.1
Section Municipal Services	Subject Medical Recruitment Financial Assistance Program Policy	

#### AUTHORITY FOR POLICY

- Sections 65A, 65B and 65C *Municipal Government Act*, as amended

#### CRITERIA

- The program shall apply to recruitment of both physicians and nurse practitioners with a current license from a medical regulatory authority in Canada, who began working at a family medicine practice in Annapolis County as well as at Soldiers Memorial Hospital (Middleton) and Annapolis Community Health Centre (Annapolis Royal).
- Maximum funding available in 2022/2023 will be \$45,000 with up to \$10,000 allotted to each to each applicable physician and nurse practitioner based on availability of funding. Maximums shall be established in subsequent years during the budget approval process.
- Program funding shall be provided to either the Annapolis West Health Foundation or the Soldiers Memorial Health Foundation, as appropriate. Once it is learned that a physician or nurse practitioner who meets the criteria, that information shall be provided to the Physician Recruitment and Retention Committee. That committee, in consultation with staff, will then prepare a recommendation as to what assistance, if any, is to be offered to the physician or nurse practitioner. That recommendation will then be presented to the County of Annapolis Committee of the Whole for further recommendation to County Council.
- Program funding shall be provided to either the Annapolis West Health Foundation or the Soldiers Memorial Hospital Foundation, as appropriate.
- Physicians or nurse practitioners will enter into a three-year return of service upon receipt of monies unless a return of service for the physician incentive with the Province of Nova Scotia has been completed.
- If the three-year return of service is not completed, the recipient would be required to pay a prorated amount of the incentive monies to the respective foundation.
- This Program shall be consecutive, and not concurrent, to another return of service for providing medical services insured under the Health Services and Insurance Act.

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 .....	<b>December 13, 2022</b>
Council Approval .....	<b>December 20, 2022</b>
<u>Carolyn Young</u>	<u>December 21, 2022</u>
Municipal Clerk	Date
At <u>Annapolis Royal</u> Nova Scotia	





# STAFF REPORT

**Report To:** Committee of the Whole  
**Meeting Date:** February 13, 2024  
**Prepared By:** Linda Bent, Director of Planning & Inspection Services  
**Report Number:** **SR2024-07 Development Officer Appointment – Mahsa Koushki**  
**Subject:** Appointment of Mahsa Koushki as Development Officer, Municipality of the County of Annapolis

## RECOMMENDATION:

That Municipal Council appoint Mahsa Koushki 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 a Development Officer 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 the completion of the County Wide MPS and LUB review 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 Mahsa Koushki as a Development Officer for the Municipality.

## DISCUSSION

By appointing Mahsa Koushki as a Development Officer for the Municipality of the County of Annapolis, Council grants her 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 Mahsa Koushki as Development Officer for the Municipality in preparation for the implementation 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

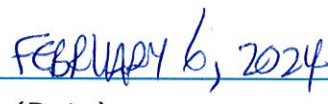
### **Prepared by:**

Linda Bent, Director of Planning & Inspection Services

### **Approved by:**

  
Chris McNeill  
Chief Administrative Officer

### **Approval Date:**

  
(Date)





# STAFF REPORT

**Report To:** Committee of the Whole  
**Meeting Date:** January 9, 2024  
**Prepared By:** Dawn Campbell, Director of Corporate Services  
**Report Number:** SR2024-08 Repeal Policies of the Former Town of Bridgetown  
**Subject:** Repeal Policies of the Former Town of Bridgetown

## RECOMMENDATION

That Municipal Council repeal the following policies of the former Town of Bridgetown [7-day notice]:

*Policy #1 Complaints (January 6, 1969)*

*Policy #2 Culverts (January 18, 2012)*

*Policy #3 Equipment Rental (January 18, 2012)*

*Policy #4 Accessibility Rebate Policy (April 15, 2009)*

*Policy #5 Code of Conduct (April 15, 2009)*

*Policy #6 Fire Call Public Works Employees (January 18, 2012)*

*Policy #7 Special Council Meeting Minutes (January 18, 2012)*

*Policy #9 Proclamations (August 24, 2011)*

*Policy #12 Suspension of Driving Privileges (January 18, 2012)*

*Policy #13 Tangible Capital Assets (August 24, 2011)*

*Policy #15 Tariff of Fees and Expenses for Election Officials (August 25, 2008)*

*Policy #16 Contractors on Town Property Not Hired by Town (January 18, 2012)*

*Policy #17 Tree Committee Enforcement Resolution (January 18, 2012)*

*Policy #19 Council Remuneration and Expense (January 22, 2013)*

*Policy #20 Disclosure Minutes of Council and Committees (January 18, 2012)*

*Policy #21 Naming of Streets (January 18, 2012)*

*Policy #22 Hiring of Contractors Pursuant to WCA (January 18, 2012)*

*Policy #23 Safety and Health (OH&S) (December 11, 2012)*

*Policy #24 Council Meetings and Procedures (December 11, 2012)*

*Policy #25 Conducting Meetings by Electronic Facilities (January 18, 2012)*

*Policy #25 (2) Tax Exemption for Charitable and Non-Profit Organizations (October 17, 2012)*

*Policy #26 User Fees [MPS / LUB] (May 12, 2008)*

*Policy # 27 Human Resources (October 17, 2012)*

*Policy #28 Committee of the Whole (March 26, 2013)*

*Policy #29 Wearing of Scents (April 8, 2003)*

*Policy #32 Dog Registration Fees (April 11, 2005)*

*Policy #33 Agents of the Town (May 9, 2005)*

*Policy #34 Tax Collection (July 12, 2010)*

*Policy #35 Deputy Mayor (December 11, 2012)*

*Policy #36 Procurement (January 28, 2014)*

*Policy #37 Documentation of Accounting Policies and Procedures (January 28, 2014)*

*Policy #38 Debt Management (February 25, 2014)*

## **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.*

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.*

*AM-1.2.0 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:*

- 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; . . .*

Sub-section 400(4) of the *Municipal Government Act*:

*When a town is dissolved, the policies and by-laws in effect continue in force in the area of the former town until repealed by the council of the municipality to which the dissolved town has been annexed.*

## **BACKGROUND**

Since the dissolution of the Town of Bridgetown in 2015, staff have spent hundreds of hours parsing through a large number of paper files transferred at dissolution. We located a total of thirty-seven (37) policies that had been approved by the former town. Each of the policies were researched for possible repeal prior to dissolution (there were 2: Policy #11 and Policy #18). Additionally, two policies were repealed in 2015 by the County of Annapolis (Policy #8 and Policy #14). Consultation has been carried out with senior and stakeholder staff.

## **DISCUSSION**

It is recommended that thirty-one (31) of the remaining policies now be formally repealed.

This will leave the following two policies in effect:

- *Policy #10 Recreation Property Owned by Town (January 18, 2012)* - This policy relates to use and restrictions on municipal property used for lawn bowling. A copy of this policy is attached for reference only.



- *Policy #30 Lands Situate at 38 Queen Street, Bridgetown (October 8, 2003)* – This policy relates to land acquired from the Bridgetown Business Improvement District Commission and states that proceeds of sale shall be applied for the benefit of the Bridgetown business community. (Bridgetown Library is located at 38 Queen St.)

### **FINANCIAL IMPLICATIONS**

There are no known financial implications resulting from these repeals.

### **POLICY IMPLICATIONS**

Alleviates some duplication with County policies

### **ALTERNATIVES / OPTIONS**

- Repeal the policies
- Keep the policies in present format

### **COMMUNICATION**

Normal statutory requirements

### **ATTACHMENTS**

Copies of all policies are attached

**Approved by:**



Chris McNeill  
Chief Administrative Officer

**Approval Date:**

FEBRUARY 6, 2024

(Date)

**CURRENT BRIDGETOWN ONLY POLICIES**

<b>Policy #</b>	<b>Name</b>	<b>Date Approved / Amended</b>	<b>Re-affirmed</b>	<b>Date Repealed</b>
1	<a href="#">Complaints</a>	Jan. 6, 1969		
2	<a href="#">Culverts</a>	Jan. 18, 2012		
3	<a href="#">Equipment Rental</a>	Jan. 18, 2012		
4	<a href="#">Accessibility Rebate</a>	Apr. 15, 2009		
5	<a href="#">Code of Conduct – Elected Officials</a>	Apr. 15, 2009		
6	<a href="#">Fire Call Public Works Employees</a>	Apr. 2, 1975	Jan. 18, 2012	
7	<a href="#">Special Council Minutes</a>	Feb. 2, 1976	Jan. 18, 2012	
8	System of Fire Inspections	Apr. 15, 2009		Apr. 21, 2015
9	<a href="#">Proclamations</a>	Aug. 24, 2011		
10	<a href="#">Recreation Property Owned By Town</a>	Sept. 26, 1978	Jan. 18, 2012	
11	Smoke Free Town	Not approved		
12	<a href="#">Suspension of Driving Privileges</a>	Feb. 1, 1982	Jan. 18, 2012	
13	<a href="#">Tangible Capital Assets</a>	Aug. 24, 2011		
14	Public Participation (MPS / LUB)	July 28, 2008		Apr. 21, 2015
15	<a href="#">Tariff of Fees &amp; Expenses – Election Officers</a>	June 8, 2004 Oct. 4, 2005 Feb. 12, 2007 Aug. 25, 2008		
16	<a href="#">Contractors on Town Property Not Hired By Town</a>	Jan. 18, 2012		
17	<a href="#">Tree Committee Enforcement</a>	June 1, 1998	Jan. 18, 2012	
18	Unknown	Not approved		
19	<a href="#">Council Remuneration and Expense</a>	Apr. 5, 1999 / Dec. 13, 2004 / Jan. 22, 2013	Jan. 18, 2012	
20	<a href="#">Disclosure – Minutes of Council and Committees</a>	Sept. 7, 1999	Jan. 18, 2012	
21	<a href="#">Naming of Streets</a>	Feb. 7, 2000	Jan. 18, 2012	
22	<a href="#">Hiring of Contractors Pursuant to WCA</a>	Unknown	Jan. 18, 2012	
23	<a href="#">Occupational Health and Safety</a>	Apr. 5, 1999 Dec. 11, 2012		
24	<a href="#">Council Meetings and Procedures</a>	Dec. 4, 2000 / Nov. 9, 2004 / Nov. 23, 2005 / Sept. 8, 2008 / Dec. 11, 2012	Jan. 18, 2012	
25	<a href="#">Conducting Meetings by Electronic Facilities</a>	Jan. 18, 2012		
25-2	<a href="#">Tax Exemption for Charitable and Non-Profit Organizations</a>	Oct. 17, 2012		
26	<a href="#">User Fee (MPS / LUB)</a>	Jan. 9, 2001 / May 12, 2008		

27	<a href="#">Human Resources</a>	Mar. 12, 2002 / Oct. 4, 2007 / Oct. 17, 2012		
28	<a href="#">Committee of the Whole</a>	Mar. 26, 2013		
29	<a href="#">Wearing of Scents</a>	Apr. 8, 2003		
30	<a href="#">Lands Situate at 38 Queen Street Bridgetown</a>	Oct. 8, 2003		
31	Requests for Funding From Organizations	Not approved		
32	<a href="#">Dog Registration Fees</a>	Apr. 11, 2005		
33	<a href="#">Agents of the Town</a>	May 9, 2005		
34	<a href="#">Tax Collection</a>	July 12, 2010		
35	<a href="#">Deputy Mayor</a>	Dec. 11, 2012		
36	<a href="#">Procurement</a>	Jan. 28, 2014		
37	<a href="#">Documentation of Accounting Policies and Procedures</a>	Jan. 28, 2014		
38	<a href="#">Debt Management</a>	Feb. 25, 2014		





# STAFF REPORT

**Report To:** Committee of the Whole  
**Meeting Date:** February 13, 2024  
**Prepared By:** Carolyn Young, Municipal Clerk  
**Report Number:** SR2024-09 Water Supply Area Advisory Committee Policies - Repeal  
**Subject:** Water Supply Area Advisory Committee Policies - Repeal

## RECOMMENDATION(S):

That municipal council repeal AM-1.3.6.12 Lake Cady Water Supply Area Advisory Committee Policy, AM-1.3.6.13 Lawrencetown Water Supply Area Advisory Committee Policy, and AM-1.3.6.15 Margaretville Water Supply Area Advisory Committee Policy, seven-day notice.

## LEGISLATIVE AUTHORITY

Sections 22, 23, 24, 25, 26, 200, and 201 of the *Municipal Government Act*  
Article 25 in each of the stated policies

## BACKGROUND

Planning matters for these three water supply areas have been incorporated into the county-wide Municipal Planning Strategy (MPS) and Land Use Bylaw (LUB).

## DISCUSSION

Article 25 in each of the policies gives this authority to council – ‘*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*’. Individual committees are no longer needed as any issues would fall under the county-wide MPS and LUB. Any matters arising would come before the Planning Advisory Committee.

## FINANCIAL IMPLICATIONS

Savings on staff and member travel and attendance.

## POLICY IMPLICATIONS

N/A

## ALTERNATIVES / OPTIONS

None.

## NEXT STEPS

Advise persons who were appointed to those committees.

## ATTACHMENTS

AM-1.3.6.12 Lake Cady Water Supply Area Advisory Committee Policy  
AM-1.3.6.13 Lawrencetown Water Supply Area Advisory Committee Policy  
AM-1.3.6.15 Margaretville Water Supply Area Advisory Committee Policy

**Prepared by:**  
Carolyn Young, Municipal Clerk

**Reviewed by:**  
Linda Bent, Director Planning and Inspection

**Approved by:** **Approval Date:**

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Chris McNeill Chief Administrative Officer	(Date)
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MUNICIPALITY OF THE COUNTY OF ANNAPOLIS <b>POLICY AND ADMINISTRATION MANUAL</b>		AM - 1.3.6.12
Section <b>Procedure &amp; Organization of Council</b>	Subject <b>Lake Cady Water Supply Area Advisory Committee Policy</b>	

## GENERAL

1. This policy is entitled “**Lake Cady Water Supply 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 <b>POLICY AND ADMINISTRATION MANUAL</b>		AM - 1.3.6.12
Section <b>Procedure &amp; Organization of Council</b>	Subject <b>Lake Cady Water Supply Area Advisory Committee Policy</b>	

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 <b>POLICY AND ADMINISTRATION MANUAL</b>		<b>AM - 1.3.6.12</b>
Section <b>Procedure &amp; Organization of Council</b>	Subject <b>Lake Cady Water Supply Area Advisory Committee Policy</b>	

#### **TERMS OF REFERENCE**

24. The Lake Cady Water Supply 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 Lake Cady Water Supply 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:
  - (1) provide comment, advice and assistance in the administration of the Lake Cady Water Supply 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 Lake Cady Water Supply Area Municipal Planning Strategy and Land Use Bylaw.
29. 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 six (6) citizen members.
  - (2) The council appointee shall normally be the councillor from District 8.
  - (3) Two (2) citizen appointees shall be representatives of the residential / institutional / commercial / industrial sector within the Community of Cornwallis Park who, presently, either resides or owns a residential property within the community of Cornwallis Park and has resided or owned a residential property within the community of Cornwallis Park a minimum of six (6) months prior to their appointment; or own, operate or manage an existing commercial, institutional or industrial business within the community of Cornwallis Park and has 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.
  - (4) Two (2) citizen appointees shall be persons who presently own substantial property holdings within the Planning Area, but do not necessarily reside in the Planning Area and has owned property in the Planning Area for a minimum of six (6) months prior to their appointment.



MUNICIPALITY OF THE COUNTY OF ANNAPOLIS <b>POLICY AND ADMINISTRATION MANUAL</b>		AM - 1.3.6.12
Section <b>Procedure &amp; Organization of Council</b>	Subject <b>Lake Cady Water Supply Area Advisory Committee Policy</b>	

- (5) Two (2) citizen appointees shall be persons who presently reside in the Planning Area and have resided in the Planning Area for a minimum of six (6) months prior to their appointment.
30. As set out above, a citizen member who ceases to represent their specified group or reside in / 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.

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.....	<b>April 13, 2021</b>
Council Approval .....	<b>April 20, 2021</b>
<u><b>Carolyn Young</b></u>	<u><b>April 21, 2021</b></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 <b>POLICY AND ADMINISTRATION MANUAL</b>		AM - 1.3.6.13
Section <b>Procedure &amp; Organization of Council</b>	Subject <b>Lawrencetown Water Supply Area Advisory Committee Policy</b>	

## GENERAL

1. This policy is entitled “**Lawrencetown Water Supply 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 <b>POLICY AND ADMINISTRATION MANUAL</b>		<b>AM - 1.3.6.13</b>
Section <b>Procedure &amp; Organization of Council</b>	Subject <b>Lawrencetown Water Supply Area Advisory Committee Policy</b>	

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:
  - advice and support of the Chief Administrative Officer OR the Municipal Clerk or his or her designate;
  - use of the county’s facilities and supplies for meetings, arranged through the Secretary or the Municipal Clerk;
  - 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 <b>POLICY AND ADMINISTRATION MANUAL</b>		<b>AM - 1.3.6.13</b>
Section <b>Procedure &amp; Organization of Council</b>	Subject <b>Lawrencetown Water Supply Area Advisory Committee Policy</b>	

## TERMS OF REFERENCE

24. The Lawrencetown Water Supply 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 Lawrencetown Water Supply Area Municipal Planning Strategy and Land Use Bylaw, hereinafter called the Planning Area.
27. The committee shall exist for the purpose of providing input on planning matters affecting the area governed by the Lawrencetown Water Supply 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 Lawrencetown Water Supply 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 Lawrencetown Water Supply Area Municipal Planning Strategy and Land Use Bylaw.
30. The committee shall be comprised of council and non-council members as follows:
  - (1) Municipal Council shall appoint, in total, not more than one (1) council member and not more than five (5) non-council members.
  - (2) The council appointee shall normally be the councillor from District 10.
  - (3) One (1) representative of the Village of Lawrencetown who shall be either a member of the Lawrencetown Village Commission or a member of the Lawrencetown Water Utility.
  - (4) Four (4) citizen appointees shall be persons who presently reside and/or own property within the Planning Area and have resided and/or owned property within the Planning Area a minimum of six (6) months prior to their appointment or persons who are private citizens of the Village of Lawrencetown or the Municipality of the County of Annapolis whose residences or land are presently supplied with water from the Lawrencetown water supply.



MUNICIPALITY OF THE COUNTY OF ANNAPOLIS <b>POLICY AND ADMINISTRATION MANUAL</b>		AM - 1.3.6.13
Section <b>Procedure &amp; Organization of Council</b>	Subject <b>Lawrencetown Water Supply Area Advisory Committee Policy</b>	

31. As set out above, 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. 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.

<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> ..... <b>April 13, 2021</b></p> <p><i>Council Approval</i> ..... <b>April 20, 2021</b></p> <div style="display: flex; justify-content: space-around; margin-top: 10px;"> <div style="text-align: center;"> <p><u><b>Carolyn Young</b></u></p> <p>Municipal Clerk</p> </div> <div style="text-align: center;"> <p><u><b>April 21, 2021</b></u></p> <p>Date</p> </div> </div> <p style="text-align: center;"><i>At Annapolis Royal Nova Scotia</i></p>	
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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 <b>POLICY AND ADMINISTRATION MANUAL</b>		AM - 1.3.6.15
Section <b>Procedure &amp; Organization of Council</b>	Subject <b>Margaretville Water Supply Area Advisory Committee Policy</b>	

## GENERAL

1. This policy is entitled “**Margaretville Water Supply 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 <b>POLICY AND ADMINISTRATION MANUAL</b>		AM - 1.3.6.15
Section <b>Procedure &amp; Organization of Council</b>	Subject <b>Margaretville Water Supply Area Advisory Committee Policy</b>	

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 <b>POLICY AND ADMINISTRATION MANUAL</b>		AM - 1.3.6.15
Section <b>Procedure &amp; Organization of Council</b>	Subject <b>Margaretville Water Supply Area Advisory Committee Policy</b>	

## TERMS OF REFERENCE

24. The Margaretville Water Supply 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 Margaretville Water Supply Area Municipal Planning Strategy and Land Use Bylaw, hereinafter called the Planning Area.
27. The overall purpose of the committee is to act as a Steering Committee for the development of a municipal planning strategy and land use by-law for the Planning Area.
28. The specific objectives of the Advisory Committee are to:
  - (1) provide comment, advice and assistance to the Annapolis County Planning Advisory Committee on the preparation of a water supply area management plan via a municipal planning strategy and land use bylaw for the Planning Area;
  - (2) participate in and conduct a public participation process as directed by Municipal Council involving consultation with the Planning Area residents and landowners and residents serviced by the Margaretville water supply through a public consultation process (by means of holding open meetings, advertisements, information circulars or other appropriate means of conveying information and receiving input).
29. 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 appointee shall normally be the councillor from District 2.
  - (3) Four (4) citizen members shall be persons who presently reside in and/or own property within the Planning Area and who have resided in and/or owned property for a minimum of six (6) months prior to their appointment or persons who are private citizens of the County of Annapolis whose residences or land are presently supplied with water from the Margaretville water supply.
30. A citizen member who ceases to reside in and/or own property within the Planning Area ceases to be qualified to serve as a citizen member of the Advisory Committee. A resident who ceases to be a private citizen of the Municipality of the County of Annapolis whose residence or land is supplied with water from the Margaretville water supply 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 <b>POLICY AND ADMINISTRATION MANUAL</b>		AM - 1.3.6.15
Section <b>Procedure &amp; Organization of Council</b>	Subject <b>Margaretville Water Supply Area Advisory Committee Policy</b>	

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.....	<i>April 13, 2021</i>
Council Approval .....	<i>April 20, 2021</i>
<u><i>Carolyn Young</i></u>	<u><i>April 21, 2021</i></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:** February 13, 2024  
**Prepared By:** Carolyn Young, Municipal Clerk/Returning Officer  
**Report Number:** SR2024-10 2024 Election – List of Electors Information Sharing Agreement  
**Subject:** 2024 Election – List of Electors Information Sharing Agreement

## RECOMMENDATION:

That municipal council use the provincial electors list as maintained by the Province of Nova Scotia, and authorize the CAO to sign the 2024 Information Sharing Agreement between His Majesty the King in the Right of the Province of Nova Scotia (Chief Electoral Officer) and the County of Annapolis (Chief Administrative Officer).

## LEGISLATIVE AUTHORITY

Section 30(B)(4) of the *Municipal Elections Act*

## BACKGROUND

A municipal election is held every four years, with the next scheduled for Saturday, October 19, 2024.

## DISCUSSION

Elections Nova Scotia maintains and upkeeps a current List of Electors, which they make available to municipalities by way of an Information Sharing Agreement.

## FINANCIAL IMPLICATIONS

There is no charge to use the Provincial List of Electors.

## POLICY IMPLICATIONS

N/A

## ALTERNATIVES / OPTIONS

An alternative to using the provincial electors list is conducting a door-to-door enumeration between May 31<sup>st</sup> and June 10<sup>th</sup>.

## NEXT STEPS

Submit request to Elections Nova Scotia to obtain the Information Sharing Agreement.

## ATTACHMENTS

2024-01-16 Elections Nova Scotia Letter re: Information Sharing Agreement

## Prepared by:

Carolyn Young, Municipal Clerk/Returning Officer

## Approved by:

Chris McNeill  
Chief Administrative Officer

## Approval Date:

FEBRUARY 6, 2024

(Date)



Street Address **202 Brownlow Avenue | Suite 505 |  
Dartmouth | NS | B3B 1T5**  
Mailing Address **PO Box 2246 | Halifax | NS | B3J 3C8**

Phone **902-424-8584** | Toll free in NS **1-800-565-1504**  
TTY for the hearing impaired **902-424-7475**  
Fax **902-424-6622**  
Email **elections@novascotia.ca**

■ [www.electionsnovascotia.ca](http://www.electionsnovascotia.ca)

January 16, 2024

To: Nova Scotia Municipal Chief Administrative Officers

**Re: Information Sharing Agreement with Elections Nova Scotia**

Dear Sir/Madam:

Please find for your review the attached Information Sharing Agreement in accordance with the Nova Scotia Elections Act and the Municipal Elections Act. This replaces the previously signed data sharing agreement, due to expire on April 1<sup>st</sup>, 2024.

Each municipality choosing to use the provincial List of Electors for their municipal preliminary list of electors in any of the upcoming general or special municipal elections, must first enter into an agreement with the Chief Electoral Officer that sets out the conditions for sharing information and data with the municipality, maintaining the security and privacy of personal information contained therein, and the methodology and timing for providing back to Elections Nova Scotia (ENS) all changes and additions to the municipal final list of electors.

**The agreement must be executed before ENS can respond to any request for the List of Electors after April 1, 2024.**

Please print and sign the attached agreement and send a scanned copy via email to [melissa.brayley@novascotia.ca](mailto:melissa.brayley@novascotia.ca) at ENS. We will return the same, signed by the Chief Electoral Officer, to the email we have on file for your municipality.

As per this agreement, whenever the municipality requires an extract of the provincial List of Electors for its election event, a written and signed request for the List of Electors must be submitted to Linda Fares, Director of Information Systems and Technology at Elections Nova Scotia, via email to [linda.fares@novascotia.ca](mailto:linda.fares@novascotia.ca) and [Hansley.Wang@novascotia.ca](mailto:Hansley.Wang@novascotia.ca) , or by mail.

We look forward to working with you soon.

Yours truly,



Linda Fares  
Director, Information Systems and Technology





COUNTY of ANNAPOLIS  
NATURALLY ROOTED

# STAFF REPORT

**Report To:** Committee of the Whole  
**Meeting Date:** February 13, 2024  
**Prepared By:** Carolyn Young, Municipal Clerk  
**Report Number:** SR2024-11 AM-1.3.1 Presentation of Annual Reports Policy - Repeal  
**Subject:** AM-1.3.1 Presentation of Annual Reports Policy - Repeal

## RECOMMENDATION:

That municipal council repeal AM-1.3.1 Presentation of Annual Reports Policy, seven-day notice.

## LEGISLATIVE AUTHORITY

Section 23(1)(b) of the *Municipal Government Act*.

## BACKGROUND

Contents of this policy have not kept up with changes to the various grants programs and policies over the past few years.

## DISCUSSION

With the upcoming April 1, 2024, procedure for grants, this policy would become redundant. The list does not reflect how funding is actually allocated or not. Municipal Council may request a written report as required.

## FINANCIAL IMPLICATIONS

N/A

## POLICY IMPLICATIONS

N/A

## ALTERNATIVES / OPTIONS

None.

## NEXT STEPS

Update all sites by removing this policy.

## ATTACHMENTS

AM-1.3.1 Presentation of Annual Reports Policy

## Prepared by:

Carolyn Young, Municipal Clerk

## Approved by:



Chris McNeill  
Chief Administrative Officer

## Approval Date:

FEBRUARY 6, 2024

(Date)



THE MUNICIPALITY OF THE COUNTY OF ANNAPOLIS <b>POLICY AND ADMINISTRATION MANUAL</b>		AM - 1.3.1
Section <b>Procedures and Organization of Council</b>	Subject <b>Presentation of Annual Reports</b>	

## APPLICATION

This policy applies to all organizations submitting annual reports to Municipal Council.

### 2. AUTHORITY

Sub-section 23(1)(b), *Municipal Government Act*, as amended. (Council may make policies regulating its own proceedings and preserving order at meetings of the council.)

### 3. POLICY INTENT

This policy is intended to provide Municipal Council with an annual opportunity to receive a report regarding the priorities, accomplishments and activities of organizations which receive an annual community contribution under *AM-1.4.11 Community Contributions Policy*. At Council's discretion, a report may also be requested from other organizations receiving funding or "in kind" support.

The annual report is not intended as a forum for funding or grant requests. Such requests shall be considered in accordance with *AM-1.4.9 Community Grant Policy*.

### 4. BASIC POLICY

Municipal Council may choose to receive a written or verbal report.

### 5. SPECIFIC REQUIREMENTS AND GUIDELINES

5.1 Organizations requested to provide a report must submit a written report. If it is requested that the report be presented in person, the written report must be provided one week before their scheduled appearance before Municipal Council. A verbal presentation should summarize the written report and provide an opportunity for councillors to ask questions. A verbal report must be of ten (10) minutes or less in duration.

5.2 Annual reports shall normally include:

#### February:

- Annapolis Basin Conference Centre
- Annapolis County 4-H Club
- Annapolis County Federation of Agriculture
- Annapolis County Fire Services
- Annapolis County Ground Search and Rescue
- Annapolis Royal Historic Gardens
- Annapolis Detachment of the Royal Canadian Mounted Police
- Annapolis Valley Exhibition

THE MUNICIPALITY OF THE COUNTY OF ANNAPOLIS <b>POLICY AND ADMINISTRATION MANUAL</b>		AM - 1.3.1
Section <b>Procedures and Organization of Council</b>	Subject <b>Presentation of Annual Reports</b>	

- Annapolis Valley Regional Library
- Annapolis Valley Regional School Board
- Annapolis Valley Traffic Services
- RCMP Community Policing Program
- Seniors' Safety Program
- South West Nova Transition House Association (Juniper House)
- Special Olympics Annapolis County
- Trans County Transportation Society
- Upper Clements Parks / HANSE Society
- Victorian Order of Nurses – Community Supports

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* ..... **December 13, 2011**

*Council Approval* ..... **December 20, 2011**

**Carolyn Young**

**December 20, 2011**

Municipal Clerk      Date

At **Annapolis Royal** Nova Scotia





# STAFF REPORT

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**Report To:** Committee of the Whole  
**Meeting Date:** February 13, 2024  
**Prepared By:** Cheryl Mason, Manager of Protective Services  
**Report Number:** **SR2024-12 Release Capital Reserve Funds – North Queens Fire Association**  
**Subject:** Release of Capital Reserve Funds – North Queens Fire Association

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## RECOMMENDATION(S):

That Municipal Council authorize the withdrawal of \$80,000 from the Capital Fire Services Reserve Fund to the North Queens Fire Association in the 2023-24 fiscal year.

## LEGISLATIVE AUTHORITY

Section 65 of the *Municipal Government Act*

## BACKGROUND

The North Queens Fire Association was approved by Council in 2022 to proceed with the acquisition of a replacement Utility/Rescue Vehicle and at that time released \$40,000 towards to total cost of \$627,643. The Department has now requested a release of \$80,000 from the Capital Fire Services Reserve to payout the balance of the loan on the vehicle and the Annapolis County Fire Services Association has confirmed they are aware of the request.

## DISCUSSION

Loan complete so no further requests will be received for this vehicle.

## FINANCIAL IMPLICATIONS

Finance Department confirmed that funds are available and after the payment of \$80,000, the balance is \$5,585 in the 2023/24 Capital Fire Services Reserve fund for North Queens until the 2024/25 funding is available.

## POLICY IMPLICATIONS

None

## ALTERNATIVES / OPTIONS

None

## NEXT STEPS

When approved by Council, staff will contact Fire Chief to advise cheque to be released.

## ATTACHMENTS

None

**Prepared by:**

Cheryl Mason, Manager of Protective Services

**Approved by:**



Chris McNeill, Chief Administrative Officer

**Approval Date:**

February 6, 2024

Date



# STAFF REPORT

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**Report To:** Committee of the Whole  
**Meeting Date:** February 13, 2024  
**Prepared By:** Nancy Whitman, Recreation Manager  
**Report Number:** **SR2023-04 (2) 2023-24 Community Grants Applications**  
**Subject:** Applications from Grow to Gather Garden Association, Arlington Forest Protection Society, Bear River Board of Trade, Middleton Swimming Pool Society, Middleton Railway Museum Society, and Cottage Cove District Wharf Society

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## RECOMMENDATION(S):

That Municipal Council approve a grant to the Grow to Gather Garden Association in the amount of \$1,950 to support their "Renewing the Gardens" program in accordance with *AM 1.4.9 Community Grants, Community Programs Assistance Fund*.

That Municipal Council approve a grant to the Arlington Forest Protection Society in the amount of \$2,500 to help support their second annual "SOOFSTOCK" fundraising festival in accordance with *AM 1.4.9 Community Grants, Marketing and Promotion Partnership Programs*.

That Municipal Council approve a grant to the Bear River Board of Trade in the amount of \$3,000 to support waterfront park landscaping in accordance with *AM 1.4.9 Community Grants, Large Capital Pledge Grant*.

That Municipal Council approve a grant to the Middleton Swimming Pool Society in the amount of \$1,225 to support expansion and revitalization of aqua fitness classes in accordance with *AM 1.4.9 Community Grants, Community Programs Assistance Fund*.

That Municipal Council approve a grant to the Middleton Railway Museum Society in the amount of \$5,000 to support a new 1950's transport trailer exhibit in accordance with *AM 1.4.9 Community Grants, Small Project Matching Grants*.

That Municipal Council approve a grant to the Cottage Cove District Wharf Society in the amount of \$10,000 to support upgrades and repairs to the Cottage Cove Wharf in accordance with *AM-1.4.3 Harbour Authorities & Societies Capital Assistance Program, Large Project Capital Investment Grant*.

## LEGISLATIVE AUTHORITY

Section 65A, *Municipal Government Act* and *AM-1.4.9 Community Grants Policy*

## BACKGROUND

*AM-1.4.9 Community Grants Policy* allows organizations to apply for funding to support their services, programs, and initiatives. There are several categories under which they can apply, and each section outlines the criteria for the application.



*AM 1.4.3 Harbour Authorities & Societies Capital Assistance Program* is available to the Margaretsville, Port Lorne, Cottage Cove, Hampton, Parker's Cove, Delaps Cove, and Victoria Beach Harbour Authorities / Societies. The policy is intended to address two needs of incorporated Harbour Authorities and Societies: (1) "seed money" to leverage Federal and/or Provincial grants for large capital projects; and (2) assistance for small projects that address ongoing capital maintenance requirements.

Applications listed below follow policy requirements and are eligible for approval by Municipal Council.

## DISCUSSION

Grant Applications listed by category.

<b>Community Programs Assistance Fund</b> – to provide funds to non-profit community organizations to initiate or develop programs which support the delivery of municipal services or provide services to enhance community well-being and the quality of life. Grant awards are normally in the \$500 to \$1,000 range. Maximum assistance shall be up to 50% of the annual program cost to a maximum of \$2,000.				
Group	Amount Requested	Total Project Cost	Recommended	Identified Project / Need
Grow to Gather Garden Association	\$1,950.00	\$3,900.00	\$1,950.00	<ul style="list-style-type: none"> <li>Lumber/labour for boxes</li> <li>Screened topsoil</li> <li>Construction supplies</li> </ul> Note: this new association is taking over responsibility to manage the community gardens in Cornwallis Park.
<b>Marketing &amp; Promotion Partnership Programs (max. grants shall not normally exceed \$5,000)</b> – to provide funds to non-profit societies to advertise or promote business, industrial and tourism opportunities in the county. Priority shall be given for initiatives which: <ul style="list-style-type: none"> <li>are in keeping with the strategic goals of the municipality;</li> <li>provide a substantial regional benefit; and</li> <li>promote and support meaningful partnerships and linkages within the community.</li> </ul>				
Arlington Forest Protection Society	\$2,500.00	\$23,500.00	\$2,500.00	Marketing support for their 2 <sup>nd</sup> annual fundraising and awareness festival "SOOFSTOCK" to support the Save Our Old Forest campaign. For more information on this new annual festival see <b>Attachment A</b> .
<b>Small Project Matching Grants</b> - Eligible applications include initiatives that demonstrate significant benefit to the region or a high degree of creativity, innovation, unique appeal, or benefit, as determined by the council. Awards are one-time grants and shall not normally exceed \$5,000. Grant approval shall require proof of matching funds in cash and/or "in kind" contribution by the applicant.				



Middleton Swimming Pool Society	\$1,225.00	\$2,450.00	\$1,225.00	Portable Guard Chair Outdoor Bluetooth speaker and voice amplifier.
Middleton Railway Museum Society	\$5,000.00	\$10,000	\$5,000.00	Purchase of 1950's Fruehauf dry van trailer. Delivery and initial electrical work.

**Large Capital Pledge Grants** - Applications shall only be considered for capital projects for facilities, programs and/or services the municipality would or might otherwise provide. Eligible capital expenditures shall be consistent with the accounting principles and requirements applicable to municipalities. Awards are one-time capital grants and shall not normally exceed \$25,000. The municipality may pay capital pledge grants over two or more fiscal years, subject to the availability of funds as determined by the council. The grants are considered a contribution to non-owned assets which are made from operations and may be funded by a transfer from the operating reserve.

Bear River Board of Trade	\$3,000.00	\$3,300.00	\$3,000.00	Mitigating erosion, improving soil and plant quality (stronger root systems). Improve aesthetic appeal to promote use, cultural and tourism. All labour will community and board volunteers.
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#### **AM 1.4.3 Harbour Authorities & Societies Capital Assistance Program**

Cottage Cove Wharf District Society	\$10,000.00	\$33,000.00	\$10,000.00	Phase one of two. Timber- crib wall and, rock ballast to reinforce and help prevent washouts. In the spring they intend on completing phase two and applying in the new fiscal year for support to complete the project. They have secured volunteer labour and the use of heavy equipment.
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#### **AM 1.4.9 Community Grants Policy - Summary**

Total Requested/ Recommended	\$13,675.00		\$13,675.00	
Total cost of projects/programs impacting Annapolis Co.		\$43,150.00		
Remaining in Budgeted			\$36,420.19	
Remaining funding for fiscal year based on recommendations above			\$22,745.19	

#### **AM 1.4.3 Harbour Authorities & Societies Capital Assistance Program - Summary**



Total Requested/ Recommended	\$10,000.00		\$10,000.00	
Total cost of projects/programs impacting Annapolis Co.		\$33,000.00		
Remaining in Budgeted			\$10,000.00	
Remaining funding for fiscal year based on recommendations above			\$0	

### FINANCIAL IMPLICATIONS

The 2023-24 General Operating Budget has \$36,420.19 remaining in the current fiscal year for *Community Grants Policy*. If the above recommendations are approved there will be \$22,745.19 remaining for this fiscal year.

The 2023-24 General Operating Budget has \$10,000.00 remaining in the current fiscal year for *Harbour Authorities & Societies Capital Assistance Program*. If the above recommendation is approved there will be no remaining funds for this fiscal year.

### POLICY IMPLICATIONS

Recommended funding is in accordance with current policies.

### ALTERNATIVES / OPTIONS

Council can approve the recommendation(s).

Council could decide to approve (a) lesser or greater amount(s); or

Council could decide not to approve the applications.

### NEXT STEPS

Issue grants as approved and inform applicants of Council's decisions regarding their applications.

### ATTACHMENTS

None


### Prepared by:

Nancy Whitman, Recreation Manager

### Approved by:

  
Chris McNeill  
Chief Administrative Officer

### Approval Date:

  
FEBRUARY 6, 2024  
(Date)





## STAFF REPORT

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**Report To:** Committee of the Whole  
**Meeting Date:** February 13, 2024  
**Prepared By:** Janice Young, Strategic Initiatives Coordinator  
**Report Number:** **SR 2024-13 Marketing Levy Bylaw New First Reading**  
**Subject:** Marketing Levy Bylaw - New

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### REQUEST FOR RECOMMENDATION TO COUNCIL

That Municipal Council give First Reading to approve the new *Marketing Levy Bylaw*.

### 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 bylaw.*

Section 168 of the *Municipal Government Act* states:

- (1) *A by-law shall be read twice.*
- (2) *At least fourteen days before a by-law is read for a second time, notice of the council's intent to consider the by-law shall be published in a newspaper circulating in the municipality.*
- (3) *The notice shall state the object of the by-law, the date and time of the meeting at which the council proposes to consider it and the place where the proposed by-law may be inspected.*
- (4) *The council may require further advertising, including advertising by radio or television.*

Section 169 of the *Municipal Government Act* provides that:

- (1) *A by-law has the force of law upon publication.*
- (2) *A by-law is published when*
  - (a) *it is passed by the council in the manner provided in this Act;*
  - (b) *it is approved by a minister of the Crown whose approval is required; and*
  - (c) *a notice is published in a newspaper circulating in the municipality, stating the object of the by-law and the place where it may be read.*

## BACKGROUND

Municipal Council was made aware of the opportunity to pass a bylaw respecting a marketing levy according to new provincial legislation. This legislation provides municipalities the ability to charge a tax on all short-term accommodations. The revenue received from the taxation is to be used for tourism marketing purposes only. The first phase of developing a tourism marketing program in the County is to enact a *Marketing Levy Bylaw* giving the municipality the ability to enforce the program and collect taxation revenue to support ongoing tourism in the County of Annapolis.

## DISCUSSION

No discussion other than procedural issues and clarifications normally takes place when a bylaw is given first reading. Once the bylaw receives first reading, the public has the opportunity to review and provide comments on the proposed bylaw.

The bylaw would be placed on the agenda for second reading at the regular council meeting on March 19, 2024. Subsequently, a second advertisement is placed in a local newspaper to advise the public of approval. The bylaw has force of law upon publication.

## FINANCIAL IMPLICATIONS

Newspaper publication costs of approximately \$750

## POLICY IMPLICATIONS

None

## ALTERNATIVES / OPTIONS

None.

## NEXT STEPS

Recommendation to Council.

## ATTACHMENTS

*Marketing Levy Bylaw* (draft as proposed)

## Prepared By

Janice Young, Strategic Initiatives Coordinator

## Approved by:



Chris McNeill  
Chief Administrative Officer

## Approval Date:



(Date)



## **Title**

1. This By-law may be cited as the "Marketing Levy Bylaw".

## **Definitions**

2. In this Bylaw:
  - (1) "accommodation" means the provision of one or more rental units or rooms as lodging in hotels and motels and in any other facility required to be registered under the Tourist Accommodations Registration Act and in a building owned or operated by a post-secondary educational institution.
  - (2) "inspector" means a person appointed by the Municipality to investigate whether this By-law is being complied with.
  - (3) "marketing levy" means a levy imposed pursuant to this Bylaw.
  - (4) "operator" means a person who, in the normal course of the person's business, sells, offers to sell, provides, and offers to provide accommodation in the Municipality.
  - (5) "purchase price" means the price for which accommodation is purchased including the price in money, the value of the services rendered, and other consideration accepted by the operator in return for the accommodation provided but does not include the goods and services tax.
  - (6) "remittance" means the remittance of levies collected by an operator to the Municipality.
  - (7) "remittance period" means end of each monthly period.
  - (8) "Municipality" means Municipality of the County of Annapolis.

## **Notice Effective**

3. A person shall be deemed to have received written notice when the written notice is hand-delivered to the person, sent to the person by email or other electronic communication at the address and/or number registered with the Municipality for electronic communication, or posted on the person's place of business. A person shall be deemed to have received written notice 5 days after the notice is sent to the person by regular mail.

## **Application of Levy**

4. (1) A marketing levy is hereby imposed upon every person who, for a daily charge, fee or remuneration purchases accommodation in the Municipality. The marketing levy is set at the rate of 3% of the purchase price of the accommodation.
- (2) The marketing levy, whether the price is stipulated to be payable in cash, on terms, by installments or otherwise, must be collected at the time of the purchase on the total amount of the purchase price and must be remitted to the Municipality at the times and in the manner set out in this Bylaw.

## **Exemption From Levy**

5. (1) The marketing levy shall not apply to:
  - (a) a person who pays for accommodation for which the daily purchase price is no more than twenty dollars (\$20.00).
  - (b) a student who is accommodated in a building owned or operated by a post-secondary educational institution while the student is registered at and attending a post-secondary educational institution.
  - (c) a person who is accommodated in a room for more than thirty consecutive days: or
  - (d) a person and the person's family accommodated while the person or a member of the person's family is receiving medical treatment at a hospital or provincial healthcare center or seeking specialist medical advice, provided the person provides to the operator a statement from a hospital or provincial healthcare center stating that:
    - (i) the person or a member of the person's family is receiving medical treatment at the hospital or center or from a physician licensed to practice medicine in the Province of Nova Scotia.
    - (ii) as a result, thereof the person or member of the person's family is in need of the accommodation; and
    - (iii) the duration that the accommodation will be required.

## **Registration of Operator**

6. (1) Every operator must apply for and obtain a certificate of registration under this Bylaw for each place of business providing accommodations.



- (2) An operator applying for a certificate of registration must submit an application to the Municipality on a form provided by the Municipality.
- (3) The registration certificate shall be displayed in a prominent place at the facility.
- (4) Where an operator changes their address, the name of their business, or the nature of the accommodation offered, they shall forthwith apply to the Municipality to amend their certificate of registration accordingly.
- (5) Where an operator ceases to carry on or sells a business in respect of which a registration certificate has been issued, the certificate shall immediately be void, and the operator shall return the certificate to the Municipality within 15 days of the date of discontinuance or sale of the business.
- (6) Where a registration certificate is lost or destroyed, the operator shall apply to the Municipality for a copy of the original.
- (7) A registration certificate granted under this Bylaw is not transferable.

### **Remittance of Levy**

7.
  - (1) All operators shall make remittances to the Municipality or its delegate within thirty days following the end of each remittance period.
  - (2) Each remittance shall be accompanied by a completed remittance return in the form provided by the Municipality.
  - (3) If an operator during the preceding period has collected no levy, they shall nevertheless make a report to that effect on the prescribed remittance form.
  - (4) Where an operator ceases to carry on or disposes of their business, they shall make the return and remit the levy collected with 15 days of the date of discontinuance or disposal.

### **Records**

8.
  - (1) Every operator shall keep books of account, records, and documents sufficient to furnish the Municipality with the necessary particulars of:
    - (a) sales of accommodation;
    - (b) amount of levies collected; and
    - (c) payment of levies to the Municipality.



- (2) All entries concerning the levy in such books of account, records, and documents shall be separate and distinguishable from other entries made therein.
- (3) Every operator shall retain any book of account, record, or other document referred to in this section for a period of five years, unless under audit.
- (4) Where a receipt, bill, invoice, or other document is issued by a person selling accommodation, the levy shall be shown as a separate item thereon.

### **Calculation of Levy**

9. Where an operator sells accommodation in combination with meals and other specialized services for an all-inclusive package price, the purchase price of the accommodations within the all-inclusive package shall be deemed to be the purchase price of the accommodations when offered for sale in the same facility without the addition of meals and other specialized services.

### **Refund of Levy Collected in Error**

10.
  - (1) If the Municipality is satisfied that a levy or a portion of a levy has been paid in error, the Municipality shall refund the amount of the overpayment to the person entitled, which shall not include interest.
  - (2) If the Municipality is satisfied that an operator has remitted to the Municipality an amount as collected levy that the operator neither collected nor was required to collect under this Bylaw, the Municipality shall refund the amount to the operator, which shall not include interest.

### **Claim for Refund**

11.
  - (1) In order to claim a refund under this Bylaw, a person must:
    - (a) submit to the Municipality an application in writing signed by the person who paid the amount claimed; and
    - (b) provide sufficient evidence to satisfy the Municipality that the person who paid the amount is entitled to the refund.
  - (2) For the purposes of subsection (1)(a), if the person who paid the amount claimed is a corporation, the application must be signed by a director or authorized employee of the corporation.

### **Interest**

12. Interest on overdue levies shall be paid at the rate of 12 % per annum.

### **Inspection, Audit, and Assessment**

13. An inspector appointed by the Municipality may enter at any reasonable time the business premises occupied by a person, or the premises where the person's records are kept:
  - (1) to determine whether:
    - (a) the person is an operator, or the premises are accommodations are within the meaning of this Bylaw;
    - (b) this Bylaw is being and has been complied with.
  - (2) to inspect, audit, and examine books of account, records, or documents.
14. The person shall provide all reasonable assistance to the inspector to enable the inspector to confirm whether the person has been collecting and remitting the levy in accordance with this Bylaw and shall furnish the inspector with such information as the inspector may reasonably require to carry out their inspection.
15. Where the inspection, audit or examination reveals that an operator has not complied with this Bylaw, a person appointed by the Municipality shall calculate the amount of levy and any interest due in such a manner and form as the Municipality deems adequate.
16. When an operator fails to provide reasonable assistance in accordance with section 14, a person appointed by the Municipality may estimate the levy amount that should have been collected and remitted to the Municipality by the operator.
17. Upon calculating or estimating that a levy amount is due, the Municipality shall provide written notice to the operator that a levy amount is payable.
18. Regardless of whether the operator submits an application under section 19 objecting to the amount payable, the operator shall remit the levy amount plus applicable interest to the Municipality within 30 days of receiving notice that the levy amount is due.
19. If an operator objects to the amount payable to the Municipality, the operator must, within 15 days of receiving written notice of the amount due:



- (a) submit to the Municipality an application in writing signed by the operator or a representative of the operator; and
- (b) provide sufficient evidence to satisfy the Municipality that the operator has complied with this Bylaw.

20. Upon receiving an application by the operator, or from time to time, the Municipality may assess or reassess any amounts payable under this Bylaw and may vacate or vary any assessment or reassessment and thereupon, the amount so determined shall be payable to the Municipality by the operator.

### **Offence**

21. A person who contravenes any provision of the Bylaw is guilty of offence punishable by summary conviction and on conviction is liable:
- (a) for a first conviction, to a fine of not less than \$500 and not more than \$1,000.
  - (b) for a subsequent conviction, to a fine of not less than \$1,500 and not more than \$5,000.

### **Administration of Bylaw**

This Bylaw shall be administered on behalf of the Municipality by the Chief Administrative Officer and any persons designated by the Chief Administrative Officer.

### **Effective Date of Bylaw**

The effective date of this bylaw shall be June 1, 2024.



## BOARDS and COMMITTEES

### Information Report

#### Joint, Regional or Community Organizations (AM-1.3.7)

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**Report To:** Committee of the Whole  
**Submitted by:** Councillor Bruce Prout  
**Submission Date:** February 13, 2024  
**Subject:** 2024-01-17 TCTS Monthly Board Meeting Report

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### Background

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

The January Board Meeting of TCTS was held in the Bridgetown Office on January 17<sup>th</sup> at 3:30. The following items comprise highlights of the meeting:

1. The meeting was called to order at 3:30 with all members present.
2. The minutes of the October 18<sup>th</sup> meeting were approved.
3. A new board member, Fiona Campbell, was introduced to the board.
4. There was no Business Arising or Correspondence.
5. The General Manager Report was accepted and approved. Highlights included:
  - a) One staff member has been re-hired as of January 8<sup>th</sup> and another staff member has scaled back on their hours.
  - b) The TCTS Xmas party was well attended and very successful.
  - c) TCTS is in the process of filing the newly developed reports with RTSF, (Rural Transportation Solutions Fund).
  - d) Work on the proposed Provincial Dispatch System is still in progress with meetings continuing later in January.
  - e) The new 2023 ProMaster was received in November from Move Mobility and both of the new vehicles have been decal and will be inspected by the end of February.
6. The agreement between the Municipality of the County of Annapolis and TCTS was signed and witnessed.
7. The Treasurer's Report was accepted as presented.
8. Under New Business, the Current Policy and Procedures were approved, and a new Draft Budget was discussed.
9. The date for the next meeting was set for March 20<sup>th</sup> at 3:30 at the TCTS office in Bridgetown.
10. The meeting adjourned at 4:51.



**Recommendations from  
2024-01-26 Nominating Committee to  
2024-02-13 Committee of the Whole**

Policy 104 Audit Committee – Appointments: Citizen Members

To recommend that municipal council appoint the following three citizen members to the Audit Committee, Erich Beifuss, Alexander Robert Cowan, and Melony Robinson, for a term ending November 30, 2024.

Policy 104 Audit Committee – Appointments: Council Members

To recommend that municipal council appoint the following three councillors to the Audit Committee, for a term ending October 31, 2024, Deputy Warden Brad Redden, and Councillors Dustin Enslow and Wendy Sheridan.

**Recommendations from  
2024-02-02 Physician Recruitment and Retention Committee (Ad Hoc)  
to  
2024-02-13 Committee of the Whole**

AM-1.4.9.1 Medical Recruitment Financial Assistance Program Policy – Dr. AC Silver

To recommend that Municipal Council approve a payment of \$10,000 to the Soldiers Memorial Hospital Foundation for the purpose of providing a grant to Dr. AC Silver, and further that the Foundation and doctor confirm receipt of the grant, in accordance with AM-1.4.9.1 Medical Recruitment Financial Assistance Program Policy.



SNOW brings fun and frivolity and fantasy. The fun and frivolity are enjoyed in a variety of ways by folks of all ages. The fantasy sometimes exhibit itself as the belief that snow can be cleared from the roads and the pathways at the drop of a single plow. Everyone wants everything to be cleared in a single swoop. During this recent bout of extensive flurries, and remember we had the least amount of snow in the province, some citizens have expressed their frustration to snowplow drivers in a broad spectrum of ways and with an imaginative choice of words. Please try to remember that the plow drivers want to do a good job of clearing the snow. Treat them with the respect they deserve. 'nuff said!

Recently, I have received some calls and have had face to face conversations with citizens concerning our bus drivers. To a person, the words chosen have been positive in all regards and illustrate the bonds that can be created between riders and drivers. Many have come to know one another by first name, by the choice of individual interests that drive ("Good word that!") the conversations. Next time you ride the bus consider thanking the drivers.

The recent closure of Basin Centre and the restaurant and grocery store therein by the building owners (the hair salon operator closed shop quite a while ago) has spawned some comments about the future of a grocery store in the Cornwallis Park area. Please bear in mind that the Basin Centre building is privately owned and I have no indication of the plans the owners might have in mind.

THE READER newspaper has adopted a new format that makes reading and referencing easier. Our thanks to the owner/publisher. The combination of THE READER and the relatively new VALLEY LIVING periodical ensures that most residents in Annapolis County have reference in print format to one or the other. Also, each is available electronically. In addition, many Councillors have individual email lists that they regularly use to notify their constituents of news items.

The Inter-Municipal Working Group established by the town of Annapolis Royal, the town of Middleton, and the Municipality of the County of Annapolis with the aim of exploring ways to improve efficiencies and strengthen their working relationships, has been working well. It meets once per month, alternating among the three locations, hears from speakers, takes action, or notes items for further and future action consideration. The positive atmosphere within which the group conducts its affairs ensures frank and candid discussions and bodes well for the future of municipal government in our area.

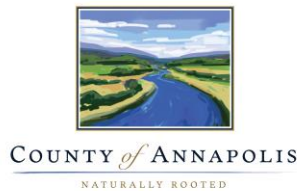
The Annapolis County Municipal Planning Strategy was recently adopted by Council, after extensive public consultations over a two-year period. It will come into effect when agreed by the provincial government. The secondary plan for Cornwallis Park has been outlined and will be considered by the Cornwallis Park Area Advisory Committee at a later date this month. Consult the county web page for the date of this meeting and also for an indication of other events taking place.

Housing and Forestry continue to be two topics of great interest in Council and throughout our county. The swimming pool located in Annapolis Royal will not be in operation this summer as the responsible public group considers how to restore the pool to a usable condition.

The October 2024 municipal election district map is available online [www.AnnapolisCounty.ca](http://www.AnnapolisCounty.ca)

My thanks to citizens for their varied concerns and interests. I enjoy public exchanges of views.

Cheers, Alex



# MEMO

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**To:** Warden, Deputy Warden and Councillors  
**From:** Nadine McCormick  
**Date:** February 13, 2024  
**Subject:** Volunteer Week Selection Committee – Two Volunteers Needed!

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The Municipality of the County of Annapolis will be recognizing the achievements of dedicated volunteers throughout our region. Staff will be planning an event to acknowledge all of our nominated County volunteers (TBD).

However, in the meantime, we need to select one volunteer from those nominated from Annapolis County to be our Provincial representative.

I need your help to accomplish this task by having two councillors volunteer their time to represent the Municipality on the Selection Committee. As part of the process, a Selection Committee will select an individual to be recognized at the annual Provincial Volunteer Awards ceremony to be announced at a later date.

The Selection Committee meeting is tentatively scheduled for **Thursday, March 21<sup>st</sup>**. We are preparing for an all-morning meeting commencing at **9:30 am** in the Council Chambers at the Municipal Office.

**If you are interested and able to volunteer your time, please let me know by Friday, February 23rd. You can reach me at 526-2907 or by email at [nmccormick@annapoliscounty.ca](mailto:nmccormick@annapoliscounty.ca). Thank you for your continued support of this program.**

