
MUNICIPALITY OF THE COUNTY OF ANNAPOLIS

COMMITTEE OF THE WHOLE AGENDA



Tuesday, October 11, 2022

9:00 a.m.

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

- | | | |
|--------------|------------|---|
| PAGES | 1. | ROLL CALL |
| | 2. | DISCLOSURE OF INTEREST |
| | 3. | APPROVAL of the AGENDA (Order of the Day)
That the Order of the Day be approved as circulated. |
| | 4. | APPROVAL OF MINUTES |
| 5-12 | 4.1 | 2022-09-13 Regular
That the minutes of Committee of the Whole held September 13, 2022, be approved as circulated. |
| | 5. | STAFF REPORTS |
| 13-14 | 5.1 | Information Report Capital Project Progress Report |
| 15-16 | 5.2 | SR2022-08 – Dangerous and Unsightly Practices AM-1.4.15 DUP Policy
That Municipal Council recommend no change to the current AM-1.4.15 Dangerous and Unsightly Premises Policy regarding reports of unsightly premises. |
| 17-32 | 5.3 | SR2022-09 AM-7.3.1 Publication and Signage Policy Amend
That Municipal Council amend AM-7.3.1 Publication and Signage Policy by changing the name of the policy to AM-7.3.1 Promotion and Publication Policy and to make the changes in the policy as circulated. 7-Day Notice. |
| 33-39 | 5.4 | SR2022-10 - MacBeth’s Grooming & Kennel Boarding - Application to Amend Development Agreement for 10301 Highway 201, Meadowvale, PID 05292347
That Municipal Council consider the application submitted by Harry Wilson on September 28, 2022 to amend the Development Agreement for MacBeth’s Grooming and Kennel Boarding, to allow for the future expansion of the business; and adopt a public participation process involving the referral of the application to the East End Area Advisory Committee and the Planning Advisory Committee (PAC) for their review and |

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recommendation; and hold a PAC-sponsored public meeting near the community of Meadowvale on Wednesday, November 16, 2022 at 7 pm, (*location to be announced*).

40-41

5.5 Information Report – Dangerous and Unsightly Premises 6 Month Report

42-43

5.6 SR2022-11 Queen Street Project– Additional Funding

That Municipal Council approve the transfer of a maximum of \$200,000 from the Canada Community-Building Fund (CCBF-formally gas tax) in relation to the budget overage for the Queen Street Infrastructure Project.

44-48

5.7 SR2022-12 AM-1.4.11 Community Contributions Policy Amend

That municipal council amend *AM-1.4.11 Community Contributions Policy* by:

Increasing the annual allocation for Trans County Transportation Society from 35,000 to 60,000;

Deleting the annual allocation for Annapolis County Barristers' Society -Lovett Library. 7-day notice.

49-74

5.8 Information Report Animal Control Options

75-77

5.9 SR2022-13 Community Grant Application Victoria Vale Baptist Church/Parker Hall

That Municipal Council approve a grant in the amount of \$1,200 to the Victoria Vale Baptist Church / Parker Hall to support roof repairs from the Community Halls and Centres Assistance Program in accordance with *AM-1.4.9 Community Grants Policy*.

78-94

5.10 SR2022-14 AM-1.2.0 Committees of Council and Council Meetings Procedures Policy Amend

That municipal council amend *AM-1.2.0 Committees of Council and Council Meetings Procedures Policy* as follows:

Article 3 – change "Regular meetings of Council shall be held on the ~~fourth~~ Tuesday third Tuesday ..."; and

Article 12 modify Council Agenda to show COTW ~~Consent~~ Recommendations; and

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

95-135

5.11 SR2022-15 Seaside Communications Payment

That Municipal Council authorize the payment in the amount of \$177,410.30 to Seaside Communications be expensed from the Sale of the Internet funds.

5.12 CAO Report (verbal)

6. RECOMMENDATIONS and REPORTS FROM BOARDS and COMMITTEES

136

6.1 2022-07-22 Nominating Committee Recommendation

That Municipal Council extend the citizen appointment of Brandon Lake to the Bridgetown Area Advisory Committee (satisfying Section 29(c) of the policy) to November 30, 2024.

137

6.2 Trans County Transportation Society (TCTS) Report

138-141

6.3 2022-09- REMO Advisory Committee Recommendation

That municipal council approve the Annapolis County and Lunenburg County Mutual Aid Agreement as recommended by the REMO Advisory Committee.

142

6.4 2022-09-21 Planning Advisory Committee Recommendation

That Municipal Council give First Reading of its intent to amend the Bridgetown Land Use Bylaw Map to rezone the land identified as parcel PID 05149976 at 271 Granville Street in the Community of Bridgetown, from the Institutional (I1) Zone to the Downtown Commercial (C1) Zone; and to set Tuesday, November 22, 2022 at 11:00 a.m. for the public hearing.

143

6.5 2022-07-28 Lawrencetown Source Water Protection Committee Report

MUNICIPALITY OF THE COUNTY OF ANNAPOLIS

COMMITTEE OF THE WHOLE AGENDA



Tuesday, October 11, 2022

9:00 a.m.

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

- 144 6.6 2022-09-07 Fire Services Committee Report
- 145 6.7 2022-009-14 Fences Arbitration Committee Report
- 146 6.8 2022-09-26 Lawrencetown Village Commission Report
- 147 6.9 Annapolis Valley Exhibition Committee Report

7. NEW BUSINESS

7.1 Warden's Report

148-150 7.2 COVID-19-Related Policies and Practices (submitted for discussion)

151-152 7.3 2022-10-04 Urgent Request from Mayor Mood, Town of Yarmouth

8. IN-CAMERA

8.1 That municipal council meet in-camera in accordance with Sections 22(2)(c) personnel matters and (e) contract negotiations of the *Municipal Government Act*.

9. 5:00 p.m. STATED ADJOURNMENT

That Committee of the Whole adjourn its session until the next regular meeting scheduled for **Tuesday, November 8, 2022**

Minutes of the regular **Committee of the Whole** meeting held on Tuesday, September 13, 2022, at 9:00 a.m., at the Municipal Administration Building, 752 St. George St. Annapolis Royal, NS.

ROLL CALL

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

Also Present: Interim CAO Doug Patterson; Municipal Clerk Carolyn Young; other staff, L. Bent, D. Campbell, D. Hopkins, C. Mason, D. Ryan (via Zoom), N. Whitman, and Jim Young. 8 members of the public.

MOMENT OF SILENCE

To recognize the passing of HRH Queen Elizabeth II on September 8, 2022. Councillors had an opportunity to provide statements.

DISCLOSURE of INTEREST

None.

APPROVAL of the AGENDA (Order of the Day)

Request to add under New Business 8.3 Suggested Policy Changes to *AM-1.4.9.1 Medical Assistance Recruitment Program Policy*

Request to move Aerial Spraying to occur after approval of the minutes

Request to add under New Business 8.4 Kings Transit Authority

That the Order of the Day be approved as amended.

Moved: Councillor LeBlanc

Seconded: Deputy Warden Gunn

Motion carried unanimously.

APPROVAL of MINUTES

Re: 2022-07-12 Regular

That the minutes of the regular meeting of Committee of the Whole held on July 12, 2022 be approved as circulated.

Moved: Deputy Warden Gunn

Seconded: Councillor Prout

Motion carried unanimously.

Re: Aerial Spraying

To allow a ten-minute presentation by Mr. Cameron Stiff

Moved: Deputy Warden Gunn

Seconded: Councillor Longmire

Motion carried unanimously.

Presentation

Mr. Cameron Stiff noted he does not officially represent any group and spoke on behalf of residents who attended a recent community meeting regarding aerial spraying of glyphosate.

Warden Parish thanked him for the presentation.

That Municipal Council write a letter to Premier Tim Houston and Environment and Climate Change Minister Tim Halman requesting that a moratorium be placed on aerial herbicide spraying until a formal report, requisitioned by the provincial government on the net benefits or net losses of such activity to the residents of Nova Scotia, can be obtained.

Moved: Councillor Longmire

Seconded: Councillor Barteaux

To amend the motion by including two local MP's and Health Canada

Moved: Deputy Warden Gunn

Seconded: Councillor Prout

Motion carried unanimously.

Discussion on the motion as amended to read:

That Municipal Council write a letter to Premier Tim Houston and Environment and Climate Change Minister Tim Halman requesting that a moratorium be placed on aerial herbicide spraying until a formal report, requisitioned by the provincial government on the net benefits or net losses of such activity to the residents of Nova Scotia, can be obtained; and to also include the two local MP's and Health Canada.

To amend the motion by adding that all NS municipalities be copied on the letter and encouraged to send similar letters.

Moved: Councillor Sheridan

Seconded: Councillor Longmire

Motion carried unanimously.

Discussion on the motion as amended to read:

That Municipal Council write a letter to Premier Tim Houston and Environment and Climate Change Minister Tim Halman requesting that a moratorium be placed on aerial herbicide spraying until a formal report, requisitioned by the provincial government on the net benefits or net losses of such activity to the residents of Nova Scotia, can be obtained; to include the two local MP's and Health Canada; and that all NS Municipalities be copied on the letter and encouraged to send similar letters.

Deputy Warden Gunn took the Chair at 9:43 a.m.

To amend the motion by adding to ask the Solicitor to provide a legal opinion if the municipality has any jurisdiction on banning aerial spraying of Glyphosate.

Moved: Warden Parish
 Seconded: Councillor Longmire
 Motion withdrawn.

Warden Parish resumed the Chair at 9:49 a.m.

The Question was called on the motion as amended to read
 That Municipal Council write a letter to Premier Tim Houston and Environment and Climate Change Minister Tim Halman requesting that a moratorium be placed on aerial herbicide spraying until a formal report, requisitioned by the provincial government on the net benefits or net losses of such activity to the residents of Nova Scotia, can be obtained; to include the two local MP's and Health Canada; and that all NS Municipalities be copied on the letter and encouraged to send similar letters.

Moved: Councillor Longmire
 Seconded: Councillor Barteaux
 Motion carried unanimously.

Deputy Warden Gunn took the Chair at 9:50 a.m.

Re: Seek Legal Opinion – Jurisdiction on Banning Aerial Spraying of Glyphosate

To ask Solicitor to provide a legal opinion if the municipality has any jurisdiction on banning aerial spraying of Glyphosate.

Moved: Warden Parish
 Seconded: Councillor Morrison
 Motion carried unanimously.

Warden Parish Resumed the Chair at 9:55 a.m.

STAFF REPORTS

Re: SR2022-01 Repeal Former Town of Bridgetown Policies

That municipal council repeal Town of Bridgetown Policies 5, 6, 7, 9, 10, 12, 13, 14, 15, 17, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 31, 34, 36, 37, and 38. 7-day notice.

Moved: Deputy Warden Gunn
 Seconded: Councillor Hudson
 Motion carried unanimously.

Re: SR2022-02 2022/23 Community Grants Applications

That municipal council approve the 2022-23 grant allocations and recommendations as presented in accordance with *AM-1.4.9 Community Grants Policy*,

Moved: Deputy Warden Gunn
 Seconded: Councillor Longmire

To **amend** the motion to remove '*as presented*' and add "as follows:

Clarence Community Club	\$2,400
West Dalhousie Community Hall Association	\$1,240.80
Upper Clements and District Community Association	\$1,760
Bridgetown and Area Chamber of Commerce Society	\$4,000

Annapolis Region Community Arts Council \$1,000
 North Queens Business Centre & Innovation Hub Coop Ltd \$5,000”
 Moved: Councillor LeBlanc
 Seconded: Councillor Longmire
 Motion carried unanimously.

The Question was called on the motion as amended to read:

That municipal council approve the 2022-23 grant allocations and recommendations as follows in accordance with *AM-1.4.9 Community Grants Policy*,

Clarence Community Club	\$2,400
West Dalhousie Community Hall Association	\$1,240.80
Upper Clements and District Community Association	\$1,760
Bridgetown and Area Chamber of Commerce Society	\$4,000
Annapolis Region Community Arts Council	\$1,000
North Queens Business Centre & Innovation Hub Coop Ltd	\$5,000”

Moved: Deputy Warden Gunn
 Seconded: Councillor Longmire
 Motion carried unanimously.

Re: SR2022-03 Cornwallis Tidal Beach Park

That municipal council approve capital funding in the amount of \$15,000 from the Parks Levy Account for the development of the new park at Cornwallis Park bordering the tidal beach on land owned by the Municipality of the County of Annapolis.

Moved: Deputy Warden Gunn
 Seconded: Councillor Morrison
 Motion carried unanimously.

Re: SR2022-004 Upper Clements Land – South Side

That municipal council approve capital funding in the amount \$22,000 from the Recreation Culture and Heritage account to the Annapolis Basin Outdoor Adventures Society for the first phase of active multi-purpose trail development at the Upper Clements South Side to create 7 km of Mountain Bike Trails that will also include opportunities for hiking, snowshoeing and adaptive trail development which will be developed in October – November, 2022

Moved: Deputy Warden Gunn
 Seconded: Councillor Morrison
 Motion carried unanimously.

Recess

10:47 a.m. – 11:01 a.m.

Re: SR2022-05 Release of Funds Margaretsville & District Fire Department

That municipal council authorize the release of \$25,000 from the Capital Fire Services Reserve to the Margaretsville & District Volunteer Fire Department in the 2022-23 fiscal year.

Moved: Deputy Warden Gunn
 Seconded: Councillor Sheridan
 Motion carried unanimously.

Re: SR2022-06 Release of Funds Nictaux & District Volunteer Fire Department

That municipal council authorize the release of \$25,000 from the Capital Fire Services Reserve to the Nictaux & District Volunteer Fire Department in the 2022-23 fiscal year.

Moved: Deputy Warden Gunn

Seconded: Councillor Sheridan

Motion carried unanimously.

RECOMMENDATIONS and REPORTS FROM BOARDS and COMMITTEES**• 2022-07-22 Nominating Committee Recommendations**Re: Bridgetown Area Advisory Committee (NOT MORE THAN 5 citizens) – Extend Appointment Section 29(c)

That Municipal Council extend the citizen appointment of Steve Campbell to the Bridgetown Area Advisory Committee (satisfying Section 29(c) of the policy) to November 30, 2024.

Moved: Deputy Warden Gunn

Seconded: Councillor Hudson

Motion carried unanimously.

Re: Bridgetown Area Advisory Committee (NOT MORE THAN 5 citizens) – Extend Appointment Section 29(d)

That Municipal Council appoint Horace Hurlburt as a citizen member of the Bridgetown Area Advisory Committee (satisfying Section 29(d) of the policy) for a two-year term ending November 30, 2024.

Moved: Deputy Warden Gunn

Seconded: Councillor Hudson

Motion carried unanimously.

Re: Bridgetown Area Advisory Committee (NOT MORE THAN 5 citizens) Appointment Section 29(c)

That Municipal Council appoint Nancy McGrath as a citizen member of the Bridgetown Area Advisory Committee (satisfying Section 29(c) of the policy) for a two-year term ending November 30, 2024.

Moved: Deputy Warden Gunn

Seconded: Councillor Hudson

Motion carried unanimously.

Re: Bridgetown Area Advisory Committee (NOT MORE THAN 5 citizens) Waive By Resolution Appointment Section 29(d)

That Municipal Council waive by resolution the restriction regarding consecutive appointments and extend the citizen appointment of Grant Wright to the Bridgetown Area Advisory Committee (satisfying Section 29(d) of the policy) to November 30, 2024.

Moved: Deputy Warden Gunn

Seconded: Councillor Hudson

Motion carried unanimously.

Re: Cornwallis Park Area Advisory Committee (NOT MORE THAN 6 citizens) – Extend Appointment S29(c)

That Municipal Council extend the citizen appointment of John (Chuck) Ryan to the Cornwallis Park Area Advisory Committee (satisfying Section 29(c) of the policy) to November 30, 2024, pending meeting policy requirements.

Moved: Deputy Warden Gunn

Seconded: Councillor Morrison

Motion carried unanimously.

Re: Cornwallis Park Area Advisory Committee (NOT MORE THAN 6 citizens) – Extend Appointment S29(d)

That Municipal Council extend the citizen appointments of Benjamin Forsyth, Merwin Clayton, and Teresa Hannam to the Cornwallis Park Area Advisory Committee (satisfying Section 29(d) of the policy) ending November 30, 2024.

Moved: Deputy Warden Gunn

Seconded: Councillor Morrison

Motion carried unanimously.

Re: Cornwallis Park Area Advisory Committee (NOT MORE THAN 6 citizens) - Appointment

That Municipal Council appoint Lynn Boudreau as a citizen member of the Cornwallis Park Area Advisory Committee (satisfying Section 29(c) of the policy) for a two-year term ending November 30, 2024.

Moved: Deputy Warden Gunn

Seconded: Councillor Morrison

Motion carried unanimously.

Re: East End Area Advisory Committee (NOT MORE THAN 5 citizens)

That Municipal Council appoint, Craig Parsons, Derik R. DeWolfe, Mark Kinsman, and Karie-Ann Parsons-Saltzman as citizen members of the East End Area Advisory Committee for a two-year term ending November 30, 2024.

Moved: Deputy Warden Gunn

Seconded: Councillor LeBlanc

Motion carried unanimously.

Re: Habitation Community Area Advisory Committee (NOT MORE THAN 6 citizens) – Extend Appointment

That Municipal Council extend the citizen appointments of Carl DeNuke, Andi Rierden, Ryan Schaffrick, and Susan Tooke to the Habitation Community Area Advisory Committee to November 30, 2024.

Moved: Deputy Warden Gunn

Seconded: Councillor Longmire

Motion carried unanimously.

Re: Habitation Community Area Advisory Committee (NOT MORE THAN 6 citizens)

That Municipal Council appoint Zachery Winchester as a citizen member of the Habitation Community Area Advisory Committee for a two-year term ending November 30, 2024.

Moved: Deputy Warden Gunn

Seconded: Councillor Longmire

Motion carried unanimously.

Re: Upper Clements Area Advisory Committee (NOT MORE THAN 4 citizens)

That Municipal Council extend the citizen appointments of Ian Davidson, Kenneth Knox, Don Moar, and Martin-Henri Villeneuve to the Upper Clements Area Advisory Committee to November 30, 2024.

Moved: Deputy Warden Gunn

Seconded: Councillor Morrison

Motion carried unanimously.

Re: 2022-09-01 Heritage Advisory Committee Recommendations

That the entire Old Town Hall property (identified as document number 121090394, being approximately 9,149 sq. ft. in area, located in the community of Bridgetown be considered for registration as a municipal heritage property.

Moved: Deputy Warden Gunn

Seconded: Councillor Hudson

Motion carried unanimously.

Set date for Public Hearing/Acknowledgement - Tuesday, October 25 Council at 11:00

Re: 2022-09-06 Nominating Committee Recommendations

That Municipal Council amend *AM-1.3.4 Citizen Appointments to Committees Policy* as circulated, seven day notice.

Moved: Deputy Warden Gunn

Seconded: Councillor Sheridan

Motion carried unanimously.

BUSINESS ARISING FROM THE MINUTES

Re: Information Report – Dangerous and Unsightly Practices – circulated for information.

Direct staff to bring a recommendation to amend the AM-1.4.15 D&UP Premises Policy as to whether councillors can make the initial complaint.

Moved: Councillor Redden

Seconded: Councillor Sheridan

Motion carried unanimously.

NEW BUSINESS

Re: Council Facilities Tour – Set Dates - Tuesday, October 4 and Wednesday October 5

Re: Suggested Policy Changes to AM-1.4.9.1 Medical Assistance Recruitment Program Policy

To refer suggested Policy Changes to the Adhoc Physician Recruitment and Retention Committee for review and recommendation.

Moved: Deputy Warden Gunn

Seconded: Councillor Longmire

Motion carried unanimously.

Re: Kings Transit Authority

Councillor LeBlanc noted the Board met on August 5th for last time in order to approve the Audit. It is now in the hands of the IMSA.

Amend the Order of the Day

To add CAO and Warden Reports

Moved: Deputy Warden Gunn

Seconded: Councillor Longmire

Motion carried unanimously.

LUNCH

12:02 p.m. – 1:32 p.m.

Re: CAO Report – Interim CAO Doug Patterson provided a verbal update on the past two weeks and moving forward.

Re: Warden’s Report – Warden Parish reported on issues he attended to over the past month.

Direct the CAO to review the two waste management contracts and report back to council to October Committee of the Whole.

Moved: Deputy Warden Gunn

Seconded: Councillor Longmire

Motion carried unanimously.

IN-CAMERA

That municipal council meet in-camera in accordance with Sections 22(2)(c) personnel matters and (e) contract negotiations of the *Municipal Government Act*, from 2:11 p.m. – 3:25 p.m.

Moved: Deputy Warden Gunn

Seconded: Councillor LeBlanc

Motion carried unanimously.

AMEND the ORDER of the DAY

To amend the Order of the Day to add: Contract with Gerald Walsh Associates for Executive Search Services to Recruit a new Chief Administrative Officer.

Moved: Deputy Warden Gunn

Seconded: Councillor Longmire

Motion carried unanimously

Re: Contract with Gerald Walsh Associates for Executive Search Services to Recruit New CAO

That municipal council enter into a contract with Gerald Walsh Associates to conduct an executive search for a Chief Administrative Officer, in accordance with Section 19 of *AM-1.7.4 Purchasing and Tendering Policy*.

Moved: Deputy Warden Gunn

Seconded: Councillor Longmire

Motion carried unanimously.

5:00 p.m. STATED ADJOURNMENT

That Committee of the Whole adjourn its session at 3:25 p.m. until the next regular meeting scheduled for **Tuesday, October 11, 2022, and that a Special Session of Council be convened at this time to address two time-sensitive matters.**

Moved: Deputy Warden Bunn

Seconded: Councillor Barteaux

Motion carried unanimously.

Warden

Municipal Clerk



INFORMATION REPORT

Report To: Committee of the Whole
Meeting Date: October 11, 2022
Prepared By: Jim Young, P.Eng, Director of Municipal Operations
Subject: Capital Progress Report

ORIGIN

First introduction to Committee of the Whole.

LEGISLATIVE AUTHORITY

Not applicable.

BACKGROUND

Following the approval of the capital budget in May 2022, staff have been diligently working on capital projects and wish to provide Council with updated information on each project.

DISCUSSION

This information report is intended to provide Council with an update of our Capital Program, both status and budget.

FINANCIAL IMPLICATIONS

There are no financial implications associated with this report.

POLICY IMPLICATIONS

Not applicable.

ATTACHMENTS

- Capital Budget Progress Report

Prepared by:

Amy Barr, Contracts and Procurement Coordinator

Reviewed by:

Jim Young, P.Eng, Director of Municipal Operations

Approved by:

Approval Date:

Oct 11, 22

Douglas Patterson
Interim Chief Administrative Officer

(Date)

Capital Progress Report
County of Annapolis
Capital Summary

	Budget Approved 2022-23 Total	Monthly Cost Total Cost To Date	Sept. 6, 2022 Funds Remaining	Comments
General Government Services				
Admin Building Renovation - Annapolis	530,000	450,638	79,362	Reception area desk remains to be completed
Bridgetown Arena Capital Improvements	96,000	-	96,000	Simco/ CBCL C neutral & CO2 system assessment/
Asset Management Software and Implementation	100,000	-	100,000	under assessment/software approval
IT Licencing and Upgrades	37,543	-	37,543	server licencing
Environmental Development Services				
Former Upper Clements Park Demolition	622,066	571,149	50,917	contract completed. Ziplines removed/site security
Transportation Services				
Church Street Pedestrian Cross Walk Repair	10,000	9,100	900	purchased solar power signal-installation remains
Harbourview Crescent storm water diversion/drains	30,000	11,993	18,007	Partly completed
Drinking Water Management				
Source Water Implementation	54,500	26,854	27,646	Margarettsville reservoir recapping
Hillside Water Distribution Upgrade	395,226		395,226	Preliminary costing review underway
Bear River Water Extension				GF access road/DND land agreement, meter purchase
Water Capital Improvements	466,000	99,132	366,868	automation, CP flushing hydrants
Environmental Services				
Lift Station Capital Improvements	275,000	45	274,955	lift station repairs from gauges, panels, phase protection, level controls
Wastewater - Capital Improvements	565,000	2,724	562,276	CWWTP centre pivot and rake system, cat walk and rail repairs underway
Sewer Extension- Mountains and Meadows				
Consolidated Projects - Water/Sewer/Roads				
SCADA Upgrade	181,000	83,172	97,828	All equipment purchased, waiting for final installation
Queen Street Upgrade - project continuation	1,683,891	1,178,076	505,815	75% complete. Oil tank removal \$100k.
Facilities Parks and Trails				
Raven Haven - remediation of site/park improvements	100,000	683	99,317	Some initial work completed. Getting quotes for the remainder
Jubilee Park Capital Improvements	25,000	12,724	12,276	Sandblasting quotes gathered and awarded
Sport Hub Capital Improvements	173,000	-	173,000	Detail design being finalized inhouse, going to tender shortly
Parks/Trails Capital Improvement	5,000	1,000	4,000	Work completed by PW and volunteers
Solid Waste Services				
Site Reclamation Plan - Waste Transfer	14,000	7,335	6,665	NSE has reviewed the initial report, finalizing changes to address outstanding items
Capital Equipment Purchasing Plan				
Vehicle Replacement Program	330,000	265,447	64,553	Purchases complete
Snow Plow & Salt Spreader F550	30,000	28,150	1,850	Purchased 2 plows, installation included in purchase price
Brush Chipper	10,000	3,900	6,100	Ordered, waiting for delivery
Total Capital Costs	5,733,226	2,752,120	2,981,106	



STAFF REPORT

Report To: Committee of the Whole
Meeting Date: October 11, 2022
Prepared By: Cheryl Mason, Manager of Protective Services
Report Number: SR2022-08 DUP Update
Subject: Dangerous and Unsightly Practices AM-1.4.15 DUP Policy

RECOMMENDATION

That Municipal Council recommend no change to the current AM-1.4.15 Dangerous and Unsightly Premises Policy regarding reports of unsightly premises.

LEGISLATIVE AUTHORITY

Municipal Government Act, Section XV

BACKGROUND

Further to the request from July 12, 2022 Committee of the Whole to “request a staff report which investigates practices including councillor duties and obligations with regard to dangerous or unsightly properties” and Information Report dated August 30, 2022, a survey was undertaken to review various other municipalities policies with the following results:

- ❖ Most municipalities do not identify whether a Councillor is considered a resident / rate payer in their policy and discussions with several confirm they require the name and contact of the complainant should there be a requirement to go to Court a name will be required. There is also the matter of the accused requesting information through Freedom of Information and Protection of Privacy.
- ❖ History of staff working with complaints have shown that the majority of complainants have already spoken with their neighbour and were unable to resolve the matter without going through the County so their identity though not revealed are presumed.
- ❖ The accused may also presume the complainant based on what is seen relative to where the closest neighbour is located.

DISCUSSION

There is always going to be the optics that if a Councillor makes the complaint on behalf of a resident it may be seen as taking the side of the complainant or that they are causing influence in the improvement of a property.

It is always important in the Administrator’s review of the complaint to determine if it is a valid complaint based on the definitions in the *Municipal Government Act* and to fully understand the complainant’s reason for the complaint that may not have been fully acknowledged to the Councillor which may be information useful in the process. The Administrator should have someone to contact to discuss resolution.

Then there is the issue of the Councillor having to remove themselves from the conversation should an appeal be brought before the Committee of the Whole. This will be seen as evidence that the Councillor was somehow involved in the complaint.

NOTE: A dangerous premise can be reported by anyone; resident, councillor, staff person or Administrator as an unsafe property requires more immediate action.

Below are two options for consideration:

OPTION 1: No change to the current Policy or process regarding reports of unsightly premises to the Administrator

OPTION 2: Allow anonymous complaints for unsightly premises be processed through a Councillor

FINANCIAL IMPLICATIONS:

OPTION 1: No Implications

OPTION 2: Could increase the number of complaints which could result in additional expenses for travel and staff time.

POLICY IMPLICATIONS:

OPTION 1: No Implications

OPTION 2: Amendment to the Policy which would require appropriate Notice to amend.

NEXT STEPS:

OPTION 1: No implications

OPTION 2: Update Policy and upload to Website

ATTACHMENTS

None

Prepared by:

Cheryl Mason, Manager of Protective Services

Approved by:



Doug Patterson
Acting Chief Administrative Officer

Approval Date:





STAFF REPORT

Report To: Committee of the Whole
Meeting Date: October 11, 2022
Prepared By: Debra Ryan, Community Outreach and Tourism Manager
Report Number: **SR2022-09 AM-7.3.1 Publication and Signage Policy Amend**
Subject: Amend AM-7.3.1 Publication and Signage Policy

RECOMMENDATION(S):

That Municipal Council amend *AM-7.3.1 Publication and Signage Policy* by changing the name of the policy to AM-7.3.1 Promotion and Publication Policy and to make the changes in the policy as circulated. (Seven Day Notice)

LEGISLATIVE AUTHORITY

MGA Municipal Government Act Section 48

BACKGROUND

The Publication / Signage Policy has been reviewed by an internal committee to look at changes that would allow expanded promotion of business opportunities within our community. There are many ways that Municipalities throughout Nova Scotia have been promoting new opportunities to promote their respective regions from a community, tourism and economic perspective.

As the Municipality is starting to look at new tourism promotion and economic development, it is important to have the flexibility to showcase the business opportunities.

In the review of other Municipal sites such as Lunenburg, Queens County, Chester there are many that showcase their tourism assets that include but are not limited to events, culinary, accommodations.

Promotion of region should include showcasing our community assets including business opportunities.

DISCUSSION

The following policy amendments include the name change to be more reflective of the policy and to create a framework to create expanded promotion opportunities into the future. Promoting local and targeting residents and new visitors strengthen the local economy and builds capacity.

The purpose behind tourism marketing is to promote a region, attract more visitors and influence visitors to visit a destination. Showcasing the regions assets creates expanded opportunity for communities and for business to attract residents and new visitors to a region or place that can bring economic opportunities.

FINANCIAL IMPLICATIONS

N/A

POLICY IMPLICATIONS

N/A

ALTERNATIVES / OPTIONS

N/A

NEXT STEPS

In accordance with Sub –Section 48(1) of the *Municipal Government Act*, Seven-day notice to Municipal Council is required before a policy is passed, amended or repealed. If notice is provided at the October Committee of the Whole, the amendments will be brought back for final approval at the October 25, 2022 Council session.

ATTACHMENTS

- AM-7.3.1 Publication and Signage Policy Showing Changes
- AM-7.3.1 Promotion & Publication Policy With Changes Incorporated

Prepared by:

Debra Ryan Community Outreach and Tourism Manager

Reviewed by:

Dawn Campbell, Director of Legislative Services and HR

Approved by:

Approval Date:



Oct 4, 22

Doug Patterson
Acting Interim Chief Administrative Officer

MUNICIPALITY OF THE COUNTY OF ANNAPOLIS POLICY AND ADMINISTRATION MANUAL	AM – 7.3.1
Section INFORMATION MANAGMENT	Subject Promotion & Publication /-Signage Policy

1.0 Purpose

It is essential that the County’s printed publications and website and electronic signs and promotional signs provide community information that is accessible, accurate, up-to-date, visually pleasing, easy-to-read and easy-to-find.

Electronic signs provide accurate, timely information that is important to promoting facilities and community events.

In addition to information pertaining to municipal services, the County's publications and website and signage of any kind may also contain information to inform the reader about community-based events and activities, including but not limited to information from other governments, community groups, non-profit / charitable organizations ~~and~~ service groups, ~~and~~ business that provide a tourism benefit to the region.

2.0 Authority

This policy is enacted pursuant to Section 48 of the *Municipal Government Act*, as amended.

3.0 Definitions

- 3.1 **County** – means the Municipality of the County of Annapolis.
- 3.2 **Major Community Attraction** - place of interest which draws visitors, typically for its inherent or exhibited cultural value, historical significance, natural or built beauty, or amusement opportunities. Some examples include historical places, landmarks and monuments, museums and art galleries, botanical gardens, buildings and structures, parks, forests, theme parks, exhibitions, festivals, **culinary, beverage industry**, carnivals, and cultural events.
- 3.3 **Professional Association** - a non-profit organization seeking to further a particular profession, the interests of individuals engaged in that profession, and the public interest.
- 3.4 **Service Club** – a formal association of people with similar interests dedicated to promoting community welfare or public service.
- 3.5 **Website** - group of pages on the World Wide Web maintained by the County of Annapolis to provide information to residents and visitors about the region, its local government and the programs and services the local government provides. In this policy, Website does not include associated portals or social media venues intended as a forum for public input and postings.
- 3.6 **Electronic signs** – Signs that electronic that are located on County of Annapolis property and or owned by the County of Annapolis that are digital in nature.
- 3.7 **Signage**- Signage that promotes the County of Annapolis facilities or general promotion which is located on County of Annapolis property used for directional signage on highways and or used for events and programs.

4.0 Objectives

The objective of this policy is to provide a clear, fair and accessible process for sharing information with the community about events, activities, ~~and~~ facilities, ~~and~~ tourist attractions.

MUNICIPALITY OF THE COUNTY OF ANNAPOLIS POLICY AND ADMINISTRATION MANUAL	AM – 7.3.1
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5.0 External Links on the Web Site

5.1 The County of Annapolis will consider posting external links on its website if the link is directed to the website of:

- An official government website (municipal, regional, provincial, federal).
- A county-funded agency or board.
- An organization which is affiliated to the County of Annapolis (e.g., an organization to which the County appoints a board member).
- An organization identified as eligible for a grant under the County's Grant Policy.
- Service clubs operating in the County of Annapolis that perform service work that benefits residents.
- A registered non-profit society or charitable organization (registered charitable number) that operates within the County of Annapolis.
- A major community attraction as determined by the County of Annapolis.
- A professional association.

5.2 The County will not post external links and or **create** advertisements on its website and on electronic signs and other signage for:

- Personal websites;
- ~~Individual businesses (with the exception of major community attractions);~~
- Political parties;
- Organizations promoting religious or spiritual beliefs **with exceptions of community suppers.**

5.3 External links will be removed by the County without notice if, but not limited to, any of the following conditions apply:

- The site's original information has been altered and the context of the information has changed;
- The site no longer meets the conditions listed above for acceptable external links;
- In the County's opinion, the information on the site becomes inaccurate;
- Page formatting, lengthy download items or intrusive advertising make accessing information difficult;
- The link returns a "not found" error for more than 72 hours;
- The link promotes, exhibits, illustrates or manifests hate or obscene/pornographic/sexual content of any kind;
- The site and content does not comply with municipal, provincial or federal legislation.

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5.4 All websites will be reviewed to ensure that, in the sole opinion and discretion of the County of Annapolis, they meet and are in keeping with the above criteria. Enforcement of this linking policy and the decision on whether or not to add, remove or deny an external link on the website will be made by the Chief Administrative Officer or manager designated by the Chief Administrative Officer to make such decisions.

5.5 The County of Annapolis does not make any representation or warranty, expressed or implied, concerning the accuracy, quality, likely results or reliability of the information contained on externally linked websites or on the electronic sign.

5.6 The County reserves the right to post any additional links to its website / electronic sign that it deems to be in the community interest; and to refuse to post any external links or to delete links already posted on its site at any time without notice.

6.0 Community Calendar Postings on Web Site, Social Media and in Printed Publications

6.1 Staff will may post information regarding activities, programs, meetings, events and festivals organized by the County of Annapolis and its affiliates on its website, social media and printed events calendar, and appropriate printed materials.

6.2 Members of the public may submit event information for approval to be included on the County's calendar and will include the electronic sign although priority of use will remain. To be eligible for consideration, the event must be open to the general public, occur within the geographic boundaries of the County of Annapolis or have a direct benefit (including the Towns of Annapolis Royal, Bridgetown and Middleton) and meet one of the following criteria: Direct benefit would be Apple Blossom Festival, Digby Wharf Rat Rally or Kingston Steer Barbecue.

- Organized or funded by another order of government.
- Organized by a government-funded agency or board.
- Organized by a County of Annapolis affiliated group.
- Hosted or organized by an agency identified as eligible for a grant under the County's Grant Policy.
- Funded in full, or in part, by the County of Annapolis.
- Sponsored by the County of Annapolis.
- Organized by a registered non-profit society or charitable organization (registered charitable number) that operates within the County of Annapolis
- Organized by a service club operating within the County of Annapolis performing work that benefits residents.
- Located in a facility owned or leased by the County of Annapolis.

6.3 Events submitted by the public will not be published on the County's calendar or on the electronic sign if they:

MUNICIPALITY OF THE COUNTY OF ANNAPOLIS POLICY AND ADMINISTRATION MANUAL	AM – 7.3.1
Section INFORMATION MANAGMENT	Subject Promotion & Publication /-Signage Policy

- Are commereial in nature and, in the County's sole opinion, are attempting to advertise, promote or sell products or services of an individual or an individual business;

MUNICIPALITY OF THE COUNTY OF ANNAPOLIS POLICY AND ADMINISTRATION MANUAL	AM – 7.3.1
Section INFORMATION MANAGMENT	Subject Promotion & Publication /-Signage Policy

- Promote, exhibit, illustrate or manifest hate or obscene/pornographic/sexual content of any kind;
- Do not comply with municipal, provincial or federal legislation;
- Promote an individual religion or religious service;
- Promote partisanship or an individual political agenda.

6.4 Events deemed by the County of Annapolis to be political in nature will not be posted after the official announcement of a federal or provincial election, or after the 1st day of a municipal election year.

6.5 To be considered for publication an event submission must be accompanied by a name and contact information of an individual from the event organizing committee. Anonymous postings of events will not be published.

6.6 In the case of the electronic sign the priority of use shall be the following and the county of Annapolis will designate users that will control the sign.

6.7 Priority of use for the Bridgetown Electronic Sign:

- To promote the Bridgetown Regional Outdoor Sports Hub.
- To promote activities of the Bridgetown Regional Community School.
- To promote the activities of the community that relate to special events and programs.
- (In the event of a general emergency the sign will be used accordingly by the County of Annapolis)
- There will be no business advertisements allowed on the sign .

6.8 Decisions on whether or not to add, remove or deny the posting of an event to the County's website calendar will be made by the Chief Administrative Officer or manager designated by the Chief Administrative Officer to make such decisions.

6.7 The County of Annapolis does not endorse or make any representation or warranty, expressed or implied, concerning the accuracy, quality or reliability of information posted on its website or printed events calendar or information in the electronic sign that has been submitted by a member of the public.

6.8 The County reserves the right to post any additional events to its calendar and to the electronic sign (s) that it deems to be in the community interest; and to refuse to post or remove any event on its website calendar at any time without notice.

7.0 Advertising

7.1 The publication, production and placement of advertisements will be at the discretion of the Chief Administrative Officer or manager designated by the Chief Administrative Officer to make such decisions.

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8.0 Sponsorships

8.1 The County will permit business sponsorships of events or programs only with the express consent of Municipal Council on a case-by-case basis.

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> October 12, 2021 <i>Council Approval</i> October 19, 2021	
<u>CAROLYN YOUNG</u> Municipal Clerk <i>At Annapolis Royal Nova Scotia</i>	<u>October 19, 2021</u> Date

MUNICIPALITY OF THE COUNTY OF ANNAPOLIS POLICY AND ADMINISTRATION MANUAL	AM – 7.3.1
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<u>CAROLYN YOUNG</u> Municipal Clerk	<u>October 19, 2021</u> Date
<i>At Annapolis Royal Nova Scotia</i>	



STAFF REPORT

Report To: Committee of the Whole
Meeting Date: October 11, 2022
Prepared By: Brendan Lamb, Planner/Development Officer
Report Number: **SR2022-10 - MacBeth's Grooming & Kennel Boarding - Application to Amend Development Agreement PID 05292347**
Subject: MacBeth's Grooming & Kennel Boarding - Application to Amend Development Agreement for 10301 Highway 201, Meadowvale, PID 05292347

RECOMMENDATION(S):

That Municipal Council consider the application submitted by Harry Wilson on September 28, 2022 to amend the Development Agreement for MacBeth's Grooming and Kennel Boarding, to allow for the future expansion of the business; and adopt a public participation process involving the referral of the application to the East End Area Advisory Committee and the Planning Advisory Committee (PAC) for their review and recommendation; and hold a PAC-sponsored public meeting near the community of Meadowvale on Wednesday, November 16, 2022 at 7 pm, (*location to be announced*).

LEGISLATIVE AUTHORITY

MGA, Section 204: Public participation program
MGA, Section 206: Public Hearing
MGA, Section 225: Development agreements
MGA, Section 227: Content of a development agreement
MGA, Section 228: Requirements for an effective development agreement
MGA, Section 230: Adoption or amendment of a development agreement

BACKGROUND

In 2006, MacBeth's Grooming and Kennel Boarding located at 10301 Highway 201 (PID 05292347) entered into a development agreement with the Municipal of the County of Annapolis to expand the existing non-conforming animal kennel/grooming salon building located on the property.

Under the Municipal Government Act (MGA), Council may enter into a development agreement if the Municipal Planning Strategy (MPS) and the Land Use Bylaw (LUB) permit it. The East End Area MPS and corresponding LUB allow for development agreements to expand an existing non-conforming commercial and industrial uses within the residential designation, Policy 1.5.1, as long as they are within the defined scope and requirements set out under Policy 9.3.1 and Policy 9.3.2.

The 2006 development agreement allowed for the expansion of the existing nonconforming animal kennel/groom salon building to include an additional twenty animal kennels and two supply closets, as well as an addition six animal kennels and an obedience training room in the new loft.

DISCUSSION

The owners of MacBeth's Grooming and Kennel Boarding have experience an increase in the amount of dogs being boarded at their business. The increase in business is requiring them to

expand the number of buildings on their property to provide adequate indoor space to house the larger dogs being boarded at the kennel during times when it is unsuitable for them to be in the exterior pen. The applicant is requesting to amend the development agreement not only to build the new large dog kennel but to also permit additional future expansions to the business when and if more indoor spaces are required.

FINANCIAL IMPLICATIONS

A \$1000.00 cheque has been received from the applicant to cover the advertisement costs of the amendment process, as permitted by Section 221 (2) (a) of the MGA.

POLICY IMPLICATIONS

The recommendation meets the requirement of the following policies:

EEA MPS, Policy 1.5.1: Existing Commercial and Industrial Uses in the Residential Designating

EEA MPS, Policy 9.3.1: Development Agreements

ALTERNATIVES / OPTIONS

Council may decide to reject the application outright and have the clerk notify the applicant of the rejection and setting out the right of appeal, within seven days, as set out in Section 230 (6) of the MGA.

NEXT STEPS

If Council gives motion to start the amendment process the next steps are set out under Policy 9.7.1 of the East End Area MPS which states that the minimum public participation process that the municipality must undertake when considering an application to amend a development agreement includes scheduling a meeting of the East End Area Advisory Committee and Planning Advisory Committee (PAC) for their review and recommendation to Council along with the PAC-sponsored public meeting.

Council's Public Participation Policy 1.3.2 also sets out the requirements for the process to be advertised on the county website and social media, place an ad in a local paper advertising the PAC meeting one week in advance, and give notice to all property owners within 30 m. (98 ft.) of the property in question.

Once the above mentioned public participation requirements have been met, staff will return to Council at the next scheduled meeting of council to recommend that Council give First Reading to their intent to amend the development agreement and set the date for the Public Hearing. Once the date is set, the Public Hearing will be advertised a minimum of two weeks in consecutive order before the hearing date within the local paper, as set out within Section 206 of the MGA.

Under Policy 9.7.2 of the East End Area MPS, Council may consider expanding on the public participation if Council deems it to be applicable and warranted.

ATTACHMENTS

Site Map

East End Area MPS Excerpts (Part 1.5 and 9.3)

Prepared by:

Brendan Lamb, Planner / Development Officer

Reviewed by:

Linda Bent, Manager of Inspection Services

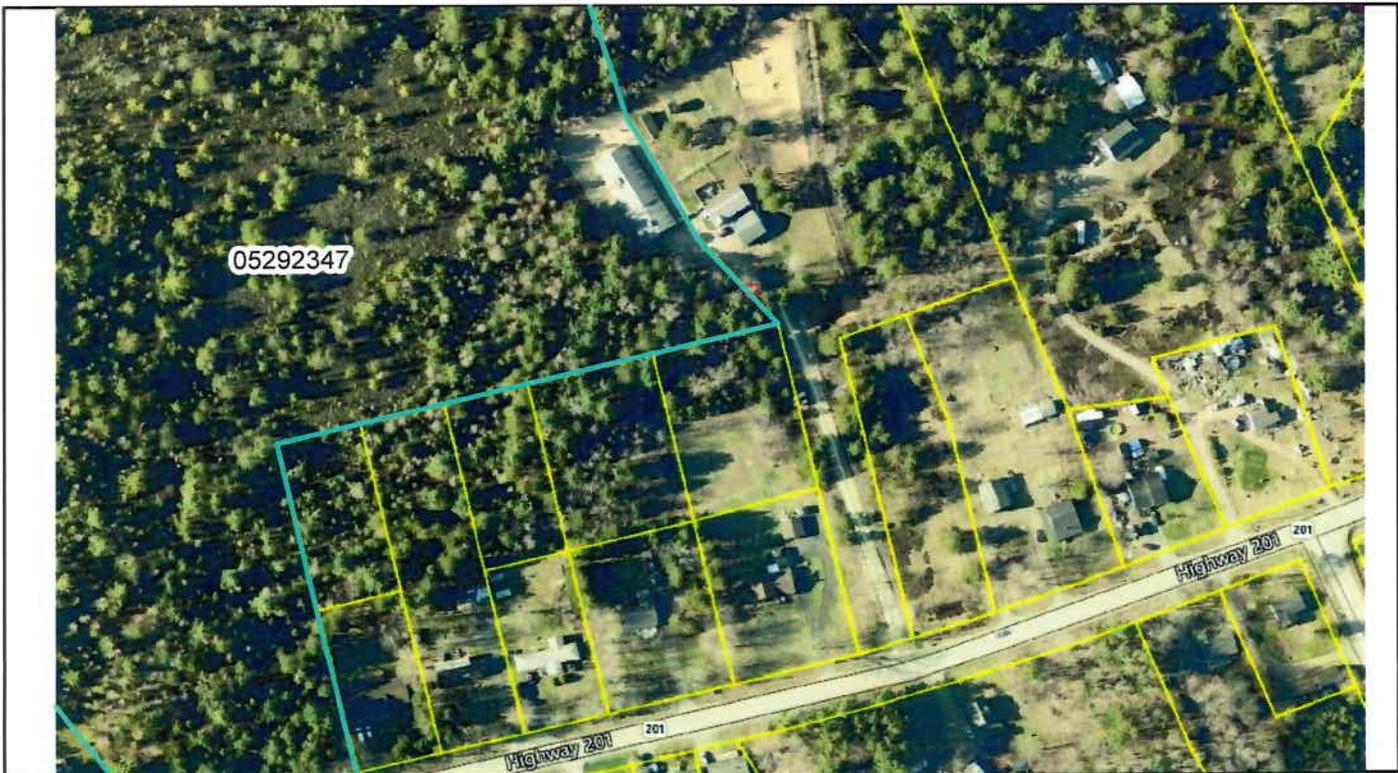
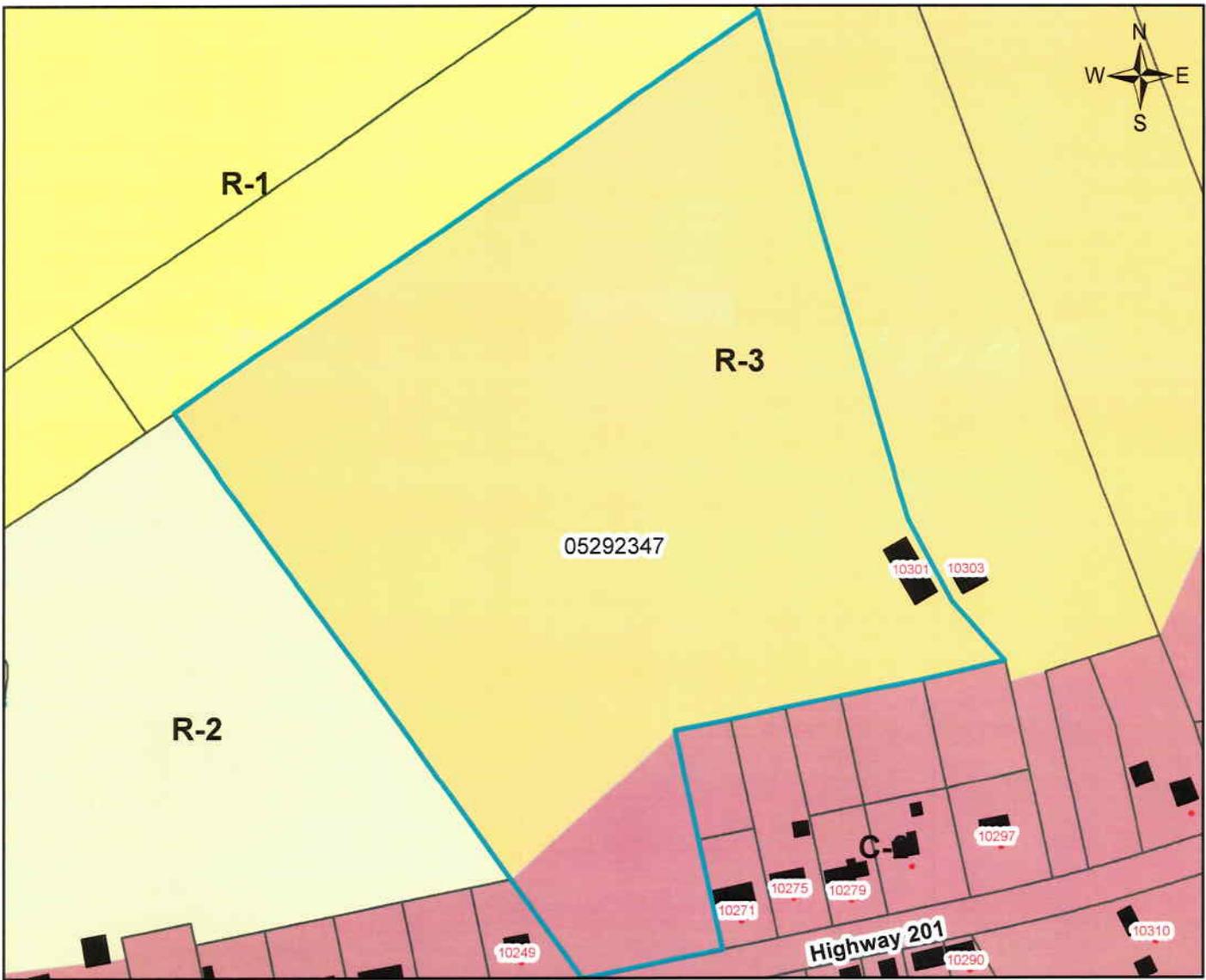
Approved by:

Approval Date:



Oct 9, 22

Doug Patterson
Interim Chief Administrative Officer



1.5 Existing Commercial and Industrial Uses in the Residential Designation

There are a number of existing commercial and industrial uses located in the Residential Designation that pre-date adoption of the first East End Area Municipal Planning Strategy and Land Use By-law back in 1997. These existing commercial and industrial uses in the Residential Designation will be considered non-conforming uses and as such governed by the authorities set out in the Municipal Government Act. However, provided there is policy support in the planning documents, the MGA offers a number of nonconforming structures, nonconforming uses of land and nonconforming uses in a structure, restriction relaxations. Thus it is the opinion of Council that these existing commercial and industrial uses be afforded a variety of available development flexibilities and the development agreement process is the best means in which to do so.

Policy 1.5.1

It is the policy of Council to include provisions in the Land Use By-law, applicable to the Residential Low Density (R-1), the Residential Medium Density (R-2) and the Residential High Density (R-3) Zones, that:

- i. a change in use of an existing commercial or industrial nonconforming use of land to another nonconforming use;
- ii. a change in the use of an existing commercial or industrial nonconforming use in a structure to another nonconforming use;
- iii. the extension, enlargement, alteration or reconstruction of an existing commercial or industrial nonconforming structure;
- iv. the extension of an existing commercial or industrial nonconforming use of land;
- v. the extension, enlargement, alteration of structures containing existing commercial or industrial nonconforming uses and the permitting of the expansion of the existing nonconforming commercial or industrial use into the addition;
- vi. the reconstruction of structures containing an existing commercial or industrial nonconforming uses after destruction;
- vii. the recommencement of an existing commercial or industrial nonconforming use of land after it is discontinued for a continuous period in excess of six months; and
- viii. the recommencement of an existing commercial or industrial nonconforming use in a structure after it is discontinued for a continuous period in excess of six months;

be considered by Development Agreement in accordance with the evaluative criteria set out in Policy 9.3.1. However, the extension of an existing commercial or industrial nonconforming uses of land shall be limited to the parcel of land the existing commercial or industrial nonconforming use of land occupied on the effective date of this Municipal Planning Strategy and its accompanying Land Use By-law.

9.3 Development Agreements

A development agreement is a binding agreement between Council and a developer used to provide a flexible or negotiated approach to the development process without a loss of development control. As provided for under the *MGA*, where a Municipal Council intends to regulate development by development agreement, the plan is required to have policy with regard to the types of development to be considered by development agreement, those items which may form a part of the development agreement and the evaluation criteria, which Council shall consider prior to entering into a development agreement.

Policy 9.3.1

In considering an application for a development agreement or an application for an amendment to a development agreement, Council shall have regard to the following, where applicable:

- i. the financial capability of the Municipality to absorb any costs relating to the development;**
- ii. the impact of the proposed development on adjacent or nearby land uses with particular regard to hours of operation and the use and size of proposed buildings and structures in terms of height, setbacks and lot coverage;**
- iii. the adequacy of physical site conditions for, and the provisions of, buffering, screening, landscaping and other similar features so as to minimize potential land use conflicts with adjacent uses;**
- iv. the adequacy of municipal services with particular regard to the demand the proposed development will have on the municipal storm water system, sanitary sewer system and water system;**
- v. the adequacy of physical site conditions for, and the provision of on-site sewage disposal and water and storm water management, where not connected to a municipal system;**
- vi. the impact of and the adequacy of the proposed pedestrian and vehicular traffic circulation, with particular regard to the traffic that the development will generate and the adequacy of the proposed accesses to and from the site, traffic flows in and around the site in terms of its ability to handle any new traffic and the adequacy of the proposed on-site parking and loading;**
- vii. the suitability of the proposed site in terms of steepness of grades, soil or geological conditions, and the relative location of watercourses, and wetlands (marshes, swamps and bogs);**
- viii. the potential for the contamination of watercourses, creation of erosion or sedimentation, or pollution; and**
- ix. that the proposal is in conformity with the intent and policies of any other applicable Municipal By-law or regulation.**

Policy 9.3.2

It is the intention of Council that a development agreement to be entered into pursuant to this Municipal Planning Strategy, include, but not be limited to, some or all of the following:

- i. the specific use, size and location of main or accessory buildings and structures, whether new or an expansion of an existing main building or accessory building or structure;
- ii. the specific use of land, whether a new use or an expansion of an existing use on the property or within a structure;
- iii. the regulating or prohibiting the use of land or the erection or use of structures except for such agreed purposes;
- iv. the percentage of land area that may be built upon, minimum lot sizes, setbacks and the size of yards, courts or open spaces;
- v. the external appearance of buildings or structures, in particular the compatibility with adjacent buildings or structures in terms of architecture and appearance, with respect to, but not limited to, height, roof type, building cladding, and building footprint;
- vi. vehicular ingress and egress to and from streets, vehicular and/or pedestrian travel within the development and parking;
- vii. the landscaping or buffering provisions which may include fencing, vegetative plantings, walkways and lighting;
- viii. advertising signage, open storage and display, including the screening of such open storage or display areas;
- ix. the subdivision of land;
- x. security or performance bonding;
- xi. the hours of operation and property maintenance;
- xii. easements for the construction, maintenance or improvement of watercourses, ditches, land drainage works, storm water systems, wastewater facilities, water systems and other utilities;
- xiii. the grading or alteration in elevation or contour of land and provision for the disposal of storm and surface water;
- xiv. the construction, in whole or in part, of a storm water system, wastewater facility and water system;
- xv. the maximum density of the population within the development;
- xvi. matters which are not substantive or matters which are substantive;
- xvii. timelines and conditions for discharging the development agreement with or without the consent of the property owner;
- xviii. timelines for commencing, completing or phasing of the development; and
- xix. any other matter that may be addressed in a Land Use By-law, which Council feels is necessary to ensure the compatibility of the proposed development with adjacent buildings, structures and uses.



INFORMATION REPORT

Report To: Committee of the Whole
Meeting Date: October 11, 2022
Prepared By: Cheryl Mason, Manager of Protective Services
Subject: Dangerous and Unsightly Premises 6-Month Report

ORIGIN

Report to Committee of the Whole quarterly as requested

LEGISLATIVE AUTHORITY

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

2022/23 - 24 Files Opened - 12 Completed - 12 Remaining

File No.	DIST	Date of Complaint	Property location	Dangerous	Unsightly	Diary	Comments /Status
2022/23-002	2	13-Apr-22	12285 Shore Road, Port George	x	x	letter sent - Diary October 1, 2022	requires demo permit - letter with application provided. Family trying to help owner
2022/23-005	7	03-May-2	10200 Highway #1, Paradise	x	x	2nd order - Diary September 30, 2022	Bldg permit issued - monitoring repairs work
2022/23-006	10	11-May-2	482 Main Street Lawrencetown	x	x	Diary September 30, 2022	Bldg permit issued - monitoring repairs work
2022/23-007	10	11-May-2	641 Main Street Lawrencetown		x	2nd 30 day order - Diary October 2, 2022	not much improvement to date
2022/23-012	11	16-May-22	2212 Old Mill Road, South Farmington		x	2nd 30 day letter - Diary Oct 14, 2022	Spoke to owner - staff to visit before fall clean-up for education work in progress
2022/23-018	3	02-Aug-22	212 Clarence Road, Beaconsfield		x	Diary September 30, 2022	building knocked down - need to clean up
2022/23-019	8	12-Aug-22	876 Purdy Road, Deep Brook	x	x	Diary October 9, 2022	burnt bldg - needs to demolish remains; spoke with owner
2022/23-020	11	17-Aug-22	1918 Torbrook Rd., Meadowvale	x	x	1st 30 day letter sent - Diary September 30, 2022	tall grass; no maintenance
2022/23-021	6	22-Aug-22	220 Shady Lane, Cornwallis Park	x	x	1st 30 day letter sent - Diary September 30, 2022	Owner is hospital - confirmed condition
2022/23-022	6	30-Aug-22	1351 Highway #1, Clementsport	x	x	Diary October 15, 2022	visited Sept. 27-22
2022/23-023		27-Aug-22	1366 Youngs Mountain Road, Youngs Cove	x	x		visit Sept 28-22
2022/23-024		27-Aug-22	478 Parker Mountain Road, Granville Ferry	x			

2021-2022 - 36 Files Opened - 32 Completed - 4 Remaining

File No.	DIST	Date of Complaint	Property location	Dangerous	Unsightly	Diary	Comments /Status
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2021/22-016	3	01-Sep-21	St. Croix Cove Rd., St. Croix Cove	x	x	Diary October 1, 2022	Demo permit issued - monitoring progress
2021/22-018	4	07-Sep-21	5067 Hwy #1 Granville Centre		x	Diary September 30, 2022	Very little movement - now issues with fencing of livestock
2021/22-033	7	25-Jan-22	4688 West Dalhousie Road, West Dalhousie	x	x	Diary September 30, 2022	new owner to demolish structures - waiting for permits
2021/22-035	10	28-Mar-22	987 Inglisville Road, West Inglisville		x	Diary October 1, 2022	monitoring clean up - ongoing; community dispute

2020-21 - 36 Files Opened - 32 Completed; 4 remaining

File No.	DIST	Date of Complaint	Property location	Dangerous	Unsightly	Diary	Comments /Status
2020/21-016	10	17-Jul-20	1429 Inglisville Rd., Inglisville		x	Diary October 1, 2022	Demo permit issued - monitoring clean-up
2020/21-024	10	02-Sep-20	5843 Hwy #10, New Albany	x		Diary October 1, 2022	legal issues; under review by Rental Tenancy Board
2020/21-025	6	04-Sep-20	138 Atlantic Avenue, Cornwallis Park		x	Diary September 30, 2022	Interior renovations underway before exterior is completed
2020/21-031	4	04-Jan-21	215 Highway 201, Lequille	x	x	Diary September 30, 2022	Demo permit issued; monitoring clean-up

2019-20 - 52 Files Opened - 51 Complete; 1 Remaining

File No.	DIST	Date of Complaint	Property location	Dangerous	Unsightly	Diary	Comments /Status
2019/20-015	9	28-May-9	9413 Highway 10, Nictaux		x	Diary September 30, 2022	demo permit issued; monitoring clean-up

DISCUSSION

6 month update to Committee of the Whole regarding status of outstanding complaints.

FINANCIAL IMPLICATIONS

None known

POLICY IMPLICATIONS

None known

ATTACHMENTS

None

Report Prepared by:

Cheryl Mason, Manager of Protective Services

Report Reviewed by:

Dawn Campbell, Director of Legislative Services

Approved by:

Approval Date:



Pct 9, 22

Doug Patterson
Interim Chief Administrative Officer



STAFF REPORT

Report To: Committee of the Whole
Meeting Date: October 11, 2022
Prepared By: Jim Young, P.Eng, Director of Municipal Operations
Report Number: SR2022-11 Queen Street Project
Subject: Queen Street Project: Additional Funding

RECOMMENDATION(S):

That Municipal Council approve the transfer of a maximum of \$200,000 from the Canada Community-Building Fund (CCBF- formally gas tax) in relation to the budget overage for the Queen Street Infrastructure Project.

LEGISLATIVE AUTHORITY

Municipal Government Act s. 65A(4)

Nova Scotia Environment Act s. 89

BACKGROUND

Staff have been working with contractors over the summer months to upgrade the infrastructure on Queen Street, Bridgetown. The project was awarded to Spicer's Construction and the total approved budget was \$1,683,891. The project is continuing to move along with the contractor ready to install sidewalks and curbing.

DISCUSSION

Earlier this summer, the contractor discovered underground oil tanks which have required an unforeseen environmental cleanup and abatement that was outside of the original scope of the project. This abatement and disposal, along with the anticipated overruns for connections to the existing system as well as the completion of the parking lot on Granville Street are expected to cost approximately \$200,000. This work is necessary to complete the project.

FINANCIAL IMPLICATIONS

As this budget overage is outside of the original budget for the project, it is required that the additional funds be transferred from reserves or taken from the Canada Community-Building Fund (CCBF). Staff recommend that \$200,000 be deducted from CCBF. This would leave the balance of that account at a projected year end value of \$1,500,000.

POLICY IMPLICATIONS

Not applicable.

ALTERNATIVES / OPTIONS

- Divert \$200,000.00 from the \$525,000.00 committed for replenishment of the operating reserve to cover the budget overage on this project.

NEXT STEPS

If approved, staff will allocate the funding to provide payment to contractors for the necessary abatement and will conclude the clean-work.

ATTACHMENTS

Not applicable

Prepared by:

Amy Barr, Contracts and Procurement Coordinator

Reviewed by:

Jim Young, P.Eng, Director of Municipal Operations

Approved by:



Douglas Patterson
Interim Chief Administrative Officer

Approval Date:



(Date)



STAFF REPORT

Report To: Committee of the Whole
Meeting Date: October 11, 2022
Prepared By: Dawn Campbell, Director Legislative Services &
Nancy Whitman, Recreation Coordinator / Alternate REMO Coordinator
Report Number: SR2022-12 AM-1.4.11 Community Contributions Policy Amend
Subject: AM-1.4.11 Community Contributions Policy Amend (7 day notice)

RECOMMENDATION(S):

That municipal council amend *AM-1.4.11 Community Contributions Policy* by:

- 1) Increasing the annual allocation for Trans County Transportation Society from 35,000 to 60,000;
- 2) Deleting the annual allocation for Annapolis County Barristers' Society -Lovett Library. (7 day notice)

LEGISLATIVE AUTHORITY

Section 65, *Municipal Government Act*, as amended

BACKGROUND

- 1) Excerpt from COTW Minutes February 8, 2022:

Re: Trans County Transportation Society – General Manager Nicole Hackenschmidt provided an overview on what TCTS does and how they do it with a fleet of 12 vehicles, and staff of 9. Their focus is to ensure the affordability of the service to all residents, particularly those in low income brackets. They are requesting an increase in financial contribution by \$25,000 to a total of \$60,000 per fiscal year. Warden Parish thanked Ms. Hackenschmidt for the presentation, adding that the budgeting process is coming up and this will be considered during that process.

We are apprised by Finance Services that additional monies were allocated in the budget to provide for this increase should Municipal Council wish to approve the request. If it is Council's wish to increase the annual contribution, it requires an amendment to the *AM-1.4.11 Community Contributions Policy* (per attached).

- 2) Deletion of the allocation for the Barristers' Society is based a letter received by the County dated February 9, 2022, notifying that the library had ceased operation and that the Annapolis County Barristers' Association has been removed from the Registry of Joint Stocks.

DISCUSSION

If the Trans County Transportation Society were seeking a one-time increase only, the request might be considered under *AM-1.4.9 Community Grants Policy*. However, their request is to increase the County's contribution annual contribution on an ongoing basis. The decision to increase this annual contribution is discretionary by Municipal Council.

FINANCIAL IMPLICATIONS

The net impact to the annual allocation for *AM-1.4.11 Community Contributions Policy* is \$24,500

Increase	\$25,000
Less: Decrease	<u>500</u>
	<u>\$24,500</u>

We would note that approval of the increase to Trans County Transportation Society will decrease remaining funding for grants under *AM-1.4.9 Community Grants Policy* to **\$24,576.70** for the remainder of the fiscal year.

POLICY IMPLICATIONS

None known

ALTERNATIVES / OPTIONS

Municipal Council may choose not to approve the increase, or may approve a lesser increase subject to future consideration.

NEXT STEPS

In accordance with Sub-section 48 (1) of the *Municipal Government Act*, seven (7) day notice to Municipal Council is required before a policy is passed, amended or repealed.

ATTACHMENTS

AM – 1.4.11 Community Contributions Policy (amendments marked)

Prepared by:

Nancy Whitman, Recreation Coordinator / Alternate REMO Coordinator

Reviewed by:

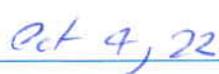
Dawn Campbell, Director of Legislative Services

Approved by:



 Doug Patterson
 Interim Chief Administrative Officer

Approval Date:



 (Date)

MUNICIPALITY OF THE COUNTY OF ANNAPOLIS POLICY AND ADMINISTRATION MANUAL	AM - 1.4.11
Section MUNICIPAL SERVICES	Subject Community Contributions Policy

1. This program governs annual contributions to community organizations and charities.
2. Enacted pursuant to Section 65, *Municipal Government Act*, as amended.
3. Subject to annual review and at the discretion of Municipal Council, the general operating budget shall provide for annual contributions to community organizations and charities as described in *Schedule A*. The annual review shall consider each contribution separately.
4. **ELIGIBILITY**
 - a) To be eligible to receive an annual contribution, the recipient organization must maintain current status as a
 - non-profit organization (under specific acts as identified within Subsection 65 (au) of the *Municipal Government Act*);
 - non-profit society (Nova Scotia Registry of Joint Stocks); or
 - registered Canadian charitable organization (Canada Revenue Agency).
 - b) Recipient organizations must annually submit (no later than July 5th) a copy of the organization's audited or signed financial statements.
 - c) Recipient organizations must annually submit (no later than May 1st) a written annual report for review by Municipal Council which outlines the services, projects and accomplishments of the previous year. (At the discretion of Municipal Council, the recipient organization may also be invited to make a presentation at a meeting of the Committee of the Whole or Municipal Council.)
5. The total of the contribution amounts paid out in accordance with this policy in any fiscal year shall not normally exceed the amount allocated in accordance with *Appendix A*.
6. The Municipality shall publish annually (in May) a list of the organizations and amounts of grants / contributions made in the previous fiscal year on the County website and in a newspaper circulating in the Municipality.

Municipal Clerk's Annotation for Official Policy Book	
I certify that this policy was adopted by Municipal Council as indicated below:	
Seven (7) Day Notice	PENDING October 11, 2022
Council Approval	PENDING October 25, 2022
 <u><i>Carolyn Young</i></u> Municipal Clerk	 PENDING Date
<i>At Annapolis Royal Nova Scotia</i>	

<p style="text-align: center;">MUNICIPALITY OF THE COUNTY OF ANNAPOLIS POLICY AND ADMINISTRATION MANUAL</p>	<p style="text-align: center;">AM - 1.4.11</p>
<p>Section MUNICIPAL SERVICES</p>	<p>Subject Community Contributions Policy</p>

Amendment:

Sept. 17, 2013 – increased contribution to South West Nova Transition House Assoc. (Juniper House) from \$500 to \$1,000

April 15, 2014 – changed normal maximum contribution amount from “0.35 of taxes” to \$45,000

May 20, 2014 – increased contribution to Trans County Transportation Society from \$25,000 to \$33,000

June 20, 2015 – following changes:

- In Section 5 deleted “\$52,460” and inserted the words “the amount;”
- Increased the amount provided to Southwest Nova Biosphere Reserve Association to \$500, and Special Olympics Annapolis County to \$1,500;
- In *Appendix A* corrected name to “Annapolis Valley Exhibition **Society** rather than **Association**; and
- Included annual contributions of \$2,000 to Visitor Information Centres within the County.

December 15, 2015 – increased contribution to Trans County Transportation Society from \$33,000 to \$35,000

January 16, 2018 – added in Section 3: *“The annual review shall consider each contribution separately.”*

Amended 2019/06/18:

Adding Section 6:

“The Municipality shall publish annually (in May) a list of the organizations and amounts of grants / contributions made in the previous fiscal year on the County website and in a newspaper circulating in the Municipality.”

Amended 2020/07/21:

- changed the amount granted to the Annapolis County Barristers Association Lovett Library from \$2,460 to \$500.

MUNICIPALITY OF THE COUNTY OF ANNAPOLIS POLICY AND ADMINISTRATION MANUAL	AM - 1.4.11
Section MUNICIPAL SERVICES	Subject Community Contributions Policy

Schedule A

Annapolis County 4-H Leaders' Council	500
Annapolis County Barristers Society (Lovett Library)	500
Annapolis County Federation of Agriculture	500
Annapolis County Ground Search & Rescue	3,000
Annapolis County Seniors Safety Program	2,500
Annapolis County Visitor Information Centres (each)	2,000
Annapolis Royal Historic Gardens	2,000
Annapolis Valley Exhibition Society	2,500
Annapolis Valley Historical Society (Regional Museum)	1,000
Southwest Nova Biosphere Reserve Assoc.	500
South West Nova Transition House Assoc. (Juniper House)	1,000
Special Olympics Annapolis County	1,500
Victorian Order of Nurses (Annapolis Valley Branch)	2,500
	35,000
Trans County Transportation Society	60,000



INFORMATION REPORT

Report To: Committee of the Whole
Meeting Date: October 11, 2022
Prepared By: Cheryl Mason, Manager of Protective Services
Subject: Animal Control Options

ORIGIN

Update to Information Memo dated August 29, 2022 advising of SPCA Contract Cancellation

LEGISLATIVE AUTHORITY

Municipal Government Act Section 61 Agreements

BACKGROUND

A presentation was made to Committee of the Whole in May 2019 (copy attached) regarding the future of abandoned and/or stray cats as the Companion Animal Protection Society had folded and we had no arrangements for our cats. A Request for Decision was advertised for an animal rescue agency to take over this worthy project. The only submission received at that time was from SPCA. The County of Annapolis signed an agreement with SPCA for the period April 1, 2020 to March 31, 2023 to provide the service to take cats that were picked up by staff based on a complaint. Unfortunately, the office received a memorandum (copy attached) dated August 11, 2022 advising that they no longer could provide their service due to aging infrastructure.

Manager of Protective Services spoke with the Chief Executive Officer of SPCA and it was confirmed they could no longer manage the number of cats (friendly, feral or semi-feral) in their facilities. It had also been discussed and agreed that on occasion, if there was room and the cats were friendly, they MAY be able to take them in. To date our office is not aware of any calls made by staff or by the public that they have accepted into their facility.

Since the contract was set to expire the end of March 2023, it would have come up as a diary this fall to re-advertise for a provider of service however in speaking with several rescue agencies in south-western Nova Scotia we are not aware of any other agency that have space to take cats we pick up.

A survey of 21 other rural municipalities indicate that there is only one other municipality that has a bylaw regarding picking up cats and they only deal with owned cats that have become a nuisance in the community. SPCA does provide service to some municipalities but only for a TNR (trap neuter return) program.

Statistics have been gathered on the number of cats that have been processed through the Animal Control Facility over the past 5 years. (COVID-19 had a great effect on the number of cats picked up these past few years.)

	2018/19	2019/20	2020/21	2021/22	2022 (5 months)
Number of Complaints	225	172	71	101	75
Number Processed	150	99	34	61	61
Number to Rescue Agencies	120	82	31	57	63
Number Euthanized due to illness	19	11	1	4	1
Number Returned to Owner	11	6	2	0	0

DISCUSSION

Staff have provided the following Options for discussion:

Option 1: No change to the A4 Cat Bylaw and continue to pick up cats through complaint system and find another service provider.

Option 2: Suspend the process of picking up cats until further notice.

Option 3: Repeal the A4 Cat Bylaw and no longer respond to complaints regarding cats.

Option 4: If we are no longer picking up cats, expand the County's Trap-Neuter-Return program to help reduce the number of cats in Annapolis County. Funds are provided in the budget each year and the uptake has been good reducing the potential for additional stray / feral cats throughout the County. Additional funding may be required in next year's budget should this be the accepted Option.

FINANCIAL IMPLICATIONS

Depending on the option suggested the current and future budget for Animal Control (cats) would reduce expenses and staff time but some costs would remain with continued dog control and maintenance of the Animal Control Facility as the County currently provides service to the Town of Middleton and the Town of Annapolis Royal for dogs at large.

The actual financial savings will depend on the option selected by Council, but there are no adverse budgetary impacts that result from this report.

POLICY IMPLICATIONS

Not Applicable

ATTACHMENTS

- 1 – Animal Control Options PowerPoint Presentation May 2019
- 2 – Correspondence from SPCA dated August 11, 2022
- 3 – February 2020 Agreement with Nova Scotia SPCA

Report Prepared by:

Cheryl Mason, Manager of Protective Services

Report Reviewed by:

Dawn Campbell, Director of Legislative Services

Approved by:

Approval Date:



Douglas Patterson
Interim Chief Administrative Officer





COUNTY *of* ANNAPOLIS
NATURALLY ROOTED

**Animal Control Options
Due to Loss of Companion Animal Protection Society
May 2019**

**There appears to be three plausible
options regarding Cat Control in
Annapolis County for 2020**

- ⌘ **Status Quo**
 - ⌘ **Repeal A4 Cat Bylaw**
 - ⌘ **Request for Proposal**
-

Option 1 – Status Quo

1 - Staffing

- ⌘ Staff continue to provide animal control for stray cats both for Town of Middleton and County.
- ⌘ Continued need for 2 full time Bylaw Enforcement/Animal Control Officers.
- ⌘ New pound will allow for a greater number of cats for longer periods.
- ⌘ TNR program still available to the residents of Annapolis County.

Option 1 continued

2 - Budget

- ⌘ Once new pound is complete there should be little need for capital improvements.
- ⌘ Operating budget may be affected based on how long cats remain in the pound.

Option 1 continued

3 – Public Involvement / Accessibility

- ⌘ The option of continuing to catch stray domestic cats gives the public the opportunity to easily retrieve their pets from the pound when they have been running at large.
 - ⌘ Look at possibility of adoption from the pound when cats not reclaimed by owners.
-

Option 2 – Repeal Cat Bylaw

1 – Staffing

- ⌘ Still require Animal Control Officers for A1 Dog Bylaw and A2 Livestock at Large complaints. Officers also busy with Bylaw Enforcement.
-

Option 2 continued

2 - Budget

⌘ Reduction of budget costs

⌘ Revise Contract with Town of Middleton – no longer pick up cats. Would reduce revenue from Town by \$1000.

Option 2 continued

3 – Public Involvement / Accessibility

⌘ Backlash at beginning regarding nuisance calls.

⌘ Some will agree with this move.

Option 3 – Put out a Request For Proposals

1 – Staffing

- ⌘ Still need full compliment of staff for intake and care of cats until reclaimed by owner or turned over to a rescue agency.
- ⌘ Continue to serve Town of Middleton regarding cat complaints.

Option 3 continued

2 – Budget

- ⌘ New pound will be a holding facility until cats are reclaimed by owner or transferred to a rescue agency.
- ⌘ Unable to determine financial implication until Request for Proposal costs explored.

Option 3 continued

3 – Public Involvement / Accessibility

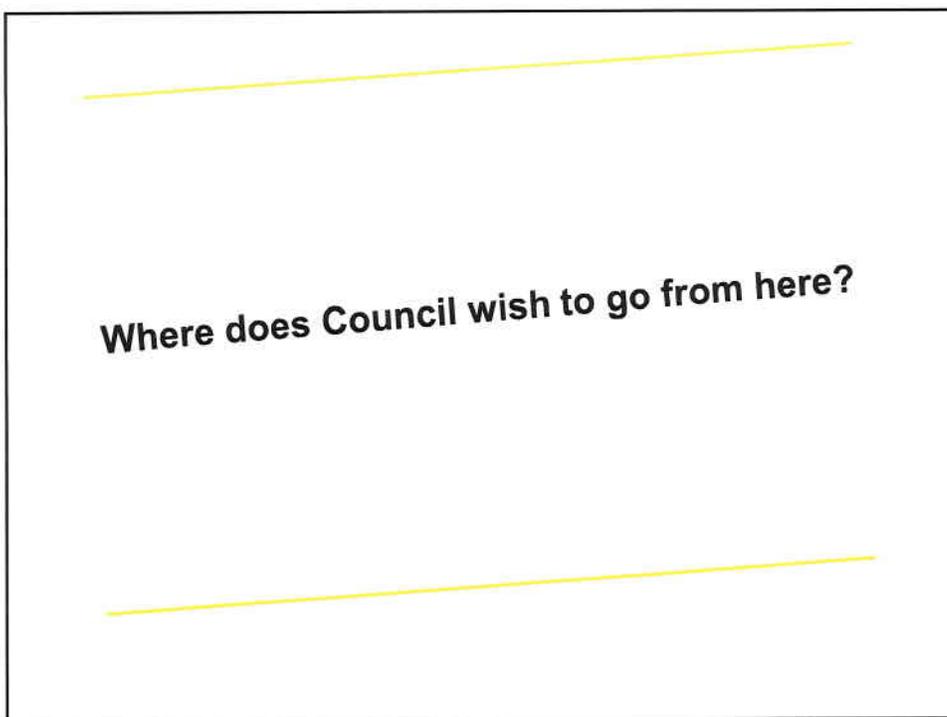
- ⌘ Gives the opportunity for another organization to take up the challenge to rescue and rehome stray cats.
- ⌘ Residents to know the stray cats are cared for and not euthanized when caught.

	2014/15	2015/16	2016/17	2017/18	2018/19
Number of Cats Turned over to Rescue Agencies					
County of Annapolis	143	174	129	155	114
Town of Middleton	19	28	3	12	4
TOTAL	162	202	132	167	118
Number Returned to Owner					
County of Annapolis	3	5	4	4	11
Town of Middleton	0	1	0	0	0
TOTAL	3	6	4	4	11

Cost Elements	5 YEAR ANIMAL CONTROL BUDGETS				
	2014/15	2015/16	2016/17	2017/18	2018/19
6000 Wages/Salaries	\$ 23,590.97	\$ 23,536.83	\$ 27,090.10	\$ 44,137.59	\$ 52,823.89
6005 P/T Wages & Salaries	\$ 12,170.83	\$ 10,344.32	\$ 13,823.86	\$ 6,445.22	\$ -
6010 Benefits	\$ 5,484.71	\$ 5,533.06	\$ 6,756.86	\$ 8,731.66	\$ 11,255.82
6031 Kilometric Allowances	\$ 227.07	\$ 198.94	\$ 273.47	\$ 71.24	\$ -
6050 Office supplies	\$ -	\$ 21.87	\$ 4.37	\$ 109.47	\$ 6.25
6060 Office Equipment	\$ 81.66	\$ -	\$ -	\$ -	\$ -
6070 Photocopies Supplies	\$ 80.06	\$ -	\$ -	\$ -	\$ -
6080 Advertising	\$ 447.76	\$ -	\$ 342.65	\$ -	\$ -
6090 Postage	\$ -	\$ 11.63	\$ 12.25	\$ 46.93	\$ 11.26
6110 Telephone	\$ 54.33	\$ -	\$ -	\$ 22.90	\$ -
6470 Waste Resource Expense	\$ -	\$ -	\$ -	\$ -	\$ 147.04
7010 Electrical	\$ 4,748.02	\$ 4,662.16	\$ 8,268.95	\$ 6,509.31	\$ 7,468.54
7020 Water	\$ 285.48	\$ 294.08	\$ 291.60	\$ 295.15	\$ 291.82
7030 Bldg/Facility Maint				\$ 5,112.73	\$ 2,693.36
7050 Bldg/Fac. Ins	\$ 328.00	\$ 358.00	\$ 280.29	\$ 285.49	\$ 1,876.00
7500 Veh/equipment maint.	\$ 10,549.72	\$ 2,322.39	\$ 3,160.90	\$ 3,359.46	\$ 4,397.09
7510 Vehicle/Equipment Fuel	\$ -	\$ -	\$ -	\$ 3,523.80	\$ 7,143.26
7520 Veh/Equipment ins	\$ 1,775.00	\$ 1,571.00	\$ 1,808.00	\$ 2,096.00	\$ 3,153.00
8010 Operational materials/supplies	\$ 2,120.56	\$ 11,025.50	\$ 8,954.75	\$ 8,674.96	\$ 4,415.75
8090 Uniforms/Clothing	\$ 260.53	\$ 396.49	\$ 601.33	\$ 628.72	\$ -
8100 Professional Services (vet)	\$ 1,257.98	\$ 2,137.31	\$ 3,296.48	\$ 7,179.95	\$ 3,776.39
8110 Contracts/Agreements	\$ 16,915.00	\$ 18,980.00	\$ 16,762.80	\$ 23,070.46	\$ 14,067.56
8130 Licenses/Permits	\$ -	\$ -	\$ 234.90	\$ -	\$ -
TOTALS	\$ 80,377.68	\$ 81,393.58	\$ 91,963.56	\$ 120,301.04	\$ 113,527.03

Useful Information:

- ⌘ No matter which Option is chosen, Protective Services still need 2 full-time Bylaw Enforcement Officers as workload still warrants staff.
- ⌘ Number of cats being picked up in Middleton does not overload the number picked up from the County.
- ⌘ There would be a small decrease of revenue from the Town of Middleton for Animal Control if we no longer picked up their cats.



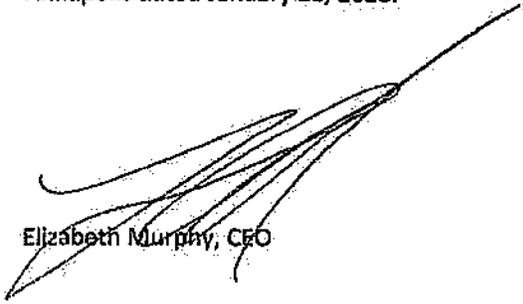


Memorandum

Date: August 11, 2022
To: County of Annapolis
c/o Cheryl Mason, Manager of Protective Services
From: Elizabeth Murphy, CEO

The Nova Scotia SPCA has been struggling with an aging infrastructure which has unfortunately impacted our ability to meet the growing needs of the communities we serve. Recently, with the increased demand for our services, we are faced with prioritizing requests so we continue to meet the needs of those who are most vulnerable.

As a result, effective immediately, the Nova Scotia SPCA is terminating our agreement with the County of Annapolis dated January 28, 2020.



Elizabeth Murphy, CEO

*Nova Scotia SPCA
7 Scarfe Court,
Dartmouth, Nova Scotia
B3B 1W4*



COUNTY of ANNAPOLIS
NATURALLY ROOTED

396 Main Street, PO Box 9
Lawrencetown, Nova Scotia Canada B0S 1M0

Phone: (902) 584-3922 Fax: (902) 584-3939
Website: AnnapolisCounty.ca

Short Form Agreement for Supply of Work, Goods or Materials

The Provider

Provider: The Nova Scotia SPCA
Address: 7 Scarfe Court, Dartmouth, NS B3B 1W4
Contact Person: Elizabeth Murphy, CEO
Phone Number: 1-844-835-4798
Cell Number:
Email Address: emurphy@spcans.ca

The Municipality of the County of Annapolis

Contact Person: Cheryl Mason, Manager of Protective Services
Phone Number: (902) 584-3922
Cell Number: (902) 824-3482
Email Address: cmason@annapoliscounty.ca

Terms of Agreement

See Tender Bid Form (12 Pages) Attached Hereto

Conditions and Special Provisions

1. **Project Scope:**
 The Provider to intake abandoned / stray cats received from the Municipality of the County of Annapolis that have not been reclaimed by their owner within 72 hours and to rehome the abandoned / stray cats.
Amount: \$6,200.00 plus HST: \$0.00 = Total: \$6,200.00 per year for three years totalling \$18,600.00
 As per the attached Request for Proposal approved by the Municipality of the County of Annapolis Council on October 15, 2019.
Should the number of cats transferred to SPCA exceed 175 in any approved contract year, the Municipality of the County may renegotiate the contract with the Provider.
2. The start date for this Agreement is April 1, 2020 and it expires on March 31, 2023.
3. The Provider agrees to indemnify and save harmless the Municipality of the County of Annapolis from any and all third party claims, demands or actions for which the Provider is legally responsible, including but not limited to those arising out of negligence or willful acts of the Provider or its employees or agents. This indemnity clause shall survive the termination of this Agreement.
4. The Municipality of the County of Annapolis shall not be liable nor responsible for any bodily or personal injury or property damage of any nature whatsoever that may be suffered or sustained by the Provider, its employees or agents in the performance of this Agreement.



Short Form Agreement for Supply of Work, Goods or Materials

The Nova Scotia SPCA

- 5. The Provider shall, at its own expense and without limiting its liabilities herein, insure its operations under a contract of general public liability and property damage insurance, in an amount not less than two million (\$2,000,000) inclusive per occurrence. Such insurance shall include blanket contractual liability and shall remain in place until completion of this Agreement. **The Municipality of the County of Annapolis shall be added as an Additional Insured.**

The Provider shall furnish the Municipality of the County of Annapolis with a certificate or certificates of insurance as evidence that such insurance is in force, including evidence of any insurance renewal policy or policies.

- 6. The Provider shall comply with the safety regulations under the *Workers' Compensation Act* and the *Occupational Health & Safety Act* and provide proof of coverage.
- 7. If for any reason the Provider fails to provide services satisfactory to the Municipality of the County of Annapolis, or comply with the conditions of this Agreement, the Agreement may be terminated by the Manager or her representative upon providing written notice to the Provider.

I/We understand and agree to the Terms and Conditions, which form part of this Agreement.

Signature of Authorized Representative of
The Nova Scotia SPCA

Elizabeth Murphy
Name (Print)

January 28 2020
Date

This Agreement is hereby accepted and approved on behalf of The Municipality of the County of Annapolis

[Signature]
Timothy Habinski, Warden
Feb 23 / 2020
Date

[Signature]
Carolyn Young, Municipal Clerk
February 13 2020
Date

Original: Vault

- Department Manager
- Finance
- Provider

REQUEST FOR PROPOSALS FOR:

**RESCUE AGENCY FOR ABANDONED and STRAY COMPANION ANIMALS
2020 TO 2023**

MUNICIPALITY OF THE COUNTY OF ANNAPOLIS

1. **To:**

Manager of Protective Services
396 Main Street
P.O. Box 9
Lawrencetown, NS
B0S 1M0

2. **From:**

Mike Smith, Secretary SPCA
7 Seaside Court
Lawrencetown NS B3B 1W4

3. **Proposal Submitter Declares:**

- .1 That this Proposal is submitted without collusion or fraud.
- .2 That the Scope of Services for the Contract is understood.
- .3 That all service conditions are understood.
- .4 That all of the above were taken into consideration in preparation of this Proposal.

4. **Proposal Submitter Agrees:**

- .1 That this Proposal is valid for acceptance for sixty (60) days from the time of the Proposal Submission Closing date.
- .3 To supply specified insurance certificates, a letter confirming a current status of Good Standing with the SPCA, and supporting policies, procedures and agreements, within seven (7) days of the notice of the award of the Contract.

FORM OF PROPOSALS

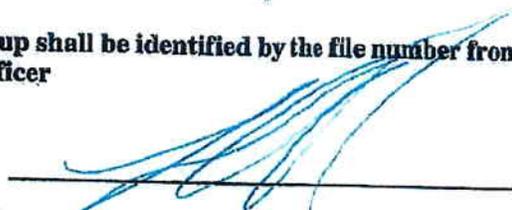
5. Schedule of Quantities and Prices:

ITEM	DESCRIPTION	ESTIMATED QUANTITY	UNIT PRICE 2020-2021	UNIT PRICE 2021-22	UNIT PRICE 2022-23
1	Cats/Kittens	155	x \$ <u>40</u>	x \$ <u>40</u>	x \$ <u>40</u>
2	HST		\$ <u>Ø</u>	\$ <u>Ø</u>	\$ <u>Ø</u>
3	Total		\$ <u>6200</u>	\$ <u>6200</u>	\$ <u>6200</u>

6. Measurement of Quantities:

- .1 Quantities shown above are estimates only.
- .2 All animals picked up shall be identified by the file number from the Animal Control Officer

7. Signature of Signing Officer:



8. Name and Title of Signing Officer:

- .1 Name: Cristina M. Murphy
- .2 Title: COO

9. Date: Sept 25 2017

End Section 00330

Intake Services for Abandoned and Stray Cats



Firm's Name:	Nova Scotia SPCA
Contact Person:	Elizabeth Murphy, CEO
Address:	7 Scarfe Court Dartmouth, NS B3B 1W4
Telephone:	(902) 835-4798
Facsimile:	(902) 835-7885
Email:	emurphy@socans.ca
Nova Scotia SPCA Charitable Tax #:	134 704 74L RR0001
SPCA Proposal:	Agency to Transfer and Rehome Abandoned and Stray Cats for the Municipality of the County of Annapolis 2020 to 2023
Date Submitted:	September 25, 2019

EXECUTIVE SUMMARY

The Nova Scotia SPCA appreciates this opportunity to present our credentials for providing intake services for abandoned and stray cats that have been picked up by the Animal Control Officers from the County of Annapolis and Town of Middleton and have not been reclaimed by their owner within 72 hours. Our proposal explores in detail our qualifications for this assignment, which align extremely well with the requirements of the Municipality of the County of Annapolis and the needs of the community. A brief summary of those qualifications follows:

Sector Specific Experience

The Nova Scotia SPCA has been protecting animals from cruelty since 1877. The Nova Scotia SPCA intakes over 6500 animals per year, enforces the Provincial Animal Protection Act and the bylaws of 14 other municipalities, towns and communities, has a total of 6 animal shelters throughout the province and partners with numerous petstores across the Province which act as offsite satellite adoption centers to increase our overall intake and adoption rates. Our organization has been recognized internationally as a leader in animal welfare and sheltering with seven industry awards.

Qualified Staff

The Nova Scotia SPCA's Kings Animal Shelter employs a full complement of highly qualified and formally trained enforcement officers and animal care workers.

Customer Service Approach

Our Kings Animal Shelter currently adopts out approximately 60 animals per month and receives hundreds of visitors every week. Nova Scotia SPCA policies and programs are recognized across Canada for being progressive. We go to great lengths to ensure that all aspects of communication between Nova Scotia SPCA staff and the public are conducted in a professional, courteous and compassionate manner.

Outstanding Facilities

The Nova Scotia SPCA Kings Animal Shelter located in Waterville, NS at 1285 County Home Road has recently undergone significant renovations to increase capacity, improve disease control, enhance enrichment for the animals in our care and facilitate a welcoming environment for the community when they visit us for assistance or to adopt their next family pet. We encourage the Municipality of Annapolis staff and officials to tour the facility to see first-hand the quality services that are provided there.

Professional Shelter Procedures

All Nova Scotia SPCA procedures providing for the exercise and feeding of animals and the maintenance and cleaning of kennels exceed the standards outlined by the Code of Practice for the Canadian Kennel and Cattery Operations. The Nova Scotia SPCA Shelter's policies and procedures for the care of animals were developed under the guidance of an SPCA shelter veterinarian and adhere to the Association of Shelter Veterinarians Standards of Care.

Value-Added Services

The Nova Scotia SPCA can offer the Municipality of Annapolis added value, which is unique to what any other organization can provide, because of our broad government, corporate, and community relationships. This value includes significantly subsidized spay & neuter services to assist with local T-N-R (Trap Neuter Return) efforts; use of our advanced database to maintain a tracking system to monitor feral cats' colonies; and creation of a strategy to allow for the development of a program recruiting and training feral cat colony volunteer caregivers.

The SPCA recognizes that the feral cat population is growing rapidly and cat colonies are often in need of spay/neuter surgeries and other medical services which rescue groups and cat colony caregivers are often powerless to provide given the location of the colonies and expense. The SPCA has worked hard to close the geographical and financial barriers to obtaining animal care. When the Municipality of Annapolis partners with the Nova Scotia SPCA, communities throughout the municipality benefit from an amplified effort to bring our Mobile Clinic to the area. The medical intervention provided by the SPCA Mobile Clinic significantly reduces the growth of feral cat colonies.

PROPOSAL REQUIREMENTS

Intake Services

The Nova Scotia SPCA will have two (2) qualified and fully trained Enforcement Officers (Enforcement Officers) to ensure quick response to requests for service. All inquiries will be responded to within twenty (24) hours or less. The SPCA's Enforcement Officers will be available to transport cats from the County of Annapolis between the hours of 8:00 am and 4:30 pm Monday to Friday with emergency service for injured animals outside regular operating hours. The Nova Scotia SPCA will not be responsible to pick up any deceased cats or dogs.

The Nova Scotia SPCA will have the proper tools required to appropriately respond to calls - See equipment list in Vehicles, Equipment and Uniforms section below.

Upon Intake at our Kings Animal Shelter, animals will be vaccinated, dewormed and flea treated and if required an examination with a veterinarian will be scheduled. Once their temperament and health has been evaluated and approved for adoption, they will also be either spayed or neutered and receive further medical treatment.

By providing significant capacity of 67 cat kennels in combination with our ability to transfer animals out of the shelter if we reach capacity, the Nova Scotia SPCA ensures continuous ample kennel space.

Intake Facility

The Nova Scotia SPCA Kings Animal Shelter is currently located at 1285 County Home Road Waterville Nova Scotia and is the newest of all six (6) SPCA Shelters in Nova Scotia and was designed for the exceptional care and handling of animals.

Cat Facilities

The Nova Scotia SPCA Kings Animal Shelter has a total of 67 stainless steel kennels for a number of cat isolation and intake rooms. Stainless steel kennels are used for ease of cleaning and to prevent the spread of disease. The cat intake room will be used to evaluate the overall health, temperament and suitability for adoption. The cat isolation room will be used for those animals brought in through Municipality of Annapolis that are either presenting signs of disease or serious injury.

All cat rooms are all equipped with storage facilities, cleaning equipment and cat care products. All rooms are self-contained for cleaning and disinfecting each time an animal is moved in or out of the facility. All rooms are fully stocked with food, bedding and dishes meeting or exceeding the requirements of the Code of Practice for Canadian Kennel Operations.

All cat rooms also have appropriate air-exchange and meet or exceed the kennelling requirements as defined by the Code of Practice for Canadian Kennel Operations and Cattery Operations.

Currently, the Nova Scotia Dartmouth Shelter accepts 95% of the animals seized through our cruelty investigators from across the province. We would use this 'hub' facility and occasionally our other animal shelters to make every effort to accommodate a larger influx of cats whenever required by Municipality of Annapolis.

Facilities for Other Animals

The Nova Scotia SPCA will also ensure the Kings Animal Shelter has the ability to Intake reptiles and pocket pets. Spaces will be designated and set up with enclosures for snakes (which can also be used to house reptiles or amphibians), rabbits, birds and small rodents.

Customer Service Approach

The policies and programs implemented by the Nova Scotia SPCA, and the outcomes achieved for animals under these policies, are recognized as extremely progressive across Canada. By partnering with the Nova Scotia SPCA the Municipality ensures animals receive a high level of animal care, the community receives exemplary customer service resulting in a robust adoption program.

The Nova Scotia SPCA Kings Animal Shelter currently adopts out approximately 60 animals per month and receives hundreds of visitors every week. We will go to great lengths to ensure that all aspects of communication between shelter staff, the Municipality of Annapolis and the public we both serve are conducted in a professional, courteous and compassionate manner.

We have highly skilled adoption/front desk staff members that are experienced in providing professional service during the adoption process. They are extremely knowledgeable in animal care, crisis intervention, handling of money, completing necessary paperwork and using a computer database for keeping detailed records of all animals in our care.

Nova Scotia SPCA Proposal to the County of Annapolis

When entering our facility, members of the public will be able to redeem their animals in the main front foyer/front desk area. This space is bright, welcoming to the public, and has the appeal of a professional veterinary clinic. It is an ideal space for redemption services for the public.

We would have dedicated and fully trained front desk personnel available from 8AM to 6PM (Monday through Friday) and 8AM-4PM (weekends and holidays) to adopt animals to members of the public and respond to public inquiries.

Personnel

The Nova Scotia SPCA Kings Animal Shelter employs a full complement of dedicated and professional enforcement and animal care staff who are highly qualified and have been formally trained to perform the following duties and meet the following competencies:

Animal Care Staff

- Unparalleled experience dealing with many types of traumatic injury, medical emergencies and treatment of various external and internal ailments, acquired as a result of the Shelter's role in housing animals seized or surrendered through the enforcement of the Municipality of the Municipality of Annapolis Animal Bylaw for the past number of years.
- Inoculating animals and performing a full range of diagnostic testing for diseases, such as the parvovirus for dogs, and feline leukemia and pan leukopenia for cats
- Implanting microchips for identification
- Measuring medical doses and administering medications, along with maintaining medical files on every animal
- Restraining animals for the purpose of drawing blood, euthanasia, and using catchpoles to deal with aggressive dogs
- Knowledge and understanding of proper policies and procedures to deal with serious disease outbreaks
- Experience in caring for all types of small rodents, birds, mice and rabbits
- Qualified to assess symptoms of illness and disease in cats and dogs, and to provide health assessments.
- Experience with breed identification
- Experience with behaviour and temperament assessments, along with basic behaviour modification.

Resumes for animal care and other staff are available upon request.

Nova Scotia SPCA Proposal to the County of Annapolis

Experience

To further exemplify the SPCA's significant experience, following is a list of the contracts we are currently servicing in Nova Scotia:

Provincial Government

Department of Agriculture

- Leading the Enforcement of the Provincial Animal Protection Act

Municipal Governments

Cape Breton Municipality

- Animal Bylaw Enforcement and Pound Services

Glooscap First Nation

- Animal Bylaw Enforcement and Pound Services

Eskasoni First Nation

- Animal Bylaw Enforcement and Pound Services

Membertou First Nation Community

- Animal Bylaw Enforcement and Pound Services

Town of Wolfville

- Animal Bylaw Enforcement and Pound Services

Victoria County

- Animal Sheltering & Pound Services

Municipality of Pictou County

- Animal Sheltering & Pound Services

Town of Pictou

- Animal Sheltering & Pound Services

Municipality of Kings

- Animal Bylaw Enforcement and Pound Services

Town of Yarmouth

- Animal Bylaw Enforcement and Pound Services

Municipality of Yarmouth

- Animal Bylaw Enforcement and Pound Services

Municipality of Argyle

Nova Scotia SPCA Proposal to the County of Annapolis

- Animal Bylaw Enforcement and Pound Service
Barrington

- Animal Sheltering & Pound Services

Municipality of Clare

- Animal Bylaw Enforcement and Pound Services

Vehicles & Equipment

Vehicles

If awarded the Municipality of Annapolis contract the Nova Scotia SPCA will have ensure we have two (2) appropriately equipped vans to ensure the highest level of service delivery within a twenty-four (24) hour period. Vehicles will be kept clean and in a good state of repair. Insurance coverage will be maintained on the vehicles in the amount of \$1,000,000 minimum.

Equipment

The following necessary tools will be provided:

- o Various sizes of cat carriers
- o Catch pole for accessing fierce and dangerous dogs
- o Various leashes, collars
- o Freeman cat nets
- o Humane traps
- o Clean bedding
(All items are regularly cleaned and sanitized to avoid disease cross contamination)
- o Fire extinguisher
- o Leather gloves
- o Evidence collection items

Communications

The Nova Scotia SPCA has an administrative office for enforcement staff which is inclusive of all necessary equipment including telephones & computers and will take responsibility to directly receive and respond to all calls for service and has a system currently in place to address after hour calls.

All on duty SPCA Enforcement officers who will be responsible to transport the cats are accessible by cell phone with help line emergency connectivity with Answer 865 for officers on scene.

Insurance and Indemnification

The Nova Scotia SPCA warrants that it has all necessary insurance coverage to conduct the services required, including Vehicle and Worker's Compensation Board coverage.

Nova Scotia SPCA Proposal to the County of Annapolis

The Nova Scotia SPCA confirms that it has commercial general liability insurance coverage in the amount of \$2,000,000.00 per occurrence.

The SPCA will provide to the Municipality copies of these Insurance policies once the contract has been awarded.

Record Keeping and Reporting

The Nova Scotia SPCA Kings Animal Shelter is outfitted with a wireless computer network with terminals located at the front desk and in the administration offices which allow us to keep true and accurate records of all animals and requests for service handled on behalf of the Municipality.

Pet Point Software

A Canadian web-based animal management system used for tracking all aspects of animals' medical and behavioral history including tracking the collection of fees and fines from persons redeeming animals, the issuance of receipts and includes the recording of activity actions taken when responding to a request for service. This tracking includes address of individual requesting service, type of service request being made, response outcomes, tracks the activity of the animal while in our care including behaviours, medications, costs and animal outcomes. The PetPoint server is secure, backed up, and located in Ontario, Canada. PetPoint is also used as the shelter's primary adoption, volunteer and foster tracking software so that all shelter business and animal care is contained within one database for easy access and continuity through all aspects of our shelter operations and can be sorted by dogs, cats and livestock to allow the municipality to ascertain energy spent on each animal.

Required reporting can be provided to the Municipality of Annapolis on a weekly, monthly or annual basis as per your requirements.

Collection Methods

The SPCA will offer three payment methods to owners of redeemable animals: cash, debit and major credit card.

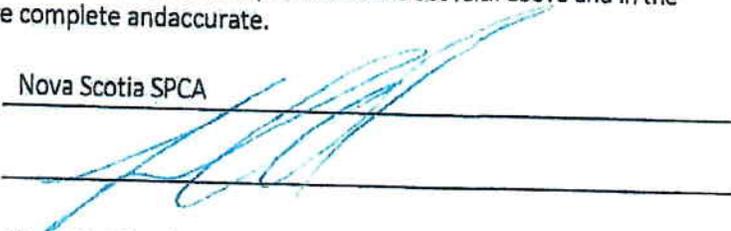
Veterinary Partnerships

In addition to having 2 full service Veterinary Hospitals and 2 Small Animal Clinics throughout the province we also have travelling veterinarians employed to perform veterinary health checks at all our Animal Shelters at minimum once per week. We are confident that with our internal ability to meet the veterinary needs of the animal in our care, in combination with our strong local veterinarian partnerships, we will be able to meet all the medical and veterinary needs of the animals we intake from the County of Annapolis.

PROPOSAL SIGNATURE

The undersigned duly authorized representative of the Proponent certifies personally and on the Proponent's behalf that all of these presentations set forth above and in the Proponent's proposal are complete and accurate.

PROPONENT: Nova Scotia SPCA

Signature: 

Name(printed): Elizabeth Murphy

Title: Chief Executive Officer

Date: September 26, 2019

APPENDIX

(A) Nova Scotia SPCA Manuals

- (a1) Adoption Manual
- (a2) Animal Handling
- (a3) Shelter Cleaning
- (a4) Shelter Intake
- (a5) Shelter Medical

(B) Nova Scotia SPCA Bylaws



STAFF REPORT

Report To: Committee of the Whole
Meeting Date: October 11, 2022
Prepared By: Nancy Whitman, Recreation Coordinator
Report Number: **SR2022-13 Community Grant Application Victoria Vale Baptist Church/Parker Hall**
Subject: 2022-23 Community Grants – Application from the Victoria Vale Baptist Church – Parker Hall

RECOMMENDATION(S):

That Municipal Council approve a grant in the amount of \$1,200 to the Victoria Vale Baptist Church / Parker Hall to support roof repairs from the Community Halls and Centres Assistance Program in accordance with *AM-1.4.9 Community Grants Policy*.

LEGISLATIVE AUTHORITY

Section 65, *Municipal Government Act* / *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. This application is in compliance with the policy requirements and eligible for approval of Municipal Council.

DISCUSSION

The Victoria Vale Baptist Church / Parker Hall is applying for a Community Halls and Centres Assistance program grant in the amount of \$1,200 to assist with repair to the hall roof.

The hall is used to support the communities of Victoria Vale, Prince Albert and Spa Springs. It is available for rent and use by the local communities to conduct jam sessions, card parties, social gathering, exercise session, and meetings, etc.

The hall sustained damage to the roof this past winter and needs to be re-shingled. The total cost of the repairs is \$5,925. In addition to applying for a county grant they identify in-kind services, donations and will contribute the remaining funding needed from their bank account.

FINANCIAL IMPLICATIONS

The 2022-23 General Operating Budget has \$49,576.70 remaining for community grants under policy AM-1.4.9 in the current fiscal year. If this recommendation is approved for \$1,200 there will be \$48,376.70 remaining in the community grants policy for the rest of this fiscal year.

POLICY IMPLICATIONS

The requested funding is in accordance with the Community Grants Policy (AM 1.4.9).

ALTERNATIVES / OPTIONS

To not approve the recommendation; or to approve a lesser amount.

NEXT STEPS

1. If approved, Continue on with issuance of the Grant Funding in accordance with policy AM 1.4.9; and
2. Inform applicant of Council’s decision regarding their application.

ATTACHMENTS

Appendix A: Applicant Project Description.

Prepared by:

Nancy Whitman, Recreation Coordinator

Reviewed by:

Dawn Campbell, Director of Legislative Services / Deputy CAO

Approved by:

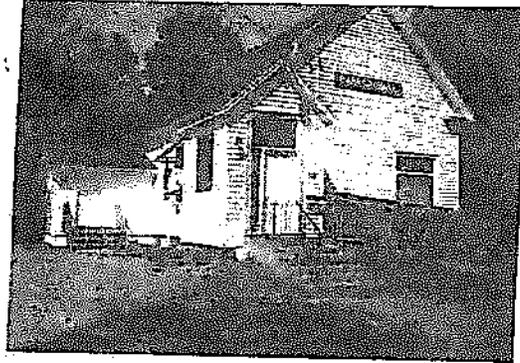
Approval Date:



Oct 4, 22

Doug Patterson
Interim Chief Administrative Officer

Appendix A – Applicant Project Description



The goal for Parker Hall is to carry on the vision that Mr. Oswald Parker had in 1936 when he generously gifted the building and land to the Victoria Vale Baptist Church to be used as a community hall.

Parker Hall has become an integral part of the communities of Victoria Vale, Prince Albert and Spa Springs.

The Hall is available and is used by the Spa Springs Women's Institute, for "Jam" sessions, card parties, social gatherings, exercise sessions, meetings and for whatever it is wanted for.

The past few years have been stressful with all the Covid19 restrictions, but things are beginning to resume now.

The south side of the roof received a lot of wind damage this past winter and needs to be re-shingled. Any monetary help with this project would be greatly appreciated.

Thank you in advance for your consideration.

Respectfully submitted,



STAFF REPORT

Report To: Committee of the Whole
Meeting Date: October 11, 2022
Prepared By: Carolyn Young, Municipal Clerk
Report Number: **SR2022-14 AM-1.2.0 Committees of Council and Council Meetings Procedures Policy Amend**
Subject: AM-1.2.0 Committees of Council and Council Meetings Procedures Policy Amend

RECOMMENDATION(S):

That municipal council amend AM-1.2.0 Committees of Council and Council Meetings Procedures Policy as follows:

Article 3 – change “Regular meetings of Council shall be held on the ~~fourth Tuesday~~ third Tuesday ...”; and

Article 12 modify Council Agenda to show COTW ~~Consent~~ Recommendations; and

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

LEGISLATIVE AUTHORITY

Sub-section 19 of the *Municipal Government Act*, as amended (Bill 98 April 2021)

BACKGROUND

This new policy was approved in July 2022 and had some significant changes – the change in when the Council meetings were held and how recommendations were brought forward from Committee of the Whole to Council for final decision.

DISCUSSION

Having come through the first full cycle under the new policy, staff are in a bottle neck situation following the council meeting. Having to wait the two-week period is hampering responsiveness to the public and staff on decisions being made.

There are no other changes suggested.

FINANCIAL IMPLICATIONS

None known.

POLICY IMPLICATIONS

None known.

ALTERNATIVES / OPTIONS

Status quo.

NEXT STEPS

If 7-day notice is given, changes can be incorporated by October Council and put in place for November 2022 Committee of the Whole.

ATTACHMENTS

AM-1.2.0 Committees of Council and Council Meetings - Procedures Policy (showing changes)

Prepared by:

Carolyn Young, Municipal Clerk

Approved by:



Doug Patterson
Interim Chief Administrative Officer

Approval Date:



(Date)

Section

Procedure & Organization of Council

Subject

Committees of Council and Council Meetings - Procedures

GENERAL

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

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

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

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

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

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

MEETINGS

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

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

- 1) INAUGURAL MEETING - the Inaugural meeting of Council shall take place on the first business day following the 10-day appeal period of a municipal election. The Clerk shall preside as Chair of the meeting until such time as the Warden is elected.
- 2) REGULAR MEETINGS OF COMMITTEE OF THE WHOLE - meetings of the Committee of the Whole shall be held on the second Tuesday of each month starting at 9:00 a.m. and ending no later than

MUNICIPALITY OF THE COUNTY OF ANNAPOLIS		AM-1.2.0
POLICY AND ADMINISTRATION MANUAL		
Section	Subject	
Procedure & Organization of Council	Committees of Council and Council Meetings - Procedures	

5:00 p.m. with Notice of Meeting to the public at least five business days in advance, unless Council by resolution directs otherwise, in which case a notice shall be posted three or more days in advance of the meeting in the municipal office(s) and on the County website advising of the time and place.

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

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

- 3) REGULAR MEETINGS OF COUNCIL - meetings of Council shall be held on the ~~fourth~~ **third Tuesday of each month at 10:00 AM** with Notice of Meeting to the public at least five business days in advance, unless Council by resolution directs otherwise, in which case a notice shall be posted three or more days in advance of the meeting in the municipal office(s) and on the County website advising of the time and place.
- 4) SPECIAL MEETINGS OF COMMITTEE OF THE WHOLE OR COUNCIL
A special meeting may be convened by resolution or consensus at a previous meeting three or more days in advance of the special meeting, or by the CAO or Clerk in consultation with the Warden.
- 5) COMMITTEES OF COUNCIL MEETINGS
Committee(s) shall meet at such time and place which it sets at a preceding meeting or at such other time and place as municipal council, the committee's Chair, or a quorum of committee members may set by providing notice of meeting to all committee members at least five business days in advance.
- 6) IN-CAMERA
Such meetings may be closed to the public when the subject matter under consideration involves the following matters under Section 22(2) of the *Municipal Government Act*:
 - a) acquisition, sale, lease and security of municipal property;
 - b) setting a minimum price to be accepted by the municipality at a tax sale;
 - c) personnel matters;
 - d) labour relations;
 - e) contract negotiations;
 - f) litigation or potential litigation;
 - g) legal advice eligible for solicitor-client privilege; and
 - h) public security.

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

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

Section

Procedure & Organization of Council

Subject

Committees of Council and Council Meetings - Procedures

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

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

7) WARDEN'S ABSENCE

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

8) CALLING THE MEETING TO ORDER AND QUORUM

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

9) QUORUM

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

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

10) NO QUORUM

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

11) THE CONDUCT OF PROCEEDINGS AT A MEETING

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

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

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

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

12) AGENDA

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

AGENDA
for the Municipality of the County of Annapolis
Committee of the Whole Meeting
to be held on Tuesday, _____, 20 __, 9:00 AM

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

Roll Call

Presentations

Disclosure of Interest

Approval of the Agenda

Approval of the Minutes

Correspondence

Section

Procedure & Organization of Council

Subject

Committees of Council and Council Meetings - Procedures

Staff Reports

Recommendations and Reports from Boards and Committees

Business Arising from the Minutes

New Business

In-Camera

5:00 Stated Adjournment

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

AGENDA

**for the Municipality of the County of Annapolis
Council Meeting**

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

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

Roll Call

Disclosure of Interest

Approval of the Agenda

Approval of the Minutes

COTW ~~Consent~~ Recommendations

Business Arising from the Minutes

New Business

Councillor's Comments

In-camera

Adjournment

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Definitions / Processes of Agenda Items (in alphabetical order):

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

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

Approval of the Minutes – Minutes shall record:

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

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

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

Committee of the Whole Consent Recommendations – all recommendations discussed and debated at Committee of the Whole will be brought to Council as individual recommendations for decision by Council, under Committee of the Whole Consent. ~~These recommendations are considered to be routine and will be enacted by one motion. Should a councillor wish an alternative action from a proposed recommendation contained therein, the councillor shall request that the particular recommendation be moved to “separate” same from the consent motion, to allow for consideration of a new action.~~

Correspondence

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

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

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

Section:

Procedure & Organization of Council

Subject:

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

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

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

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

Recommendations and Reports from Boards and Committees – includes:

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

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

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

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

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

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

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

MOTIONS

13) WITHDRAWAL

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

14) AMENDMENTS – a motion to amend

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

15) PRIVILEGE

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

16) LAY ON THE TABLE OR “TABLE”

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

17) POSTPONE TO A DEFINITE TIME OR “DEFER”

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

18) COMMIT OR “REFER”

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

19) POSTPONE INDEFINITELY

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

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20) RECONSIDER

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

21) RESCIND OR AMEND SOMETHING PREVIOUSLY ADOPTED

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

Voting on Motions

22) Questions Stated

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

23) No Interruption After Question

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

24) Voting

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

Rules of Debate

- 25) Every councillor, prior to speaking on any question or motion, shall raise a hand and wait to be recognized by the Chair. When two or more councillors raise their hands to speak, the Chair shall designate the councillor who, in the opinion of the Chair, first raised a hand.

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- 26) When a councillor is speaking no other councillor shall interrupt him/her except to raise a Point of Order.
- 27) Any councillor may require the question or motion under discussion to be read at any time during the debate but not so as to interrupt a councillor while speaking.
- 28) No councillor shall speak more than twice to the same question, without the leave of Council, except to explain a misconception of their remarks, but the mover of the motion shall have the right to reply and sum up in closing debate.
- 29) When a councillor has been recognized as the next speaker, then immediately before speaking such councillor may ask a question of the Chair or an official of the Municipality on the matter under discussion but only for the purpose of obtaining information, following which the councillor shall speak.
- 30) The following motions may be introduced without written notice and without leave:
 - a) a point of order or personal privilege;
 - b) to lay on the table (Table);
 - c) to postpone to a definite time (Defer);
 - d) to commit (Refer);
 - e) to postpone indefinitely;
 - f) to call the question;
 - g) to adjourn; and
 - h) to amend.

POINTS OF ORDER AND PRIVILEGE

- 31) The Chair shall preserve order and decide questions of order.
- 32) It shall be the duty of the Chair, and the privilege of any councillor, to call any councillor to order, who violates any established rule of order. A point of order must be decided before the subject under consideration is proceeded with.
- 33) When a councillor is called to order, the councillor shall remain seated and silent until the point is determined, until called upon by the Chair to be heard on the point of order.
- 34) A point of order is not debateable amongst other councillors and is decided by the Chair, who may invite discussion in an effort to assist in making a ruling. Where the Chair permits discussion on a point of order, no councillor shall speak more than twice.

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- 35) Decisions of the Chair on points of order or procedure, including an order expelling and excluding a person from the Council chambers pursuant to Subsections 39 and 40 are not debatable but are appealable to Council by any councillor. When an appeal is made from the decision of the Chair, the Chair shall simply put the question, "Shall the decision of the Chair be sustained?"
- 36) If a councillor resists the rules of Council, wilfully obstructs the business of Council or disobeys the decision of the Chair, or of Council on appeal, on any question of order or practice or upon the interpretation of the rules of Council after being called to order by the Chair, or otherwise disrupts the proceedings of Council, the councillor may be ordered by the Chair to leave their seat provided that a majority vote of Council shall be required to sustain the expulsion.
- 37) If the councillor refuses to leave their seat, the Chair may order the councillor to be expelled and excluded from the Council chambers.
- 38) Such councillor may, by vote of Council, later in the meeting or at a subsequent meeting be permitted to re-enter Council chambers and to resume participation in Council's business with or without conditions.
- 39) Persons who are not councillors or employees of the County of Annapolis shall observe silence and order in the Council chambers, unless given permission to speak by motion. Any such persons disturbing the proceedings of Council shall be called to order by the Chair and, if they fail to comply, shall be ordered, by the Chair to be expelled and excluded from the Council chambers, provided that a majority vote of Council shall be required to sustain the expulsion.
- 40) Such member of the public may, by vote of Council later in the meeting or at a subsequent meeting, be permitted to re-enter Council chambers with or without conditions.
- 41) An order of the Chair to expel a person from the Council chambers pursuant to Subsections 40 and 42 of this policy constitutes a direction from the County of Annapolis to leave the premises for purposes of the *Protection of Property Act* and other applicable laws.

CONDUCT OF COUNCILLORS

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

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

COMMITTEES OF COUNCIL

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

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

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

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Committees of Council and Council Meetings - Procedures

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

- a) **Cornwallis Park & Area Asset Review Committee** – established to consider and make recommendations to Council pertaining to potential possibilities for current and future assets of Cornwallis Park and area (*MOTION 180717.28*);
- b) **Glyphosate Advisory Committee** – established to “... invite stakeholders to present to the committee in order to bring a recommendation to June 2021 Committee of the Whole ...” (*MOTION 201020.04*); and
- c) **Physician Recruitment & Retention Committee** – established “with a mandate of physician recruitment and retention” (*MOTION 191119.09*); adopted descriptive mandate: To assist, as appropriate, in all aspects of recruiting and retention of medical personnel: physicians, physician assistants, nurse practitioners, and like medical professionals” (*MOTION 200218.07*).

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

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

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

- 1) ensuring regular, periodic and comprehensive review of all bylaws and policies of the County; and
- 2) exercising any authority pursuant to Part XV-Dangerous or Unsightly Premises of the *Municipal Government Act* that is not delegated to the Administrator, as set out in relevant policy.

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

- b) **Nominating Committee**
 - 1) at the Inaugural meeting, Council shall appoint three councillors to serve as members. The procedure for selecting councillors shall be the same as that used for selection of a Warden.
 - 2) the Warden shall automatically be a regular, voting councillor of the committee.

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- 3) the mandate of the committee is to discuss, consider, advise and make recommendations to Council through Committee of the Whole concerning the nomination of persons to various committees, boards, and commissions, except where municipal council determines that consideration by the Nominating committee is not necessary or advisable.
 - 4) Council may, by resolution, accept, reject, or vary a report of the Nominating committee in whole or in part.
 - 5) it shall, at least annually, review the status of councillor appointments to ensure equity of workloads among councillors.
 - 6) All committees should meet within thirty days of being struck to determine a Chair and Vice Chair.
- c) **CAO Review Committee** – shall oversee the performance review process for the CAO after consultation with Council.
- 1) consists of the Warden, Deputy Warden, and two other councillors.
 - 2) the Warden shall be the Chair of the committee.
 - 3) to the extent practicable, selection of the remaining committee councillors (in addition to the Warden and Deputy Warden) should reflect the gender diversity of Council's composition. Accordingly, the remaining committee councillors shall be selected by placing the names of councillors confirming an interest in a box and having two names drawn by a person chosen by the Warden.
 - 4) in accordance with sub-section 21(2)(c) of the *Municipal Government Act*, the CAO Review Committee may meet in closed session. The CAO will be requested not to attend the CAO Review Committee and council meetings where their performance is discussed; no other staff persons shall attend.
 - 5) the CAO shall be evaluated at least once a year, with a mid-year review if desired by the CAO, the CAO Review Committee or Council.
- d) **Economic Development Committee**
- 1) consists of three councillors and the Warden.
 - 2) the mandate of the committee is to advise and make recommendations to Council through Committee of the Whole concerning the drafting, implementation, amendment, and facilitation of an Annapolis County Economic Development Strategy.
- e) **Fire Services Committee**
- 1) consists of two councillors as well as two or more invited representatives of the Annapolis County Fire Services Executive as appropriate.
 - 2) the mandate of the committee is to advise and make recommendations through Committee of the Whole to Council concerning fire services funding and such other matters as are necessary and expedient for the provision of fire suppression and prevention services in the municipality.
 - 3) meetings shall be held at the discretion of the Chair.

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- f) **Fences Arbitration Committee** – committee continues pursuant to Section 4 of the *Fences and Detention of Stray Livestock Act*.
- 1) consists of one member from the municipality appointed by the Nova Scotia Federation of Agriculture and one member appointed by the council of the municipality
 - 2) the member appointed by the council of a municipality pursuant to subsection (1) may be an employee of the municipality and shall be the chair of the committee
 - 3) the Nova Scotia Federation of Agriculture and the council of the municipality shall each appoint an alternate member to serve on the committee when requested to do so by the member appointed by the council of the municipality or the Nova Scotia Federation of Agriculture, as the case may be
 - 4) the members of a committee hold office for a term of not more than four years
 - 5) Two members of the committee constitute a quorum
 - 6) the annual honorarium for the Nova Scotia Federation of Agriculture appointees shall be \$50 per meeting attended. If the Fences Arbitration Committee does not meet during the calendar year, the appointees shall receive an honorarium of \$50.
 - 7) Members of the committee and alternate members of the committee appointed pursuant to this Section shall be residents of the municipality for which the committee is established. 2
- g) **Forestry Advisory Committee** – shall exist as an advisory committee of Council.
- 1) consists of not more than four councillors.
 - 2) its purpose is to consider and make recommendations regarding forestry matters.

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>	<i>July 12, 2022</i>
<i>Council Approval</i>	<i>July 19, 2022</i>
 <u>Carolyn Young</u> <i>Clerk</i> <i>At Annapolis Royal, Nova Scotia</i>	 <u>July 19, 2022</u> <i>Date</i>

AMENDMENTS:



STAFF REPORT

Report To: Committee of the Whole
Meeting Date: Tuesday October 11, 2022
Prepared By: Heather Fox-Perry
Report Number: **SR2022-15 Seaside Communications Payment**
Subject: Seaside Communications

RECOMMENDATION(S):

That Municipal Council authorize the payment in the amount of \$177,410.30 to Seaside Communications be expensed from the Sale of the Internet funds.

LEGISLATIVE AUTHORITY

Municipal Government Act, Part IV Finance, Section 65A Authorized Municipal Expenditures.

BACKGROUND

Upon receipt of an Invoice for the period of July, 2021 to the end of the agreement (date of sale), March 29, 2022, General Manager of Seaside Communications. Review of the invoice, financial data, and, contracts and agreements including asset purchase/sale agreement, a discussion was held by Interim CAO, Manager of Finance, Accounts Payable Coordinator, along with the Warden on Wednesday September 21st, 2022. Following the meeting, as agreed by parties noted above, a zoom meeting was scheduled and took place on Friday September 23, 2022 with Senior Manager of Finance, Rogers Communications Canada Inc., and, General Manager of Seaside Communications.

Details of the submission of revenues and expenses were reviewed and explained for clarification and verification as outlined within the invoice and statement they provided.

Concluding the discussions, at the recommendation of the Warden and staff in attendance, a request for affidavit was made to the Seaside Communications. Without hesitation, both parties agreed to provide such to the Municipality confirming the information contained within statement of account to be true and correct.

DISCUSSION

Based on research to date and, review of the information defined within the contracts and agreements, paired with a complete match of expense items (installation charges, ONT's, Modems) less revenues from installations named in the invoice and statement, eligible under the short form agreement of April 15, 2020. With confirmation from our Manager of Finance, the Municipality has not been previously billed for any amounts listed within the invoice and pertaining to Seaside agreement nor, have any revenues been received to date as outlined within such the terms. It is with full intent to provide Council with a complete set of records (enclosed) containing all details of our review in commitment of accountability to the public and due diligence in support of a request for decision for payment expended to resolve the matter.

Further, the timing of the invoice has been answered. The provider (Seaside Communications) has a policy to support not for profit organizations such as the Municipality, by beginning monthly billing when the net revenues owed, exceeds the net costs that the Municipality is responsible for

as set out in the contractual agreement. The Municipality hadn't reached a credit position prior to the date of sale. So, the invoice is to close out/finalize our agreement with the provider, Seaside Communications.

FINANCIAL IMPLICATIONS

The amount due to Seaside will reduce any surplus amount from the sale of the asset.

POLICY IMPLICATIONS

In compliance with the short form agreement between the Municipality and Seaside Communications of April, 2020.

ALTERNATIVES / OPTIONS

NEXT STEPS

Await Affidavit from Seaside Communications prior to remitting payment.
This concludes & closes our relationship with Seaside, no further action required.

ATTACHMENTS

- Seaside Invoice 05312022
- Seaside Statement of Account
- Seaside Short Form Agreement – See Appendix A – List of Services
See Appendix B – Payment Mechanism
Cost of Services

Prepared by:

Heather Fox-Perry, Accounts Payable Coordinator

Approved by:

Approval Date:



Doug Patterson,
Interim Chief Administrative Officer

SEASIDE COMMUNICATIONS
ROGERS COMMUNICATIONS CANADA INC.
500 GEORGE STREET, SYDNEY, NS B1P 1K6
HST # 815781448-RT0001

Date: May 31, 2022

Invoice No: 05312022

MUNICIPALITY OF THE COUNTY OF ANNAPOLIS

Items Charged

One Time Equip & Install Charges July 2021-Mar 29,2022	\$ 236,509.05
Monthly Service Fees July 2021-Mar 29,2022	50,760.00
Total Charges for Period	\$ 287,269.05
HST at 15%	43,090.36
Total Charges	\$ 330,359.41

Less: Annapolis Customer Revenues

Subscriber billings July 2021-Mar 29,2022	\$ 132,999.22
HST at 15%	19,949.88
Total of Customer billings and HST	\$152,949.10

Net Amount Due to Rogers \$ 177,410.30

***AS PER STATEMENTS OF ACCOUNT WITH THE MUNICIPALITY OF COUNTY OF ANNAPOLIS AND
XPLORNET - MAY 31, 2022***

Seaside Statements of Account with the Municipality of the County of Annapolis and Xplornet - May 31, 2022

	July 2021	Aug. 2021	Sept. 2021	Oct. 2021	Nov. 2021	Dec. 2021	Jan. 2022	Feb. 2022	Mar. 2022	Apr. 2022	May 2022	Cumulative		
Subscriber accounts	24	11	31	30	52	17	47	92	134	438	20	109	11	140
Accounts activated														
Accounts deactivated														
Month-end Subscriber Count	24	35	66	96	148	165	212	304	428	438	18	127	138	2
One-time charges:														
Installation charges	\$ 3,000.00	\$ 1,375.00	\$ 3,875.00	\$ 3,750.00	\$ 6,500.00	\$ 2,125.00	\$ 5,875.00	\$ 11,500.00	\$ 16,750.00	\$ 54,750.00	\$ 2,500.00	\$ 13,625.00	\$ 1,375.00	\$ 17,500.00
DN's	5,995.80	2,610.58	7,357.08	7,119.75	12,340.90	4,034.53	11,156.28	21,833.90	31,801.55	109,948.35	4,746.60	25,868.45	2,610.58	33,225.50
Modems	4,263.60	1,954.15	5,507.15	5,329.50	9,237.80	3,070.05	8,349.55	16,343.80	23,805.10	77,810.70	3,593.00	19,634.85	1,954.15	24,871.00
HST on one-time charges:	12,959.40	5,939.73	16,739.23	16,199.25	28,078.70	9,179.58	25,378.83	49,677.70	72,356.65	236,509.05	10,795.50	58,857.28	5,939.73	75,596.50
Reimburse due to Seaside	1,943.91	890.96	2,510.88	2,429.89	4,211.81	1,376.94	3,806.82	7,451.66	10,853.50	35,476.36	1,619.93	8,828.59	890.96	11,339.48
Net reimbursement due to Seaside	\$ 14,903.31	\$ 6,830.68	\$ 19,150.11	\$ 18,623.74	\$ 32,290.51	\$ 10,556.51	\$ 29,185.65	\$ 57,129.36	\$ 83,210.15	\$ 271,985.41	\$ 12,419.43	\$ 67,695.87	\$ 6,830.68	\$ 86,935.98
Subscriber billings	\$ 942.82	\$ 2,470.45	\$ 4,606.85	\$ 7,425.89	\$ 12,953.80	\$ 14,583.34	\$ 19,188.12	\$ 28,072.92	\$ 42,805.03	\$ 132,999.22	\$	\$ 54,891.15	\$ 56,785.76	\$ 111,676.91
Seaside monthly services fee	480.00	1,180.00	2,020.00	3,240.00	4,880.00	6,260.00	7,540.00	10,320.00	14,840.00	50,760.00	360.00	20,500.00	22,900.00	43,760.00
Net revenues payable to Annapolis	462.82	1,280.45	2,586.85	4,185.89	8,073.80	8,323.34	11,648.12	17,702.92	27,965.03	82,239.22	360.00	34,381.15	33,885.76	67,916.91
HST on net revenues	69.42	193.57	388.03	671.88	1,211.07	1,248.50	1,747.22	2,655.44	4,194.75	12,335.88	54.00	5,198.67	5,092.85	10,187.54
Reimburse due to Annapolis	\$ 532.24	\$ 1,484.02	\$ 2,974.88	\$ 4,813.77	\$ 9,284.87	\$ 9,571.84	\$ 13,395.34	\$ 20,358.36	\$ 32,159.78	\$ 94,575.10	\$ 414.00	\$ 39,549.82	\$ 38,959.62	\$ 78,104.45
Net reimbursement due to Seaside	\$ 14,371.07	\$ 5,346.67	\$ 16,275.23	\$ 13,815.36	\$ 23,005.64	\$ 984.67	\$ 15,790.31	\$ 36,771.00	\$ 51,050.36	\$ 177,410.30	\$ 12,833.43	\$ 28,136.04	\$ 32,137.94	\$ 8,831.53
Due by the Municipality of the County of Annapolis to Seaside														
Due by Xplornet to Seaside												\$ 177,410.30		\$ 8,831.53

Supporting documentation available on request



Short Form Agreement for Supply of Work, Goods or Materials

The Provider

Provider: Seaside Communications Inc.
 Address: 500 George Street, Suite 140, Sydney, NS, B1P 1K6
 Contact Person: David Horton – Chief Operating Officer
 Phone Number: 1-902-539-6250, ext. 341
 Cell Number: 1-902-567-5683
 Email Address: david.horton@seasidehighspeed.com

The Municipality of the County of Annapolis (“Annapolis”)

Contact Person: John Ferguson – Chief Administrative Officer
 Phone Number: 1-902-532-3130
 Cell Number: 1-902-526-0478
 Email Address: jferguson@annapoliscounty.ca

Terms of Agreement

Conditions and Special Provisions

1. The work in general, includes Internet Service Provision for the Annapolis County Fiber Project. See attached Proposal and Appendices for services to be provided as part of this contract.
2. The expected start date for this work is April 1, 2020 with a projected completion date of March 31, 2025, with an option to extend the contract in 5 year increments up to 20 years.
3. The Provider agrees to indemnify and save harmless Annapolis from any and all third-party claims, demands or actions for which the Provider is legally responsible, including but not limited to those arising out of negligence or willful acts of the Provider and/or their employees or agents. This indemnity clause shall survive the termination of this Agreement.
4. Annapolis shall not be liable nor responsible for any bodily or personal injury or property damage of any nature whatsoever that may be suffered or sustained by the Provider, their employees or agents in the performance of this Agreement.
5. The Provider shall, at their own expense and without limiting their liabilities herein, insure their operations under a contract of general public liability and property damage insurance, in an amount not less than two million (\$2,000,000) inclusive per occurrence. Such insurance shall include blanket contractual liability and shall remain in place until completion of this Agreement. Annapolis, the warden, senior councillors, senior directors, administrators, and Hatch Ltd. shall be added as an Additional Insured. The Provider and their sub-contractor's shall furnish Annapolis with a certificate or certificates of insurance as evidence that such insurance is in force, including evidence of any insurance renewal policy or policies.
6. The Provider shall comply with the safety regulations under the *Workers' Compensation Act* and the *Occupational Health & Safety Act* and provide proof of coverage annually on the anniversary of the effective date.
7. If for any reason the Provider fails to provide services satisfactory to the Municipality of the County of Annapolis, or comply with the conditions of this Agreement, acting reasonably and with good cause, the Agreement may be terminated by Annapolis and its representatives upon providing written notice to the Provider.
8. **Dispute Resolution; Negotiation, Mediation, then Litigation**
 (a) *Negotiation.* The parties shall attempt in good faith to resolve any dispute arising out of or relating to this Agreement promptly by negotiation between executives who have authority to settle the controversy and who are at a higher level of management than the persons with direct responsibility for administration of this contract. Any person may give the other party written notice of any dispute not resolved in the normal course of business. Within 15 days after delivery of the notice, the receiving party shall submit to the other a written response. The notice and response shall include (i) a statement of that party's position and a summary of arguments supporting that position, and (ii) the name and title of the executive who will represent that party and of any other person who will accompany the executive. Within 30 days after delivery of the initial notice, the executives of both parties shall meet at a mutually acceptable time and place, and thereafter as often as they reasonably deem necessary, to attempt to resolve the dispute. All negotiations pursuant to this clause are confidential and shall be treated as compromise and settlement negotiations for purposes of applicable rules of evidence.
 (b) *Mediation.* If the dispute has not been resolved by negotiation as provided herein within 45 days after delivery of the initial notice of negotiation, or if the parties failed to meet within 30 days after delivery, the parties shall endeavor to settle the dispute by mediation under the Commercial Mediation Act (Nova Scotia), provided, however, that if one party fails to participate in the negotiation as provided herein, the other party can initiate mediation prior to the expiration of the 45 days.



COUNTY of ANNAPOLIS
NATURALLY ROOTED

752 St. George Street, PO BOX 100
Annapolis Royal, Nova Scotia Canada B0S 1A0

Phone: (902) 532-2331 Fax: (902) 532-2096
Website: AnnapolisCounty.ca

(c) *Litigation.* If the dispute has not been resolved by nonbinding means as provided herein within 90 days of the initiation of such procedure, this Agreement does not preclude either party from initiating litigation upon 14 days written notice to the other party; provided, however, that if one party has requested the other to participate in a nonbinding procedure and the other has failed to participate, the requesting party may initiate litigation before expiration of the above period.

9. Confidentiality

The Grantor (The Municipality of the County of Annapolis) and the Grantee (The Provider) acknowledge that they may from time to time be provided with or acquire, confidential information and data, financial and otherwise, with respect to the assets, operations and affairs of the other (herein, together with the terms of this Agreement, collectively called the "Confidential Information"). The Grantor and the Grantee agree to maintain the Confidential Information in the strictest of confidence and to disclose the same only:

- (a) to the extent necessary to enforce their respective rights hereunder, or to comply with applicable law;
- (b) to those of their respective directors, officers, employees, agents, lenders and professional advisors who need to know the same in connection with their respective businesses and who are informed of the confidentiality obligation contained herein and agree to be bound by the provisions of this Article (each, together with the Grantor or the Grantee, as the case may be, a "Disclosee"); or
- (c) to a permitted assignee of this Agreement. In the event that either Party or any other Disclosee becomes legally compelled to disclose any Confidential Information, the Grantor or the Grantee, as the case may be, shall provide the other with prompt written notice so that the other of them may seek a protective or other appropriate remedy and/or waive compliance with the provisions of this Section. In the event that such protective order or other remedy is not obtained, or the Grantor or the Grantee waives compliance with the provisions of this Section, the Grantee, the Grantor, or any other Disclosee, as the case may be, shall furnish only that portion of such Confidential information as is legally required and shall use its best efforts to obtain reliable assurances that confidential treatment will be accorded such Confidential Information. The term "Confidential Information" used in this Article does not include information which:
 - (a) is or subsequently becomes public knowledge or known to a Party through no fault of the Disclosee;
 - (b) was lawfully in possession of the Disclosee at the time of receipt thereof; or
 - (c) is subsequently disclosed to the Disclosee on a non-confidential basis by a third person or party (other than the Grantor or the Grantee, as the case may be) having the right to do so.

Acknowledgement of Certain Confidential Information

Notwithstanding any other provision of this Agreement, the Parties acknowledge and agree that the supply of certain information by the Grantee to the Grantor, at any time during the Term or Renewal of this Agreement, is supplied in confidence and, for the purposes of the Municipal Government Act (Nova Scotia) or successor legislation, is deemed a trade secret or commercial, financial, scientific or technical information of the Grantee the disclosure of which would result in significant harm to the competitive position of the Grantee and would result in undue financial loss to the Grantee, this certain information includes but is not limited to the types of information listed below:

- (a) names and addresses of Subscribers of the Network;
- (b) detailed maps of the Network;
- (c) terms of subscription plans;
- (d) Subscriber data relating to uptake rate, Subscriber churn data;
- (e) costs associated with provision of Internet Service; and
- (f) underlying technology and the Intellectual Property of the Grantee.

I/We understand and agree to the Terms and Conditions, which form part of this Agreement.

Signature of Authorized Representative

David Horton, Chief Operating Officer
Name (Print)

Date April 14, 2020

This Agreement is hereby accepted and approved on behalf of The Municipality of the County of Annapolis

Signature of Authorized Representative

John Ferguson, Chief Administrative Officer
Name (print)

Date



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APPENDIX A – LIST OF SERVICES

1. All services and commitments detailed in the RFP and Provider's proposal enclosed as Appendix C and D. Nothing in this short form contract shall be construed as relieving the Provider or Annapolis of any obligations defined in the RFP and the Provider's response;
2. Provider services shall be an all-inclusive, turn-key provision of internet services using the Annapolis Fiber Optic Network (the Network), including:
 - a) Standard marketing activities to a standard of service comparable to marketing activities in the Provider's other service areas;
 - b) Receiving customer requests for service provision and providing technical and market information to assist those customers in deciding to connect to the network;
 - c) Providing timely connection of the customer premises to the Network, with demarcation points at fiber splice closures (FOSC) on the Network. The Provider will be responsible for all labour, materials and installation costs, inclusive of all work with the sole exception of the Optical Network Terminal (ONT) which will be purchased by the Provider and re-sold to Annapolis at cost, where Annapolis retains ownership of ONT.
 - d) Providing customer technical help desk support inclusive of phone service and field service, with phone service inclusive under the monthly "per customer" pay item and field calls inclusive under the "service call" pay item;
 - e) Selecting customer premises equipment (CPE) that is cost-effective and capable of providing agreed upon transmission speeds to the Network, to be reviewed with Annapolis from time to time, with a minimum requirement of 1 Gbps and maximum of 10 Gbps, unless otherwise agreed to by the County;
 - f) Providing turn-key financial support services required to provide internet and internet-based services including but not limited to monthly account tracking, billing, collections, account opening and closure and monthly reporting to Annapolis financial staff to accompany invoices. Financial statements and records of billing and invoicing will be subject to audit on request at the sole cost of Annapolis, with such audit limited to customer facing billing and invoicing, excluding the Provider's internal financial records;
 - g) Providing all operational and maintenance activities on the Network to maintain customer level of service in accordance with the terms of the RFP and the Provider's response.
3. The Provider shall not be responsible for setting cost of services to customer, including monthly rates and hook-up charges; though the Provider agrees to assist Annapolis from time to time in reviewing market rates and assessing impacts to customer uptake, where that assistance relies on the Provider's market knowledge and shall not require detailed market studies at the Provider's expense.



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APPENDIX B – PAYMENT MECHANISM

1. Payments shall be made in accordance with the rate structure provided in the Provider's response to the Annapolis RFP, and no additional payments shall be contemplated under this Agreement;
2. Invoicing shall be on the 15th of each month, and shall be accompanied by statements of account that show:
 - a. A record of field service calls divided into customer-initiated calls, Provider-initiated calls and Network maintenance calls, along with all subcontractor invoices and Provider hourly expenses for field calls;
 - b. The number of existing customers billed for service in the preceding month period;
 - c. The number of new customers billed for service and the portion of that month they were billed for service;
 - d. The services that each customer was provided that month; and
 - e. A record of Network performance for that month on a level of service basis.
3. Monthly payment under the "per-customer" pay item shall be the average number of customers for the month based on the beginning and end of the month's counts multiplied by the rate of the active service; and
4. Cost of service shall be as indicated in the RFP and the Provider's response for the term of this Contract.



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APPENDIX C - RFP

9



COUNTY *of* ANNAPOLIS

NATURALLY ROOTED

REQUEST FOR ROPOSALS

**PARTNERSHIP TO DELIVER PRODUCTS AND SERVICES FOR A FIBER-OPTIC
BROADBAND NETWORK**

RFP H357839-DOC-GEN-4002

County of Annapolis

HATCH

Nova Scotia

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1. RFP Contact Personnel

Project:

**H35789-DOC-GEN-4002
PARTNERSHIP TO DELIVER PRODUCTS AND
SERVICES FOR A FIBRE-OPTIC BROADBAND
NETWORK
Annapolis County, NS**

**Municipality of the County of Annapolis:
Owner Contact:**

Janice Young
Executive Assistant to the CAO

Municipality of the County of Annapolis
752 St. George St. PO Box 100
Annapolis Royal, NS B05 1A0
Telephone: (902) 532-0232

Young@AnnapolisCounty.ca

**Hatch Limited:
Owner's Advisor Contact:**

Adam Boland, CET
Project Manager

Hatch Limited
Suite 1009 – 1809 Barrington Street
Halifax, NS B3J 3K8
Telephone: (902) 703-6880

Adam.Boland@Hatch.com



2. Introduction

In August of 2019, the Municipality of the County of Annapolis ("Owner") received several statements of qualifications (SOQ) from individuals, companies or consortiums ("Respondents") to assist the Owner in a public-private partnership to operate and maintain high speed internet services ("Services") within Annapolis County ("County"). Upon review of the SOQs, none satisfied the requirements of the Owner. The Owner embarked on an effort to solicit feedback from industry on the potential for such a partnership in order to refine the requirements and assist Respondents in meeting the terms and requirements of an RFP. Following this process the Owner has elected to release this public RFP for provision of support services from qualified internet service providers (ISPs).

The Owner intends to offer services on par or exceeding urban internet service in major centres. The partnership will support retail operations with state of the art broadband services with speeds of up to 1 Gbps for residential customers and up to 10 Gbps for business customers and residential business customers.

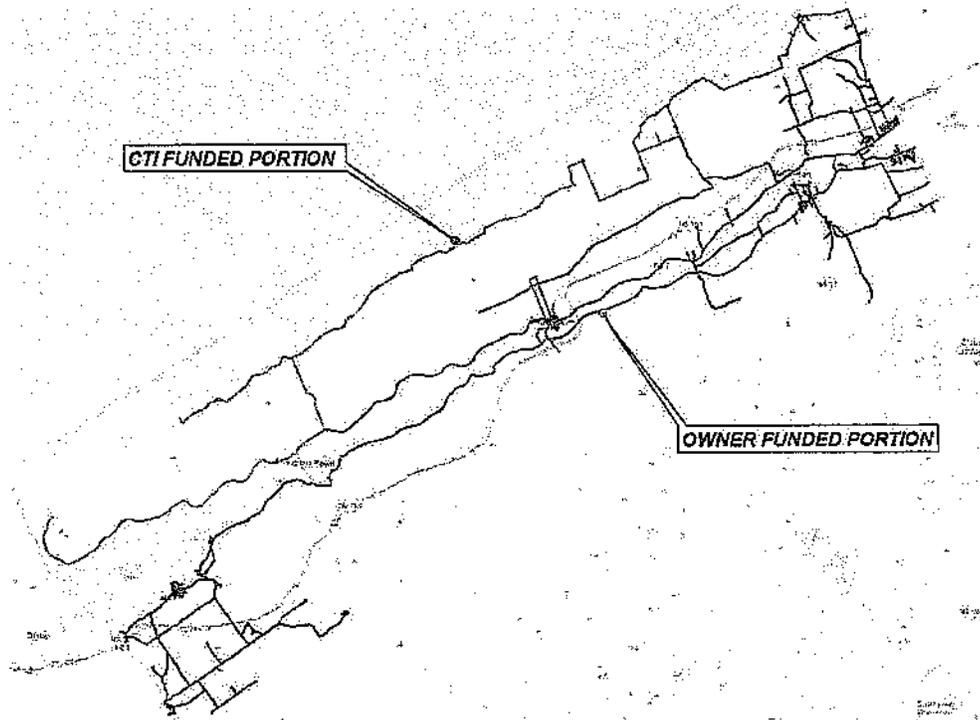
The Owner has procured Eagle Telecom Ltd. to design and build the fibre (FTTx) network within County limits. Figure 1 shows the approximate extents of the Network. Construction is anticipated to commence in April of 2020.

The purpose of this Request for Proposals (RFP) is to solicit proposals from qualified Internet Service Providers (ISP) with appropriate experience that will allow the Owner to pursue the goals and objectives outlined in this project. The Owner will review the responses to evaluate which model best provides a means for repayment of the public debenture, as well as end-product quality, and best interests in the overall partnership. Based on the responses to this RFP, the Owner will select a preferred model and contact selected Respondent(s) to discuss potential opportunities.



2.1 Route Map

Figure 1: Approximate Network Extents



2.2 RFP Schedule

The tentative schedule for this RFP is as follows:

DATE	MILESTONE
February 28, 2020	RFP issued on http://www.annapoliscounty.ca
March 4, 2020	Deadline for questions and requests for clarification
March 12, 2020	RFP submission deadline
March 17, 2020	Owner evaluation of RFPs completed
March 20, 2020	Owner issues Letter of Intent
April 30, 2020	Enter into final contract
May 2020	First customer connection

Note: Extensions to the submission deadline will not be granted.

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3. Instructions to Respondents

1. There will be no pre-submission meeting. Respondents may contact the Owner Contact with any questions that will assist in providing a proposal.
2. Respondents shall submit proposals by email to JYoung@AnnapolisCounty.ca before 2:00 pm, local time on March 12, 2020. Submittal time will be based on the Owner's electronic timestamp so Respondents shall allow sufficient time for server delays.
3. **Amendment or Withdrawal of Proposal:** Respondent proposals may be amended or withdrawn by electronic communication prior to the Submission Deadline.
4. **Right to Accept or Reject any Proposal:** The Owner specifically reserves the right to reject any or all proposals if none is considered to be satisfactory and, in that event, at its option, to call for additional proposals or negotiate directly with any service provider. Without limiting the generality of any other provision hereof, the Owner reserves the right to reject any Proposal:
 - (a) that contains any irregularity or informality or are in the opinion of the Owner to be unbalanced;
 - (b) that is incomplete or ambiguous; or
 - (c) that does not comply with the requirements contained in these instructions.

Notwithstanding the foregoing, the Owner shall be entitled, in its sole discretion, to waive any irregularity, informality, or non-conformance with these instructions in any Proposal received by the Owner.

Notwithstanding the foregoing, the Owner shall be entitled, in its sole discretion, to consider any and all aspects of the Proposal in determining the selected Respondent(s). The Owner is under no obligation to select any Respondent.

5. **Cost of Proposal:** Cost of preparing Proposals is borne entirely by the Respondent and the Owner is under no obligation to reimburse any Respondent for preparing a Proposal.
6. **Cancellation of RFP:** The Owner reserves the right to cancel the RFP process and reject all RFPs at any time prior to the award of Contract without incurring any liability to affected Respondents.
7. **Responsible Respondents:** The Owner intends to only contract with responsible Respondents who are in the business of providing goods and/or services detailed in this RFP document that can provide proof that they can furnish satisfactory performance based on past work experience and have the financial, managerial, and resource capabilities for the size of the project.

Satisfactory performance includes meeting all the requirements of the various federal and provincial regulations and agencies for provision of the Services in accordance with the Owner's goals. The evaluation and negotiation process may include reference checks, third party credit checks, site visits, and/or the Respondent may be asked to allow the Owner to complete personal credit and/or criminal record checks if information is not otherwise available or adequate. Respondents found unacceptable during the evaluation process will not be given further consideration.

- 8. **Complete Responses:** It is each Respondent's sole responsibility to submit information related to the evaluation categories and the Owner is under no obligation to solicit such information if it is not submitted with the RFP. The Owner reserves the right to solicit any additional information if the Owner or its representatives determine that such information will assist in assessing the merit of the qualifications.
- 9. **Oral Representations:** Any non-written representations, explanations or instructions given by the Owner or any Owner representatives are not binding and do not form a part of, or alter in any way, the RFP, a written agreement pertinent to the RFP, or the awarding of the contract.
- 10. **Media:** Respondents are not to at any time directly, or indirectly, communicate with the media in relation to this RFP or any agreement entered into pursuant to this RFP without consent of the Owner, and then only in coordination with the Owner.
- 11. **Prohibited Contact:** Respondents should not contact any Owner representatives directly other than those identified in the RFP. Respondents shall not, in relation to this RFP or the evaluation and selection process, engage directly or indirectly in any form of political or other lobbying whatsoever to influence the selection of successful Respondent(s). Any attempts to contact other Owner representatives or to engage in political lobbying regarding this RFP may be grounds for the Owner to reject your submission.
- 12. **Ethical Conduct:** Respondents shall not engage in any illegal business practices, including activities such as bid rigging, price-fixing, bribery, fraud, coercion or collusion. Respondents shall not engage in any unethical conduct, including lobbying (as described above) or other inappropriate communications; offering gifts to any employees, officers, agents, elected or appointed officials or other Owner representatives; submitting responses containing misrepresentations or other misleading or inaccurate information; or any other conduct that compromises or may be seen to compromise the competitive process.

4. Nature of Entity Issuing RFP

This RFP is issued by the Municipality of the County of Annapolis. The Owner is registered as a non-dominant carrier with the CRTC and intends to partner with qualified individuals to manage the Network under Contract(s) arising from this RFP.

5. Community Overview

Annapolis County is an incorporated Municipality in the Annapolis Valley on the north shore of Nova Scotia. The County has a population of approximately 20,500 and approximately 11,000 private dwellings. The Network is anticipated to provide the Service to both rural and urban centres. The currently proposed route in Figure 1 accesses approximately 8300 civic addresses and 37 anchor institutions. The Owner's priority is to maximize service coverage to underserved areas with a service cost that is accessible to residents and businesses. The Owner does not intend to prioritize service in areas with high speed internet already available from commercial providers. The target cost of service is \$99 for 1 Gbps service with a reduced cost option available for low income residents.

The Owner also seeks to support an income stream toward repayment of a debenture issued to construct a portion of the fibre-optic network infrastructure.

The Owner is legally required retain ownership of the distribution infrastructure and intends to retain ownership of associated equipment and buildings.

The Owner intends to leverage the availability of state of the art, sustainable and future-proofed infrastructure in support of an aggressive economic development program within the County.

6. Primary Objectives

The Owner's primary objectives are:

- a) To provide leading edge broadband services that will provide the best internet services that the market has to offer to currently underserved areas;
- b) To support upgrades to continue to provide state of the art service during the life of the Network;
- c) Support the operational needs of current and potential businesses through a platform of high-speed internet services;
- d) Establish a competitive rate structure for the products and services delivered to end users over the network;
- e) Establish our community as being at the forefront of the most connected communities in Canada;
- f) Establish an innovative, long-term partnership with qualified Respondent(s) that:
 - i. Allows the community to retain an active role in decisions related to the development of the network to provide the best in class products and services now and in the future;
 - ii. Ensure transparency of operation on the part of the public entity;
 - iii. Implement a sustainable asset management strategy to protect the investment of public funds in the infrastructure;
 - iv. Ensures the qualified Respondent(s) are responsible for all aspects of providing and maintaining world-class products, services and customer service experience.
- g) Deliver the services in a manner that respects the Owner's fiduciary duty to its residents during operation of the service over the long-term;
- h) Proceed as expediently as reasonably and professionally possible without compromising the integrity and transparency of the operation.

7. Project Requirements

The Owner is seeking partner(s) that will assist in providing state of the art internet services to residents and enterprise grade internet services to businesses, visitors and community organizations. Products and services include, but do not need to be limited to:

- a) A customer service call centre with operational hours between 8 am and 10 pm, seven days per week;
 - b) Installation of service drops to customers from fiber taps that are pre-installed in the system during network construction (i.e. the Respondent is not responsible for splicing cable);
 - c) Financial management of service delivery, including billing, collections and monthly reporting to the Owner. The Owner reserves the right to audit financial records related to the Network at the sole cost of the Owner;
 - d) Implementation, operation and maintenance of the operation and business support systems (OSS/BSS).
 - e) Operation, maintenance and repair of fibre and equipment during operation, with a maximum of 24 hours downtime, subject to constraints outside the Respondents control such as Force Majeure or restrictions imposed by third-party support structure owners;
 - f) Provision of a remote Network Operations Centre (NOC),
- 

- g) Reporting to the Owner on Network use and performance at no less than monthly intervals;
- h) Customer technical support (remote and field) during operation with Industry Standard response times; and
- i) Management of regulatory compliance of the Network.

The Owner anticipates Network construction commencing in April of 2020. The Owner commits to prioritizing construction in phases to allow customer hookup as soon as possible following the start of construction.

The successful Respondent will be invited to provide recommendations to the Network Design-Build Contractor on Network equipment vendors to match with the Respondent's existing support agreements and OSS/BSS architecture.

Construction of the network is anticipated to be completed by July of 2021. Details of the network requirements can be found on the Nova Scotia tender site under RFP H357839-DOC-GEN-3001 and its associated addenda. The network construction specifications have been developed with a strong focus on reliability and performance standards as well as providing redundancy through the backbone and feeder networks.

For the construction of this Network, delivered under a separate design-build contract, the Owner does not consider wireless, unlicensed or fixed licensed, a suitable sole option for long-term sustainability of the community's broadband needs, nor does it consider a community equipped with wireless business services will support desired economic development outcomes. However, the Owner has access to several wireless towers that may be used to expand the reach of the FTTx Network provided it is supported by a sound business case.

8. Selection Criteria

A committee comprising municipal staff and the Owner's Advisor will evaluate the RFPs submitted and will evaluate them based on the following criteria:

- a) Relevant experience and qualifications (20 points)
- b) Financial soundness and capability of the organization (20 points)
- c) Responses from references (5 points)
- d) Respondent is pre-qualified for Develop Nova Scotia RFP in 2020 (15 points)
- e) Operational Constraint Responses (10 points)
- f) Cost Structure (30 points)

The review committee may request, at their discretion, presentations by or meetings with any Respondent(s) to clarify or discuss the proposal submitted. Proposals shall be submitted initially on the most favorable terms which the Respondent can propose.

The Owner will enter into a negotiation period to finalize terms of the partnering agreement. The Owner will accept proposed forms of agreement for review but shall not be obligated to accept any terms and reserves the right, in any circumstance, to propose alternate agreements at their discretion.

9. RFP Response Requirements

The Owner requests the following information to address the criteria in Section 8 in a brief, concise manner without extraneous information.

2)

Proposal submittals shall be submitted in a single electronic package in PDF format to the Owner. Contact via email. To achieve a uniform review process, the owner requests that the following section format be followed in preparing the responses:

- .1 **Company Overview** – provide an overview of the Respondent's organization, core service areas and capabilities. Include specifics of the Respondent's knowledge, experience and operations within the broadband telecommunication industry and, if applicable, history of development within Nova Scotia (maximum 2 pages).
- .2 **Organizational Chart** – provide an organizational chart and curricula vitae key management staff that will be involved in managing services for the Owner. Org chart shall include the Owner's role in the partnership. (Maximum ½ page excluding CVs)
- .3 **Barriers to Service** – detail what barriers exist, if relevant, preventing entry into this market in Nova Scotia in the past and what the Owner can provide to make this a successful market for you. (Maximum 1 page)
- .4 **References** – provide a minimum of two relevant references that can speak to the Respondent's ability to successfully plan, implement and execute the Services. (Maximum ½ page)
- .5 **Conflict of Interest** – provide disclosure of any conflict of interest or appearance of conflict of interest that is a direct or indirect financial investor, partner, employee or member of any corporation, partnership, or other legal entity making or participating in this RFP. Conflict of interest questionnaires will be required to be completed by Respondents entering into negotiations with the Owner.
- .6 **Implementation Plan** – describe the implementation plan for the Service which may include but is not limited to nor mandated to be: marketing strategy, target initial percentage customer uptake, local location of services, plan to provide sufficient resources for Service Delivery, equipment acquisition, etc. (Maximum 2 pages)
- .7 **Customer Service** – describe operations plans for customer facing Services such as marketing, customer service calls, technical support (online, telephone and in-person), NOC services and complaint escalation procedures. Define the roles and responsibility of the Owner, if any, in these services. (Maximum 2 pages)
- .8 **Operations and Maintenance** – describe operation and maintenance plans including receiving service disruption reports, mobilizing resources, expected response time, customer service calls and escalation procedures. Define the roles and responsibility of the Owner, if any, in these services. (Maximum 1 page)

10. No Binding Commitments

The issuance of this RFP and any subsequent response by a Respondent does not create a binding obligation on the part of the Owner to enter into any negotiation, form of agreement or contract, or to pay any costs associated with the preparation of responses or submittals by the Respondent, for the development of any Services, delivery of any products or otherwise. Nor shall this RFP in any way create an association, partnership or joint venture between a Respondent and the Owner. The Owner reserves the right to waive responses to any part of this request if, in its sole judgement, it determines it is in the best interests of the Owner to do so.

Nothing in the RFP shall preclude the Owner from obtaining relevant information from any other source or through any other process. The Owner may require any Respondent to participate in negotiations and to submit any other information or documentation it deems necessary as conditions of awarding a contract. The Owner reserves the right to vary or waive requirements for different Respondents as suits the Owner's needs.

11. Ownership and Confidentiality of Responses

The Owner will not pay for any information requested and all responses submitted become the property of the Owner. Responses may be subject to disclosure under the Access to Information Act or provincial statute. The Owner may receive information that may be considered confidential as part of a response. If a Respondent believes that any portion of its response includes proprietary or other confidential information, it shall be clearly labelled as confidential information and the Respondent shall state the rationale for the claim to confidential treatment. Unless otherwise compelled by law, the Owner will treat such information as confidential and will not disclose it to any third party without prior notification and authorization.

12. Cost of Services

Provide costs of operation of services using the bid form included as Appendix A, including operational constraints. Where two options for reimbursement for cost of services are presented, respondents may select one reimbursement model or both, on the understanding that if two models are presented that the Owner may select, at the Owner's sole discretion, the model that the Owner determines to be most advantageous to service delivery and repayment of the municipal debenture.

Costs of services will be assessed by entering Respondents financial models into the Owner's business plan and assessing the Net Present Value over 20 years, including costs of services, estimated customer uptake of 20% of eligible civic addresses over the first 3 years, reaching steady state after this time.

Points will be assigned as a ratio of the Net Present Value of the Respondent proposal (NPV_R) to the highest Proposal Net Present Value (NPV_0) multiplied by the total points available:

$$Cost\ Score = \frac{NPV_R}{NPV_0} * 30$$



Appendix A: Bid Form

Operational Constraints:

Maximum Number of Service Connections Per Month: _____ customers

Maximum Downtime for Service Calls _____ hours

Cost Structure:

A) Residential Customer Connection: \$ _____ per connection OR \$ _____ per month (<10 per month)
\$ _____ per month (<50 per month)
\$ _____ per month (<100 per month)
\$ _____ per month (>100 per month)

B) Service Calls \$ _____ per call OR \$ _____ per month (<500 accounts)
\$ _____ per month (<1000 accounts)
\$ _____ per month (<100 accounts)
\$ _____ per month (>100 accounts)

C) Commercial Customer Connection: \$ _____ per connection OR _____ included in monthly fee

D) Non Routine Fiber and Equipment Maintenance (Assume average of 15 minor occurrences and 1 major occurrence per year: \$ _____ (minor) OR \$ _____ per year
\$ _____ (major)

Alternate Pricing Structure for Non-Routine Maintenance (detail cost basis and estimated amount per year)

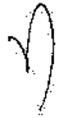
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E) Provision of all other services: \$_____ per customer OR \$_____ per month (<500 accounts)
\$_____ per month (<1000 accounts)
\$_____ per month (<100 accounts)
\$_____ per month (>100 accounts)

Optional Services:

Transport and Transit:	10 Gbps	\$_____ Non Recurring Cost
		\$_____ Monthly Recurring Cost
	20 Gbps	\$_____ Non Recurring Cost
		\$_____ Monthly Recurring Cost
	30 Gbps	\$_____ Non Recurring Cost
		\$_____ Monthly Recurring Cost
	40 Gbps	\$_____ Non Recurring Cost
		\$_____ Monthly Recurring Cost

Number of Transport connection points proposed: _____





COUNTY of ANNAPOLIS
NATURALLY ROOTED

752 St. George Street, PO BOX 100
Annapolis Royal, Nova Scotia Canada B0S 1A0

Phone: (902) 532-2331 Fax: (902) 532-2096
Website: AnnapolisCounty.ca

APPENDIX D – PROVIDER RESPONSE

9



**Response to the County of Annapolis
RFP H357839-DOC-GEN-4002
March 11, 2020**

This proposal from Seaside Communications Inc. (Seaside) is submitted in response to the above RFP. It contains Seaside Management's ideas and recommendations with respect to the operation of the County's soon-to-be constructed fiber-optic telecommunications network, and is intended to form the basis for negotiating mutually agreeable partnership arrangements.

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Seaside Group Corporate Profile

Overview

Under the ownership of Oceanside Communication Holdings Inc., a privately held N.S. company, Seaside Communications Inc. (SCI) and Seaside Wireless Communications Inc. (SWCI) operate hybrid fibre/coax and fixed wireless networks delivering television, telephone and internet services to 20,000 subscribers. Our Vision is a narrowing of the urban-rural digital divide, and our Mission is to deliver exceptional value and customer experience.

The wireline business has operated continuously since 1975 serving twenty communities in and around Industrial Cape Breton. Its network infrastructure includes 648 kilometers of coaxial cable and over 350 kilometers of fibre, plus a new state-of-the-art headend that was commissioned in August 2015.

Our fixed-wireless enterprise has been in business for 12 years and operates a broadband network serving rural communities spread across the ten northern counties of Nova Scotia (a territory covering approximately 30,000 square kilometers). The network comprises over 350 telecommunications towers.

The group has fibre optic infrastructure across Northeastern Nova Scotia with multiple interconnection points between Sydney and Truro. Diverse and redundant links provide connectivity to Toronto.

Our broadband customers pay competitive flat rate monthly charges with no bandwidth caps, and we employ approximately 100 people spread throughout the areas we serve.

In-house Capacities and Sub-contractors

Seaside is essentially self-sufficient in terms of its capacity to design, engineer, build and operate its networks. Sub-contractors are used only occasionally. In-house capacities include: engineering and network design, network construction, customer installations, technical support, 24/7/365 network monitoring, customer services representatives, human resources and occupational health and safety departments.

Corporate Officers

Martin Chernin C.M. (Chairman), Curdis Karrel (Company Secretary), Eric Schibler (Audit Committee Chair), Drs. Eric Tweedie and David Alexander (Directors), Loran Tweedie (CEO), and David Horton (COO).

Network Features

Seaside's wireline and fixed-wireless networks share a common core and fibre optic network infrastructure.

The core switching and routing infrastructure resides at our Headend in Reserve Mines. The core network consists of redundant switches that have been virtualized. This ensures that our customers remain online even if a switch were to fail.

The shared fibre optic infrastructure extends from Reserve Mines to Truro. This backbone is part of an IRU (Indefeasible Right of Use) agreement that provides middle mile connectivity to Fixed-wireless customers in Cape Breton and Mainland Nova Scotia as well as to Wireline customers in St. Peter's and surrounding areas.

Seaside-owned middle mile fibre optic assets deliver television, Internet and telephone services to customers in Industrial Cape Breton (Glace Bay, Dominion, New Waterford and Louisbourg) as well as Baddeck. These assets also directly feed seven wireless tower locations across Cape Breton and Northeastern Nova Scotia. Leased middle mile fibre assets are used to provide Internet and telephone service to an additional seven wireless tower locations.

A leased circuit extends the fibre infrastructure in Truro to a colocation facility in Toronto (151 Front Street). A second connects our core infrastructure in Reserve Mines to the same colocation facility. These two links complete a fibre ring that provides our customers with redundant access to the core infrastructure and services hosted in Toronto. A tertiary link between Reserve Mines and Toronto adds further redundancy, capacity, and path diversity to Seaside's network.

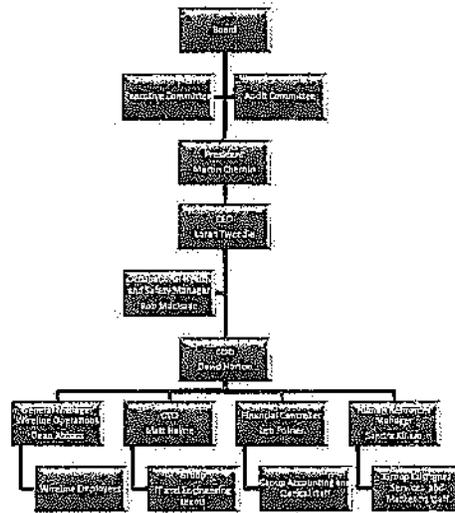
Having a presence at 151 Front Street gives us access to competitive bandwidth rates and the ability to obtain services from some of the biggest internet-based companies in the world. These include Amazon, Google, Microsoft and Facebook.

Partnering with Government Entities

Seaside has a successful track record of partnering with municipal, provincial and federal agencies on multi-million dollar projects to deliver broadband services to rural consumers.

Seaside Group Organization and Key Personnel

Organization Chart



Management Team Bios (full CVs available on request)

Loran Tweedie, Chief Executive Officer

Mr. Tweedie holds a Business Degree from St. Francis Xavier University. He began his career in the commercial real estate industry in 1984, and in 1992 he entered the Cable TV industry and served as Co-partner and Director Administration for a Caribbean based Cable TV system until it was sold in 1997. His experience in the communications industry also includes investments in and executive positions with a number of private, Maritimes-based companies engaged in communications infrastructure construction and network testing. Mr. Tweedie's community involvement includes serving as Vice Chair of the Cape Breton Regional Hospital Foundation, and as a founding board member and Vice Chair of the Cape Breton Partnership. He has been an integral part of Seaside's senior management team since 2008 and he has an ownership interest in Seaside's parent company.

David Horton, Chief Operating Officer

Mr. Horton is a member of the Institute of Chartered Accountants of Scotland and has extensive senior management experience in both publicly and privately owned corporations operating in Europe, North America, Africa and Asia. He joined the Seaside Group in 2008 and served as President prior to a change in corporate ownership in 2013. He currently serves on the boards of a number of third party private companies engaged in aviation and contracting.

Dean Abbass, General Manager - Wireline Operations

Mr. Abbass is a CPA-CA who received his designation 30 years ago. He has spent the last 17 years with Seaside, initially as Controller and from 2012 as General Manager – Wireline Operations. Mr. Abbass also manages the group's relationships and dealings with the Canadian Communications Systems Alliance (CCSA) and the CRTC.

Matt Hayne, Chief Technical Officer

Mr. Hayne has 15 years IT experience with an Advanced Diploma in Computer Network Technology and a Diploma in Computer Systems Management and Support from the Nova Scotia Community College, and a BBA from Cape Breton University. In addition he holds professional certificates in numerous Cisco and CompTIA applications. He also has Government of Canada Secret Security Clearance (Level II). He joined Seaside in 2013.

Shane Ferguson, Director of Network Operations

Mr. Ferguson has over 20 years' experience in network design and engineering. He holds a Bachelor of Science Degree from Dalhousie University, a Diploma in Computer Network Technology from MacKenzie College, as well as an Electrical Engineering Diploma from Cape Breton University. He is responsible for the integration of Seaside's DOCSIS network, Video-On-Demand, Telephony/VoIP services, IPTV, and FTTP. He is also a long-time member of the Institute of Electrical and Electronics Engineers (IEEE), Society of Cable & Telecommunication Engineers (SCTE), and the Canadian Communications Systems Alliance (CCSA).

Robert MacIsaac, Occupational Health and Safety Manager

The Seaside Group has employed a full-time Occupational Health and Safety Manager since 2008. Mr. MacIsaac was recruited in 2018 and has over 21 years' experience in instruction, training and environmental health and safety. He holds a Bachelor of Education Degree from St. Francis Xavier University and an Environmental Health and Safety Diploma from the Maritime Environmental Training Institute.

Sandra Killam, Human Resources Manager and Marketing Manager

Ms. Killam has both Bachelor of Business Administration and Master of Business Administration degrees from Cape Breton University. She has 24 years Human Resources experience in the automotive, health care and telecommunications industries, both in unionized and non-unionized environments. She also leads the group's marketing and customer support team. She joined the Seaside Group in 2008.

Leo Poirier, Financial Controller

Mr. Poirier is a CPA-CMA with over 39 years' progressive experience in accounting and finance positions in a broad range of operations, including the fishing industry, steel fabrication, industrial supplies, retail electronics, software development, and telecommunications. For the past 12 years he has been Financial Controller for the Seaside Group. He holds a Bachelor of Business Administration degree from St. Francis Xavier University.

In addition, the following senior technical managers are available to assist as necessary, although they are unlikely to be directly involved in the routine operations of the Annapolis County network:

Jeff Pastuck, Wireless Network Manager

Mr. Pastuck has 16 years' experience in the IT industry. He holds a Bachelor of Technology degree from Cape Breton University with a major in Networking Systems, a Certified Field Engineer certificate from Cambium Networks, as well as other IT oriented certifications. Among his duties is the management of Seaside's 24/7/365 Network Operations Centre. Prior to joining Seaside in 2008 Mr. Pastuck was employed in computer operations in the IT department at Cape Breton University.

Brian Kelly, Wireless Network Engineer

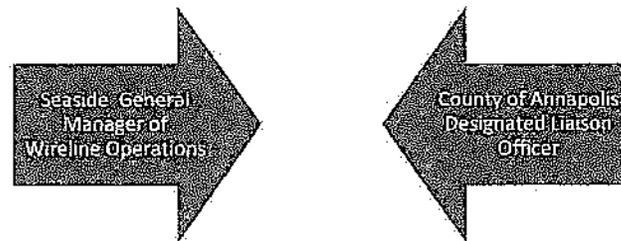
Mr. Kelly is a Nova Scotia Community College certified Engineering Technician who has worked continuously over the past 17 years in the industrial / telecom sectors. He has extensive IT experience, from various server configurations to programming to in-depth network analysis. For the past 9 years he has managed SWCI's field engineering and construction crews. Mr. Kelly is also a faculty member at the Marconi Campus of the Nova Scotia Community College.

Role of the County of Annapolis

The County shall build and own the Network, and shall:

- Consult with Seaside to the extent necessary to ensure the network design is optimal for delivery of services at agreed minimum levels for internet speeds and service reliability;
- Provide Seaside with complete details of the network including drawings, plans, maps, technical specifications, etc.;
- Secure, at its cost, long-term pole attachment agreements;
- Arrange, at its cost, adequate bandwidth for the agreed scope and levels of broadband services to be delivered;
- Arrange, at its cost, appropriate insurance coverages for all network assets;
- Nominate or employ a County representative to act as a primary liaison officer with Seaside Management to facilitate timely communication and efficient network operations on an ongoing basis; and
- Establish, in consultation with Seaside, competitive retail pricing scales for subscribers.

Organizational Highlights – Partnership Liaison and Reporting



Partnership Team and Functions

Name and Position	Responsibilities
Dean Abbass GM - Wireline Operations	Mr. Abbass will be Seaside's Partnership Coordinator with the County of Annapolis. He will be Seaside's lead representative on all routine management and administrative matters related to the initiative.
Matt Hayne Chief Technical Officer and Network Architect	Mr. Hayne's primary functions are capacity planning, network hardware procurement/configuration, network monitoring/reporting, network optimization and security. He is also the executive level technical escalation point of contact.
Shane Ferguson Director of Network Ops	Mr. Ferguson is the primary wireline technical manager. He is responsible for head-end operations and the planning, engineering, and implementation of last mile network infrastructure and services. He is also heavily involved in the head-end operations. He is the primary wireline manager.
Robert MacIsaac Occupational Health and Safety Manager	Mr. MacIsaac is responsible for ensuring that all operational activities, whether carried out by staff or sub-contractors, are performed in a safe and secure manner in accordance with policies stipulated in Seaside's Occupational Health and Safety Manual, and in compliance with government regulations.
Sandra Killam Human Resources Manager and Marketing Manager	Ms. Killam is responsible for the human resources function, including the recruitment, hiring and performance evaluation of all personnel. She ensures that all members of staff comply with our formal codes of conduct and procedures. She will also be involved in marketing initiatives.
Leo Poirier Financial Controller	Mr. Poirier will ensure that strict financial controls are maintained throughout our operations. He will ensure proper inventory controls are in place and he will prepare timely and accurate financial statements and reports related to partnership operations.

2

Barriers to Service

Generally the main barrier to entry in the rural broadband market is the high level of capital investment required relative to population density. Although Open Access rules will have to be faced, the fact that Annapolis County is undertaking these network capital expenditures on behalf of its underserved citizens supports Seaside's expectation that this initiative will face minimal competition, and the County's intimate understanding of market demands will underwrite its success.

References

Attached (at pages 16 to 18) are references, attesting to our capabilities and corporate citizenship, from:

- The Municipality of Victoria County
- Highway 104 Cobequid Pass
- Fire Services Association of Nova Scotia

Conflict of Interest

Seaside, its owners, officers, directors, employees and agents hereby declare and assert that no conflicts of interest, or appearance of conflict of interest, exist between them and the County of Annapolis and its representatives or employees.



Implementation Plan

General

Seaside will assist the County of Annapolis in the building and planning of the network to the extent agreed by both parties including but not limited to:

- Working collaboratively with Hatch Limited and Eagle Telecom to expedite and optimize all facets of the initiative.
- Providing guidance with regards to purchase and acquisition of FTTH, switching, and routing equipment, and leveraging Seaside's purchasing power and industry connections to evaluate and procure equipment on the most advantageous terms.
- Determining optimum POP locations, and appropriate amount of bandwidth.
- Assisting with ARIN registration, IP allocations and Autonomous System Number (ASN).
- Configuring FTTH, switching/routing equipment, test redundancy/fallover features.
- Assisting in the testing and commissioning of the network.
- Establishing encrypted remote access to network for Seaside service delivery (administration, monitoring, billing, etc.).
- Devising and implementing marketing plans to quickly and efficiently roll out service offerings (including during the construction phase) in completed areas.
- Sourcing and training installers and service technicians to Seaside standards.
- Ensuring adequate CSR/TSR/NOC and dispatch resources are in place to deal with anticipated demand.
- Developing a unique website for the County of Annapolis to showcase services and facilitate customer acquisition.
- Developing and maintaining a customer billing interface.

Seaside's intent is to maximize the use of local (Annapolis County) contractors and labour for all network and customer connections. During initial phases of service delivery, when demand is expected to be heaviest, Seaside technicians will provide additional capacity as required.

Marketing Strategy and Targets

The strategy will capitalize on the County's ownership of the network and its initiative to meet the 21st century telecommunications needs of its residents. Enhanced service levels, availability of service bundles (Internet, IPTV and Phone), plus affordability will also be key marketing messages. Marketing formats will include:

- Free media announcements of network development and commissioning progress via the County's normal communications and public awareness avenues.
- Local media advertising, direct mailing, outbound calling, and door knockers may be used in the earliest phases of network commissioning.
- By April 15, 2020, a separate, dedicated *Annapolis County* section will be added to Seaside's website so that County customers and potential customers may have online access to apply for service and other developments. In the longer term, website messaging will be the predominant marketing vehicle. We will be pleased to provide a more fulsome outline.

Preliminary estimates are that the network will pass approximately 8,300 residences, of which about 1,000 will be seasonal homes. It is also estimated that other ISPs will be capable of competing for about 2,200 addresses. Based on these numbers, it is Seaside's view that an ultimate market penetration target be set at 5,000+ (or 60%), and will be achieved within the first three years of operation.

Routine Operations

To facilitate efficient management and expansion of operations Seaside will:

- Establish office and warehousing accommodations (estimated dimensions between 100 to 150 square feet). Ideally this facility will be located on County-owned property in Annapolis Royal and/or adjacent to the County's network Server Room.
- Recruit, train, equip and remunerate a local team of technicians – numbers of personnel to be determined in consultation with the County, and as market demand dictates.
- Contract with groups of local sub-contractors capable of completing customer installations and service calls, and carrying out routine network maintenance.

Network monitoring, technical services, procurement, administration, inventory control, accounting, and customer service functions will be provided by Seaside's existing staff, augmented as necessary to keep pace with customer demand.

Partner Liaison and Communications

The County and Seaside will both nominate lead personnel to act as primary liaison officers. Seaside will be represented in this regard by Dean Abbass, General Manager – Wireline Operations. It will be the responsibility of these officers to communicate with each other on a timely basis to take advantage of new opportunities or address problems as they arise.

In addition, a formal periodic (monthly or quarterly) exception reporting regimen will be established whereby each party provides the other with pertinent information or concerns regarding its perception of network and operational performance. These exchanges may be delivered either in writing or via meetings or teleconference.

On a monthly basis, within ten days of the end of each calendar month, Seaside will deliver to the County a full accounting of Partnership transactions for each month. This will include all applicable revenues and expenses, and any relevant capital costs, plus customer statistics and Seaside fee analyses. The County will have the right to audit these reports upon reasonable request regarding frequency and timing.

Settlements of net accounts between the parties shall be executed within 30-days of each month-end.

Customer Service

By applying proven best-practices and operating and customer services policies, Seaside aims to meet and exceed the County's expectations. The over-arching theme in our treatment of customers is referred to internally as our no "BS policy". Examples include:

- Maintaining and regularly updating a clear and easily navigated website that allows potential customers to know exactly what they are purchasing and for what price – an example is our "Build My Bundle" feature.
- No written contracts.
- No bandwidth limitations.
- Going the extra mile to resolve any issues because in the end, although it may add cost in terms of time and truck rolls, it builds resilient, long-term customer relationships.

Marketing plans are regularly reviewed, updated and tailored to current market conditions, and the County will also benefit from Seaside's in-house social media and marketing departments; and its relationship with Nova Scotia based marketing consultancies. Seaside will extend its Volunteer Fire Department initiative to include VFDs within Annapolis County.

Seaside's Customer Services Team is led at the Senior Executive level by Loran Tweedie, CEO, and Dean Abbass, Manager – Wireline Operations. It also comprises:

- Sandra Killam – Group Marketing Manager
- Angela Bresson – Group Social Media Manager
- Kerry Grant – Manager – Wireline CSRs
- Sarah Ann Adams – Wireline Dispatcher
- Jared Peach – Technical Manager - TSRs
- Laurie Tynski – Administrative Manager - TSRs
- Mike Tomiczek – Manager – Network Operations Centre (NOC) - operating 24/7/365
- NOC Operatives – 5 positions
- Wireline Customer Services Representatives (CSRs) – 5 positions
- Technical Services Representatives (TSRs) – 8 positions

CSR and TSR telephone support operations are staffed as follows:

	Weekdays	Saturdays and Sundays
TSRs	From 8:00 am to 10:00 pm	From 8:00 am to 10:00 pm
CSRs	From 8:30 am to 5:00 pm	From 9:00 am to 4:00 pm (Saturday only)

The team is supported for market analysis and creative advertising and promotion by VMP Group, our advertising agency of record.

Complaint escalation procedures – General

- Seaside's automated phone call answering system directs callers to separate extensions for either technical issues or other customer inquiries.
- In the event that such calls are misdirected the responding TSR or CSR will transfer the call as appropriate.
- TSRs and CSRs are empowered within reason to make timely decisions to maximise customer experience.

Complaint escalation procedures – Technical

- The responding TSR will register and note the call ("open a ticket") in our *CableMonitor* software system.
- If appropriate the TSR will consult with the NOC operator on duty to determine any current network impacting conditions that may apply.
- Also, if appropriate, depending on the nature of the issue, the TSR may escalate the problem to the five-member Network Operations Department.
- If, following such consultations, the TSR is unable to successfully troubleshoot the issue during the call, or within a reasonable call-back period, a truck-roll will be mobilized via the Dispatch Operative.

Seaside operates a rotating "On call" roster of technical personnel at all levels to support timely response times.

Complaint escalation procedures – Billing/Administration, etc.

- The responding CSR will register and note the call ("open a ticket") in our *R.R. Enterprises* software system.
- In the event that the responding CSR is unable to resolve matters during the call, he or she will escalate to the departmental manager who also holds the position of Office Manager.
- In the event the Departmental manager is unable to resolve matters to the customer's satisfaction, the matter is escalated to the Manager – Wireline Operations for final determination.

The involvement of County of Annapolis officials in these dealings will be extremely rare, if not non-existent. Seaside will apprise the County if any major issues remain unresolved, and the County will consult with Seaside as necessary to mutually agree terms of resolution.

Accounting for Customer Subscriptions

Seaside will be responsible for all customer billings and collections via its *R.R. Enterprises* Customer Relations Management system. Revenues generated net of applicable fees and expenses shall be remitted by Seaside to the County on a monthly basis (see also page 10).

Operations and Maintenance

Operations and maintenance procedures proposed for the County of Annapolis will mirror those applied in Seaside's other wireline networks. For example:

- All service disruptions are recorded in detail. They are classified by 3 different levels:
 - Level 1 – Emergency disruption. Usually as a result of equipment failure. Response time < 1 hr. The Seaside NOC has direct communication with technicians onsite. ETRs are mailed out and/or posted on web/media.
 - Level 2 – Emergency – however, can be deferred to next maintenance period (1-5 AM). Customers are notified of pending outage immediately.
 - Level 3 – Non-Emergency. This is classified as scheduled maintenance (upgrades/configuration changes). Customers are notified 72 hours in advance.
- All service disruptions appear in a pre- (if available) and post- detailed report.
- All customer service calls are record and classified by apparent problem (Wi-Fi, Optical Connection, Equipment, etc.). Reports can be generated by type and duration.
- Escalation order: Helpdesk -> NOC -> NOC Supervisor -> Technical Manager -> CTO. Full details will be provided.
- Seaside will take periodic performance measurements – of KPIs such as throughput, latency, and jitter at various times of the day – including peak periods. Regular reports will be generated to display successful performance or potential issues.
- On call emergency technicians available for after-hours coverage.

Seaside will work with the County of Annapolis to establish outage criteria and response times that reflect particular circumstances and desired outcomes.

In addition, Seaside will provide advice to the County on all technical aspects of the operation including with respect to Server Room conditions and back-up power. Seaside will also conduct periodic quality assurance audits related to installation teams and sub-contractors.

The roles and responsibilities of the County with respect to operations will generally be limited to authorising and assuming cost responsibility for both routine and non-routine maintenance of network infrastructure.

Appendix A: Bid Form

Operational Constraints:

Maximum Number of Service Connections Per Month: Anticipated up to 300 customers*

*Seaside will aim to complete all installs within a 2-week booking calendar, and will ramp up capacity as and when required to meet that commitment.

Maximum Downtime for Service Calls: Anticipated up to 48 hours.

Cost Structure:

A) Residential Customer Connection: \$125.00** per connection OR \$..... per month (if <10)
 \$..... per month (if <50)
 \$..... per month (if <100)
 \$..... per month (if >100)

**Comprises labour, travel and consumables but excludes cost of CPEs which will remain the property of the County of Annapolis. Connections for additional bundled services such as IPTV or Telephone will be charged at \$100.00 per occurrence.

B) Service Calls: \$125.00 per call OR \$..... per month (if <500)
 \$..... per month (if <1000)
 \$..... per month (if <100)
 \$..... per month (if >100)

C) Commercial Customer Connections: Actual cost to Seaside plus 10% mark-up to cover incremental management and administrative expenses

D) Non Routine Fiber and Equipment Maintenance (Assume average of 15 minor occurrences and 1 major occurrence per year: \$30,000.00 (minor) OR \$..... per year
 \$5,000.00 (major))

Alternate Pricing Structure for Non-Routine Maintenance (detail cost basis and estimated amount per year)

For budgeting purposes Seaside recommends an average cost of \$2,000 per minor occurrence and \$5,000 per major occurrence.

In a typical year Seaside would estimate 15 minor occurrences at an approximate total outlay of \$30,000, and one major incident at an approximate cost of \$5,000.

Amounts actually charged will be Seaside's actual cost incurred plus 10%.

- E) Provision of routine services: \$40.00 per customer per month***
 - OR \$..... per month (<500 accounts)
 - \$..... per month (<1000 accounts)
 - \$..... per month (<100 accounts)
 - \$..... per month (>100 accounts)

***Routine services comprise all customer account administrative and accounting services including billings and collections functions, plus Help Desk and NOC technical support.

- F) Provision of other, non-specified, services will be based on Seaside's actual costs plus a mark-up of 10% to cover incremental management and administration.

Optional Services:

Transport and Transit:	2 Gbps	\$2,500 Non Recurring Cost
		\$5,000 Monthly Recurring Cost
	10 Gbps	\$2,500 Non Recurring Cost
		\$20,000 Monthly Recurring Cost
	20 Gbps	Waived - \$ Zero Non Recurring Cost
		\$35,000 Monthly Recurring Cost
	30 Gbps	Waived - \$ Zero Non Recurring Cost
		\$45,000 Monthly Recurring Cost
	40 Gbps	Waived - \$ Zero Non Recurring Cost
		\$50,000 Monthly Recurring Cost

Number of Transport connection points proposed: 4 (1 or 2 transit initially)

Annual Review

The County of Annapolis and Seaside will conduct annual reviews of all pricing to ensure maintenance of equitable conditions that take into account inflationary and competitive factors as well as any other relevant circumstances.

Partnership Term

The parties will negotiate a mutually agreeable initial term for the partnership. Seaside's preliminary recommendation is that the initial term be for 5 years, renewable for further five-year terms.



MUNICIPALITY OF THE COUNTY OF VICTORIA

December 21, 2018

To whom it may concern:



The Municipality of the County of Victoria has partnered with both Seaside Wireless Communications Inc. and its sister company, Seaside Communications Inc., on a number of rural broadband projects over past number of years.

Our relationship with Seaside began in April 2007 when we partnered with them to provide fixed wireless Internet services to 25 previously unserved rural communities. That project, involving thirteen fixed wireless telecommunications sites, was implemented in three phases and completed in early 2008. Total costs amounted to approximately \$700,000 with financial contributions being provided by the County, ACDA and Seaside. Further collaboration between Victoria County and Seaside continued throughout Seaside's implementation of the provincial government's Broadband for Rural Nova Scotia initiative (between 2008 and 2011). In 2016-2017, the County with NS Dept. of Business and Seaside participated in municipal/provincial broadband project (\$81,680) which provided a new wireless site at New Campbellton and upgrades to existing site in Englishtown. Both sites received LTE Radios. More recently, in 2018, we partnered again to increase broadband speeds to up to 100.0Mbps in the Baddeck and Wagmatcook areas. This \$272,000 project involved extensions to Seaside's fibre network backbone and related upgrades to its headend equipment. It was completed in March 2018, and the County of Victoria provided a financial contribution of \$100,000.

Seaside continues to assist the County in the development of longer-term municipal rural telecommunications strategies, and discussions are currently ongoing between us to address future broadband needs in Ingosh and north of Cape Smokey, as well in other parts of the county, south of smokey.

Seaside has proven to be a reliable and effective partner in meeting the County's telecommunications aspirations. They have demonstrated both the technical and operational capacity to deliver on their commitments, and we look forward to continued collaboration with them in future.

With Respect:


 Tom C. Wilson
 Director Recreation & Tourism
 and Broadband Project Leader
 Municipality of County of Victoria

cc/Paul MacNeil, Broadband Chairman
 Deputy Warden, Larry Dauphinae
 Warden, Bruce Morrison

Box Office Box 328
 595 Chebucto Street
 Baddeck, Nova Scotia B0E 1B0
 Telephone: (902) 295-2232
 Facsimile: (902) 295-1831
 www.victoriacounty.ns.ca



Highway 104 Western
Alignment Corporation

Cobequid Pass Toll Plaza
209 Cobequid Pass
Great Village NS
B0G 1L0

P (902) 668-2211
F (902) 668-2290
E info@highway104.ns.ca
www.highway104.ns.ca

Seaside Wireless Communications Inc.
500 George St. Suite 140
Sydney, N.S.
B1P 1K6

February 28, 2019

To whom it may concern:

The Cobequid Pass Toll Highway is an important transportation link for the Maritimes to the rest of Canada and the United States. Over 3 million vehicles pass over our twinned highway each year. Given our past difficulty with obtaining reliable and adequate Internet Service from other providers, we approached Seaside in May, 2018 to engineer and install Internet Service which is critical for the safe and efficient operation of our Toll System and Highway.

Seaside's assistance and ongoing provision of quality service has given us the telecommunications capacity and reliability that is essential to our operation. Their work is impeccable and I am pleased to vouch for their expertise and professionalism.

Sincerely,

Wally Caldwell, P. Eng.
General Manager
Cobequid Pass



FIRE SERVICE ASSOCIATION OF NOVA SCOTIA

3590 Cameron Settlement Rd, RR #1
Aspen, NS B0H 1E0

Email: admin@fsans.ns.ca
Website: www.fsans.ns.ca

February 20, 2019

RE: LETTER OF SUPPORT FOR SEASIDE COMMUNICATIONS INC. and SEASIDE WIRELESS COMMUNICATIONS INC

Dear Sir/Madam,

We, the members of the Fire Service Association of Nova Scotia (FSANS), want to formally confirm in writing our complete support for the application being submitted by Seaside to participate in the Internet for Nova Scotia Initiative.

Our Association represents close to 300 fire departments throughout the Province of Nova Scotia and we have close to 600 members. Our Mission Statement is as follows, *FSANS is dedicated to providing leadership and representation to the fire service, government, private sector and citizens of Nova Scotia by developing, evaluating and communicating policy and programs through consultation, research and education in the matters of fire and public safety.*

Part of our mandate is to be the united voice of fire service through our Province. A big part of achieving our goals is working closely with government, both the Provincial and Federal levels, communities, individuals and the business sector. One way we measure success is through effective and timely communication and suffice to say our relationship with Seaside is an important one.

Seaside offers free internet service to departments, along with cash incentives through a submission process and draw, in some cases the cash awards are added to by the support of some companies and municipalities. The Seaside Fire Department Support Program is a great incentive for the departments in both monetary and morale terms. Supporting fire departments is an integral part of ensuring the safety of our communities. If Seaside is successful in its plans to participate in the Internet for Nova Scotia Initiative it could bring enhanced services to our rural communities and fire departments.

We greatly appreciate the support from Seaside. They deliver an excellent product and customer service and have demonstrated their appreciation of rural Nova Scotia and the people who live and volunteer here. That is what community is all about.

Best Regards,

Jim Roper
Jim Roper - President
Fire Service Association of Nova Scotia

(Handwritten mark)



COUNTY of ANNAPOLIS
NATURALLY ROOTED

BOARDS and COMMITTEES Recommendations

AdHoc, Standing, and Advisory Committees

To: Committee of the Whole

Meeting Date: October 11, 2022

Subject: **Recommendations from the 2022-07-22 Nominating Committee Meeting**
– *Extend Appointment of Brandon Lake to the Bridgetown Area Advisory Committee*

RECOMMENDATIONS:

Re: Bridgetown Area Advisory Committee (NOT MORE THAN 5 citizens)

THAT Municipal Council extend the citizen appointment of Brandon Lake to the Bridgetown Area Advisory Committee (satisfying Section 29(c) of the policy) to November 30, 2024.



BOARDS and COMMITTEES

Information Report

Joint, Regional or Community Organizations (AM-1.3.7)

Report To: Committee of the Whole
Submitted by: Bruce Prout Councillor for District 1
Submission Date: September 2022
Subject: TCTS AGM and September Board Meeting

BACKGROUND

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

The Annual General Meeting of TCTS was held in the Bridgetown Legion on Wednesday, September 21st at 3:30.

The following items comprise highlights of the meeting:

1. The meeting was called to order at 3:31 with regrets received from Bruce Gillis, Eileen Kelleher and Violet Parisien.
2. The minutes of the Sept. 15th 2021 AGM were approved.
3. Under Business Arising:
 - a) The Annual Report of the General Manager was approved.
 - b) Under the Election Of Directors – all of the current Directors agreed to be re-appointed.
 - c) Under the Election of Officers – all of the current Officers were re-appointed.
 - d) Under Meeting of Approval of Notice to Reader – the Notice to Reader was approved and accepted.
4. Under Special Business:
 - a) The Report of the Report of the Board Chair for the fiscal year April 1, 2021 to March 31, 2022 was accepted.
 - b) Two Five Year Anniversaries were recognized, Peter Newton and Tom Medicraft.
5. The date for the next AGM was set for September 20, 2023.

The AGM was followed by the Monthly Board Meeting, the highlights Of which are as follows:

1. The meeting was called to order with regrets from Bruce Gillis, Eileen Kelleher and Violet Parisien.
2. The Minutes of the May, 18th Monthly Board meeting were approved.
3. There was no Business Arising or Correspondence.
4. Both the General Managers Report and the Treasurers Report were approved.
5. Under New Business, it was decided to discontinue a Line of Credit.
6. The date for the next Monthly Board Meeting was set for Wednesday, Oct. 19th at 3:30.



COUNTY of ANNAPOLIS
NATURALLY ROOTED

BOARDS and COMMITTEES Recommendations

AdHoc, Standing, and Advisory Committees

To: Committee of the Whole

Meeting Date: October 11, 2022

Subject: Recommendations from the 2022-09-26 Annapolis REMO Advisory Committee Meeting

RECOMMENDATIONS:

That Municipal Council approve the Annapolis County / Lunenburg County Mutual Aid Agreement as recommended to all Annapolis County REMO councils by the Annapolis REMO Advisory Committee

ATTACHMENTS

Appendix A – Annapolis County and Kings County Emergency Management Mutual Aid Agreement

THIS MUNICIPAL EMERGENCY MANAGEMENT MUTUAL AID AGREEMENT made this _____ day of _____, 2022

BETWEEN: MUNICIPALITY OF THE COUNTY OF ANNAPOLIS
TOWN OF MIDDLETON
TOWN OF ANNAPOLIS ROYAL
MUNICIPALITY OF THE DISTRICT OF LUNENBURG
MUNICIPALITY OF THE DISTRICT OF CHESTER
TOWN OF BRIDGEWATER
TOWN OF LUNENBURG, and
TOWN OF MAHONE BAY

WHEREAS an emergency could affect the separate parties to such a degree that their individual resources would be inadequate to cope with the emergency;

AND WHEREAS for the purposes of this Agreement, "emergency" as defined by the Nova Scotia *Emergency Management Act*, means a present or imminent event in respect of which the Minister or a municipality, as the case may be, believes prompt co-ordination of action or regulation of persons or property must be undertaken to protect property or the health, safety or welfare of people in the Province;

AND WHEREAS the parties recognize the need for timely exchange of information and sharing of resources during such an emergency;

THEREFORE, the parties agree to render, upon request, all possible assistance to each other in the event of an emergency, subject to the following conditions:

1. The request for assistance shall be made by the Chief Administrative Officer (CAO) (or designate) at the request of the Mayor or Warden of the party affected. The request will be forwarded to the receiving CAO (or designate) for discussion with that party's Mayor or Warden.
2. The extent of the assistance rendered shall be at the discretion of the responding party. The CAO (or designate) of the responding party will advise the CAO of the requesting party of the nature of the assistance to be rendered.
3. Any extraordinary or unusual costs, reasonably incurred in the provision of assistance by any party, shall be borne by the requesting party.

IT IS FURTHER AGREED that, in the event of an emergency occurring within the boundaries of a party to this agreement which may affect any or all of the other parties, the party within whose boundaries such an emergency occurs shall notify those other parties which may be affected.

TERMINATION OF AGREEMENT

This Agreement shall be binding for not less than one (1) year from its effective date and shall continue to be binding upon the parties in subsequent years and shall be considered to renew automatically from year to year. A party may terminate its participation in this Agreement upon at least sixty (60) days

written notice to the other parties. Once a termination is effective, it shall no longer be a party to this Agreement, but this Agreement shall continue to be in force among the remaining parties.

This agreement will become effective when the last party to sign it (as indicated by the date stated opposite that party's signature).

IN WITNESS WHEREOF this Agreement is executed on behalf of the participating parties by their duly authorized signing authorities.

SIGNED AND SEALED in the presence of:

Warden: Municipality of the County of Annapolis Date Approved: _____	Witness: _____ Date Signed: _____
Mayor: _____ Town of Middleton Date Approved: _____	Witness: _____ Date Signed: _____
Mayor: _____ Town of Annapolis Royal Date Approved: _____	Witness: _____ Date Signed: _____
Mayor: _____ Municipality of the District of Lunenburg Date Approved: _____	Witness: _____ Date Signed: _____
Warden: Municipality of the District of Chester Date Approved: _____	Witness: _____ Date Signed: _____

Mayor: _____ Town of Bridgewater Date Approved: _____	Witness: _____ Date Signed: _____
Mayor: _____ Town of Lunenburg Date Approved: _____	Witness: _____ Date Signed: _____
Mayor: _____ Town of Mahone Bay Date Approved: _____	Witness: _____ Date Signed: _____



COUNTY of ANNAPOLIS
NATURALLY ROOTED

BOARDS and COMMITTEES

Recommendations

AdHoc, Standing, and Advisory Committees

To: Committee of the Whole
Meeting Date: October 11, 2022
Subject: Recommendation from the 2022-09-21 Planning Advisory Committee Meeting

RECOMMENDATIONS:

Bridgetown Land Use Bylaw Map Amendment Application 271 Granville Street, PID 05149976
That Municipal Council give First Reading of its intent to amend the Bridgetown Land Use Bylaw Map to rezone the land identified as parcel PID 05149976 at 271 Granville Street in the Community of Bridgetown, from the Institutional (I1) Zone to the Downtown Commercial (C1) Zone; and to set Tuesday, November 22, 2022 at 11:00 a.m. for the public hearing.



BOARDS and COMMITTEES

Information Report

Joint, Regional or Community Organizations (AM-1.3.7)

Report To: Committee of the Whole
Submitted by: Brad Redden (Member)
Submission Date: October 11, 2022
Subject: Lawrencetown Source Water Protection Committee

BACKGROUND

Meeting of July 28th. The village is restarting the process of expanding the Source water protection area to include well SW3. This is a well that was drilled in 2012 to improve water quality to the village. The process to expand the Source Water Protection Area was started before covid and has been on hold as the committee was unable to meet during covid. Woolly Adelgid has been identified in the Source Water Protection Area, the village is investigating methods of mitigating the effects of Woolly Adelgid on the Source Water Protection Area.

ATTACHMENTS

None



BOARDS and COMMITTEES

Information Report

Joint, Regional or Community Organizations (AM-1.3.7)

Report To: Committee of the Whole

Submitted by: Brad Redden (Chair)

Submission Date: October 11, 2022

Subject: Fire Services Committee

BACKGROUND

The Fire Service Committee met on Sept. 7th. The members were joined by 1 invited member of the Annapolis Valley Fire Service Association. The agenda was primarily 10 items of concern the Fire Service association has these fell into 3 categories, Funding model, County Policy and Services delivered. The departments were not trying to drive change but are interested in clearer outlines of the services delivered and the requirements around funding and policy.

ATTACHMENTS

None



BOARDS and COMMITTEES

Information Report

Joint, Regional or Community Organizations (AM-1.3.7)

Report To: Committee of the Whole
Submitted by: Brad Redden (Alternate)(Chair)
Submission Date: October 11, 2022
Subject: Fences Arbitration Committee

BACKGROUND

This Committee's meetings are strictly driven by complaints of fences not adequate to contain livestock. We received a complaint and the complaint was investigated by the committee on Sept 14th. 2022. A letter was sent in response to the complaint.

ATTACHMENTS

None



BOARDS and COMMITTEES

Information Report

Joint, Regional or Community Organizations (AM-1.3.7)

Report To: Committee of the Whole
Submitted by: Brad Redden (Liaison)
Submission Date: October 11, 2022
Subject: Lawrencetown Village Commission

BACKGROUND

Meeting of Sept. 26th. This meeting was because the regular meeting on Sept 12th was cancelled. Work on parking lot for staff behind the Library is on-going. Installation of heat pumps in the Library is on-going. It has long been a policy of the village to not do Sewer and Water hookups during the 'rainy seasons' in the fall and spring as the local clay leads to many problems. Recommendations from the Source Water Protection Committee were discussed. No pesticides will be used in the village watershed. Discussion of hosting a welcoming event for new residents and businesses.

ATTACHMENTS

None



BOARDS and COMMITTEES

Information Report

Joint, Regional or Community Organizations (AM-1.3.7)

Report To: Committee of the Whole
Submitted by: Brad Redden (Liaison)
Submission Date: October 11, 2022
Subject: Annapolis Valley Exhibition Society

BACKGROUND

The Exhibition this year was generally a great success. Attendance is believed to be the 2nd highest on record. The committee lamented that exhibits were a bit lower than normal but this was expected post-covid. Planning are under way for the AGM in November.

ATTACHMENTS

None

COTW – October 11, 2022

Item for discussion: Covid-19 related policies and practices

As has been clearly stated in all discussion relating to the creation of Covid-19 Vaccination policies and practices, there would come a time when measures taken would need to be reviewed and ultimately removed. This has also been evident from discussion and correspondence with Municipal Affairs and our legal counsel, who have advised that “when it is determined by senior government that precautions ... are no longer necessary”, the requirements under our policy would no longer have effect (as per legal correspondence mentioned by Dawn Campbell, March 22, 2022).

All levels of government are eliminating Covid-related policies and practices. The federal government revoked the State of Emergency in February 2022, and the province of Nova Scotia ended its State of Emergency in March 2022. Any remaining community-level restrictions were lifted in July. Our municipal Covid-19 policies and practices were based on the existence of a ‘crisis’ as determined by these States of Emergency. As of last week, federal restrictions relating to special pandemic authorizations have expired. Vaccinated and unvaccinated travelers will board airplanes without restrictions or isolation requirements, and there will be no mandatory masking, distancing or testing. In the province of Nova Scotia, there are only a few high-risk settings that have any vaccination requirements (listed here: <https://novascotia.ca/coronavirus/restrictions-and-guidance/>).

Our federal government has recently decided to align with the approach used by the United States, and has opted to take guidance from the Center for Disease Control and Prevention (CDC). As of mid-August, the CDC has advised the following (<https://www.cdc.gov/coronavirus/2019-ncov/hcp/infection-control-recommendations.html>):

- The CDC is now advocating for taking personal responsibility and for everyone to decide for themselves “which prevention behaviors to use and when (at all times or at specific times), based on their own risk for severe illness and that of members of their household, their risk tolerance, and setting-specific factors.”
- The CDC is also giving up on differentiating based on Covid-19 vaccination status, stating its “Covid-19 prevention recommendations no longer differentiate based on a person’s vaccination status because breakthrough infections occur.” They acknowledge that natural immunity exists, and works.

- Testing is now reserved for those who "are symptomatic, or have a known or suspected exposure to someone with Covid-19," isolation is only for those who are symptomatic and have tested positive, and contact tracing is now restricted to health care settings and select "high-risk congregate settings."

I suggest that, just as is outlined by the CDC, individuals now get to choose what preventative measures they implement at work, based on their own risk tolerance. We do it every time we go shopping, go out to dine or attend social and cultural events, attend public meetings, or even visit our neighbors. We have been seeing the lifting of federal and provincial restrictions for 8 months now. It is now time to remove all restrictive policies and practices based on vaccination status. This province has never required Covid-19 vaccinations for municipal level employees or elected officials, and has in fact insisted that no public be denied full access to public services and offices, regardless of vaccination status. We have public who attend our meetings, present to Council, and who serve on municipal committees, and never have to declare their vaccination status. It is time to allow people to manage their own risk at work, and to rescind these restrictive policies and practices from the Municipality of the County of Annapolis.

Respectfully submitted,

Michael Gunn, Deputy Warden

Carolyn Young

Subject: FW: Item for COTW agenda

From: Michael J. Gunn
Sent: October 5, 2022 8:31 AM
To: Carolyn Young <CYoung@annapoliscounty.ca>
Subject: Re: Item for COTW agenda

Hi Carolyn,
These can be done individually, if individual discussion is required.

I move that Council rescinds the following policies and procedures created by staff & council:

- 2.7.8 COVID-19 Proof of Vaccination Policy (Oct 19, 2021)
- 2.7.9 COVID-19 Response Policy (Oct 19, 2021 and amended July 19, 2022)
- Standard Operating Procedure - Workplace COVID-19 Prevention Plan (Oct 20, 2021).

Thanks,
Michael

Michael Gunn
Deputy Warden of the County of Annapolis
Councillor for District 8

- This is not an issue between the Province and any municipal unit. This belongs with the Province and the Federal Government coming up with a plan to fund an INTERNATIONAL link. That the Town and our neighbouring units have already put millions into the ferry terminal is testament to our doing our part, although it again, should be a federal issue.
- Consumer confidence goes down. Folks thinking of starting a business are suddenly realizing without the ferry, they won't last long, so plans are put on hold or cancelled.

I could go on but will leave it here. I know Yarmouth benefits because they land here and depart from here. But our tourism tells us they don't stay. Again, we are great with that. As long as they are spending money in one of your communities we all win. If you're looking for tourism data, let me know and I'll send it out to you. It's unbelievable the impact this ferry has.

If you would consider doing the letter to the Premier and making sure copies go to each MLA and the opposition, and if you would somehow reach out to your business community and have them do the same, we will all benefit and of course I'll be beyond grateful. Feel free to cc me as well, although not necessary.

Thanks for all you do to build this Province through your own community building. We just can't go backwards. Not one of us.

Any questions, let me know! For those who know me well, I'm sure you're shocked at just how diplomatic this is! 😊 But you also know exactly what I'm feeling.

Thank you sincerely.

Mayor Pam Mood

Town of Yarmouth