

**MUNICIPAL COUNCIL**

**MONDAY, DECEMBER 4, 2023 @ 7 p.m.**

**COUNCIL CHAMBERS/YOUTUBE STREAMING CHANNEL**

1. Call to Order and Land Acknowledgement
2. Approval of Agenda
3. Emergency Resolutions
4. Errors and Omissions/Corrections to Minutes – November 6, 2023
5. Correspondence (Uncirculated)
  - a. Thank you from Abercrombie Cemetery Company Board of Trustees for Municipal Services Grant.
6. Resolutions
  - a. Grants – Clr. Thompson
  - b. PACE By-Law Amendment – Clr. D. Parker
  - c. Pictou County Wellness Centre Guarantee – Clr. Palmer
  - d. Municipal Capital Growth Program – Clr. D Parker
  - e. Procedures of Council Policy – Clr. MacKeil
  - f. Municipal Elections Returning Officer – Clr. Dewar
7. Community Announcements
8. Adjournment

November 6, 2023

The Municipal Council for the Municipality of the County of Pictou met in the Council Chambers of the Municipal Administration Building by videoconference and teleconference on, Monday, November 6, 2023, at 7:00 p.m.

**PRESENT**

Dist: 1 Clr. Don Butler  
2 Clr. Deborah Wadden  
3 Clr. Darla MacKeil  
4 Clr. Mary Elliott  
5 Deputy Warden Wayne Murray  
6 Warden Robert Parker  
7 Clr. David Parker  
8 Clr. Larry Turner  
9 Clr. Peter Boyles  
10 Clr. Randy Palmer  
11 Clr. Andy Thompson  
12 Clr. Chester Dewar

**IN ATTENDANCE**

Brian Cullen, CAO, Municipal Clerk-Treasurer  
Karen Cornish, Deputy Municipal Treasurer  
Sueann Musick, Director of Corporate Services/Deputy Clerk  
Logan McDowell, Director of Public Works & Development  
Evan Hale, Director of Emergency Services  
Adam MacInnis, Communications Officer  
Anne MacCarthy, Bylaw Enforcement Officer  
Rhannon McNair, Director of Business Operations, Rural Broadband Project

**ABSENT**

Shellie Pettipas, Administrative Assistant

**CALL TO ORDER & LAND ACKNOWLEDGEMENT**

Warden Parker called the meeting to order and invited Councillors to pray or reflect, as may be their preference, to help Council focus and properly do the work of the Municipality and to remember our indigenous communities. He acknowledges that we are on the ancestral territorial lands of the Mikmaq

people and would like to thank the Mikmaqi people today for their ancestors sharing these precious lands with all our ancestors, whether they arrived here 400 years ago or four years ago. May we all live in peace and harmony together.

## **AGENDA**

It was moved by Clr. Boyles and seconded by Clr. Parker that the agenda be approved as presented.

**Motion Carried**

## **EMERGENCY RESOLUTIONS**

Clr. Dewar requested flying the 4-H Flag and having a proclamation read in honour of November being 4-H Month in Nova Scotia.

## **ERRORS AND OMISSIONS/CORRECTION OF MINUTES**

The minutes of the October 3, 2023, Council Meeting were reviewed by the Municipal Council. The Warden proclaimed the minutes of the meeting of October 3, 2023, as the official record of the meeting.

## **PROCLAMATION**

### **PROCLAMATION November is 4-H Month 2023**

**WHEREAS** November is National 4-H month across Canada as we join 4-H members, volunteer leaders, alumni and supporters wearing green and showing our 4-H Colours.

**WHEREAS** 4-H in Canada contributes to the Youth Development Formula that builds responsible, caring and contributing young people who are empowered to be successful through a supportive structure.

**WHEREAS** 8,500 volunteers give close to 23,500 young people across Canada an opportunity to benefit from the skill development and personal growth that 4-H offers.

**THEREFORE**, I, Robert Parker, Warden for the Municipality of Pictou County, do hereby proclaim November as 4-H Month in Pictou County and urge all Pictou County residents to wear green and celebrate the many contributions of 4-H and the important role that the 4-H program plays in the leadership development of Canadian youth.

DATED at Pictou, NS, this 6th day of November 2023.

(Sgd.)

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Warden Robert Parker

**CORRESPONDENCE (UNCIRCULATED)**

A thank you letter was received from the Pictou County Forest School for the Council Grant.

A thank you letter was received from Walter Duggan Consolidated School for the Breakfast and Backpack program grants.

A thank you letter was received from Frank H. MacDonald Academy for the Breakfast and Backpack program grants.

A thank you letter was received from the McCulloch Education Centre for the Breakfast and Backpack program grants.

**CORRESPONDANCE (CIRCULATED)**

A Letter was received from Dominic LeBlanc, Minister of Public Safety regarding releasing high-risk offenders to local communities.

A letter was received from the Minister of Municipal Affairs, John Lohr, regarding Bill 340; Municipal Service Agreement.

A letter was received from the Minister of Public Works, Kim Masland regarding Route 289 in Union Centre.

A letter was received from Tim Houston, Premier of Nova Scotia regarding the Province's Clean Energy Plan.

A letter was received from the Nova Scotia Federation of Municipalities regarding the urgent need for improved cell phone coverage for emergency preparedness.

A thank you letter was received from the 55+ Games for sponsorship and support.

Warden Parker showed Council members an award for recognition for their role in the 55+ Games.

Deputy Warden Murray requested the letter received from Dominic LeBlanc; Minister of Public Safety, be posted on the municipality's website.

Cir. David Parker requested the letter received in response from the Minister of Public Works regarding the dangerous intersection on Route 289 be posted on the municipality's website.

**DANGEROUS AND UNSIGHTLY HEARING – 2403 EAST RIVER WEST SIDE ROAD**

Anne MacCarthy, Bylaw Enforcement Officer, presented to Council a dangerous and unsightly order issued to the residence at 2403 East River West Side Road, Sunny Brae, account #05020123 and PID #00898684.

Councilor Thompson presented the following resolution:

**RESOLUTION**

**BE IT RESOLVED** by the Municipal Council for the Municipality of the County of Pictou that Council finds that the property located at 2403 East River West Side Road, Sunny Brae, Pictou County, Nova Scotia: ("the Property"), with Tax Account Number 05020123 and PID # 00898684 and further described in the attached Order is dangerous and unsightly;

**AND BE IT RESOLVED** that Council, pursuant to Section 346 or Part 15 of Chapter 18 of the Acts of 1998, the Municipal Government Act, make an Order in the form attached hereto and forming part of this resolution, the said Order to be signed and issued forthwith on behalf of the Council by the Chief Administrative Officer of the Municipality or his designate.

**DATED** at Pictou, NS this 6<sup>th</sup> Day of November 2023.

(Sgd.) \_\_\_\_\_

**ORDER**

**MUNICIPAL GOVERNMENT ACT, STATUTES OF NOVA SCOTIA, 1998 CHAPTER 18**

**ORDER REQUIRING DEMOLITION**

TO: Randy Allan Ramsey and Janice Lynne Ramsey

**TAKE NOTICE** that pursuant to Section 346 of *The Municipal Government Act*, The Council of the Municipality of Pictou County ("the Council" and the County) has determined that the property located at 2403 East River West Side Road, Sunny Brae, Pictou County, Nova Scotia, associated with Tax Account Number 05020123, and PID #00898684, which lands are included in those more particularly described in Schedule "A" hereto attached and forming a part hereof ("The Property") is dangerous or unsightly.

**AND FURTHER TAKE NOTICE** that the Council order you to remedy these conditions by doing all of the following work, acts or things ("the work") on the property, that is to say:

Complete all required work to the property as listed below:

- (1) Demolish the former store structure, locally known as Ramsey's Roast, which is in a ruinous or dilapidated condition, leaving the site in a safe condition.
- (2) Remove all debris from the property and dispose of all debris at an approved site for greater certainty, but not limiting the generality of this obligation, all debris on the entire property must be removed.

**THE WORK IS TO BE COMPLETED AND DONE WITHIN THIRTY (30) DAYS OF THE DATE OF SERVICE OF THIS ORDER.**

**AND FURTHER TAKE NOTICE**

THAT in the event of failure by you to comply with the requirements of this Order within Thirty (30) days after the date of service, the administrator may enter upon the property without warrant or other legal process and carry out the work specified in this Order;

THAT the cost of the work, with interest at the rate determined by the Council, for the date of the completion of the work until the date of payment;

- (a) is the first lien on the property upon which the work was done and that the property is liable to be sold in a tax sale in accordance with The Municipal Government Act, and;
- (b) May at any time be sued for and recovered in an action in the name of the County.

THAT after this Order is served; any person who permits or causes a dangerous or unsightly condition, continues to permit or cause a dangerous or unsightly condition or fails to comply with the terms of the Order is liable, on summary conviction, to a penalty of not less than One Hundred (\$100.00) Dollars, and not more than Five Thousand (\$5000.00) Dollars, and, in default of payment, to imprisonment for not more than three (3) months;

THAT every day during which the condition is not remedied is a separate offence.

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Evan Hale, Director of Emergency Services

## **MOTION**

It was moved by Clr. Thompson and seconded by Clr. Dewar that the preceding resolution be adopted by Council **Motion Carried**

## **RESOLUTIONS**

### **CHARITABLE RECEIPTS FOR SARA**

Clr. Elliott presented the following resolution to Council:

### **RESOLUTION**

**WHEREAS** the Municipality of the County of Pictou is registered with the Canada Revenue Agency as a qualified donee;

**WHEREAS** the Income Tax Act permits qualified donees to issue official donation receipts for income tax purposes;

**WHEREAS** the Salem and Area Recreation Association has requested that the Municipality receive donated funds for the operations and improvements to the Salem Park and issue charitable tax receipts to respective donors;

**WHEREAS** the Financial Services Committee supports this request and recommends that the Municipality's charitable tax number be used for that purpose;

**THEREFORE BE IT RESOLVED** the Municipality of the County of Pictou authorize the collection of charitable donations to the Salem and Area Recreation Association and the issuance of charitable tax receipts.

**DATED** at Pictou, NS this 6th day of November, 2023.

**MOTION**

It was moved by Clr. Mary Elliott; seconded by Clr. David Parker that the preceding resolution be adopted as presented. **Motion Carried**

**PACE BY-LAW AMENDMENT FIRST READING**

Clr. Parker presented the following resolution to Council:

RESOLUTION  
(First Reading)

**TAKE NOTICE** that the following by-law will be presented to Council for second reading on December 4, 2023.

**BE IT RESOLVED** by the Municipal Council for the Municipality of the County of Pictou that Council adopt the following Property Assessed Clean Energy Program (PACE) By-Law:

**DATED** at Pictou, NS this 6th day of November, 2023.



**MUNICIPALITY OF THE COUNTY OF PICTOU**  
**PROPERTY ASSESSED CLEAN ENERGY PROGRAM (PACE)**  
**BY-LAW**

**1. Title and Purpose**

1.1. This By-law shall be known as the Property Assessed Clean



Energy Program By-law and may be referred to as the PACE By-law.

- 1.2. The purpose of this By-law is to allow the Municipality of the County of Pictou to create a financing program to support the installation of **Energy Efficiency Improvement** on private properties, with the consent of property owners. Property owners will make payments on the **Energy Efficiency Improvement** through a charge levied on the property.
- 1.3. This By-law does not exempt any person from complying with the requirements of other by-laws or regulations in force within the Municipality of the County of Pictou and from obtaining any licence, permission, permit, authority, or approval as otherwise required by the Municipality, the Province of Nova Scotia, Nova Scotia Power, or the Government of Canada.
- 1.4 This By-law shall apply only to **Energy Efficiency Equipment** installed through the **PACE Program**.

## **2. Definitions**

- 2.1. In this by-law, words used in the present tense include the future; words in the singular number include the plural; words in the plural include the singular; and the word shall be mandatory and not permissive. All other words carry their customary meaning except those defined in this section.
- 2.2. For the purposes of this Bylaw:
  - 2.2.1. CAO means the Chief Administrative Officer for the Municipality or his or her designate.
  - 2.2.2. "Certification of Completion" means a Municipally issued form completed and signed by **the Contractor**, and counter-signed by the property owner, stating that installation of **Energy Efficiency Equipment** has been satisfactorily completed on the property.
  - 2.2.3. *Deputy Municipal Treasurer* means the Manager of Finance for the Municipality, or his or her designate.

2.2.4. *Energy Efficiency Improvement* means an improvement to real property, as a renovation or retrofitting of an existing building to reduce energy or water consumption, such as window and door replacement, lighting, grey water recovery, low flow fixtures, caulking, weatherstripping, air sealing, insulation, high efficiency heat pumps, solar photovoltaics, battery energy storage, heat and cooling system upgrades, electric charging stations and similar improvements, determined to be cost-effective pursuant to criteria established by the Municipality

2.2.5. *Municipality* means the Municipality of the County of Pictou.

2.2.6. *Participation Agreement* means the agreement between the owner of a Qualifying Property and the Municipality for purchasing, installing, and potentially financing of the Energy Efficiency Improvement.

2.2.7. *PACE Charge* means the Property Assessed Clean Energy improvement tax levied on the property pursuant to s.81A of the Nova Scotia Municipal Government Act.

2.2.8. *PACE Program* means a program established by the Municipality under which owners of qualifying properties may obtain financing for Energy Efficiency Improvements.

2.2.9. *Program Administrator* means the person or third party designated by the Municipality to operate and administrate the PACE Program on behalf of the Municipality.

2.2.10. *Qualifying Property* means a property located within the Municipality of Pictou defined as eligible in the Participant Agreement.

### **3. Administration**

3.1. The owner of a Qualifying Property may apply to have their property evaluated for suitability by the Energy Efficiency Improvement Contractor and receive a cost estimate for the project.

- 3.2. The owner of a Qualifying Property wishing to proceed with the **Energy Efficiency Improvement must sign a Participant Agreement**. Before signing the Agreement, the property owner must:
- 3.2.1. sign a contract with the **Energy Efficiency Improvement Contractor** agreeing to the cost estimate provided; and
  - 3.2.2. **meet all obligations as defined in the Participation Agreement.**
- 3.3. The property owner may opt for Municipal financing for the installation of **Energy Efficiency Improvement** on the property. Financing shall be subject to the written approval of the CAO, or designate, on behalf of the Municipality, and the execution **of a Participant Agreement** by the owner of the Qualifying Property. The conditions that must be met for approval include:
- 3.3.1. the owner of the Qualifying Property is not in default of any municipal taxes, rates, or charges;
  - 3.3.2. the owner has paid the application fee and/or required deposit;
  - 3.3.3. any additional conditions specified in the **Participant Agreement** are met.

#### **4. Energy Efficiency Improvement Charge**

- 4.1. **The Energy Efficiency Improvement Contractor shall submit to the Program Administrator, who in turn will submit to the Director of Corporate Services, a copy of the signed Participant Agreement and Certification of the Completion of the Energy Efficiency Improvement installation.**
- 4.2. **The Energy Efficiency Improvement Charge shall become payable upon submission of the Certificate of Completion by the Energy Efficiency Improvement Contractor. The Energy Efficiency Improvement Charge shall be calculated on the basis of the total cost of the project less any federal, provincial, or other funding, such as the Solar Homes rebate from Efficiency Nova Scotia, received directly to the Municipality or Program Administrator on behalf of the Qualifying Property owner.**
- 4.3. **The Energy Efficiency Improvement Charge may consist of:**
- 4.3.1. **the cost of the Energy Efficiency Improvement, including all**

equipment, labour costs for installation, permitting fees, and applicable taxes;

4.3.2. applicable PACE Program service fees; and

4.3.3. interest accrued on the charge including any additional interest arising due to any default of payment.

4.4. The Energy Improvement Charge shall be paid in equal instalments over on which interest shall be payable as set out in Section 6 and in the Participant Agreement. Property owners may elect to make larger contributions and pay off the Charge at an earlier date.

4.5. In the event of a default of any payment under the **Participant Agreement**, the outstanding balance shall be immediately due and payable and interest shall be accrued on the amount then due and payable at the same rate applied by the Municipality for unpaid taxes and charges in default.

~~—The Deputy Municipal Treasurer~~ shall maintain a separate account of all monies due for the **Energy Efficiency Improvement Charge** pursuant to this By-law and identifying for the subject property:

4.5.1. the names of the property owners, property assessment and AAN, PID, and civic address.

4.5.2. the amount of the **Energy Efficiency** Improvement Charge levied; and

4.5.3. the amount paid on the **Energy Efficiency** Improvement Charge.

4.6. Wherein any property assessment list prepared pursuant to this Section, a property has been omitted by error or has been assessed in error or has been assessed for an **Energy Efficiency Improvement** Charge for a greater amount or a lesser amount than the property should have been assessed, the Deputy Municipal Treasurer may at any time amend the property assessment list to correct the error and adjust the assessment.

## **5. Lien**

5.1. An **Energy Efficiency** Improvement Charge may be levied against the property upon completion of the project to secure all costs incurred by the Municipality to reimburse the **Energy Efficiency**

## **Improvement Contractor.**

- 5.2. The lien provided for in this By-law shall become effective on the date on which a Certificate of Completion is filed with the Deputy Municipal Treasurer stating that the installation has been completed.
- 5.3. An **Energy Efficiency Improvement** Charge imposed pursuant to this By-law constitutes a first lien on the property and has the same effect as rates and taxes under the Assessment Act and the Municipal Government Act.
- 5.4. An **Energy Efficiency Improvement** Charge pursuant to this By-law is collectible in the same manner as rates and taxes under the Municipal Government Act. The Charge will be collected pursuant to the Participation Agreement through monthly payments.
- 5.5. The lien provided for in this By-law shall remain in effect until the total charge, including any accrued interest, has been paid in full.

## **6. Interest**

- 6.1. Interest will be payable on any balance owing on the Energy Efficiency Improvement Charge at a rate set out in the Participation Agreement.
- 6.2. Interest shall accrue on any Energy Efficiency Improvement Charge or portion thereof which remains outstanding from the date of payment to the Energy Efficiency Improvement Contractor.

## **7. No Municipal Liability**

- 7.1. The Municipality is not responsible for the quality of the Energy Efficiency Improvement, or the quality of the work carried out by the Energy Efficiency Improvement Contractor and as a result, the Municipality nor the **Program Administrator**, shall not be liable for any damage, direct or consequential, loss or liability or injury caused by the supply of Energy Efficiency equipment, its installation, or use by the owner.

## **Repeal**

The Property Assessed Clean Energy Program By-Law adopted by the Municipal Council on December, 2021 is hereby repealed.

### **MOTION**

It was moved by Clr. David Parker, seconded by Clr. Mary Elliott that the preceding resolution be adopted as presented. **Motion Carried**

### **TOURISM MARKETING BY-LAW SECOND READING**

Clr. Thompson presented the following resolution to Council:

### **RESOLUTION**

**BE IT RESOLVED** by the Municipal Council for the Municipality of the County of Pictou that Council adopt the following Tourism Marketing Levy By-law:

**DATED** at Pictou, NS, this 6th day of November 2023.

### **MUNICIPALITY OF THE COUNTY OF PICTOU** **TOURISM MARKETING LEVY BY-LAW**

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**BE IT ENACTED** by the Council of the Municipality of the County of Pictou, under the authority of *Municipal Government Act*. 1998, c. 18, s. 75, as follows:

#### **1. Short Title**

This By-law shall be known as the Tourism Marketing Levy By-law.

#### **2. Definitions** In this by-law:

- a) "accommodation" means supplying lodging in hotels and motels and in any other facilities required to be licensed under the Tourist Accommodations Registration Act and in a building owned or operated by a post-secondary educational institution where the hotel, motel, facility or building consists of one or more rental units that are offered as lodging;
- b) "council" means the Council of Municipality of the County of Pictou;
- c) "operator" means a person whose business sells, offers to sell, provides, and offers to provide accommodation in the municipality.
- d) "Purchase price" means the price for which the accommodation is purchased, including the value of the services rendered and other consideration accepted by the operator in return for the accommodation provided, but does not include the goods and services tax.

### **3. Application of Levy**

A marketing and promotions levy is hereby imposed in the Municipality, the rate of which shall be three percent (3%) of the purchase price of the accommodation.

- 1) The levy imposed under this By-law, must be collected at the time of the sale on the total amount of the purchase price and must be remitted to the Municipality at the prescribed times and in the prescribed manner.
- 2) If a person collects an amount as if it were a levy imposed under this By-law, the person must remit the amount collected to the Municipality at the same time and in the same manner as the levy collected under this By-law.

### **4. Exemption from Levy**

The Tourism Marketing Levy shall not apply to:

- 1) a person who pays for accommodation for which the daily purchase price is not more than twenty dollars.
- 2) a student who is housed in a building owned or operated by a post-secondary educational institution while the student is registered at and attending a post-secondary institution.
- 3) a person who is staying in a room for more than twenty-eight (28) consecutive days; or
- 4) a person, and the person's family, while receiving medical treatment at a hospital or provincial health-care centre or seeking specialist medical advice, provided the person provides a statement from said hospital or provincial health-care centre.

### **5. Registration of Operator**

- 1) Every operator of a facility providing accommodations to which this By-law applies shall apply for and be issued a registration certificate by the municipality.
  - a). Where an operator carries on business at more than one place, the operator shall obtain a registration certificate in each individual place of business.
- 2) The registration certificate shall be displayed in a prominent place on the premises.
- 3) Where an operator changes their address, they will return their registration certificate to the municipality for amendment.
- 4) Where an operator changes the name or nature of their business, the operator will return their registration certificate to the municipality for a new one.

- 5) Where an operator ceases to carry on business that a registration certificate has been issued, the certificate shall be void, and the operator shall return the certificate to the municipality within 15 days of the date of closure.
- 6) Where a registration certificate is lost or destroyed, a request shall be made to the municipality for a copy of the original.
- 7) A registration certificate granted under subsection (1) is not transferable.

## **6. Return and Remittance of Levy**

- 1) The municipality may at any time require a return of sales and levy collected by any person selling accommodation; such return to cover any period or periods.
- 2) Subject to the provisions of subsection (1), unless otherwise provided, all operators shall make separate monthly returns to the municipality.
- 3) A separate return shall be made for each place of business unless a consolidated return has been approved by the municipality.
- 4) The returns by operators shall be made and the levy shall be remitted to the municipality the 15th day of the month following the collection of the levy by the operator.
- 5) If an operator during the preceding period has collected no levy, the operator shall make a report to that effect on the prescribed return form.
- 6) Where an operator ceases to carry on or disposes of his business, the operator shall make the return and remit the levy collected within 15 days of the date of closure or disposal.

## **7. Records**

- 1) Every operator shall keep books of accounts, records, and documents sufficient to furnish the municipality with the necessary particulars of
  - a. sales of accommodation,
  - b. amount of levy collected, and
  - c. disposal of levy.
- 2) All entries concerning the levy in such books of account, records and documents shall be separate and distinguishable from other entries made therein.
- 3) Where a receipt, bill, invoice, or other document is issued by a person selling accommodation, the levy shall be shown as a separate item thereon.

## **8. Calculation of Levy**



Where an operator sells an accommodation in combination with meals and other specialized services for an all-inclusive package price, the purchase price of the accommodation shall be deemed to be the price that will be collected for the levy.

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

- 1) If the municipality is satisfied that a levy or a portion of a levy has been paid in error, the municipality shall refund the amount of the overpayment to the person entitled.
- 2) If the municipality is satisfied that an operator has remitted to the municipality an amount as collected levy that the operator neither collected nor was required to collect under this By-law, the municipality must refund the amount to the operator.

#### **10. Claim for Refund**

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

#### **11. Offence**

A person who contravenes a provision of the By-law is guilty of an offence punishable by summary conviction and on conviction is liable.

- a. on a first conviction, to a fine of not less than \$500 and not more than \$1,000, and
- b. for a subsequent conviction for the same or another provision of this regulation, to a fine of not less than \$1,500 and not more than \$5,000.

#### **12. Administration of By-law**

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

#### **13. Effective Date**

This By-law shall take effect from the 1<sup>st</sup> day of January, 2024.

#### **MOTION**

It was moved by Clr. Andy Thompson, seconded by Clr. Don Butler that the preceding resolution be adopted as presented. **Motion Carried**

Nay Votes: Clr. Elliott, Clr. David Parker, Warden Parker, Clr. MacKeil

### **APPOINTMENT TO CLIMATE CHANGE ADVISORY COMMITTEE**

Clr. Boyles presented the following resolution to Council:

#### **RESOLUTION**

**BE IT RESOLVED** that Richard Williams and Ian MacKay be appointed to the Municipality of the County of Pictou's Climate Change Advisory Committee for two years, ending in March 2025.

**DATED** at Pictou, NS. this 6<sup>th</sup> day of November 2023.

#### **MOTION**

It was moved by Clr. Peter Boyles, seconded by Clr. Chester Dewar that the preceding motion be adopted as presented. **Motion Carried**

### **SALE OF MUNICIPAL VEHICLES**

Clr. Palmer presented the following resolution to Council:

#### **RESOLUTION**

**WHEREAS** the Municipality of the County of Pictou issued a tender for the sale of three-municipality-owned vehicles in June 2023.

**WHEREAS** in accordance with the Municipal Council's approval, the 2014 Dodge Ram 2500 was sold to the highest bidder. However, attempts to finalize the sales of the remaining two vehicles were unsuccessful.

**WHEREAS** the awarded bidder 2009 Chevrolet 1500 no longer wished to purchase the vehicle and the MOPC staff received no response from the awarded bidder for the 2014 Ford F150.

**THEREFORE BE IT RESOLVED** the Municipality of the County of Pictou authorize the sale of the remaining two municipally-owned vehicles to the next highest bidders respectively until the vehicles are sold.

**DATED** at Pictou, NS, this 6th day of November 2023.

## **MOTION**

It was moved by Clr. Randy Palmer, seconded by Clr. David Parker that the preceding resolution be adopted as presented. **Motion Carried**

## **INTER-MUNICIPAL AGREEMENT FOR PICTOU COUNTY PARTNERSHIP**

As part of the Municipal Budgeting processes earlier this year, the Pictou County partnership requested increased funding from the municipalities and provincial governments. The municipalities approved an increase in core funding to the REN at 50 percent over the previous years. The original inter-municipal agreement established that municipal funding would match provincial funding on a dollar-for-dollar basis.

The provincial funding decisions do not always align with the municipal budget timeframes. This does create the possibility that municipalities could end up funding more of the core programming than the province; however, the partnership does attract other funding for programs and supports from the province that are not cost shared.

The change to the agreement clause 5(a) is that the municipalities will determine their annual level of funding and will negotiate the provincial funding the level of provincial funding that is to be provided through an agreement with the Partnership and the Province.

## **MOTION**

It was moved by Clr. MacKeil, seconded by Clr. Elliott that the Municipality to sign the amendment with the other municipal partners to modify the funding requirements of the Regional Enterprise Networks. **Motion Carried**

## **DIGITAL UBIQUITY INTERNET BUSINESS PLAN PRESENTATION**

Mike Richard and Marc André-Nadeau presented a business plan update to Councillors on the MOPC Rural Broadband Internet Project.

Mr. Richard said the statistics are 18% adoption rate, presently there are 138 fibre-to-home customers and 131 wireless customers. The current revenue from fibre subscriptions is \$7,320.00 per month, and \$6,128.78 per month from wireless subscriptions. There are a total of 17 towers on the wireless side equipped throughout the county.

Mr. Richard said successful peering has been achieved between MOPC and Halifax and the network has been successful in attracting four RSP's and

interest has been expressed from others. The project is currently in the phase of establishing two geo-diverse 100Gig waves from Rogers and a fully diverse carrier-grade core network has been successfully deployed, which ensures high availability and exceptional performance.

MOPC has raised over \$43 million from external funding and the project has attracted and retained full-time dedicated staff in the positions of Network Architect, Network Manager, Inventory & Logistics and Director of Business Operations. The current project goals are to get more than 9,000 homes connected by 2026, aiming to achieve 90% coverage in Pictou County with a combination of fibre and wireless, and the hopes to broaden the wireless coverage. It is hopeful that the network will attract sonar providers to enhance the sonar coverage. The province has set aside 43 million dollars for enhancing rural sonar coverage and Pictou County is in a good position to partner with a sonar company and take advantage of that.

Mr. André-Nadeau discussed the main objectives of the MOPC Broadband project with Councillors. The key objectives of the project are to bridge the digital divide and connect all residents who want to connect, to increase competition and reduce connectivity costs for citizens and to develop an infrastructure that will create value for the community.

### **TEMPORARY BORROWING RESOLUTION**

As the internet project progresses and phases are complete, it is necessary to move short-term financing to long-term debentures. This will save the Municipality money over the course of the project as our long-term cost of borrowing is lower than short-term financing costs. The next borrowing cycle for Municipal Finance Corporation will be the spring of 2024. At this time, the Municipality will shift **\$28,047,000** to long term debt. This represents the cost of Phase 1, the RDN Wireless Project and the soon to be completed River John portion.

Deputy Warden Murray presented the following resolution to Council:

**MUNICIPAL COUNCIL OF THE**

**TEMPORARY BORROWING RESOLUTION**

Amount: \$ 28,047,000

Purpose: Rural Broadband Project

WHEREAS Section 66 of the Municipal Government Act provides that the Council of the Municipality of the County of Pictou, subject to the approval of the Minister of Municipal Affairs and Housing, may borrow to expend funds for a capital purpose as authorized by statute;

WHEREAS the Council of the Municipality of the County of Pictou has adopted a capital budget for this fiscal year as required by Section 65 of the Municipal Government Act and are so authorized to expend funds for a capital purpose as identified in their capital budget; and

WHEREAS the Council of the Municipality of the County of Pictou has determined to borrow for the purposes of Rural Broadband Project;

**BE IT THEREFORE RESOLVED**

THAT under the authority of Section 66 of the Municipal Government Act, the Council of the Municipality of the County of Pictou borrow a sum or sums not exceeding Twenty Eight Million and Forty Seven Thousand Dollars (\$ 28,047,000) for the purpose set out above, subject to the approval of the Minister of Municipal Affairs and Housing;

THAT the sum be borrowed by the issue and sale of debentures of the Council of the Municipality of the County of Pictou to such an amount as the Council deems necessary;

THAT the issue of debentures be postponed pursuant to Section 92 of the Municipal Government Act and that the Council borrow from time to time a sum or sums not exceeding Twenty Eight Million and Forty Seven Thousand Dollars (\$ 28,047,000) in total from any chartered bank or trust company doing business in Nova Scotia;

THAT the sum be borrowed for a period not exceeding Twelve (12) Months from the date of the approval of the Minister of Municipal Affairs and Housing of this resolution;

THAT the interest payable on the borrowing be paid at a rate to be agreed upon; and

THAT the amount borrowed be repaid from the proceeds of the debentures when sold.

**THIS IS TO CERTIFY** that the foregoing is a true copy of a resolution read and duly passed at a meeting of the Council of the Municipality of the County of Pictou held on the 6th day of November, 2023.

**GIVEN** under the hands of the Clerk and under the seal of the Municipality of the County of Pictou this 7th day of November, 2023.

\_\_\_\_\_  
Clerk

**MOTION**

It was moved by Deputy Warden Murray, seconded by Clr. Darla MacKeil that Council approve the preceding resolution.

It was moved by Clr. Thompson and seconded by Clr. Wadden to table the Temporary Borrowing Resolution until the December meeting.

**Motion Defeated**

Nay Votes: Clr. Turner, Clr. Elliott, Clr. Parker, Clr. Palmer, Deputy Warden Murray, Warden Parker, Clr. MacKeil, Clr. Butler, Clr. Boyles, Clr. Dewar

**Motion Carried**

### **DIALYSIS UNITS IN PICTOU COUNTY**

It was moved by Clr. Boyles and seconded by Clr. Turner to write a letter to the Premier and the Minister of Health requesting that the eight new dialysis chairs be put in the Aberdeen Hospital instead of the Sutherland Harris Hospital.

**Motion Carried**

### **CONCERNS ABOUT BANK CLOSURES**

Clr. Chester Dewar said residents in the community have approached him to discuss the concerns of bank closures.

It was moved by Clr. Dewar and seconded by Clr. MacKeil to send a letter to The Honourable Sean Fraser with a copy sent to Hon. Karla MacFarlane, Premier Tim Houston, and Prime Minister Trudeau concerning the bank closures and the impact it has on rural communities.

**Motion Carried**

### **COMMUNITY ANNOUNCEMENTS**

Clr. Thompson said Springville Church and Community Hall hosted their first Hunter's Breakfast in four years. There were over 100 patrons who came out to support the breakfast. There will be three or four more events for the season.

Warden Parker said the Durham Men's Club is selling homemade apple pies on Saturday, November 18, 2023. The proceeds will be used to help local families.

### **ADJOURN**

There being no further business to come before the meeting, the Warden declared the meeting adjourned at 9:50 p.m.

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WARDEN

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MUNICIPAL CLERK

## **RESOLUTION**

**BE IT RESOLVED** that the Council for the Municipality of the County of Pictou adopt the this resolution for the following grants:

### **Municipal Service Grants**

#### **District 3**

|                                      |                          |                              |
|--------------------------------------|--------------------------|------------------------------|
| a. Braeshore Area Neighborhood Watch | <u>\$2,170.00</u>        | Erect Signs in the Community |
| <b>Total</b>                         | <b><u>\$2,170.00</u></b> |                              |

#### **District 12**

|                         |                          |                            |
|-------------------------|--------------------------|----------------------------|
| a. Eureka Fire Dept     | \$3,000.00               | Ongoing Fire Hall Projects |
| b. Candy Cane Committee | <u>\$1,250.00</u>        | Annual Event               |
| <b>Total</b>            | <b><u>\$4,250.00</u></b> |                            |

#### **Community Generator Program**

|                               |                          |                           |
|-------------------------------|--------------------------|---------------------------|
| a. Eureka Fire Department     | \$3,540.00               | Installation of Generator |
| b. West River Fire Department | <u>\$2,000.00</u>        | Installation of Generator |
| <b>Total</b>                  | <b><u>\$8,410.00</u></b> |                           |

#### **Community Connectivity Event**

|                               |                          |                           |
|-------------------------------|--------------------------|---------------------------|
| a. D13 Rec. and Planning Comm | <u>\$1,500.00</u>        | Holiday Festival Expenses |
| <b>Total</b>                  | <b><u>\$1,500.00</u></b> |                           |

**DATED** at Pictou, N. S. on this 4th day of December 2023.

(Sgd.)

\_\_\_\_\_  
  
\_\_\_\_\_





## **MUNICIPALITY OF THE COUNTY OF PICTOU**

### **PROPERTY ASSESSED CLEAN ENERGY PROGRAM (PACE) BY-LAW**

#### **1. Title and Purpose**

- 1.1. This By-law shall be known as the Property Assessed Clean Energy Program By-law and may be referred to as the PACE By-law.
- 1.2. The purpose of this By-law is to allow the Municipality of the County of Pictou to create a financing program to support the installation of Energy Efficiency Improvement on private properties, with the consent of property owners. Property owners will make payments on the Energy Efficiency Improvement through a charge levied on the property.
- 1.3. This By-law does not exempt any person from complying with the requirements of other by-laws or regulations in force within the Municipality of the County of Pictou and from obtaining any licence, permission, permit, authority, or approval as otherwise required by the Municipality, the Province of Nova Scotia, Nova Scotia Power, or the Government of Canada.
- 1.4 This By-law shall apply only to Energy Efficiency Equipment installed through the PACE Program.

#### **2. Definitions**

- 2.1. In this by-law, words used in the present tense include the future; words in the singular number include the plural; words in the plural include the singular; and the word shall be mandatory and not permissive. All other words carry their customary meaning except for those as defined in this section.
- 2.2. For the purposes of this Bylaw:
  - 2.2.1. CAO means the Chief Administrative Officer for the Municipality, or his or her designate.
  - 2.2.2. "Certification of Completion" means a Municipally issued form completed and signed by the Contractor, and counter-signed by the property owner, stating that installation of Energy Efficiency Equipment has been satisfactorily completed on the property.

2.2.3. *Deputy Municipal Treasurer* means the Manager of Finance for the Municipality, or his or her designate.

2.2.4. *Energy Efficiency Improvement* means an improvement to real property, as a renovation or retrofitting of an existing building to reduce energy or water consumption, such as window and door replacement, lighting, grey water recovery, low flow fixtures, caulking, weatherstripping, air sealing, insulation, high efficiency heat pumps, solar photovoltaics, battery energy storage, heat and cooling system upgrades, electric charging stations and similar improvements, determined to be cost-effective pursuant to criteria established by the Municipality

2.2.5. *Municipality* means the Municipality of the County of Pictou.

2.2.6. *Participation Agreement* means the agreement between the owner of a Qualifying Property and the Municipality for purchasing, installing, and potentially financing of the Energy Efficiency Improvement.

2.2.7. *PACE Charge* means the Property Assessed Clean Energy improvement tax levied on the property pursuant to s.81A of the Nova Scotia Municipal Government Act.

2.2.8. *PACE Program* means a program established by the Municipality under which owners of qualifying properties may obtain financing for Energy Efficiency Improvements.

2.2.9. *Program Administrator* means the person or third party designated by the Municipality to operate and administrate the PACE Program on behalf of the Municipality.

2.2.10. *Qualifying Property* means a property located within the Municipality of Pictou defined as eligible in the Participant Agreement.

### **3. Administration**

3.1. The owner of a Qualifying Property may apply to have their property evaluated for suitability by the Energy Efficiency Improvement Contractor and receive a cost estimate for the project.

3.2. The owner of a Qualifying Property wishing to proceed with the Energy Efficiency Improvement must sign a Participant Agreement. Before signing the Agreement, the property owner must:

- 3.2.1. sign a contract with the Energy Efficiency Improvement Contractor agreeing to the cost estimate provided; and
  - 3.2.2. meet all obligations as defined in the Participation Agreement.
- 3.3. The property owner may opt for Municipal financing for the installation of Energy Efficiency Improvement on the property. Financing shall be subject to the written approval of the CAO, or designate, on behalf of the Municipality, and the execution of a Participant Agreement by the owner of the Qualifying Property. The conditions that must be met for approval include:
- 3.3.1. the owner of the Qualifying Property is not in default of any municipal taxes, rates, or charges;
  - 3.3.2. the owner has paid the application fee and/or required deposit;
  - 3.3.3. any additional conditions specified in the Participant Agreement are met.

#### **4. Energy Efficiency Improvement Charge**

- 4.1. The Energy Efficiency Improvement Contractor shall submit to the Program Administrator, who in turn will submit to the Director of Corporate Services, a copy of the signed Participant Agreement and Certification of the Completion of the Energy Efficiency Improvement installation.
- 4.2. The Energy Efficiency Improvement Charge shall become payable upon submission of the Certificate of Completion by the Energy Efficiency Improvement Contractor. The Energy Efficiency Improvement Charge shall be calculated on the basis of the total cost of the project less any federal, provincial, or other funding, such as the Solar Homes rebate from Efficiency Nova Scotia, received directly to the Municipality or Program Administrator on behalf of the Qualifying Property owner.
- 4.3. The Energy Efficiency Improvement Charge may consist of:
  - 4.3.1. the cost of the Energy Efficiency Improvement, including all equipment, labour costs for installation, permitting fees, and applicable taxes;
  - 4.3.2. applicable PACE Program service fees; and
  - 4.3.3. interest accrued on the charge including any additional interest arising due to any default of payment.
- 4.4. The Energy Improvement Charge shall be paid in equal instalments over on which interest shall be payable as set out in Section 6 and in the Participant Agreement. Property owners may elect to make larger contributions and pay off the Charge at an earlier date.
- 4.5. In the event of a default of any payment under the Participant Agreement, the

outstanding balance shall be immediately due and payable and interest shall be accrued on the amount then due and payable at the same rate applied by the Municipality for unpaid taxes and charges in default.

4.6. The Deputy Municipal Treasurer shall maintain a separate account of all monies due for the Energy Efficiency Improvement Charge pursuant to this By-law and identifying, for the subject property:

4.6.1. the names of the property owners, property assessment and AAN, PID, and civic address;

4.6.2. the amount of the Energy Efficiency Improvement Charge levied; and

4.6.3. the amount paid on the Energy Efficiency Improvement Charge.

4.7. Wherein any property assessment list prepared pursuant to this Section, a property has been omitted by error or has been assessed in error or has been assessed for an Energy Efficiency Improvement Charge for a greater amount or a lesser amount than the property should have been assessed, the Deputy Municipal Treasurer may at any time amend the property assessment list to correct the error and adjust the assessment.

## **5. Lien**

5.1. An Energy Efficiency Improvement Charge may be levied against the property upon completion of the project to secure all costs incurred by the Municipality to reimburse the Energy Efficiency Improvement Contractor.

5.2. The lien provided for in this By-law shall become effective on the date on which a Certificate of Completion is filed with the Deputy Municipal Treasurer stating that the installation has been completed.

5.3. An Energy Efficiency Improvement Charge imposed pursuant to this By-law constitutes a first lien on the property and has the same effect as rates and taxes under the Assessment Act and the Municipal Government Act.

5.4. An Energy Efficiency Improvement Charge pursuant to this By-law is collectible in the same manner as rates and taxes under the Municipal Government Act. The Charge will be collected pursuant to the Participation Agreement through monthly payments.

5.5. The lien provided for in this By-law shall remain in effect until the total charge, including any accrued interest, has been paid in full.

## **6. Interest**

- 6.1. Interest will be payable on any balance owing on the Energy Efficiency Improvement Charge at a rate set out in the Participation Agreement.
- 6.2. Interest shall accrue on any Energy Efficiency Improvement Charge or portion thereof which remains outstanding from the date of payment to the Energy Efficiency Improvement Contractor.

## **7. No Municipal Liability**

- 7.1. The Municipality is not responsible for the quality of the Energy Efficiency Improvement, or the quality of the work carried out by the Energy Efficiency Improvement Contractor and as a result, the Municipality nor the Program Administrator, shall not be liable for any damage, direct or consequential, loss or liability or injury caused by the supply of Energy Efficiency equipment, its installation, or use by the owner.

### **Repeal**

The Property Assessed Clean Energy Program By-Law adopted by the Municipal Council on December, 2021 is hereby repealed.

**THIS IS TO CERTIFY** that the foregoing is a true copy of a by-law duly adopted by the Municipal Council for the Municipality of the County of Pictou at a duly called meeting of the Council on the 4<sup>th</sup> day of December 2023.

**GIVEN** under the hands of the Municipal Clerk and under the corporate seal of the Municipality this 5<sup>th</sup> day of December, 2023.

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Brian Cullen, Municipal Clerk

### **Advertising**

First Reading November 6, 2023

Date of Publication - The Pictou Advocate Nov.15, 2023

Date of Publication - Saltwire News November 16, 2023

Second Reading – November 20, 2023

Date of Publication – Pictou Advocate -

Date of Publication – Saltwire, The News –

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## **RESOLUTION**

**BE IT RESOLVED** the Municipality of the County of Pictou adopt the following Resolution:

### **Municipality of the County of Pictou**

#### **Guarantee Resolution for the Pictou County Wellness Centre**

**WHEREAS** the Pictou County Wellness Centre Building Authority Incorporated (hereinafter referred to as the "Authority") was incorporated on June 1, 2010, pursuant to Section 60 of the Municipal Government Act;

**WHEREAS** the Authority has determined to borrow the aggregate principal amount of **One Million Seven Hundred Seventy Thousand two Hundred and forty dollars (\$1,770,240)** for the purpose of energy retrofits and green house gas reductions, and has applied to the Municipality of the County of Pictou for its share of the borrowing based upon the Municipality of the County of Pictou's share of the total population of Pictou County in the original Pictou County Wellness Centre Building Authority Incorporated Agreement;

**WHEREAS** the Authority has requested the Municipality of the County of Pictou, a municipality that executed the incorporation of the Pictou County Wellness Centre Building Authority Incorporated to guarantee the said borrowings.

**WHEREAS**, Section 88 of the Municipal Government Act provides that no guarantee of borrowing by a municipality shall have effect unless the Minister has approved of the proposed borrowings or debenture and the proposed guarantee;

#### **BE IT THEREFORE RESOLVED**

**THAT** the Municipality of the County of Pictou does hereby approve the borrowings of **One Million Seven Hundred Seventy Thousand two Hundred and forty dollars (\$1,770,240)** for the purpose set out above;

**THAT** subject to the Approval of the Minister of Municipal Affairs and Housing of the borrowing by the Authority and the Approval of the Minister of Municipal Affairs and Housing of the guarantee the Municipality unconditionally guarantees repayment of its share of the borrowing equal to the percentage population attributed to the Municipality of the County Pictou from the total population of Pictou County;

**THAT** upon the issue of the Temporary Borrowing Resolution, the Warden and Clerk of the Municipality do sign the guarantee and attach it to the Temporary Borrowing Resolution of the Pictou County Wellness Centre Building Authority and affix hereto the seal of the Municipality of the County of Pictou;

**DATED** at Pictou, Nova Scotia this 4<sup>th</sup> day of December 2023.

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**Robert Parker, Warden**

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**Brian Cullen, Chief Administrative Officer**



## SCHEDULE A

|                                      |                                 |                             |  |
|--------------------------------------|---------------------------------|-----------------------------|--|
| Amount                               |                                 | \$1,770,240                 | Capital Project:<br>Energy Retrofit<br>and Green House<br>Gas Emissions<br>Reduction |
| Municipal Guarantees                 |                                 |                             |  |
| <b>Municipal Partner</b>             | <b>Guarantee<br/>Percentage</b> | <b>Guarantee<br/>Amount</b> |  |
| Municipality of the County of Pictou | 51.47%                          | \$911,142.53                |  |
| Town of New Glasgow                  | 22.14%                          | \$391,931.14                |  |
| Town of Pictou                       | 8.93%                           | \$158,082.43                |  |
| Town of Stellarton                   | 11.04%                          | \$195,434.50                |  |
| Town of Trenton                      | 6.42%                           | \$113,649.41                |  |
| <b>Total Borrowing Requirements</b>  | <b>100.00%</b>                  | <b>\$ 1,770,240.00</b>      |  |

**RESOLUTION**

**BE IT RESOLVED** that the Municipality for the County of Pictou submit an application under the Municipal Capital Growth Program for the Salem Wastewater Project.

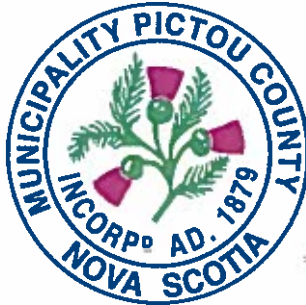
**DATED** at Pictou, NS this 4th day of December 2023.

(Sgd.)

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\_\_\_\_\_

## RESOLUTION

BE IT RESOLVED the Municipality of the County of Pictou adopt the following changes to its Procedures of Council Policy:



POLICY # 2023-12-04

### MUNICIPALITY OF THE COUNTY OF PICTOU PROCEDURES OF COUNCIL POLICY

#### PURPOSE

To establish a uniform policy for procedures related to Council and Committee meetings.

#### **Municipality of the County of Pictou Procedures of Council Policy**

#### **Short Title**

- 1) This Policy may be cited as the *Procedures of the Council Policy*.

#### **Authority**

- 2) Section 23(1)(a) and Section 23(1)(b) of the Municipal Government Act of Nova Scotia, being Chapter 18 of the Revised Statutes of Scotia, 1998 as amended.

#### **Purposes**

- 3) The purposes of this Policy are:
  - a) to recognize the functions of the Municipality include providing good government;
  - b) to complement and supplement, and not to replace, the requirements contained in applicable municipal legislation;

- c) to provide notice to the Members and the citizens respecting matters that will be considered by the Council; and
  - d) to provide an open, respectful and orderly forum for public input, debate and decisions.
- 4) In accordance with the purposes of subsection 1, the Council hereby adopts the rules of procedure to govern meetings of the Council and committees of the Council.

### **Interpretation**

- 5) In this Policy,
- a) "CAO" means the Chief Administrative Officer of the Municipality.
  - b) "Clerk" means the Clerk for the Municipality.
  - c) "Council" means the Council of the Municipality.
  - d) "in-person" means a meeting where the Members are physically present in the same room;
  - e) "Member" means a Member of the Council;
  - f) "Municipality" means the Municipality of the County of Pictou;
  - g) "Presiding Officer" means:
    - i) the Warden when present at a meeting of the Council;
    - ii) the Deputy Warden when presiding at a meeting of the Council in the absence of the Warden;
    - iii) such other Member as may be presiding at a meeting of the Council in the absence of the Warden and Deputy Warden;
  - h) "Petition" includes a written or an electronic petition;
  - i) "virtual" means appearing by video, or by a combination of video and telephone.

### **Rules Adopted and Suspended**

- 6) The proceedings of the Council, and committees of the Council shall be governed by this *Policy* unless a Policy, by-law or provincial enactment provides otherwise.
- 7) A Committee, other than a Standing Committee or Committee of the Whole, may only suspend the rules of procedure respecting the number and length of time a person may speak.

### **Amendment to Rules**

- 8) This *Policy* shall not be amended or repealed except by Policy passed at a meeting of the Council.

### **Interference with the Work of the Municipality**

- 9) No Member shall have power to direct or interfere with the performance of any work of the Municipality and no Member shall instruct or give direction to an employee of the Municipality.

### **Regular Meeting of the Council**

- 10) The Council shall meet on the first Monday of each month at 7:00 pm.
- 11) If the first Monday of any month is a holiday, then the regular meeting of Council shall be held on the following day (Tuesday) beginning at 7:00 pm.
- 12) The Municipal Council may, at any regular meeting of the Council, or other meeting as may be necessary or expedient for the dispatch of business, by resolution, decide to postpone or omit any regular meeting or meeting otherwise scheduled.
- 13) For sufficient cause, the Presiding Officer may postpone any regular meeting or other meeting as may be necessary for a period not exceeding 7 days from its scheduled starting date and time.

### **Special Meeting of the Council**

- 14) The Municipal Council may hold such other meetings as may be necessary, or expedient for the dispatch of business of the Municipality at such time and place that the Council determines.
- 15) Notice of the meeting shall be provided for the special meeting including the purpose and time of the meeting at least three (3) days prior to the meeting in accordance with the Municipal Government Act Section 19(2).

- 16) Written notice of any special meeting of the Council setting forth the matters to be considered shall be given to all Members by delivery to the address or official email address of each Member recorded with the Clerk, not less than seventy-two (72) hours prior to the time fixed for the meeting and the Clerk shall make every reasonable effort to contact the Members to advise of the meeting.
- 17) At a special meeting of the Council, the Council shall only consider or decide upon a matter set forth in the notice calling the special meeting, unless all members that may be elected to the Council present consent to considering or deciding on an additional matter.
- 18) If all the Members consent to consider or decide upon additional business, such consent shall be recorded in the Minutes.
- 19) For sufficient cause, the Presiding Officer may postpone any special meeting as may be necessary for a period not exceeding 7 days from its scheduled starting date and time.

### **Agenda Preparation**

- 20) The Clerk shall have prepared the agenda of the Council together with copies of all reports or communications to be dealt with at each regular meeting of the Council.
- 21) A draft agenda shall be sent to all members of the Council 10 days in advance of the meeting, with the exception of the month of January to accommodate the Christmas Holidays.
- 22) The headings of the Agenda shall be the same as the Order of Business.
- 23) If a Member wishes to have an item placed on the Council or Committee agenda, the Member shall submit the request in writing to the Clerk or Director of Corporate Services no later than 4:30 pm on the third day after the draft agenda is sent to members.
- 24) The request shall include an explanation of the issues and a copy of a draft motion requesting a staff report or the action required by the Council.

### **Emergency Resolutions for Agenda**

- 25) If a Member wishes to have an item placed on the Council agenda following the deadline prescribed by section 23, the Member shall attempt to submit the request in writing prior to the meeting so that Council members may have knowledge of the item.
-

- 26) The request shall include an explanation of the issues and a copy of a draft motion requesting a staff report or the action required by the Council.
- 27) The Council shall decide by majority vote whether to place the item on the agenda.
- 28) An emergency resolution is an item that has come to the attention of a member of council beyond the deadlines to submit information and requires action before the Council would normally sit again to meet and resolve an action.

### **Information Reports**

- 29) A collection of information reports with copies of all such reports shall be provided to the Council only for its information.
- 30) Anonymous items shall not be included in the collection of information provided to the Members.

### **Agenda Package**

- 31) Five days prior to the regular meeting of the Council or Committee, the Clerk shall cause to be delivered electronically or circulated to each Member the following:
  - a) the agenda;
  - b) a copy of each report which is to be considered;
  - c) a copy of each motion to be considered if the motion or the purpose thereof is not indicated on the agenda; and
  - d) the collection of information reports.

### **Location of Meeting of the Council**

- 32) Until otherwise decided by the Council, the Council shall meet at the Council Chamber located at 46 Municipal Drive.

### **Duties of Presiding Officer**

- 33) The Presiding Officer shall:
  - a) open the meeting of the Council by taking the chair and calling the Members to order;
  - b) receive and submit, in the proper manner, motions properly presented by a Member;

- c) put to a vote a question that is moved and seconded or necessarily arises in the course of the proceedings and to announce the result of the vote;
- d) decline to put to a vote a motion which infringes upon the rules of procedure;
- e) restrain the Members, when engaged in debate, within the rules of order;
- f) enforce, on all occasions, the observance of order and decorum;
- g) call by name any Member persisting in a breach of the rules of order of the Council thereby ordering him or her to vacate the Council Chamber or the meeting;
- h) permit questions to be asked through the Presiding Officer of any official of the Municipality to provide information to assist any debate when they deem it proper to do so;
- i) provide information to Members on any matter touching on the business of the Municipality;
- j) inform the Council when necessary, or when referred to, on a point of order; and
- k) adjourn the meeting when the business is concluded.
- l) At the time of calling the meeting to order, the Presiding Officer may call for a moment of reflection.

### **Call to Order of Meeting**

- 34) As soon after the time appointed for the start of the meeting when there is a quorum present, the presiding officer shall take the chair and the Members shall be called to order.
- 35) If the Warden is not present within ten (10) minutes of the hour of a meeting, the Deputy Warden shall take the chair and the Members shall be called to order, or sooner if the absence is known.
- 36) If neither the Warden nor the Deputy Warden is in attendance within ten (10) minutes after the hour appointed for a meeting, the Council may appoint a person to preside from among the Members present.
  - a) Same shall apply to committees if the chair and vice chair are not present
- 37) The Clerk shall record in the Minutes the names of the Members present and shall record in the Minutes the names of Members who arrive after the meeting has been called to order and the time of their arrival.
- 38) If there is no quorum present fifteen (15) minutes after the time appointed for the meeting, the Clerk shall call the roll and take down the names of Members present and the Council shall then stand adjourned.
- 39) For greater certainty, while presiding, the Presiding Officer shall have all the



powers of the Warden under this Policy.

### **Seating of Members**

- 40) Seating of Members shall be in the order agreed to by the Council from time to time.

### **Quorum for Meeting**

- 41) A majority of the maximum number of persons that may be elected to the Council is a quorum for meetings of the Council.
- a) For a committee it is the majority of members appointed to the committee by Council.
- 42) Where there is a vacancy in the Council's numbers, the Council may decide if a quorum is present at the meeting.

### **Persons seated at the Council Table**

- 43) No person, except a Member or an officer of the Municipality, shall be allowed to sit at the Council table of the Council during the sittings of the Council without the express permission of the Presiding Officer.

### **Placing Items on Desks**

- 44) No person, other than a Member, the CAO, the Clerk, or the Municipal Solicitor shall, before or during a meeting of the Council, place on the desks of Members or otherwise distribute to Members any material whatsoever unless such person is so acting with the permission of the Clerk.
- 45) No external video or audio equipment shall be used to record a member of council without the express permission of the member.

### **End of Meeting**

- 46) No meeting shall generally extend beyond three hours unless otherwise determined by a vote of two-thirds (2/3<sup>rds.</sup>) of the Members present and voting.
- a) The presiding officer may exercise discretion to extend the meeting beyond three hours if they believe that the remaining items may be dealt with in a timely manner.
-

## **Order of Business**

47) The Order of Business shall be:

- a) Call to Order;
- b) Moment of silence or reflection
- c) Land acknowledgment statement;
- d) Emergency Resolutions
- e) Errors and Omissions and Corrections to the Minutes
- f) Correspondence
- g) Public Hearings
- h) delegations or presentations or petitions.
- i) Information Reports from staff; Standing Committees of the Council;  
Committees of the Council
- j) Business Items and Items Requiring Action
- k) Consideration of deferred business.
- l) items added to the agenda (emergency resolutions)
- m) Community Announcements
- n) Motions of the reconsideration
- o) Adjournment.

## **Order of Business at Special Meeting of the Council**

48) The Order of Business at a Special Meeting of the Council shall be:

- a) Call to Order;
- b) Moment of Silence or reflection
- c) Land acknowledgment statement.
- d) Approval of the listed order of business and approval of any additions thereto or deletions therefrom.
- e) Emergency Resolutions
- f) Consideration of the business for which the Special meeting was called in the order designated by the Presiding Officer; and
- g) adjournment.

49) If there are several items for consideration at a Special meeting, the Order of Business for a regular meeting of the Council shall be followed so far as is possible.

## **Community Announcement and Acknowledgments**

50) A Member may speak once for no longer than two (2) minutes to special announcements and acknowledgments at the time so specified in the Council agenda.

- 51) Community Announcements and Acknowledgments shall not be recorded but the Minutes shall reflect that Community Announcement and Acknowledgments were given, unless the acknowledgement is towards a group or person.

## **Minutes**

- 52) The Minutes shall record:
- a) the place, date and time of meeting;
  - b) the name of the Presiding Officer and the record of the attendance of the Members;
  - c) the reading, if requested, correction and adoption of the Minutes of prior meetings; and
  - d) all resolutions moved, or moved and seconded, by a Member or Members
  - e) mention of reports, petitions or other documents submitted to the Council..
- 53) If there is any corrections made to minutes of the previous Council meeting or special council meeting presented at any regular meeting of the Council, the Member making it shall state the correction required, without comment, and if the Council does not object, the minutes shall be altered accordingly.
- 54) If all the Members present at such meeting do not agree to the proposed alteration or correction, a motion must then be duly made and seconded, to amend the minutes, to meet such correction, which shall then be debatable.
- 55) Where Minutes have been previously circulated to the Members, reading of such Minutes is not required unless a motion requiring such reading is adopted by the Council.
- 56) A resolution that the Minutes be adopted as if read shall be in order.
- 57) After the Minutes have been adopted, the Minutes shall be signed by the Clerk and the Presiding Officer.

## **Request for Presentation**

- 58) A request for a presentation shall be made to the CAO in writing, either by letter, fax or e-mail, and state the essence of the presentation to be made, any potential outcomes, and the desired body of Council to hear the presentation such as a particular Standing Committee.
- 59) On receipt of a request for a presentation, the CAO shall discuss with the Warden and/or the presiding officer of a committee to determine the appropriate disposition of the request.
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- a) if the subject matter of the presentation is a matter which can be addressed by staff, refer the presentation to the appropriate department for review.
  - b) determine that the Council will receive only written submissions on the matter; or
  - c) If the subject matter of the presentation is a matter which is outside the jurisdiction of the municipality, refuse the request.
- 60) Unless otherwise determined by the Warden, the Presiding Officer and the CAO, or CAO designate, the presentation shall be placed on the Council or Committee agenda only if the presentation is in reference to an item of business before the Council or Committee or any matter within the jurisdiction of the Council or Committee.
- 61) Presentations which are placed on the agenda may be scheduled on an "as requested" basis, subject to the following criteria:
- a) a maximum of one (1) presentation shall be scheduled per meeting;
  - b) each presentation shall deal with one topic only;
  - c) each presentation shall consist of a maximum of two presenters;
  - d) each presentation shall be allotted a maximum of ten (10) minutes;
  - e) the topic of the presentation shall be relevant to the mandate of the body hearing the presentation and be timely;
- 62) After the presentation has been made, Members may ask questions of clarification of the presenters, but there shall be no debate of the subject matter of the presentation.
- 63) After questions of clarification, a Member may move a notice of motion on the topic of discussion from the presentation for consideration at a future meeting.
- 64) The presentation shall form part of the public record for the meeting.
- 65) A presenter, once heard or considered, shall not be entitled to be received or considered again on substantially the same matter for a period of six months from the date of its first hearing.

### **Petitions and Communications**

- 66) Every communication, including a petition designed to be presented to the Council, shall:
- a) be legibly written, printed, typed or delivered electronically;
  - b) not contain any impertinent or improper matter or language;
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- c) be signed by at least one person, or be received from an electronic address which clearly identified the person sending the communication;
  - d) state the reasons for the communication and the remedy sought; and
- 67) A petition shall include:
- a) the date the petition was commenced;
  - b) the name, civic address and either the telephone number or email address of the person(s) who started the petition;
  - c) the name and civic address of every person who signed or electronically submitted their name to the petition.
  - d) The content of all petitions submitted and accepted by the Council under this section shall be public information, including the names and addresses of those signing the petition.
- 68) The Clerk shall list on the agenda every petition which has been delivered to the Clerk not later than 4:30 pm on the Monday immediately preceding each regular meeting of the Council.
- 69) The Clerk shall arrange that the communication be placed before the Council unless, upon examination, the Clerk is of the opinion that it contains matter that is impertinent or improper in which case the person presenting the communication shall be advised that the document is not deemed in suitable form for presentation to the Council; provided that the decision of the Clerk in the matter may be appealed to the Council.
- 70) A petition shall be placed before Council by a Councilor who is the district Councilor, as determined by the Clerk, and if no Councilor wishes to bring the petition forward, the Clerk shall bring the petition forward to Council.
- 71) When a Member presents a petition to the Council, the Member shall acquaint the Council with its contents.
- 72) A petition or written communication to the Council on a subject already before a Committee of the Council may be referred to the committee without being presented to Council.
- 73) When the Council considers that the petition or communication requires an immediate reply, the matter contained therein may be discussed and disposed of forthwith.
- 74) When an individual wishes to be heard in respect of a petition before Council, any Member may move a motion that the member of the public be heard.

## **Motions**

75) A point of order or personal privilege may be introduced without written notice and without leave.

76) The following motions may be introduced without notice:

- a) a motion to adjourn;
- b) a motion to call for the question
- c) a motion to refer;
- d) a motion to table or to defer;
- e) an amendment to a motion;
- f) a motion to suspend a rule of procedure;
- g) a motion to convene In-Camera (in private)
- h) any other procedural motion.

## **Order of Consideration of Motions**

77) When a question is under consideration, no motion shall be received except for:

- a) a motion to refer;
- b) a motion to amend;
- c) a motion to table;
- d) a motion to defer;
- e) a motion to call for the question;
- f) a point of order; or
- g) a motion to close debate at a specified time.

78) Procedural motions shall be considered immediately upon being made and are subject to debate as follows:

- a) non-debatable:
  - i) to extend the time of the meeting;
  - ii) to call for the question;
- b) debatable:
  - i) to refer;
  - ii) to defer certain portions;
  - iii) the date when the matter should be brought back before the Council.
  - iv) any other procedural motion;
  - v) a motion to convene In Camera (in private);

## **Motion to Refer**

79) A motion to refer, until it is decided, shall preclude an amendment to the

main question.

- 80) A motion to refer is debatable but only with respect to the desirability of referring to the motion.
- 81) A motion to refer shall not be put to a vote until all Members listed to speak on the motion proposed to be referred have been given the opportunity to ask any questions or raise any issues they wished considered.

### **Motion to Amend**

- 82) A motion to amend:
- a) shall be decided upon or withdrawn before the main question is put to a vote and before a further amendment to the question is considered.
  - b) shall be relevant to the question; and
  - c) shall not propose a direct negative to the question.
- 83) A motion to amend that the mover of the original motion agrees is a friendly amendment, is not required to be put to vote.
- 84) A motion to appoint a person to an office shall preclude any amendments.

### **Motion to Table**

- 85) A motion to table a question is not debatable.
- 86) The matter tabled shall not be considered again by the Council until a motion has been passed to take up the tabled question at the same meeting or a subsequent meeting of the Council if time does not allow for it to be dealt with at the same meeting.
- 87) A motion to take up a tabled question is not subject to debate or amendment.

### **Motion to Defer**

- 88) A motion to defer shall be debated only with respect to the desirability of deferring consideration of the motion.
- 89) A motion to defer shall not be put to a vote until all Members listed to speak on the motion proposed to be deferred have been given the opportunity to ask any questions or raise any issues they wished considered.
- 90) A motion that is deferred and not considered by the Council for six (6)

months shall be deemed to have been withdrawn.

### **Motion to Adjourn**

- 91) A motion to adjourn shall always be in order, except when a when a member is speaking, during a vote, during the verification of a vote; immediately following the affirmative resolution of a motion to call for the question;
- 92) A motion to adjourn does not require a seconder; and is not debatable.
- 93) A motion to adjourn that is made without qualification, and if carried, brings a meeting or session of the Council to an end; or made to adjourn to a specific time or to reconvene upon the happening of a specified event, suspends the meeting of the Council to continue at that time.
- 94) A motion to adjourn when resolved in the negative, shall not be made again until after some intermediate proceedings have been completed by the Council.
- 95) At the conclusion of all agenda items the chair shall call the meeting adjourned without need for a motion to adjourn.

### **Motion to Call for the Question**

- 96) A motion to call for the question does not require a seconder and is not debatable;
- 97) A motion to call for the question shall not be amended; and shall not be proposed when there is an amendment under consideration.
- 98) A motion to call for the question shall be determined by a majority vote of the Members present and voting and if resolved in the affirmative, the main motion shall be put immediately without further amendment or debate.
- 99) When a motion to call for the question is resolved in the negative, then the main motion under consideration may be further amended and debated.

### **Motion of Reconsideration**

- 100) The intent of reconsideration is to allow the majority of the assembly to bring back for further discussion a motion which has already been voted on.
- 101) The purpose of reconsideration is to permit correction of a hasty, ill-advised or erroneous action, or to take into account additional information or a changed situation that has developed since the taking of the vote.



- 102) After a matter has been decided, a Member who voted with the prevailing side, one who voted aye if the motion was passed and one who voted nay if the motion was lost, may put forward a motion of reconsideration before the adjournment of the meeting at which the same was decided.
  - 103) Notice of motion is not required as the motion to reconsider must be put forward and seconded at the same meeting at which the matter was decided.
  - 104) A motion of reconsideration must be seconded, at which time it is owned by the Council and cannot be withdrawn except by the agreement of the Council.
  - 105) The seconder to the motion can be any member regardless of how they voted on the original motion.
  - 106) The motion of reconsideration that is held over to another meeting shall be the first order of business at the next meeting of the Council, including a special meeting called to hear the motion, immediately after the consideration of the Minutes and before any other business is considered.
  - 107) The Council may, with a vote of two-thirds (2/3) of the Members present and voting, agree to take up the motion of reconsideration at the same meeting in which the matter was decided.
  - 108) At the time when the motion of reconsideration is taken up by the Council the mover of the motion, or in the Member's absence any other Member on the Members behalf, may briefly state the reasons for reconsideration and reconsideration shall be put to a vote without further debate.
  - 109) No question may be reconsidered more than once nor shall a vote to reconsider be reconsidered.
  - 110) If the motion to reconsider is carried, the question to be reconsidered shall be read again.
  - 111) The question to be reconsidered is debatable as to the merits of the question to be reconsidered but is not amendable, as the question to be reconsidered is the same question put before the Council previously.
  - 112) A majority of the Members present and voting is required to carry the motion.
  - 113) No motion of reconsideration shall be allowed regarding a motion approving all or part of the annual budget of the Municipality or a motion authorizing legal proceedings.
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114) A motion of reconsideration shall have the effect of delaying or impeding any action necessary to give effect to the motion to be reconsidered and no action shall be taken on that motion until such reconsideration has been disposed of.

### **Motion of Rescission**

115) The purpose of a motion of rescission is to allow the Council to change an action previously taken or ordered.

116) A motion of rescission cancels or countermands a previous action or order has the effect of striking out an entire main motion, resolution, rule, section, or paragraph that has been adopted at some previous time.

117) A motion of rescission may only be taken regarding a matter that has been decided in the affirmative.

118) If a motion of rescission is defeated, no other motion to rescind shall be made within twelve (12) months, except with the consent of two-thirds (2/3) of the Members.

119) A motion of rescission is not in order in

- a) respect to the adoption or amendments of a by-law or a planning document;
- b) in respect of an appeal;
- c) in respect of a matter that has previously been moved to be reconsidered; or
- d) if something has already been done as a result of the vote on the matter that is impossible to undo such as a document has already been executed.

120) A motion of rescission is not required to cancel or countermand a previous action or order if such action or order was passed before the most recent ordinary municipal election.

121) A motion of rescission shall not be made at the same meeting when the matter is decided but may be put at any subsequent meeting.

122) A motion of rescission may be put by any Member regardless of how the Member voted on the original matter.

123) At a subsequent meeting of the Council, the giver of such notice, or in that Member's absence any other Member on the Member's behalf, may put forward the motion of rescission.

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124) A motion of rescission must be seconded.

125) A motion of rescission is debatable as to the merits of the question which is proposed to be rescinded.

126) A motion of rescission is amendable.

127) A motion of rescission shall be passed by a vote of two-thirds (2/3<sup>rds</sup>) of the Members present and voting.

### **Requirement for Secunder for Motion**

128) Except for a motion to adjourn or a motion to call for the question, all motions shall be seconded before being debated or voted on.

129) At the time the motion is made, the mover may speak for not more than five minutes in order to explain the motion and the reasons for making it.

130) When a motion is seconded, it may be read before debate, if requested.

131) After a motion is moved and seconded, it shall be deemed to be in possession of the Council but may be withdrawn by the mover at any time before the question is put with the permission of the Council.

### **Reading of Motion**

132) Every motion shall be read or stated except in the cases provided for by the rules of the Council.

133) When reading motions which have been distributed or printed in the Agenda, recitals need not be read.

134) No Member shall speak to any motion until it is first read or stated from the Presiding Officer.

135) With the consent of the mover, the Presiding Officer may waive the reading of a motion arising from the recommendation set out in the staff report on the matter.

136) A Member may require the question or motion under discussion to be read at any time during debate, but not so as to interrupt a Member while speaking.

### **Motions Not Within Jurisdiction of the Council**

137) A motion in respect of a matter which is not within the jurisdiction of the Council shall not be in order.

### **Motion Contrary to the Rules**

138) Whenever the Presiding Officer is of the opinion that a resolution is contrary to the rules and privileges of the Council, the Presiding Officer shall apprise the Members thereof immediately, before putting the question, and shall cite the rule or authority applicable to the case without argument or comment.

### **Determining Speaking Priority**

139) When two or more Members desire to speak to a matter the Presiding Officer shall settle the priority.

140) A motion may be made that a Member who wishes to speak "be now heard" or "do now speak", which motion shall be put without debate and if carried, such Member shall be allowed to speak immediately.

### **Presiding Officer Entering Into Debate**

141) If the Presiding Officer desires to take part in the debate, the Presiding Officer shall leave the chair and in such case shall call on vice chair or one of the Councilors to take the chair. The Presiding Officer shall not return to the chair before the vote is taken on the motion.

142) Except as set out above, or to provide information on any matter before the Council, or to give reasons for deciding a point of order, the Presiding Officer shall not take part in debate.

## **DECORUM AT MEETING OF THE COUNCIL**

143) No Member shall:

- a) use offensive or unparliamentary language or speak disrespectfully of anyone while in the Council;
- b) speak to a matter or a question other than the matter or the question in debate; or
- c) reflect upon any vote of the Council except for the purpose of moving in accordance with the provisions hereof, that the question be rescinded or reconsidered.
- d) If a Member resists the rules of the Council, willfully obstructs the business of the Council or disobeys the decision of the Presiding Officer, or of the Council on appeal, on any question of order or practice or upon the interpretation of the rules of the Council after being called to order by the Presiding Officer the Member may
  - i) for an in-person participant, be ordered by the Council by a majority vote to leave the Member's seat for that meeting; or
  - ii) for a virtual participant, be ordered by the Council by a majority vote to leave the meeting.

144) If the Member refuses to

- i) leave their seat, the Presiding Officer may order the Member removed therefrom by the police;
- ii) leave the meeting, order the Clerk to disconnect the Member if virtual;

145) In case of ample apology being made, the Member may, by vote of the Council, be permitted forthwith to retake their seat, or remain in or reconnect to the meeting.

146) A Member shall, upon being recognized by the Presiding Officer, address only the Presiding Officer.

147) When a Member is speaking no other Member shall interrupt, except to raise a point of order.

148) The Presiding Officer shall preserve order and decide any point of order.

149) When a Member rises on a point of order, the Member shall ask leave of the Presiding Officer to raise a point of order and, if leave is granted, shall state the point of order to the Presiding Officer and then remain silent until the Presiding Officer shall have stated and decided the point of order.

150) Thereafter, a Member shall only address the Presiding Officer for the purpose of appealing to the Council about the Presiding Officer's decision.

- a) If no Member appeals, the decision of the Presiding Officer shall be final.

151) The Council, if appealed to, shall decide the question: "Shall the decision be sustained?" without debate and its decision shall be final.

152) A Member called to order shall immediately stop speaking, but may afterwards explain, and the Council, if appealed to, shall decide the same without debate.

- a) If there be no appeal the decision of the Presiding Officer shall be submitted to by the Member.

### **Speaking to Question**

153) No Member shall speak more than twice to the question without leave of the Presiding Officer, except in explanation of a material part of their speech which may have been misconceived and in doing so the Member is not to introduce a new matter.

154) A Member shall not speak the first time for more than five (5) minutes.

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- 155) No Member shall, without leave of the Presiding Officer, speak a second time to the same question or in reply for longer than two (2) minutes.
- 156) A Member who has made a substantive motion shall have the right to speak a second time for no more than two (2) minutes in reply and sum up in closing the debate.
- 157) No Member shall, without leave of the Presiding Officer, speak more than two (2) minutes on an amendment to a motion.
- 158) When the Presiding Officer calls for the question no Member shall walk across or out of the room or speak to any other Member or make any noise or disturbance.
- 159) A Member not in their seat shall not be entitled to vote.
- 160) A Member may ask a question of the Presiding Officer for the purpose of Obtaining information relating only to the item or matter under discussion, No Member shall speak longer than two (2) minutes when putting a question pursuant to this section.
- 161) The members by majority vote may allow a member to speak more than twice on any motion; however, the member shall not be entitled to speak for more than two (2) additional minutes.
- 162) When enquiries are provided for on the agenda or a specific item is under discussion, enquiries may be made of the Presiding Officer, or through the Presiding Officer to any Member or to an Officer, concerning any item or matter connected with business of the Municipality but no argument or opinion is to be offered or facts to be stated except so far as may be necessary to explain the enquiry, and in answering any such question a Member is not to debate the matter.

### **Silence During Reading of Minutes**

- 163) During the reading of Minutes, a report, communication or other paper, and when a Member is addressing the Council, silence shall be observed and no one shall be allowed to retire or otherwise disturb the meeting.
- 164) When the question under consideration contains distinct propositions, upon the request of any Member, the vote upon each proposition shall be taken separately.

### **Method of Voting in Meetings Other than Meetings of the Council**

- 165) The Presiding Officer shall determine whether the vote shall be taken orally or by show of hands.
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166) If the vote shall be taken orally or by show of hands, before the question is decided or immediately after the question is decided, a Member may require that the vote be a recorded vote of the Members present and voting.

167) When a vote is taken orally, and no dissent is declared, the vote shall be deemed to be unanimously in favour of the motion.

#### **Member Required to Vote**

168) Every Member shall vote when a question is put unless the Member is disqualified by the *Municipal Conflict of Interest Act*.

169) A Member who fails or refuses to vote shall be recorded as having voted in the negative.

#### **Declaring Vote**

170) After any question is put by the Presiding Officer, no Member shall speak to the question nor shall any other motion be made until after the result of the vote has been declared.

171) The decision of the Presiding Officer as to whether the question has been put shall be conclusive.

#### **Disputing Declaration of Vote**

172) If a Member disagrees with the declaration of the Presiding Officer that a question is carried or lost, the Member may object to the declaration and require a recorded vote to be taken but shall do so only immediately after the declaration by the Presiding Officer.

#### **In Camera (in Private) Meeting of the Council or Committee**

173) Where Council, or a committee of the Council meets In Camera (in Private) to discuss any items designated in the Municipal Government Act the Clerk shall list such items at the end of the agenda of regular meetings of Council.

#### **Agenda for In Camera (in Private) Meeting of Council**

174) In Camera (in Private) agenda items shall be identified by the type of matter to be discussed, with additional information, where possible, to further identify the item but not as to disclose the confidential information.

175) A brief description or summary of the subject matter of the items to be discussed In Camera shall be made available to the Council no later than the commencement of the Council meeting at which time such items are intended to be discussed In Camera (in Private). Such a summary shall identify the reason In Camera (in Private) discussion is warranted.

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176) At least seventy-two (72) hours' notice of an In Camera (in Private) meeting of a committee of the Council shall be given to the Members of a committee, and, wherever possible, an agenda shall be provided to the Members in advance of the meeting.

### **Moving In Camera (in Private)**

177) The Council may, at the request of one or more of its Members, and with the agreement of the majority of the Members present and voting, agree to enter into In Camera (in Private) discussions without meeting the requirements set out in sections 101 and 102, provided that the request is supported by information which explains a legitimate reason for the necessity of In Camera (in private) discussions taking place.

### **Minutes of In Camera (in Private) Meeting**

178) Minutes of In Camera (in private) meetings shall be taken by the Clerk and kept in the Office of the Clerk.

179) The Minutes of In-Camera (in private) meetings shall be approved at a regular meeting of the Council or Committee, along with the regular minutes of the same meeting. Any changes required to the In Camera meeting minutes (in private) shall be made during an in-camera.

180) In-camera minutes are not considered to be of public record. The release of minutes shall be in accordance with the Municipal Government Act.

181) Recommendations resulting from discussions taking place in the In-Camera (in private) meeting shall be brought forward as an added item for approval by the Council in open session immediately following dissolution of the In Camera (in private) session and the rules of procedure will apply to the adoption of such recommendations, provided that the motion to adopt a recommendation shall not be debated.

182) Staff reports submitted to In Camera (in private) Meetings of the Council and details of the Matters discussed at and the Minutes kept of such meetings, except background information, shall be maintained by the Clerk as confidential information unless the Council determines that the information or any part thereof be made available to the public.

183) Roberts Rules of Order shall be used to determine any procedural matter not considered by this policy.

184) All former policies with respect to Council meetings and proceedings are hereby repealed including Policy #99-04-02 Council Meeting Policy and 99-04-03 Council Proceedings Policy.

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DATED at Pictou, N. S. on this 4th day of December 2023.

(Sgd.)

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**Memo**

**To:** **Municipal Council**

**From:** Brian Cullen, CAO  
Karen Cornish; Sueann Musick, Evan Hale, Rhiannon McNair;  
**CC** Logan McDowell

**Date:** December 1, 2023

**Re:** **Municipal Returning Officer**

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**BACKGROUND**

The Municipal Elections for the Municipal Council Term 2024-2028 are scheduled for October 2024. The Municipal Elections Act requires the appointment of a Returning Officer to conduct the election on behalf of the Municipality.

The Administration advertised the position of Returning Officer during the month of November with the applications closing on November 24<sup>th</sup>. There were two applicants that applied.  
One applicant had no demonstrated experience in election management.

**RECOMMENDATION**

The second applicant, Josephine MacDonald, has been involved in municipal elections with the municipality for decades. The CAO and Director of Corporate Services interviewed Mrs. MacDonald and concur that she is the most qualified applicant to run the Municipal Election. It is recommended that the Municipal Council appoint Josephine MacDonald as the Returning Officer for the Municipal Elections to be held in October 2024.

## **RESOLUTION**

**BE IT RESOLVED** by the Municipal Council for the Municipality of the County of Pictou that, in accordance with section 4 of the Municipal Elections Act, Council approve the following appointments for a term ending November, 2024:

|                              |                     |
|------------------------------|---------------------|
| Returning Officer:           | Josephine MacDonald |
| Assistant Returning Officer: | Donna MacLean       |

**AND FURTHER BE IT RESOLVED** by Council that for the 2024 Municipal Election, the Preliminary List of Electors be prepared from the Permanent Register of Electors maintained for provincial or federal elections.

**DATED** at Pictou, NS this 4th day of December 2023.

(Sgd.)

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