

October 1, 2018

The Municipal Council for the Municipality of the County of Pictou met in the Council Chambers of the Municipal Administration Building on Monday, October 1, 2018 at 7:10 p.m.

**PRESENT**

Dist.	1	Clr. Don Butler
	2	Clr. Deborah Wadden
	3	Clr. Darla MacKeil
	4	Clr. Ronald Baillie
	5	Deputy Warden 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**

Donn Fraser, Solicitor, MacIntosh, MacDonnell & MacDonald  
Brian Cullen, CAO/Municipal Clerk-Treasurer  
Karen Cornish, Deputy Municipal Treasurer  
Carolyn MacIntosh, Deputy Municipal Clerk  
Jane Johnson, Recording Secretary

**CALL TO ORDER**

Warden R. Parker called the meeting to order and requested that Councillors stand and take a moment in silence to pray or simply reflect, as may be their preference, to help Council focus and properly do the work of the County.

**AGENDA**

It was moved by Clr. Boyles and seconded by Clr. Butler that the agenda be approved as circulated.  
Motion carried.

**MINUTES**

It was moved by Clr. D. Parker and seconded by Clr. MacKeil that the minutes of September 4, 2018 be approved as circulated.  
Motion carried.

**CORRESPONDENCE**

Correspondence was received and acknowledged from the following:

(a) Min. Communities, Culture & Heritage – Advising that in combination with additional funding of \$474,000 for libraries in 2017/18 and 2018/19 Government has undertaken a Library Core Services Review which will form the basis of a new funding model. Currently a collaborative review of the current library funding methodology is underway with a goal of finding solutions that will support sustainable and affordable core library services, including staff salaries.

(b) Min. Transp. & Infrastructure Renewal – Advising that the closure of the Springville Bridge was done to address the safety of the travelling public. Department staff are currently evaluating options on how best to address the structural issue with the bridge.

(c) Min. Health & Wellness – Advising that Departmental staff will be contact shortly to set up a meeting with the Municipality and the Health Authority.

(c) Thank you notes (uncirculated) for financial support & bursaries have been received from the Bridgeville Community Club, Read by the Sea, and the Alzheimer Society of NS (in memory of the late Melford MacLean)

Clr. Thompson referred to correspondence received regarding the closure of the Springville Bridge and expressed hope that there would be a good outcome for the residents of Springville. The residents are very concerned so as long as TIR is evaluating options hopefully they will have a solution.

### **RECOGNITION OF INDIVIDUALS & GROUPS**

There were no recognition of individuals and groups.

### **COMMUNITY ANNOUNCEMENTS**

Oct. 13<sup>th</sup> Merigomish Presbyterian Church, Roast Pork Dinner, 4 – 6 p.m.

### **PROPERTY SERVICES COMMITTEE REPORT**

Clr. Thompson presented the report of the Property Services Committee as follows:

#### **PROPERTY SERVICES COMMITTEE REPORT**

For information purposes the Property Services Committee submits the following report on the activities of the Committee for the month of September:

1. Reviewed the reports of the Building Inspector, By-Law/Dog Control Officer and Warden for the month of August.
2. Received an up-date on the status of capital projects. The McLellan's Brook Watermain Replacement is waiting on required authorization from the NS Utility & Review Board to expend funds. Delivery of record drawings by the contractor is expected shortly, following which residents will receive information on connection to the system. Minor SCADA work is outstanding on the Abercrombie Wastewater Extension which should be complete in the near future. The two gate valves in Hillside have been located. Work has been scheduled to replace this infrastructure, following which flow testing will be repeated. The demolition tender for the former Linacy School will close on October 12<sup>th</sup> and results will be available for review at the October meeting. The Alma sidewalk is complete. Work is underway on the Riverton sidewalk and the contractor will move to MacGregor Avenue once that is complete.
3. Received an estimate of \$650,000 to install sidewalks on the Viggo Holm Road and Abercrombie Loop.
4. Approved the submission of MacKenzie Road, First Street and Fourth Street in McLellan's Brook and Harbourview Road in Little Harbour to the Department of Transportation & Infrastructure Renewal for consideration of cost-shared paving in 2019/20, with priority given to the McLellan's Brook streets.
5. Discussed marketing possibilities for the tenant space in the Administration Building and agreed to explore potential uses of this space in the context of the Rural Internet Project.

6. Discussed a proposal to ask the Department of Environment to explore the disposal of bio-solids at the Port Hawkesbury paper mill and agreed to take no action on that proposal.
7. Approved the installation of one street light in District 9 at 3674 Little Harbour Road, Fraser's Mountain.
8. Received for information purposes correspondence from TIR advising that there are no repaving projects currently planned for either the Loch Broom Loop or the Abercrombie Loop, although both roads will be considered as potential candidates for future upgrade projects and will continue to receive maintenance in the interim.

DATED at Pictou, N.S. this 1<sup>st</sup> day of October, 2018.

(Sgd.) Andy Thompson  
Chester Dewar

### **MOTION**

It was moved by Clr. Thompson and seconded by Clr. Dewar that the preceding report be adopted as presented.

Motion carried.

### **FINANCIAL SERVICES COMMITTEE REPORT**

Clr. D. Parker presented the report of the Financial Services Committee as follows:

#### **FINANCIAL SERVICES COMMITTEE REPORT**

For information purposes the Financial Services Committee submits the following report on the activities of the Committee for the month of September:

1. Reviewed the list of Accounts Paid for the month of August.
2. Reviewed the report of the Recreation Coordinator for the month of August.
3. Considered several applications for financial assistance. (Resolution to follow)
4. Agreed to recommend adoption of the Capital Improvement Plan Policy. (Resolution to follow)
5. Received a report from the CAO on progress to date to commemorate the birth of the Murray Quintuplets.
6. Provided direction to staff on amendments to the Council Remuneration Policy with respect to the elimination of the one-third tax exemption.
7. Agreed on a procedure for administering the AED Funding Program whereby the Municipality will pay for the full cost of an AED device up to a maximum of \$2,000 for community halls or public spaces. Six districts will receive funding in the current fiscal period with the remaining six to be funded in 2019/20.
8. Considered a request from the Plymouth Community & Recreation Association for assistance with the group's efforts to raise funds for the Plymouth Community Solar Project. (Resolution to follow).
9. Agreed to extend an invitation to the Property Valuation Services Corporation to attend a future meeting of the committee.

DATED at Pictou, N.S. this 1<sup>st</sup> day of October, 2018.

(Sgd.) David Parker  
Ronald Baillie

## **MOTION**

It was moved by Clr. D. Parker and seconded by Clr. Baillie that the preceding report be adopted as presented.

Motion carried.

## **REPORT - PARL**

Clr. Wadden reported on staff salary increases at the Pictou-Antigonish Regional Library as follows:

Good news/bad news here - our board did ask staff to look at any opportunities that could assist with this issue. At the same time staff benefits renewal came in with a 19.9% increase which would have been a huge financial hit for staff and the board. However, staff put out a request for proposals for plans and Blue Cross came back at less than 1% more than currently paying with no changes for 2 years. While not a salary increase it averted a potential increase in the benefit package which would have impacted our budget costs and staff salaries.

Our budget for this year continues on target.

Work continues on Core Services and funding formula with the province.

Adopt a Library - because of the removing of the funding for this project by the Justice Dept., we are looking at rejuvenating this program and bring it back to its roots at our local level. Part time coordinator will be John Kennedy continuing his role. Board has agreed this project is necessary to continue after discussing the benefits to children, youth, libraries, police and first responders and our community at large.

Summer reading activities were a huge success with increase in reading overall.

Progress is continuing with the one Card initiative within the province.

## **REPORT – NSFM LEADERSHIP TRAINING**

Clr. Wadden informed Council that she attended a workshop, “Leading in the Grey - Relationships, Decision-making and Innovation”. Mark Kearney from the Dale Carnegie Association led the workshop with assistance from Mark Peck with Municipal Affairs, so it was a very informative and very entertaining workshop.

We covered Leadership Capability Scoring, Defining Leadership, Leaders as Storytellers which outlined the 4 Leadership Commitments 1/ Commitment to Vision 2/ Commitment to People 3/ Commitment to listen and engage 4/ Commitment to truth We covered Commitment to our Vision and a Vision Planning Sheet.

A leader always has a vision of what could be and is continually directing their people towards that picture. This portion really drove home the importance of having a Vision for your council where you want to go and what you hope to create. Sad to say the majority in that room do not have an actual Vision for their councils - ours included. That is really something we need to determine, as a council what is our vision and how are we working towards that goal in our 4 years together here.

We discussed strategies to create a strong team of Believers. Our role is to make our team look good. Leadership is not about you.

Strategies for creating a strong team include:

Maintaining strong communication

Regular meetings with quarter reviews

Instant Reviews

Building Respect

Transforming Trust

Understanding our people better

We discussed ways to collaborate with other Municipalities.

We discussed a checklist that showed items an effective meeting must follow. We can hold hundreds of meetings but if they are not effective we are wasting our time. Our discussions always came back to having a strong vision for your team and knowing that vision and constantly reviewing where you are with achieving your vision.

We discussed the importance of leading a meeting and basic rules good leaders follow to achieving the best results. An important rule for a good leader is "Express your own personal opinions and ideas AFTER all others have expressed theirs"

We discussed Decision Making Best Practices:

- Good judgement
- Fact Based
- Objective
- Fair and Balanced
- Free of Emotion
- Address the needs of all Parties
- Careful Consideration of all Options
- Risk Assessment

Another issue that came up was the effect our council meetings have on staff who are sometimes left scratching their heads trying to understand where we are as a council and what we are trying to do. Again that comes back to our having a clear vision and working towards that. But clearly with the majority of us have no actual Vision Statement staff actually need to de-stress after a meeting and some areas actually have a staff de-brief following council meetings. I am not sure if that happens here but it sounds very reasonable to do.

Overall it was a great workshop and I know there was a waiting list of over 25 so there is another being planned for the fall time frame so I encourage all of you to try and attend such a workshop. Secondly, it was held here in New Glasgow so was a wonderful opportunity to attend without travelling and being away from home for two nights.

## **REPORT – NSFM RESOLUTIONS MEETING**

Clr. Wadden reported on the Interim Resolutions for the NSFM Conference at a meeting on September 20<sup>th</sup> in Truro.

The idea was to inform all where the Federation is on these resolutions and to offer feedback to the executive as we move towards streamlining the resolutions we will be voting to move forward on.

The key questions to consider:

- Major importance
- Issue correctly identified
- Any information missing
- Accuracy
- Make sense
- Major issue missing

### 1/ Equalization

Such as Cost Share 50/50 Accessibility Projects -the Feds are looking at this issue and the province must lobby the Feds for help with this funding for the Municipalities Education - freezing mandatory education payments @ 2017 level Increase Equalization by CPI while this Review is underway

### 2/ CAP

NSFM will work with the Municipalities to educate public for the 2019 tax bill They are requesting a Pilot Program to test a CAP change in a couple of areas to see how this works out.

### 3/. Roads

There is a committee struck to work on this issue.

#### 4/Municipal Modernization

There is no money in The Municipal Affairs budget for this but the intent from the NSFM is that we need assistance from the province which is flexible and suitable for areas that are looking at this issue. One message came loud and clear - this issue is NOT Forced Amalgamation.

#### 5/Cannabis

Illegal Operations in Communities now and after Oct/2017 / NSFM is saying Municipalities should not be paying to help NSLC police this issue 2/ province has been given 75% share from the Feds. NS has indicated that until we can show where increased revenues are needed we will not be getting any of this revenue source. Ontario and Quebec already have agreements with their provinces and Municipalities but the rest of us do not. The Feds shared this revenue up front with provinces but we need to jump hoops to prove we deserve it. This is a new revenue source and needs to be shared. The FCM are going back to the Feds to see if they can push to make the provinces move on this issue. They are looking at 33%.

#### 6/ EPR Extended Producer Responsibility

This has potential for a new revenue source for Municipalities Basically we are paying for the packaging being used but we have no EPR in place to accommodate the costs of recycling.

Small business always had a great concern with this issue but new legislation will accept industries with less than 2M\$. Those over would pay more.

The intent from NSFM is we have one facility dealing with waste/recycling compared to many units having their own. Province would provide transition support with redundant facilities. One concern is that industry will be looking at paying for this service and trying to cut costs such as curb side collection service. We need to make sure Industry does not dictate if this service is discontinued.

#### 7/ Municipal Responsibilities

Our list is growing but our revenue source is still primarily Property Tax the 1990 Service Agreement between the Province and the Municipalities was supposed to be Revenue Neutral at that time but has never been looked at. Ontario and Quebec have looked at the continued increases in Property Tax and the burden associated with that. The Gap of where we need to go and where we are going is just getting larger. Aging populations, old infrastructure, on-line shopping and the impact on our commercial resources, and artificial intelligence are a few.

We need to start the groundwork with the province and our taxpayers to get the understanding needed.

#### 8/ Policing Costs

This brought up great discussions and the end result was to pull this issue until we know where we are with this. Joint Advisory Committee is in place but have not met in 2 years so for now encouraging better use of this committee in outlining the issues with Policing.

#### 9/ Surplus Schools

Currently looking at a legal opinion on this issue. Municipalities are being treated differently so this will continue as an attention item.

#### 10/ Sustainability and Infrastructure Funding

NSFM feel a funded position is require to do the work associated. Could actually be a benefit to smaller municipalities. It is a program that would need to be cost shared.

The one issue they are moving forward on and the NSFM have a commitment to lead is Code of Conduct. They are developing a model Code of Conduct, complaint process and will propose sanctions for legislation. This news was met with total support from all those attending. It is too important an item to go the resolution route.

Issues being monitored are Internet and Connectivity, Doctor Recruitment, Housing, Immigration and Libraries and their funding formula and financial assistance from the province for libraries. Jim MacAlpine is our representative on this committee.

## **PRESENTATION – DISPATCHING OF TRUCKS, BRAD NICHOLS (7:30 P.M.)**

Mr. Brad Nichols address Council and reported that when he previously met with Council he requested that Council provide him some way of accessing municipal work through the 80 - 20 work rule because it was no longer done on a geographical hiring basis. Mr. Nichols indicated that Council told him at that time it was now done through the 80 – 20 rule. Since that time there has been a ruling by the provincial government and he read a letter sent to the Pictou County Truckers Association as follows:

“Refusal of membership and refusal of representation”.

An Executive Committee of the Truckers Association of Nova Scotia and the Department of Transportation & Infrastructure Renewal met on March 1, 2018 to discuss a grievance filed by Bradley Nichols, J.B. Nichols Trucking. The grievance was prompted by a letter dated August 24, 2017 from the Pictou County Truckers Association Executive which stated that we are no longer representing you at the County level. The letter detailed the reason for this statement was that Mr. Nichols had exhausted the resources of the PCTA after filing grievances against the PTCA Executive and dispatch. We could no reference to refusing to represent a member in the TANS By-Laws and we must conclude that the PCTA has no basis for this statement. Therefore it is not clear what the lack of representation would entail or what consequences it could have for Mr. Nichols.

After March 1, 2018 meeting had been set Mr. Nichols had been informed in a letter dated February 16, 2018 that his membership for 2018 PCTA had been denied. Mr. Nichol did not file a grievance to this action as he was working outside of the province planning a trip to Nova Scotia for the March 1 meeting and determining an additional trip to Nova Scotia for second hearing would be a hardship. However, it was agreed the Committee would hear his case against the denial of his membership during the March 1 meeting. According to the TANS By-Laws the authority to accept or deny membership rests with the Board of Directors. In practice the County Association receives the applications for membership and sends them for approval to the Board of Directors of TANS. There is no appeal process in the TANS By-Laws for denial of a membership. The only avenue for applications who are refused membership is a direct appeal to TIR under the original terms for the establishment of the 80/20 rule. A meeting held on April 25 between Mr. Williams and Mr. Nichols facilitated by TIR failed to come to an agreement that would permit Mr. Nichols to rejoin the PCTA. TIR recognizes that the lack of availability of private trucks on department contracts is an ongoing concern. As such it is important that all qualified trucks within the County be accessible by contract. The department rule required that Mr. Nichols be able to be hired by contractors working in Pictou County for the 2018 construction season. Frequency of call ups will be determined by TIR and this directive has been communicated to the Nova Scotia Road Builders Association. Current haul rates will apply to any work performed by Mr. Mr. Nichols. Should Mr. Nichols membership be accepted by the PCTA then the arrangement detailed above will be terminated.”

Mr. Nichols reported that the government has provided him access to their 80/20 work and this Council has given that work to the PCTA in lieu of its 80/20 rule. He asked Council to provide him with access. Mr. Nichols read a letter dated May 2, 2018 from the Executive Director, Highway Engineering & Construction as follows:

“Effective immediately until further notice Bradley Nichols, J.B. Nichols Trucking, 4794 Trafalgar Road, Hopewell shall be considered a TANS truck as it pertains to the 80/20 rule for work in Pictou County. The PCTA shall be contracted to supply private trucks as required by the 80/20 rule. Should more than 3 TANS trucks be required on any given day then J.B. Nichols Trucking shall be contacted by any contractor working in the County. If J.B. Nichols Trucking is available to work then J.B. Trucking shall be considered the 4<sup>th</sup> chance truck on any given day. The Health & Safety requirements and Code of Conduct expected by any TANS private trucks engaged in 80/20 work shall apply. Any performance related concerns can be reported to the project engineer, serious or persisting concerns

will result in suspension of the referenced agreement above. In the event the PCTA is not able to supply the requested number of trucks then J.B. Nichols Trucking shall then be contacted to supply additional trucks if they are available.”

Mr. Nichols informed Council that he has not been dispatched to any municipal work this year due to the fact that the contractors are not aware that the County considers municipal work as 80/20 work. He was called out on one occasion by a contractor to report to Springfield Estates in Greenhill for a 5 day work rotation. An hour later the contractor called him back to tell him he could not send him to that job because they were still considering that to be County work separate from the 80/20 work. Mr. Nichols informed Council that he has not been dispatched to any Municipal work this year.

Mr. Nichols read a letter he wrote to Council as follows:

“Dear Council in lieu of these developments that I have presented and due to the fact that the Municipal contract requiring trucks that they be hired through the 80/20 TIR Program. I am requesting that the County notify any contractors regarding trucks for Municipal contracts that they are able to contact me for a 5 day work rotation if required. Due to the fact that I have not had access to work that has been performed so far this year and due to the fact that construction season is quickly coming to an end I am asking to inform any Contractors in the County that have work requiring a truck that I be the next truck called for a 5 day rotation provided there is a need for a truck from the TIR 80/20 program.”

Clr. D. Parker reported there is an 80/20 rule from the province and they have granted Mr. Nichols the ability to work under that rule and he did receive some work. He pointed out that Mr. Nichols would like any municipal projects to be applied to the same 80/20 rule. In the case of Springfield Estates where Mr. Nichols was called and then called off the project an hour later he asked Mr. Nichols what really happened.

Mr. Nichols replied that he believed the dispatcher at Weeks Construction notified the dispatcher of the PCTA and informed them the truck they had from the Association was no longer needed the next day because he was going to be taking its place. It was then conveyed from the dispatcher of the PCTA to the dispatcher at Weeks Construction that Mr. Nichols has not been granted access to municipal work.

Clr. Thompson asked Mr. Nichols how it was fair that he would be called for every 4<sup>th</sup> truck and Mr. Nichols replied that it was the Province that made the ruling so it was not an arrangement he asked for.

Mr. Nichols explained that the contractor calls him directly and he would just like them to know they can hire him. The provincial government has found a way to give him access to their work and it has been very favorable for him.

Clr. Wadden asked Mr. Nichols why he was not a member of the PCTA and Mr. Nichols replied that for years it was stipulated in municipal contracts that any hiring would be done through geographical hiring but then that stopped. Mr. Nichols pointed out that he asked the PCTA why it was not being done as outlined in the contract but the PCTA decided they were no longer going to do it that way.

Clr. Baillie asked Mr. Nichol if he was a member of the PCTA and Mr. Nichols replied he was a member for 8 years.

Clr. Baillie asked the fee to join the PCTA and Mr. Nichols responded when he first applied to join the PCTA the initiation fee for a new member was \$5,000.

Clr. Baillie asked if there were annual dues as well as the \$5,000 initiation fee.

Mr. Nichols replied that the Province concluded the fee was too high and under the current cost structure they now have what they call double dues.

Warden R. Parker thanked Mr. Nichols for the presentation and excused him from the balance of the meeting. (8:00 p.m.)

## **RESOLUTION – SALE OF FORMER HILLSIDE SCHOOL PPTY.**

Clr. D. Parker presented a resolution to Council as follows:



RESOLUTION

WHEREAS, by virtue of resolution dated September 4, 2018, the Municipal Council for the Municipality of the County of Pictou has declared the former Hillside School property in Hillside to be surplus to the needs of the Municipality;

WHEREAS the Hillside Community Society has expressed interest in the property for the purposes of constructing a community hall and has asked that the Municipality donate the property to the Society;

WHEREAS Section 51 of the Municipal Government Act permits the sale of public property for less than market value;

WHEREAS Municipal Council has conducted a public hearing on the proposed conveyance to the Society and has considered any and all statements received;

THEREFORE BE IT RESOLVED by the Municipal Council for the Municipality of the County of Pictou that Council approve the sale of the former Hillside School property (PID #00869834; AAN 03400298) to the Hillside Community Society for the sum of \$1.00.

DATED at Pictou, N. S. this 1<sup>st</sup> day of October, 2018.

(Sgd.) David Parker  
Darla MacKeil

**MOTION**

It was moved by Clr. D. Parker and seconded by Clr. MacKeil that the preceding resolution be adopted as presented.  
Motion carried.

**RESOLUTION – MUNICIPAL GRANTS**

Clr. Palmer presented a resolution to Council as follows:

RESOLUTION

BE IT RESOLVED by the Municipal Council for the Municipality of the County of Pictou that Council approve the payment of the following Municipal Grants:

Municipal Services:

D10	Thorburn & Dist. Fire Dept.	<u>\$ 3,000.00</u>	Generator Installation
		\$ 3,000.00	

Council:

Molly's Rainbows	\$ 100.00	Event Expenses
Junior Achievement NS	<u>500.00</u>	Program Expenses
	\$ 600.00	

Recreation:

LORDA	<u>\$ 8,000.00</u>	Operating Expenses
	\$ 8,000.00	

**GRAND TOTAL: \$ 11,600.00**

DATED at Pictou, N.S. this 1<sup>st</sup> day of October, 2018.

(Sgd.) Randy Palmer  
Andy Thompson

**MOTION**

It was moved by Clr. Palmer and seconded by Clr. Thompson that the preceding resolution be adopted as presented.

Motion carried.

**RESOLUTION – CAPITAL IMPROVEMENT PLAN POLICY**

Clr. D. Parker presented a resolution to Council as follows:

RESOLUTION

BE IT RESOLVED by the Municipal Council for the Municipality of the County of Pictou that Council adopt the following policy with respect to a Capital Improvement Plan:



**POLICY #2018-10-48**

**CAPITAL IMPROVEMENT PLAN POLICY**

**1. Preamble**

- 1.1. A **Capital Improvement Plan (CIP)** is a blueprint for planning the municipality's capital expenditures. It coordinates the planning fiscal capacity and physical development and will be used as a management tool for the budget and planning process.
- 1.2. The CIP represents the Municipal Council's best judgement at that time; however, future needs, financial constraints and grant opportunities may result in programmatic changes over the life of the plan.

**2. Legal**

- 2.1. Municipal Government Act Section 87
- 2.2. Federal Gas Tax Agreement

**3. Purpose**

- 3.1. To provide a clear defined process for considering capital projects.
- 3.2. The basic function of a CIP is to provide a formal mechanism for decision making, a link to long range plans, a financial management tool and a reporting document.
- 3.3. To facilitate coordination between capital needs and the Municipality's operating budgets.

- 3.4. To identify the most economical means of financing capital projects, including identifying other sources of funding from federal or provincial programs.
- 3.5. Relates municipal infrastructure to other public and private development and redevelopment policies and plans.
- 3.6. Focuses the attention on community objectives and fiscal capacity.
- 3.7. Informs the public about future needs and projects.
- 3.8. Coordinates the activities of neighboring and overlapping units of local government to reduce duplication.
- 3.9. Encourages careful project planning and design to avoid costly mistakes and help a community reach desired goals.

#### **4. Capital Improvement Plan**

- 4.1. The Municipality will make all capital improvements in accordance with an adopted capital improvement plan (CIP).
- 4.2. The Municipality will develop a five year plan for capital improvements and update it annually.
- 4.3. The Municipality will enact an annual capital budget based on the multi-year capital improvement plan.
- 4.4. The Municipality will coordinate development of the capital improvement budget with development of the operating budget.
  - 4.4.1. Future operating costs associated with new capital improvement will be projected and included in operating budget forecasts.
- 4.5. The Municipality will use intergovernmental assistance to finance only those capital improvements that are consistent with the capital improvement plan and priorities, and the operating and maintenance costs have been included in operating budget forecasts.
- 4.6. The Municipality will maintain all its assets at a level adequate to protect the Municipality's capital investment and to minimize future maintenance and replacement costs.
- 4.7. The Municipality, as part of its capital planning process, will project its equipment replacement and maintenance needs for the next several years and will update this projection each year.
  - 4.7.1. From this projection, a maintenance and replacement schedule will be developed and followed.
- 4.8. The Municipality will identify the estimated costs and potential funding sources for each capital project proposal before it is submitted for approval.
- 4.9. The Municipality will determine the least costly financing method for all new projects.

#### **5. Capital Projects**

- 5.1. Capital Projects and improvements are major non-recurring assets and projects including:

- 5.1.1. Replacements and improvements greater than or equal to \$25,000;
  - 5.1.2. Equipment and construction projects greater than or equal to \$25,000 and a useful life of at least five years.
  - 5.1.3. Any project that proposes to use Federal Gas Tax Funds must be included in the CIP.
- 5.2. The Municipality is responsible to maintain existing assets, and the Municipality has a responsibility to maintain the level of service to the community and bring capital assets, facilities and infrastructure into compliance with local, provincial and federal laws.

## **6. Capital Improvement Plan Process**

- 6.1. The Chief Administrative Officer in conjunction with Department Heads shall be responsible for coordinating the CIP process.
- 6.2. The Capital Improvement Plan has two distinct parts:
  - 6.2.1. The Capital Budget: Year 1 Projects
  - 6.2.2. The CIP: Year 2-5
- 6.3. Projects should generally be foreseen ahead of time (preferably 2 + years to allow time for planning long-term financing strategies or methods).
- 6.4. Departments shall close or update prior year capital projects and identify new capital or funding needs (Internal).
- 6.5. Identify and develop new capital projects based upon identification by Citizens, Council and administration priorities and regional issues (**External**).
  - 6.5.1. To be included in CIP deliberations for the subsequent fiscal year externally identified projects must be submitted in writing to the Chief Administrative Officer by November 30<sup>th</sup>.
  - 6.5.2. The submission shall provide a narrative with information to include specific information regarding the dimensions, characteristics, quantities, any unusual conditions and any other useful information to explain the project.
  - 6.5.3. If a councillor submits more than one project by the deadline, the councillor should identify the priority of the projects.
- 6.6. Upon submission of a project, the Chief Administrative Officer shall prepare a project evaluation report. The report should address or identify:
  - 6.6.1. Fiscal Impacts: Total Capital Cost, Impact on operating budgets, Impact on tax rates and user fees and potential sources of senior levels of government.
  - 6.6.2. Legal Mandate: is the project required to meet provincial or federal regulations
  - 6.6.3. Health and Safety Impacts: Will the project improve the health and or safety of residents in a measurable way.

- 6.6.4. Environmental, Aesthetics and Social Impacts: Will the project reduce pollution levels, improve appearance of neighbourhoods or ensure community values are achieved.
  - 6.6.5. Economic Development Impacts: Does the project promote the economic vitality of the community.
  - 6.6.6. Project feasibility: Does the project demonstrate that it can be implemented without constraints. What is the timing or phasing that could be reasonably expected. Is there demonstrated public support for the project?
  - 6.6.7. Distributional Effects: Who benefits from the proposed project?
  - 6.6.8. Disruption: How much disruption or inconvenience is caused by the project?
  - 6.6.9. Impact of Deferral: What are the implications of deferring the project?
  - 6.6.10. Risk Assessment: What degree of risk or uncertainty is inherent in acquiring the asset (demand, obsolescence)
  - 6.6.11. Inter-municipal Effects: does the project impact relationships with other municipal units, is there an opportunity for inter-municipal cooperation.
  - 6.6.12. Relationship to other projects: are there advantages from this project accruing to other projects.
- 6.7. The report shall provide a recommendation that classifies the project as:
- 6.7.1. Essential: High priority projects that are necessary for the municipality. These include projects that are required to complete a major public improvement; projects that address an emergency or remedy a condition dangerous to public health, welfare or safety, projects that would provide facilities for a critically needed community plan.
  - 6.7.2. Desirable: High priority projects that should be addressed as funding becomes available.
  - 6.7.3. Acceptable: Worthwhile projects to be considered if funding available. These are projects that are adequately planned, but not absolutely required and could be deferred to a subsequent year if budgets reductions are necessary.
  - 6.7.4. Deferrable: projects which are desirable but not essential and can be postponed without detriment to the provision of other services.
- 6.8. Prior to the considering its annual operating budget, the Financial Services Committee shall convene to review the Capital Projects Evaluation Report.
- 6.9. The Financial Services Committee will evaluate the CIP Evaluation Report and determine final decisions on projects to recommend to Council.
- 6.9.1. The Financial Services Committee shall determine the priority of projects by ranking each project contained in the evaluation report.
  - 6.9.2. A project must receive at least an average 75 percent of the overall ranking to be included in the CIP.

6.10. The Financial Services Committee decisions shall provide the Chief Administrative Officer with direction to proceed with formulating the annual CIP and with inclusion of the first year CIP items within the recommended fiscal year budget.

6.10.1. The Chief Administrative Officer may request that the Chair of the Financial Services Committee reconvene a meeting of the Committee to review proposed CIP prior to a recommendation to Council being finalized.

6.11. Approval of the CIP is not a commitment to finance approved projects, but is a statement of policy regarding the Municipality's approach to meeting its future capital needs.

6.12. The Municipal Council shall be way of resolution approve the Capital Budget and CIP. The capital budget approved by Council establishes the spending authority for a capital projects contained in year 1 of the document only.

6.13. In-year amendments / adjustments to the approved Capital Budget and Plan that defer, accelerate or change the scope of an approved capital project, or add a new capital project require Council approval.

6.13.1. A separate report requesting approval to adjust the approved capital budget and / or capital plan must be submitted to Council. At a minimum, the report must include details of projects being added, accelerated, requiring increased funding along with details of projects being decelerated as well as the associated change in total project costs, or otherwise adjusted in order to ensure that the Council approved 5-year capital budget and plan for the requesting City Program or Agency remain unchanged.

## **7. Financing**

7.1. Area Rates/Local Improvement Charges: A capital project may be supported by creating a new area rate to cover capital charges or by area rates established already established in bylaw or policy.

7.2. Federal or Provincial Funds: Upper levels of government will often make funds available for a specific project or type of project. The Municipality for the most part has no direct control over the amount of money received.

7.3. Developer Contributions: The Municipality may partner with a developer to complete a project where municipal funds are not available to complete the improvements.

7.4. Capital Funding: Funds for capital projects budgeted in the General Operating Fund Budget, General Operating Reserve or Capital Reserve Fund.

7.5. Debt Financing: Proceeds from the issuance of debentures with the debt service paid from the General Operating Fund.

7.6. Sewer User Fees: Funding for wastewater rehabilitation projects may be financed from annual maintenance charges levied against the users of the service.

## **8. Debt Management**

8.1. Prior to the issuance of long term debt, the Municipality must seek the approval of the Minister of Municipal Affairs in accordance with Section 88 of the Municipal Government Act.

8.2. Debt will be considered for capital projects under the following circumstances:

- 8.2.1. The capital item is a long term asset with a useful life of more than 5 years.
- 8.2.2. The asset has a useful life expectancy that equals or exceeds the length of debt financing.
- 8.3. The Municipality will confine long-term borrowing to capital improvements or projects that cannot be financed from current revenues.
- 8.4. On all debt-financed projects, the Municipality will make a down payment of at least **10 percent** of the total project cost from current revenues.
- 8.5. Total debt service for general obligation debt will not exceed 15 percent of total annual locally generated operating revenue.
  - 8.5.1. The Municipality will strive to achieve a limit of 3.5% on a municipality's debt-to-uniform-assessment ratio.
- 8.6. Total general-obligation debt will not exceed that provided for by the Department of Municipal Affairs.
- 8.7. The Municipality will not use long-term debt for current operations.

## **9. Repeal**

- 9.1 All former policies and/or practices of Council with respect to capital improvement planning are hereby repealed.

DATED at Pictou, NS this 1<sup>st</sup> day of October, 2018.

(Sgd.) David Parker  
Darla MacKeil

## **MOTION**

It was moved by Clr. D. Parker and seconded by Clr. MacKeil that the preceding resolution be adopted as presented.  
Motion carried.

## **RESOLUTION – PLYMOUTH COMMUNITY SOLAR PROJECT FUNDRAISING**

Clr. Thompson presented a resolution to Council as follows:

### **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 Plymouth Community & Recreation Association has requested that the Municipality receive donated funds for the Plymouth Community Solar Project 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 by the Municipal Council for the Municipality of the County of Pictou that Council authorize the collection of charitable donations to the Plymouth Community Solar Projects and the issuance of charitable tax receipts for same.

DATED at Pictou, NS this 1<sup>st</sup> day of October, 2018.

(Sgd.) Andy Thompson  
Chester Dewar

### **MOTION**

It was moved by Clr. Thompson and seconded by Clr. Dewar that the preceding resolution be adopted as presented.

Motion carried.

### **LETTER TO MIN. OF VETERANS AFFAIRS**

Clr. Boyles reported that things have changed at Veterans Affairs and providing PTSD treatment will now be closely monitored. He suggested that the focus should be with service men and women who have PTSD because many of them are still waiting to be diagnosed.

### **MOTION**

It was moved by Clr. Boyles and seconded by Clr. D. Parker that Council send a letter to the Minister of Veterans Affairs (with a copy sent to MP, Sean Fraser) endorsing the decision made by Veterans Affairs and to request in future that more effort be made for an early diagnosis and treatment of veterans who have PTSD.

Motion carried.

### **NOISE COMPLAINT**

Clr. Wadden reported that she is aware that Council has a Noise Committee, however recently she was speaking with residents who had major problems all summer with noise that went on all night. They tried approaching the person involved but their concerns were ignored. Clr. Wadden asked if there anything Council could do by looking at a by-law that may include a time-frame on noise concerns.

The CAO pointed out by-laws do not have to be that specific in referring to decibel levels, however enforcement is a challenge.

### **MOTION**

It was moved by Clr. Wadden and seconded by Clr. Turner that staff look developing some type of by-law that addresses noise for Council's consideration.

Clr. MacKeil asked if a special permit would be required if there was going to be a concert or special event in the County.

The CAO advised that Council could waive provisions in the by-law for specific events.

Clr. Dewar suggested speaking with the people first who are creating the noise disturbance to see if a resolution can be found.

Warden R. Parker asked existing business could be "grandfathered" under a new by-law, citing the saw mill in Scotsburn as an example where significant jobs could be impacted.

The CAO replied that we can look at that provision but you would define the activities you cannot do so in the case of a commercial operation you may have that as one of your permanent exemptions that is in the by-law.



Clr. Palmer reported that the biggest concerns are outdoor concerts that do not shut down, noting that if they did stop activities at a reasonable hour there would not be an issue.

Deputy Warden Murray asked if the wind turbines would fall under this by-law and the CAO responded that would have to be reviewed.

Motion carried.

### **EMERGENCY RESOLUTIONS**

There were no emergency resolutions.

### **REFERRALS TO COMMITTEES & NOTICES OF MOTION**

Deputy Warden Murray informed Council that he received a complaint from the residents of Tower Road regarding the noise coming from the wind turbines. The residents feel it is very unfair that they have to go through an appeal process on their own time and at their own expense. The last wind turbines that were installed are much noisier than the turbines first installed. Deputy Warden Murray invited Councillors to go to the site and listen to the wind turbines. He suggested the complaint could be discussed at committee or at a future Council meeting.

Warden R. Parker agreed that if the noise level is quite high then the residents need to be heard.

Clr. Palmer reported the developers met the requirements of our by-law but the residents are always a step behind and he really feels for the residents who have these turbines nearby.

Clr. D. Parker expressed his agreement with the opinion that the wind turbines have destroyed that community as a wonderful place to live and property values have also suffered. He suggested that we have to investigate just how much these turbines are making but the good news is that solar has surpassed wind in efficiency and cost.

Clr. Wadden asked if the assessed values on these properties have decreased since the wind turbines have been installed.

Clr. Dewar referred to the meeting Council had with MP, Sean Fraser and he asked if there was any information on available money for the Abercrombie Intersection. Clr. Dewar reported the Blueberry Industry is a very important industry in Northern Nova Scotia and if the government could find some countries interested then we could have a thriving business again.

Clr. Turner reported he will be having a meeting regarding the intersection in Abercrombie during month of November as soon as he notifies everyone involved.

Clr. Dewar suggested the MP also be invited to the meeting and Clr. Turner replied he will get in touch with the MP.

Clr. Butler asked that the limiting bio-mass harvesting to un-merchandiseable material from regular harvest be added to the Property Services agenda.

Clr. Wadden asked that capital projects be put on the agenda for Council's January meeting.

### **ADJOURN**

It was moved by Clr. Turner and seconded by Clr. D. Parker that the meeting adjourn.

Motion carried. (8:50 p.m.)

Robert Parker  
Warden

Brian Cullen  
Municipal Clerk