



TOWN OF OXFORD
Committee of the Whole Meeting
Town Hall – Council Chambers
Monday, 6 May 2019
6:30 PM

AGENDA

1. Call to Order
2. Approval of Agenda
3. Approval of Previous Minutes
 - 3.1 Committee of the Whole – 1 April 2019
4. New Business
 - 4.1 Debt Management Policy – Paul Wills, MFC
 - 4.2 Ballfield Maintenance: Discussion
 - 4.3 Summary of Bill 92: Information and Discussion
 - 4.4 Provincial Surplus Land Notice: Information and Discussion
5. Correspondence
6. In Camera
7. Adjournment

Minutes of the Committee of the Whole Meeting

Place: Council Chambers
Date: Monday, April 1, 2019
Presiding Officer: Mayor Patricia Stewart
Councilors present: Councilors Brenton Colborne, Dave Clark, Dawn Thompson, Rick Draper, Wendy Sweet-Kontuk and Wade Adshade
Councilors absent: NIL

A quorum was present throughout the meeting.

Staff in attendance: Rachel Jones, CAO
Linda Cloney, Deputy Clerk (recording secretary)
Call to order: Mayor Patricia Stewart called the meeting to order at 6:00 pm

Agenda item **Discussion and Decisions**

2. Agenda **Amendment: add 4.4 Trailers in the ballfied re: exhibition**

It was moved and seconded that the agenda of the Committee of the Whole Meeting for April 1, 2019 be approved as amended.

Motion Carried

3. Approval of Previous Minutes **It was moved and seconded that the minutes of the previous Committee of the Whole Meeting dated March 5, 2019 be approved.**

Motion Carried

4. New Business **Multi-year Capital Budget Planning Policy – Paul Wills, MFC presenting**

- a copy of this presentation is filed.

It was moved and seconded that Committee of the Whole recommend to Council to approve the Multi-year Capital Budget Planning Policy as presented.

Motion Carried

Following this presentation, Mr. Wills left the meeting.

4.2 **RFD #007-2019 Wild Blueberry Capital of Canada Trademark**

- a copy of the Request for Decision #007-2019 Wild Blueberry Capital of Canada Trademark is filed.
- A rounded discussion was held exploring the options around trademark versus official mark, both with respect to legality and costs.

Committee of the Whole directed staff to begin the process to pursue the official mark to the term "Wild Blueberry Capital of Canada". The costs will be added to the budget process for 2019/2020.

4.3

CAO Report / Update

- A copy of this report has been filed
- general discussion on the policing review with the Town of Amherst
- general discussion on the Oxford sinkhole
- general discussion on the water rate study
- general discussion on capital projects
- general discussion on strategic planning

Council directed staff to proceed with the process of the strategic planning for September with Gordon McIntosh as facilitator.

- general discussion on a mural for the Wild Blueberry Corner.

It was moved and seconded that Committee of the Whole receives the CAO Report / Update as presented.

Motion Carried

4.4

Trailers in the ballfield re: exhibition

- The exhibition asked if they could use the ballfield to put trailers on during the exhibition week.

It was decided that if the exhibition fill the lots that currently host the trailers they then could use the ballfield for the overflow.

5.

Correspondence

- NIL
-

6. In Camera

At 7:15 pm, it was moved and seconded to go in-camera to discuss union contract.

Motion Carried

At 7:25 pm, it was moved and seconded to come out of in-camera and resume the regular Council meeting.

Motion Carried

7. Adjournment

Mayor Patricia Stewart advised Council the next regular meeting for Oxford Town Council is scheduled for April 15, 2019 and the next Committee of the Whole Meeting is May 6, 2019 at 6:00 pm in the Council Chambers.

It was moved and seconded that the meeting be adjourned.

Motion Carried

The meeting was adjourned at 7:30 p.m.

Patricia Stewart, Mayor

Linda Cloney, Recording Secretary

Town of Oxford

Debt Management

Policy

Effective Date:

Approval by Council Resolution:

Statement

1. Municipalities in Nova Scotia are restricted from running operating deficits. However, they may incur debt for capital purposes provided they have statutory authority.
2. The Town of Oxford recognizes that the foundation of any well-managed debt program is a comprehensive Debt Management Policy. This document provides guidelines for the Town to manage its debt program within available resources in three sections: Incurring Debt, Managing Outstanding Debt, and the Timing and Purpose of Debt.

Policy Objectives

The objectives of the Debt Management Policy are to:

- a. Ensure adherence to statutory requirements
- b. Enhance long-term financial flexibility and sustainability
- c. Minimize the long-term cost of borrowing
- d. Ensure the term of capital financing is no longer than the useful life of the related asset
- e. Ensure consistency and continuity in long-term debt decision making.

Policy Principles

3. Incurring Debt
 - a. The Town of Oxford has many competing spending priorities for revenues collected each year. The Town's capacity to incur debt is directly related to its ability to service the payments required on the debt. These include both annual interest and principal payments. Furthermore, the Town's ability to service the payments required is directly linked to the ability of the Town to raise sufficient funds from either taxes or fees.
 - b. The Town incurs debt for two main purposes related to capital expenditures: tax-supported debt which is for capital projects that will be serviced from the tax-supported operating budget and self-supported debt which is for capital

projects that will be serviced from revenue generating capital projects (debt incurred on behalf of fire departments).

- c. This policy shall be reviewed in three years.
- d. Before changes to this policy can be made a full review of the Town of Oxford's finances must be presented to Council.

4. Managing outstanding debt

- a) The Town's long-term debt is owed to the Municipal Finance Corporation (the Corporation). When the Corporation issues debentures to the Department of Finance or capital markets, the Corporation is locked into the same maturity schedule, including principal and interest payments, as the assets it holds from clients. As a result, the Corporation does not allow for the early redemption of debentures.
- b) The Town of Oxford will continue to service its outstanding debt according to the schedules agreed upon with the Corporation at the time the debt was incurred.

5. Timing & Purpose of Debt

- a) The Town of Oxford will not incur additional long-term debt except when the capital project:
 - i. maintains current service levels affecting public health, safety or welfare;
 - ii. is a legal or regulatory requirement;
 - iii. is no net cost to the municipality;
 - iv. alleviates an emergency service disruption, and;
 - v. when the implication of deferring the project is more expensive than the project itself.

Application

- 6. This policy applies to all long-term capital borrowing of the Town of Oxford.

Summary of Bill 92: Power to Expend

Note: This document is intended to provide clarity on what the changes in Bill 92 mean for municipalities and municipal administrators operating under the *Municipal Government Act* (MGA).

Background:

With the passing of Bill 92 the MGA and *Halifax Regional Municipality Charter* were amended, replacing a prescriptive list of items municipalities were permitted to spend money on with broad powers to expend money for municipal purposes within their approved budget. For the MGA, the prescriptive list was outlined in Section 65. As the power to expend money is referenced throughout the MGA, multiple amendments were required to ensure a successful transition from a prescriptive list to a model providing general powers to expend. Many of the amendments detailed below are preserving powers which existed prior to the passing of Bill 92 but were required to be moved since they were part of the Section 65 list.

For more information on Bill 92, please visit the following link - <https://nslegislature.ca/legislative-business/bills-statutes/bills/assembly-63-session-2/bill-92>

Clauses 1 and 2 restate the purposes of a municipality.

Broadening a council's power to expend money will allow them to spend money without the requirement of locating specific authority contained in a list of permitted expenditures. A requirement of spending will be that it is done for municipal purposes only. Prior to the passing of Bill 92, the functions of a municipality were described in Section 2(c) of the MGA but were embedded in the purpose of the Act. The Bill 92 amendments move these functions into their own Section (Section 9A) and restate them as the purposes of a municipality. Recognizing these purposes continues to be referred to as a purpose of the Act in Section 2.

The intent of moving these provisions from 'purpose of the Act' to 'purposes of the municipality' is to provide clarity on what the purposes of a municipality are, and to ensure that even though municipal spending options were made less restrictive, it still remains tied to a municipal purpose.

Purposes of the municipality as outlined in Bill 92 are:

- (a) providing good government;
- (b) providing services, facilities and other things that, in the opinion of the council, are necessary or desirable for all or part of the municipality; and
- (c) developing and maintaining safe and viable communities.

Clause 3 clarifies that the powers conferred by the MGA must be interpreted broadly.

This clause has been added to ensure the powers conferred on a municipality and its council are interpreted broadly, in accordance with the purposes of the Act as set out in Section 2, and the purposes of the municipality now set out in Section 9A (listed above).

Clause 4 makes consequential amendments to reflect that municipalities will have separate operating and capital budgets.

This clause has been added to provide clarity around municipal budgets. Prior to Bill 92 being passed the main focus of the MGA with respect to budgets is contained in Section 31 **Responsibilities of the Chief Administrative Officer**. Although councils in Nova Scotia are familiar with passing capital and operating budgets, it is not clearly outlined in the MGA. This new clause provides clarity around a process that has long been the practice of municipal units and is not intended to change how this process takes place. It should be noted that this amendment does not impact a municipal unit's authority to expend money during any gap between budgets as authorized by the municipality.

Clause 5

(a) requires municipalities to adopt operating and capital budgets;

Clause 5(a) was added to provide further clarity around budgets. As noted above this is not intended to change how municipal units complete the budgeting process.

The provisions proposed in 65A(2) allow flexibility in the purpose of expenditures outlined in the budget, provided it does not impact the total expenditures.

The provision proposed in 65A(3) allows transfers from operating to capital budgets, provided the amounts being transferred out don't exceed what remains within that budget.

Clause 5 – b

(b) repeals a specific list of allowed expenditures and replaces it with general expenditure powers; and

The intention of this amendment is to remove the list of specific items in s.65 of the MGA and give a council broad power to expend. Council's power to spend money will be constrained by what council has budgeted for, rather than constrained by the need to fit an expenditure under one of the items listed. Council's spending must also be for municipal purposes. Councils are also permitted to spend money in respect of an emergency as defined by the *Emergency Management Act*, or when they are legally required to make an expenditure (for example, to comply with a court order).

Clause 5 - c

- (c) requires councils to adopt procedures to authorize and verify non-budgeted expenditures and policies for the disclosure of grant recipients.**

Prior to the passing of Bill 92, Section 65 of the MGA included authorizing money to be spent on grants, as well as requiring a municipality to publish a list of grant recipients in a newspaper. With the removal of Section 65 these provisions will no longer exist.

The requirement to publish a list of grant recipients in a newspaper is being replaced by a requirement to adopt a policy which requires the municipality to disclose to the public a list of grant recipients. The policy must set out the timing, content and form of disclosure. A model policy is being developed by the AMA and will be made available to all municipal units in the province. The policy may include any other matter that the council considers necessary. The purpose of this change is to allow more flexibility in how municipalities make the public aware of grant recipients.

Note - As stated in Section 65-5 of the amended MGA, *in the event of ambiguity in whether or not the council has the authority under this or any other Act to spend money or to take any other action, the ambiguity shall be resolved so as to include, rather than exclude, powers the council had on the day before this Section came into force.*

Clause 6 preserves the power for a municipality to borrow to contribute a capital grant to a hospital.

This amendment is preserving a power that existed in Section 65 of the MGA prior to the passing of Bill 92. Prior to the passing of Bill 92, Section 65(at) of the MGA authorized a municipality to borrow to contribute a capital grant to a hospital. With the removal of Section 65 this provision would no longer exist, so the power has been moved to the Section of the Act dealing with borrowing powers.

Clause 7 preserves the power for a municipality to contribute to a hospital.

This amendment is preserving a power that existed in Section 65 of the MGA prior to the passing of Bill 92. Prior to the passing of Bill 92, Section 65(at) of the MGA authorized a municipality to contribute to a hospital and raise the money through area rates. With the removal of Section 65 this provision would no longer exist, so the power has been moved to the Section of the Act dealing with area rates.

Clause 8 preserves and expands the power of councils to make by-laws charging for the installation on private property of energy-efficiency equipment, renewable energy equipment and water conservation equipment with the consent of the property owner.

This amendment is preserving a power that was cross-referenced to Section 65 of the MGA prior to the passing of Bill 92. This clause is related to the PACE program.

S.81A(1) enables a municipality to make by-laws about payment of charges for the financing and installation of certain types of equipment installed on private property with the consent of the

property owner. Prior to the passing of Bill 92, S.81A(1) referred back to specific clauses of s.65 to describe the equipment. As a result of the changes to s.65, S.81 was reworked to preserve the municipal power to make by-laws charging for the installation on private property of energy-efficiency equipment, renewable energy equipment and water conservation equipment with the consent of the property owner.

Clause 9 repeals a specific expenditure power (S.172A) which is no longer needed.

Section 172A deals with the Council acquiring a vacant building that has been boarded up exceeding the time specified in a bylaw. Prior to the passing of Bill 92, S.172A(6) said "The Council may spend money under Section 65 to acquire the property and improve it." Given council's broadened powers to expend money, s.172A(6) was redundant and was removed.

Note: If you have any questions about these amendments, please reach out to your municipal advisor.

REAL PROPERTY SERVICES
ACQUISITION AND DISPOSAL

May 1, 2019

NOTICE OF SURPLUS PROPERTY

RE: SURPLUS PROPERTY AT OR NEAR AMHERST, CUMBERLAND COUNTY

We are informing you that the lands shown outlined in red on the sketch to the right are surplus to the needs of the Department of Transportation and Infrastructure Renewal.

The lands in question are identified as PIDs 25022930, 25005844 and 25005836 on Property Online, 26 LaPlanche Street at Amherst, Cumberland County. The building on the property is a former NSLC store.

Please advise if you have any interest in acquiring the property. A response by **May 15, 2019** would be greatly appreciated. Should we not receive a response by the above date the Department will proceed with the conveyance of the property.

Sincerely,

Krista McLarty
Acquisition and Disposal Officer

