

TOWN OF OXFORD
Committee of the Whole Meeting
Town Hall – Council Chambers
Monday, 6 January 2020
6:00 PM

AGENDA

1. Call to Order
2. Approval of Agenda
3. Approval of Previous Minutes
 - 3.1 Committee of the Whole – 2 December 2019
4. New Business
 - 4.1 RFD #001-2020 Council Remuneration Policy: Revision
 - 4.2 Library Board Bylaw Review: Discussion
5. Correspondence
 - 5.1 Department of Municipal Affairs and Housing: 12-Month Notice Correspondence
6. In Camera
 - 6.1. Contract Negotiation
7. Adjournment



Minutes of the Committee of the Whole

Place: Council Chambers

Date: Monday, December 2, 2019

Presiding Officer: Deputy Mayor Rick Draper

Councilors Present: Councilors Brenton Colborne, Dave Clark, Dawn Thompson and Wade Adshade.

Arrived Late (6:38 pm): Councilor Wendy Sweet-Kontuk

A quorum was present throughout the meeting.

Regrets: Mayor Patricia Stewart

Staff present: CAO - Rachel Jones and Deputy Clerk - Linda Cloney (recording secretary)

In attendance: Paul Wills – CEO/Treasurer of Nova Scotia Municipal Finance Corporation and Mark Rushton – Reporter for Six Rivers News

1. Call to Order

Deputy Mayor Draper called the meeting to order at 6:00 pm.

2. Approval of Agenda

It was moved and seconded that the agenda of the Committee of the Whole Meeting for December 2, 2019 be approved as circulated.

Motion Carried

3. Approval of Previous Minutes

3.1 Committee of the Whole – 4 November 2019

It was moved and seconded that the minutes of the previous Committee of the Whole Meeting dated November 4, 2019 be approved.

Motion Carried

4. New Business

4.1 MFC Best Practices: Financial Forecasting Policy, Cash Flow Forecasting Policy, Documentation of Accounting Policies and Procedures – presented by Paul Wills

Mr. Wills presented to Council, in detail, the Financial Forecasting Policy, Cash Flow Forecasting Policy and Documentation of Accounting Policies and Procedures.

It was moved and seconded that Committee of the Whole recommends Town Council the Financial Forecasting Policy as presented.

Motion Carried

It was moved and seconded that Committee of the Whole recommends Town Council the Cash Flow Forecasting Policy as presented.

Motion Carried

It was moved and seconded that Committee of the Whole recommends Town Council the Documentation of Accounting Policies & Procedures Policy as presented.

Motion Carried

*A copy of the power point presentation is filed with the Council Package.
Following this presentation, Mr. Wills exited the meeting.*

4.2 Public Works Winter Maintenance Costs: Discussion

CAO Jones presented to Council the costs of sand and salt from 2018/2019 winter season.

Following this discussion, Council directed staff to primarily use salt versus sand whenever possible.

4.3 Water Utility Extension Request: Discussion

Regarding an e-mail from Darren Rogers and Shelly Mattinson, there is a request for a water utility extension.

Council directed staff to reply to Mr. Rogers and Ms. Mattinson that any water utility extension will be the full cost of the individual. Also, potentially it could cost more based on disturbing the existing pipe.

4.4 Library Facility Maintenance: Discussion

Councilor Adshade brought forward to Council library facility maintenance issues.

Council directed staff to bring forward to the landlord the accessibility and maintenance issues concerning the library.

5. Correspondence

5.1 Town Hall Clock Project Proposal

Council has approved the request from the Oxford Historical Society to display the town clock that was formerly located on top of the old Post Office.

6. In-Camera

At 6:51 pm, it was moved and seconded to go in-camera to discuss public security and contract negotiations.

Motion Carried

At 7:03 pm, it was moved and seconded to come out of in-camera and resume the Committee of the Whole Meeting.

Motion Carried

7. Adjournment

At 7:03 pm, it was moved and seconded that the meeting be adjourned.

Motion Carried

Rick Draper, Deputy Mayor

Linda Cloney, Recording Secretary



REQUEST FOR DECISION
Council Remuneration Policy
#001-2020

Date: 31 December 2019	Subject: Council Remuneration Policy Revision
Proposal Attached: Yes	Submitted by: Rachel Jones, Chief Administrative Officer

Proposal:	To revise the Council Remuneration Policy as presented.
Background:	<p>In September 2019, Council approved changes to the Council Remuneration Policy that, not only brought it in line with current format and other policies, but also to provide for additional remuneration for the Deputy Mayor in the absence of the Mayor for an extended period. At that time, the CAO was instructed to bring back recommendations on updating all of Council's remuneration. The intent was to discuss the topic to allow for any new salary amounts to be implemented for the new Council that will be elected in October 2020.</p> <p>In reviewing other municipal units of various but similar populations, it is clear that the Town of Oxford is near or at the bottom of the pay scale for its elected officials. While affordability is an important consideration, the members of Council for Oxford have the same legislated duties and responsibilities for proper governance of this community as all other elected municipal government officials in Nova Scotia. It is often said that local politicians are not in it for the money due to the lower compensation, and that the real reason is for serving their communities. While this is no doubt true, there should be an adequate honorarium paid for the responsibilities and duties of those serving on Town Council.</p> <p>In reviewing the compensation levels of other municipal units, the following comparisons shows the discrepancy in the wages paid in Oxford:</p>

	Municipality	Mayor	Deputy Mayor	Councillor
	Oxford (1190)	\$9,010	\$4,085	\$4,085
	Clark's Harbour (758)	\$15-20,000	\$10-15,000	\$10-15,000
	Lockeport (531)	\$15,000	\$12,000	\$11,000
	Mahone Bay (1,036)	\$17,289	\$10,679	\$9,153
	Middleton (1,832)	\$16,000	\$11,500	\$9,000
	Mulgrave (722)	\$10,404	\$6,763	\$5,722
	<p>In averaging the other five municipal units, using the lowest number with the rates that have a range, and rounding down that number, the recommended honorarium levels in the policy are:</p> <ul style="list-style-type: none"> • Mayor: \$14,500 • Deputy Mayor: 10,000 • Councillor: \$8,900 			
Benefits:	<p>These rates bring the levels up to a more comparable rate, at the same time as remaining on the low end. This takes into consideration that these rates have not increased for at least a decade, although the complexity of municipal issues being addressed increases each year. By providing a reasonable honorarium, it is hoped that strong candidates can be attracted to run for public office and round out a productive and responsible Council.</p>			
Disadvantages:	<p>Increases the annual operating budget by \$35,480 if the policy is implemented with the proposed rates.</p>			
Options:	<ol style="list-style-type: none"> 1. Maintain current honorarium rates. 2. Implement proposed honorarium rates. 3. Implement honorarium rates between the current and proposed rates. 			
Required Resources:				
Source of Funding:	General operating budget.			
Sustainability				

Implications: (Environmental, Social, Economic and Cultural)	
Workplan Implications (now/future):	
Communication Plan:	
Staff Comments/ Recommendations:	
CAO's Review/ Comments:	

CAO Initials: RLJ

Target Decision Date: 20 January 2020

**TOWN OF OXFORD
GENERAL ADMINISTRATION**

Subject: Council Remuneration Policy

Number:

Approved by: Council

Effective Date: September 17, 2019

Revision Date: January 2020

Minutes reference date:

PURPOSE:

In accordance with Section 23(1)(d), (2), and (3) of the Municipal Government Act, being Chapter 18 of the Revised Statutes of Nova Scotia, 1998, the Municipal Council for the Town of Oxford hereby enacts a policy with respect to Council Remuneration as follows:

REMUNERATION

1. (a) Commencing on January 1, 2019 elected officials shall be compensated for their services to the Town at the following annual rates:
Mayor: \$9,000.00
Councillors: \$4,200

(b) Commencing November 1, 2020 elected officials shall be compensated for their services to the Town at the following annual rates:

Mayor: \$14,500

Deputy Mayor: \$10,000

Councillors: \$8,900

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(~~b~~c) Commencing on April 1, ~~2020-2021~~ the compensation for elected municipal officials shall be increased annually by the Consumer Price Index as determined by Human Resources Development Canada with respect to the Canada Pension Plan.

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(~~e~~d) Council may, at its sole discretion, not increase the compensation as provided for in 1(~~b~~)~~c~~ above.

2. The Deputy Mayor or Councillor shall be paid at 100% of the Mayor's compensation level when acting as Mayor for any time period exceeding two weeks. For clarity, should a temporary leave extend past the two-week period, the additional compensation shall be for the entire time the Deputy Mayor or Councillor has been in the acting Mayor's position.
3. An elected official shall not be considered to be absent from a meeting under any of the following circumstances:
- attending another Committee/Commission/Board meeting, or conference/seminar which is being held simultaneously;
 - illness;
 - medical appointments, or medical leave of the Councillor;

- bereavement as a result of the death of a relative, including a parent, spouse, sibling, child, father-in-law, mother-in-law, or any other relative living in the same household;
- attendance at Court;
- when leave from the meeting has been granted by the Council;
- the elected official has not been given at least 72 hours prior notice of the intention to hold a meeting;
- inclement weather conditions;
- job related responsibilities.

The Councillor shall notify the CAO, Secretary of the Committee, Board and/or Commission prior to the meeting that he/she will be absent, in order that the minutes will reflect the absence.

4. Where a Council member is nominated or appointed by Council to a board, commission or other position, or is otherwise appointed as a representative of the Town of Oxford, any remuneration from that position, including reimbursement of expenses, shall be paid to the Council member.

Clerk's Annotation for Official Policy Book

THIS IS TO CERTIFY THAT this the foregoing is a true and accurate copy of the Town of Oxford's Council Remuneration Policy which was adopted by Council at its duly convened meeting held 20 January 2020.

Chief Administrative Officer

Date

Hi folks,

I've been discussing updating the library board bylaws. They were last updated when the town of Springhill and the County amalgamated. The board member who updated them at that time was very concerned about representation from the former town.

In examining the NS Libraries Act (<https://nslegislature.ca/sites/default/files/legc/statutes/librarie.htm>) there needs only be 1 representative from each municipality and 2 representatives appointed by the Governor in Council. As the County will be reducing the size of their council this is an ideal time to look at the representation.

I'm suggesting that the bylaws state:

ARTICLE III MEMBERS:

The Board shall consist of 5 members. The Town of Amherst, the Municipality of the County of Cumberland, and the Town of Oxford shall each appoint 1 member. Two members are appointed by the Governor in Council.

While the bylaws ultimately have to be approved by the library board, I'm hoping to get feedback from the municipalities.

Thanks,
Denise

Denise Corey, MLIS

Chief Librarian

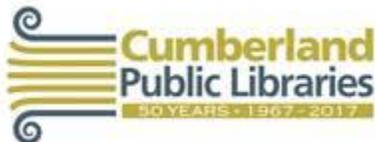
Cumberland Public Libraries

Ph. [902.667.1767](tel:902.667.1767)

denise.corey@cumberlandpubliclibraries.ca

www.cumberlandpubliclibraries.ca

Currently Reading: What If It's Us by Becky Albertalli and Adam Silvera



CUMBERLAND REGIONAL LIBRARY

By-Laws

February 2004; Amended June 2011; Amended November 2011; Amended April 2015

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ARTICLE I NAME:

This body shall be known as the Cumberland Regional Library Board and shall operate under the terms of the Libraries Act and Regulations, c.254, Revised Statutes of Nova Scotia 1989, as amended from time to time and agreements entered into under the Act.

ARTICLE II MISSION:

To promote life-long learning and recreation, fostering an appreciation of literature at all ages, by providing free access to the world of media and technology to the residents of Cumberland County.

ARTICLE III MEMBERS:

The Board shall consist of 9 members. The Town of Amherst will appoint 2 members. The Municipality of the County of Cumberland will appoint 3 members, one of whom must be a citizen appointee and a resident from within the former boundaries of the Town of Springhill. The Towns of Oxford and Parrsboro can each appoint 1 member. Two members are appointed by the Governor in Council.

ARTICLE IV OFFICERS:

Section A - The Executive Committee shall be the Chair, Vice-Chair and Treasurer.

Section B - The Regional Librarian shall act as Chief Executive Officer and Secretary to the Board.

Section C - Election of Officers.
The Executive shall be elected by majority vote of the members present at the Annual Meeting of the Board held in April.

Section D - Presiding at Meetings.
The Chair shall preside at all meetings of the Board.
In the absence of the Chair, the Vice-Chair shall preside at any regular or special meeting of the Board. In the absence of the Chair and the Vice-Chair, the meeting shall be presided over by the Treasurer.

Section E - Signing Authority.
The signing officers shall be any 2 of the following: Chair, Treasurer, Chief Librarian, Deputy Chief Librarian; however, of the 2 persons one must be a Trustee and one must be either the Chief Librarian or Deputy Chief Librarian.

Section F - Notice of Meetings, Records, Minutes, etc.
The Chief Librarian shall keep the records of the Board, shall advise on Meetings, and convey appropriate materials to members of the Board, and perform such duties as may properly belong to this office or be delegated by the Board.

ARTICLE V MEETINGS:

Section A - Meetings.
The Board shall hold not fewer than 5 regular meetings in any fiscal year. These meetings shall be held in April, June, September, November and February.

Section B - Special Meetings.
Special meetings may be called:
a) by the Chair
b) by the Vice-Chair in the absence of the Chair
c) by the majority of the Board at any regular meeting.

Section C- Annual Meeting.
The Annual Meeting shall be held in April. The Election of Officers is held at this meeting, and a draft budget for the coming fiscal year will be presented to the Board.

Section D - Quorum.
At any meeting of the Board, or by an e-mail vote, half of the members duly appointed, plus one, shall constitute a quorum. If any such number results in a fraction, it shall be rounded down to the nearest whole number (example: appointed membership is 7, a quorum is 3).

Section E - Mileage.
Board members are paid mileage for travel to meetings and library-related conferences based on the prevailing Provincial rate.

ARTICLE VI COMMITTEES:

ARTICLE VII VOTING:

Section A- Motions at regular Board meetings
Motions at a duly constituted Board meeting shall be carried by a majority of the members present. The Chair has a vote. In case of a tie, the motion is not carried.

Section B- Motions by way of e-mail

If a decision must be made between meetings of the Board, an e-mail vote may be taken, if all members agree, and provided the following steps are taken:

- a) The Board Chair or the Chief Librarian will provide the reason for the e-mail vote and relevant information. All members need to reply and indicate their agreement to proceed by way of an e-mail vote, whereupon 2 members have to formulate, move, and second a motion, which shall then be sent to all members. If a member is unable to participate due to illness or absence from the area or other cause, the reply of members who would be able to attend a meeting constitutes sufficient consent.
- b) The Chair shall determine the number of days, not more than 5, available to respond and discuss by e-mail.
- c) On the last of the days set, the Chair will call for an e-mail vote, within a certain time period set by the Chair.
- d) Any members whose e-mail vote is not received within the set time will be regarded as having abstained.
- e) Results will be disseminated to all Board Members via e-mail.

ARTICLE VIII ENDOWMENT FUND

An endowment will be held by the Cumberland Regional Library Board. The capital of this endowment fund shall be strictly preserved and shall be invested in accordance with the Board's directions.

Section A- Funds

Funds placed into the endowment fund will come from:

- a) All testamentary gifts or donations of any kind which are either specifically designated for the Endowment Fund or which are described restrictively for the income to be used only and not the capital.
- b) Surplus funds that have been designated by the board to become part of the Endowment Fund.

Section B- Use of income

The income of this Endowment Fund, or so much of it as the Members of the Board deem advisable from time to time, may be used for the general purposes of the Board.

Section C- Emergency provisions

In the case of a fiscal emergency and with the unanimous consent of all Members of the Board, the capital, or a portion of it, may be borrowed or

spent to alleviate the emergency or to preserve the continued existence of the Board.

ARTICLE IX PARLIAMENTARY PROCEDURE:

The Standard Code of Parliamentary Procedure by Alice Sturgis, will be used as reference.

ARTICLE X AMENDMENTS:

Amendments to these bylaws may be made at any regular meeting by majority vote of those present, providing that each member has received notification in writing of the specific proposed amendment at least thirty (30) days prior to the regular meeting.



**Municipal Affairs and Housing
Office of the Minister**

PO Box 216, Halifax, Nova Scotia, Canada B3J 2M4 • Telephone 902-424-5550 Fax 902-424-0581 • novascotia.ca

DEC 19 2019

Juanita Spencer
Chief Executive Officer
Nova Scotia Federation of Municipalities
Suite 1304, 1809 Barrington Street
Halifax, NS
B3J 3K8

Dear Ms. Spencer:

Re: Notice under Section 519 of the *Municipal Government Act* of Regulations under the *Police Act*

Please accept this letter as official notice to the Nova Scotia Federation of Municipalities under Section 519 of the *Municipal Government Act* of anticipated changes to the *Police Regulations* made under the *Police Act*. These changes were discussed with you at a meeting on October 24, 2019 with representatives from the Departments of Justice and Municipal Affairs and Housing. While the effective date of this regulatory change has yet to be determined, it will be at least one year from the date of this letter to ensure the required notice is provided.

The Minister of Justice has sought an amendment to Section 29 of the *Police Regulations* made under the *Police Act* to extend the timeframe for filing a public complaint against municipal police from 6 months to one year, with the ability for the Police Complaints Commissioner to further extend the timeline where the Commissioner considers there to be good reasons for doing so and it is not contrary to the public interest. This change will align with that for RCMP officers in the *Royal Canadian Mounted Police Act*. This change is prospective in effect and will not permit complaints where the conduct complained of was more than one year before the date the regulatory amendment takes effect.

The change was formally requested by the Halifax Board of Police Commissioners following Dr. Scot Wortley's report on street checks issued earlier this year which stated the 6-month timeframe was identified as a concern during community consultations. The independent Office of the Police Complaints Commissioner has also requested this timeframe be extended. At its core, the current timeframe of 6 months for a public complaint against municipal police is an issue of access to justice for those who wish to file a complaint because of alleged police misconduct, and an amendment is relevant province-wide.

The Office of the Police Complaints Commissioner currently tracks the number of complaints denied for being outside the existing 6-month filing timeframe. For 2016-2018 the following outlines the number of total complaints and the number denied as untimely:

.../2

- 2016 – 121 public complaints filed within the 6-month timeframe; four complaints not processed due to being filed outside of the 6-month timeframe;
- 2017 – 154 public complaints filed within the 6-month timeframe; 10 complaints filed outside of the 6 months were not processed;
- 2018 – 197 public complaints filed within the 6-month timeframe; nine complaints filed outside of the 6 months were not processed.

We understand additional costs are not incurred for most complaints as these are investigated by the Chief or delegate. Costs are primarily incurred when:

- A complaint results in a meeting of the police agency and the member under Section 44(3) of the *Police Regulations* following the police chief's determination that there *may* be some merit to the allegation as a member is entitled to legal representation at this meeting (may be provided by union legal counsel);
- A complaint is advanced to the Review Board and a hearing takes place;
- A complaint is advanced to the Review Board but a settlement is negotiated prior to a hearing taking place;
- A complaint involves a police chief and is investigated by a barrister instead of another police chief.

Costs associated with Review Board hearings can vary considerably based on the complexity and length of the hearings and what, if any, settlement discussions take place. Other costs relate to the provision of legal representation to members at disciplinary meetings; this expense is often limited as members are frequently represented by legal counsel for their union. Of the total number of public complaints filed each year, few proceed to a Review Board hearing. Between 2016 and 2018, 472 public complaints were filed but only three Review Board hearings were held. There were two hearings in 2016, one hearing in 2017, none in 2018, and five heard or pending for 2019.

It is possible that increasing the time frame for filing a public complaint will result in increased expenditures to municipalities, but the extent of increase may be difficult to predict. Representatives of the Department of Justice discussed this regulatory change with members of the Association of Municipal Administrators during a call on July 18, 2019. Following the call, municipal CAO's provided the following breakdown of costs by municipality as provided by the CAO's for 2016-2018. Several municipalities did not provide any costing to support the number of complaints listed and the costs provided included both public and internal complaints, however, the proposed amendment will only apply to public complaints.

Municipality	# Public Complaints	# Internal Complaints	Total Complaints (2016-18)	Cost
Cape Breton	58	20	78	\$156,493
Halifax	340	78	418	
Amherst	13	9	22	
Annapolis Royal*	0	0	0	
Bridgewater**	1	2	3	\$65,000
Kentville	8	0	8	
New Glasgow	8	18	26	
Stellarton	17	1	18	
Truro	21	13	34	
Westville	4	0	4	
Total	470	141	611	

* No hearings in 2016-18 but paid \$150,000 over 5 years ago (\$30,000 paid by municipality, \$120,000 under insurance policy). ** Covers costs from 2014-2018.

In addition, HRM and CBRM have collective agreements (CA) addressing costs paid by the municipalities toward public complaints. Section 30.01 of the CBRM CA requires the employer to provide a solicitor at no cost to the employee where a public complaint has been filed under the *Police Act*. Article 23, section 10 of the HRM CA requires the municipality to pay a maximum of \$75,000 per fiscal year, cumulatively, for legal representation on all public complaints under the *Police Act* for which the complaint is not sustained.

I trust this information sufficiently identifies the anticipated changes to the *Police Regulations* and the potential associated costs. I ask that you please bring this letter to the attention of the Board of Directors of the Nova Scotia Federation of Municipalities at your earliest opportunity.

Should you require further information please do not hesitate to contact Wanda Fletcher, Department of Justice at 424-3178 regarding this important issue.

Yours truly,



Chuck Porter
Minister

- c. Honourable Mark Furey, Attorney General and Minister of Justice
Mark Peck, Executive Director, Municipal Affairs and Housing
Wanda Fletcher, A/Executive Director, Department of Justice