Town of Amherst

Committee of the Whole

Date:	**Tuesday, February 16, 2021**
Time:	**4:00 pm**
Location:	**Zoom Virtual Meeting**

3.2. Council Priorities - To be distributed - 5:25 p.m.

4. Monthly Reports

5. In Camera - 5:40 p.m.

5.1. Approval of In Camera Agenda

5.2. Approval of In Camera Minutes

5.3. MGA 22(2)(a) - acquisition, sale, lease and security of municipal property

5.4. MGA 22(2)(a) - acquisition, sale, lease and security of municipal property

6. Adjournment

_____

Town of Amherst
Committee of the Whole
Tuesday, February 16, 2021

Consent Agenda

MOTION:
That Council approve the following items as part of the consent agenda:

1.3. Approval of Minutes
2.4. Request to Present – YMCA of Cumberland UpLift Program
4.1. Corporate Services Monthly Report
4.2. Operations Monthly Report
4.3. Police Services Monthly Report
4.4. Fire Services Monthly Report
4.5. Planning & Strategic Initiatives Monthly Report
4.6. Business Development Monthly Report

Amherst Town Council
Committee of the Whole
Minutes

Date:	**January 11, 2021**
Time:	**4:00 pm**
Location:	**Zoom Virtual Meeting**

Members Present	**Mayor David Kogon** **Deputy Mayor Hal Davidson** **Councillor George Baker** **Councillor Sheila Christie** **Councillor Lisa Emery** **Councillor Dale Fawthrop** **Councillor Leon Landry**
Staff Present	**Greg Herrett, CAO** **Jason MacDonald, Deputy CAO Operations** **Mike Hunter, Chief Financial Officer** **Dwayne Pike, Police Chief** **Greg Jones, Fire Chief** **Andrew Fisher, Manager of Planning & Strategic Initiatives** **Tom McCoag, Corporate Communications Officer** **Kim Jones, Municipal Clerk** **Natalie LeBlanc, Deputy Clerk**

Due to the COVID-19 pandemic and the requirement for physical distancing, this was a virtual meeting held via Zoom.

1. Call to Order

Mayor Kogon called the meeting to order at 4:02 p.m.

2. Presentations

2.1 <u>Cumberland Kids</u>

Sarah MacMaster, Executive Director of Maggie's Place Family Resource Centre (Cumberland), gave a presentation on behalf of Cumberland Kids.

2.2 <u>Cumberland Museum Society</u>

Rebecca Taylor, Museum Manager, presented on behalf of the Cumberland Museum.

2.3 <u>Cumberland Forestry Advisory Committee</u>

Kevin Merriam, Executive Director of the Maritime Lumber Bureau, presented on behalf of the Cumberland Forestry Advisory Committee.

3. Adjournment
Moved By Councillor Landry
Seconded By Councillor Baker
To adjourn the meeting at 4:58 p.m.

MOTION CARRIED

_____
Kimberlee Jones
Municipal Clerk

_____
David Kogon, MD
Mayor

Amherst Town Council
Committee of the Whole
Minutes

Date:	**January 18, 2021**
Time:	**4:00 pm**
Location:	**Zoom Virtual Meeting**
Members Present	**Mayor David Kogon** **Deputy Mayor Hal Davidson** **Councillor George Baker** **Councillor Sheila Christie** **Councillor Lisa Emery** **Councillor Dale Fawthrop** **Councillor Leon Landry** **Mike Hunter, Chief Financial Officer**
Staff Present	**Greg Herrett, CAO** **Jason MacDonald, Deputy CAO Operations** **Dwayne Pike, Police Chief** **Greg Jones, Fire Chief** **Andrew Fisher, Manager of Planning & Strategic Initiatives** **Tamara Porter, Business Development Officer** **Tom McCoag, Corporate Communications Officer** **Kim Jones, Municipal Clerk** **Natalie LeBlanc, Deputy Clerk**

Due to the COVID-19 pandemic and the requirement for physical distancing, this was a virtual meeting held via Zoom.

1. Call to Order

Mayor Kogon called the meeting to order at 4:00 p.m.

1.1 <u>Approval of Agenda</u>

Moved By Councillor Fawthrop
Seconded By Councillor Christie
To approve the agenda as circulated.

MOTION CARRIED

1.2 <u>Approval of the Consent Agenda</u>

Moved By Councillor Christie
Seconded By Councillor Baker
That Council approve the following items:
1.3. Approval of Minutes
2.2 Recognition of Individuals and the Renaming of Lord Amherst Drive
2.4. Fort Cumberland Manor Crosswalk Concerns

4.1. Corporate Services Monthly Report
4.2. Operations Monthly Report
4.3. Police Services Monthly Report
4.4. Fire Services Monthly Report
4.5. Planning & Strategic Initiatives Monthly Report
4.6. Business Development Monthly Report

MOTION CARRIED

1.3 <u>Approval of Minutes</u>

The following motion was approved as part of the Consent Agenda:
Moved By Councillor Christie
Seconded By Councillor Baker
That the minutes of the December 14, 2021 Committee of the Whole meeting be approved as circulated.

MOTION CARRIED

2. Council Direction Requests

2.1 <u>Water Rate Study</u>

Moved By Deputy Mayor Davidson
Seconded By Councillor Baker
That staff be directed to commence the process of applying to the Nova Scotia Utility and Review Board to set new water rates for the Amherst Water Utility effective June 1, 2021 and expiring April 1, 2024.

MOTION CARRIED

2.2 <u>Recognition of Individuals and the Renaming of Lord Amherst Drive</u>

The following motion was approved as part of the consent agenda:
Moved By Councillor Christie
Seconded By Councillor Baker
To direct staff to provide an update at the February Committee of the Whole meeting on the recognition of individuals and the re-naming of Lord Amherst Drive.

MOTION CARRIED

2.3 <u>Amherst Stadium Walking Track Hours</u>

Moved By Deputy Mayor Davidson
Seconded By Councillor Baker
That staff be directed to provide a report on the possibility of expanding the operating hours of the walking track at the Amherst Stadium.

MOTION CARRIED

2.4 Fort Cumberland Manor Crosswalk Concerns

The following motion was approved as part of the consent agenda:

Moved By Councillor Christie
Seconded By Councillor Baker
That staff be directed to provide a report on whether or not it would be appropriate to install a set of flashing indicator lights at the crosswalk in front of Fort Cumberland Manor.

MOTION CARRIED

2.5 Spring Street Concerns

Moved By Councillor Landry
Seconded by Councillor Christie
That staff be directed to provide a report regarding the concerns along Spring Street, specifically a request for a sidewalk on the north side of Spring Street, and crosswalks that transverse Spring Street from both Allison and Westminster Avenue.

Moved By Deputy Mayor Davidson
Seconded By Councillor Emery
To amend the motion to include a review of vehicular and pedestrian traffic flow during school hours in the areas of not only Spring Street but also Rupert, Academy, Charles and Havelock Street.

AMENDED MOTION CARRIED

2.6 Space for Proposed Youth Center

Moved By Councillor Landry
Seconded By Councillor Fawthrop
That the CAO be directed to correspond with Cumberland Kids and advise that Council agrees in principle to support the establishment of a youth center and request that Cumberland Kids provide a specific proposal to Council with regard to the acquisition or lease of space suitable for this purpose by February 26, 2021.

MOTION CARRIED

3. Information Items

3.1 Dangerous and Unsightly Premises Semi Annual Report

Information item; no direction given or action required.

3.2 Nova Scotia Starts Here - Cumberland

Information item; no direction given or action required.

4. Monthly Reports

The following monthly reports were approved as part of the Consent Agenda. Information items only; no direction given or action required.

4.1 Corporate Services
4.2 Operations
4.3 Police Services
4.4 Fire Services
4.5 Planning & Strategic Initiatives
4.6 Business Development

5. In Camera

Moved By Deputy Mayor Davidson
Seconded By Councillor Christie
That the Committee move to an in-camera session.

MOTION CARRIED

6. Adjournment

Moved By Councillor Landry
Seconded By Deputy Mayor Davidson
To adjourn the meeting at 5:03 p.m.

MOTION CARRIED

_____
Kimberlee Jones
Municipal Clerk

_____
David Kogon, MD
Mayor

Amherst Town Council
Committee of the Whole
Minutes

Date:	**January 25, 2021**
Time:	**5:15 pm**
Location:	**Zoom Virtual Meeting**
Members Present	**Mayor David Kogon** **Deputy Mayor Hal Davidson** **Councillor George Baker** **Councillor Sheila Christie** **Councillor Lisa Emery** **Councillor Dale Fawthrop** **Councillor Leon Landry**
Staff Present	**Mike Hunter, Chief Financial Officer** **Jason MacDonald, Deputy CAO Operations** **Dwayne Pike, Police Chief** **Greg Jones, Fire Chief** **Andrew Fisher, Manager of Planning & Strategic Initiatives** **Tom McCoag, Corporate Communications Officer** **Kim Jones, Municipal Clerk** **Natalie LeBlanc, Deputy Clerk**
Staff Absent:	**Greg Herrett, Chief Administrative Officer**

Due to the COVID-19 pandemic and the requirement for physical distancing, this was a virtual meeting held via Zoom.

1. Call to Order

Mayor Kogon called the meeting to order at 5:15 p.m.

2. Council Direction Requests

2.1 <u>Stadium Walking Track Hours</u>

Moved By Deputy Mayor Davidson
Seconded By Councillor Baker
That Committee of the Whole forward to the January 25, 2021 regular meeting of Council approval of an amendment to the Salary Administration Policy to add the position of Term Customer Service Representative (1 FTE) to job category Admin/Customer Service Level 1 in order to allow for extended walking track hours and public skating at the Amherst Stadium during the current COVID-19 pandemic. Further that the additional cost of the service until March 31, 2021 to be accommodated within the current year operating budget of the Town and that the cost from April 1, 2021 to June 30, 2021 be funded by a withdrawal from the operating reserve.

Moved By Councillor Fawthrop
Seconded By Councillor Christie
That Committee of the Whole forward to the January 25, 2021 regular meeting of Council approval of an amendment to the Salary Administration Policy to add the position of Term Customer Service Representative (1.7 FTE) to job category Admin/Customer Service Level 1 in order to allow for extended walking track hours and public skating at the Amherst Stadium during the current COVID-19 pandemic with the additional cost of the service until March 31, 2021 to be accommodated within the current year operating budget of the Town.

AMENDED MOTION CARRIED

3. Adjournment
Moved By Councillor Landry
Seconded By Councillor Christie
To adjourn the meeting.

MOTION CARRIED

_____
Kimberlee Jones
Municipal Clerk

_____
David Kogon, MD
Mayor

Amherst Town Council
Committee of the Whole
Minutes

Date:	**February 8, 2021**
Time:	**4:00 pm**
Location:	**Zoom Virtual Meeting**
Members Present	**Mayor David Kogon** **Deputy Mayor Hal Davidson** **Councillor George Baker** **Councillor Sheila Christie** **Councillor Lisa Emery** **Councillor Dale Fawthrop** **Councillor Leon Landry** **Mike Hunter, Chief Financial Officer**
Staff Present	**Greg Herrett, CAO** **Jason MacDonald, Deputy CAO Operations** **Mike Hunter, CFO** **Dwayne Pike, Police Chief** **Kim Jones, Municipal Clerk**
Guest:	**Elizabeth Smith-McCrossin, MLA**

Due to the COVID-19 pandemic and the requirement for physical distancing, this was a virtual meeting held via Zoom.

1. Call to Order

Mayor Kogon called the meeting to order at 4:02 p.m.

2. Presentations

2.1 <u>MLA Strategic Plan</u>

MLA Elizabeth Smith-McCrossin reviewed her strategic plan for 2021 as included in the agenda package.

3. Adjournment

Moved By Councillor Landry
Seconded By Councillor Baker
To adjourn the meeting.

MOTION CARRIED

_____
Kimberlee Jones, Municipal Clerk

_____
David Kogon, MD
Mayor

COMMITTEE OF THE WHOLE

CDR# 2021007

Date: February 16, 2021

TO:	Mayor Kogon and Members of Amherst Town Council
SUBMITTED BY:	Kimberlee Jones, Municipal Clerk
DATE:	February 16, 2021
SUBJECT:	**Review of Members of Council to External Board and Committees Policy**

ORIGIN: Council has identified the review of all committees as a priority for the current year

LEGISLATIVE AUTHORITY: Section 24 of the Municipal Government Act provides the statutory authority to Council with respect to standing, special and advisory committees.

DIRECTION REQUESTED: That Council review the attached policy and provide feedback at the Committee of the Whole meeting with regard to the roles and responsibilities of members of Council appointed to and/or serving on external boards and committees.

DISCUSSION: Council has been discussing the manner in which appointments of its members to the list of various external boards and committees and the roles and responsibilities of Councillors once appointed. This policy attempts to clarify the circumstances in which Council will consider appointments, including the commitment and role of Councillors once appointed. It also sets out the roles of member of Council serving on committees to which they have not been formally appointed by Council It is hoped that the amendments will clarify roles, responsibilities and expectations to Councillors as well as the external groups they may be engaging with at the committee level.

FINANCIAL IMPICATIONS: There are no direct financial implications arising from the potential adoption of this policy.

COMMUNITY ENGAGEMENT: There has been no community engagement.

ENVIRONMENTAL IMPLICATIONS: There are no environmental implications.

SOCIAL JUSTICE IMPLICATIONS: There are no social justice implications.

ALTERNATIVES:

- Do not amend policy
- Return to staff for further revisions
- Amend as presented

ATTACHMENTS: Proposed Policy – Appointment of Members of Council to External Board, Committees & Commissions

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Report prepared by:

DEPARTMENT: COUNCIL

TITLE: APPOINTMENT OF MEMBERS OF COUNCIL TO EXTERNAL BOARDS, COMMITTEES & COMMISSIONS

Minutes reference date: February 26, 2018

Short Title

1. This Policy may be known as the *Appointments of Members of Council to External Bodies Policy.*

Purposes

2. The purposes of this Policy are to determine

   (a) when Council may appoint or refuse to appoint Members to external bodies;
   (b) which external bodies Council may consider appointing Members;
   (c) the reporting requirements regarding other bodies on which Members may choose to serve without the appointment of Council.

Interpretation

3. In this Policy,

   (a) "CAO" means the Chief Administrative Officer of the Municipality;
   (b) "Clerk" means the Clerk of the Municipality, and includes a person acting under the direction or supervision of the Clerk;
   (c) "Council" means the Council of the Town;
   (d) "External body" means any board, commission, committee, body or local authority of any kind established to exercise or exercising any power or authority under any general or special Act with respect to any of the affairs or purposes of a municipality or parts thereof or of two or more municipalities or parts thereof, or to which a municipality or municipalities are required to provide funds.
   (e) "Member" means a member of Council, including the Mayor; and
   (f) "Municipality" means the Town of Amherst.

Roles and Responsibilities

4. (a) Only Council may appoint Members to external bodies.
   (b) Any appointment by Council of Members to external bodies shall be made pursuant to section ~~8~~9 or 9~~10~~ of ~~the~~ this Policy.

5. Council shall only make appointments to external committees after having received and considered the terms of reference from external committee.

6. The Clerk shall keep a list of the appointments of Members to external bodies made by Council.

7. A Member who sits on an external body that has not been appointed to such body by Council shall provide the name of that external body to the Clerk.

External Bodies

8. Council shall not be bound by the by-laws or articles of incorporation adopted by an external body providing for the appointment of a Member to such body.

Council Appointments Required by Enactment, By-law or Agreement

9. (1) Council may appoint Members to external bodies

   (i) in accordance with any enactment of the Government of Canada or Province of Nova Scotia;
   (ii) in accordance with the By-laws of the Municipality or an agreement to which the Municipality is a party; or
   (iii) as otherwise directed by Council.

   (2) An external body Council considers meets the purpose of subsection 1 of this section shall be named in Appendix A.

   (3) Council may amend Appendix A to add or remove the name of an external body.

External Bodies by Council Appointment

10. (1) Council may appoint Members to bodies, including external bodies, which in the opinion of Council:
    (a) are community wide in scope;
    (b) affect or may affect a municipal interest; or
    (c) are community organizations with a mandate to provide an alternative service delivery in respect of municipal property on behalf of the Municipality, and to which the Municipality is the primary funder.

    2) Information or actions from a Committee to be considered by Council will be presented using the "External Committee Report Template" and included in the agenda package for the next regularly scheduled meeting.

    (3) An external body Council considers meets the purpose of subsection 1 of this section shall be named in Appendix B.

    (4) Council may amend Appendix B to add or remove the name of an external body.

External Bodies Without Council Appointment

11. (1) A Member who sits on a body that has not been appointed to such body by Council shall advise the Clerk of the name of the body on which he or she sits.

    (2) The Clerk shall retain a list of the names of the bodies provided by the Members pursuant to subsection 1 of this section and the list shall indicate the name of the Member and the name of the body provided.

    (3) The Clerk shall retain the list created pursuant to subsection 2 of this section in the Office of the Municipal Clerk as a public record.

    (4) The Clerk shall provide the list annually to the Members for their review and the Members shall advise the Clerk of any errors or omissions on such list.

Appendices

12. Any Appendix attached to this Policy shall form part of the Policy.

Appendix A
External Bodies to which Members
are appointed pursuant to section 9

Board, Committee or Commission	Members Appointed	Act, Legislation, By-Law Agreement or Membership
Cumberland Public Libraries Board	1 Member appointed	By-laws of Board
Cumberland Joint Services Management Authority	2 Members appointed	Intermunicipal Agreement
Regional Emergency Management	2 Members appointed	Intermunicipal Agreement
~~Amherst Board of Police Commissioners~~	~~3 Members appointed~~	~~Bylaw – Amherst Board of Police Commissioners~~
Northern Region Solid Waste	1 Member appointed	Intermunicipal Agreement
Cumberland YMCA	1 Member appointed	Contribution Agreement
LA Animal Shelter	1 Member appointed	Contribution Agreement

Appendix B
External Bodies to which Members are appointed pursuant to Section 10

Board, Committee or Commission	Members of Council Appointed	Comments
Municipal Alcohol Project	1 Member appointed	By Request of Organization Council may appoint member
Senior Safety Advisory Committee	1 Member appointed	

The following pages 18-45 are a copy of current external committee policies.

Town of Amherst

REGIONAL EMERGENCY MANAGEMENT BYLAW

Bylaw No: C-08

Effective: 12 June 2015

I, Gregory D. Herrett, Town Clerk and Chief Administrative Officer of the Town of Amherst do hereby certify that the following is a true copy of the **Regional Emergency Management Bylaw** adopted by council at a meeting held on the 28th day of October, 2013 and approved by the Minister of Municipal Affairs on the 22nd day of May, 2015.

Given under the hand and seal of the Town of Amherst this 12th day of June, 2015.

Gregory D. Herrett, CA
Town Clerk and Chief Administrative Officer

Certificate of Approval

"Regional Emergency Management By-law",
Town of Amherst

This is to certify that, pursuant to clause 10(1)(a) of the *Emergency Management Act*, the "Regional Emergency Management By-law" passed at a duly convened meeting of the Council of the Town of Amherst on the 28th day of October, 2013, and as amended by the Minister of Municipal Affairs on the 22nd day of May, 2015 pursuant to clause 450(1)(c) of the *Municipal Government Act*, is hereby approved, and the said by-law has the force of law upon publication pursuant to subsection 169(1) of the *Municipal Government Act*.

DATED this 22nd day of May, 2015.

Honourable Mark Furey
Minister of Municipal Affairs

REGIONAL EMERGENCY MANAGEMENT BY-LAW

A By-law to Provide for a Prompt and Coordinated Response to a Local Emergency

The Council of the Town of Amherst under the authority vested in it by the *Municipal Government Act*, R.S.N.s. 1999, and the *Emergency Management Act*, S.N.S. 1990, C.8, s. 10, enacts as follows:

SHORT TITLE

1. This By-law may be cited as the "Regional Emergency By-law."

2. In this By-law,

   a. "Act" means the *Emergency Management Act, S.N.S. 1990, c.8;*

   b. "Agreement" means the inter-municipal emergency services agreement among the Municipality of the County of Cumberland, the Town of Amherst, the Town of Springhill, the Town of Parrsboro and the Town of Oxford, pursuant to Section 10(2) of the Act, dated July 31, 1990 and as amended from time to time.

   c. "Council" means the Council of the Town of Amherst.

   d. "Councils" means the councils of the Municipality of the County of Cumberland, the Town of Amherst, the Town of Springhill, the Town of Parrsboro and the Town of Oxford.

   e. "Councillor" means a member of the Council.

   f. "Director" means the Executive Director of the Nova Scotia Emergency Organization.

   g. "Emergency" means a present or imminent event which requires the prompt co-ordination of action or regulation of persons or property to be undertaken to protect property or the health, safety or welfare of people.

   h. "Minister" means the member of the Executive Council to whom is assigned the administration of the Act and Regulations;

   i. "Emergency Plans" means plans, programs or procedures prepared by the Regional Emergency Organization (REO) that are intended to mitigate the effects of an emergency or disaster and to provide for the safety, health or welfare of the civil population and the protection of property in the event of such an occurrence.

First Reading of Council – 23 September 2013
Notice of Intention to Adopt – 27 September 2013
Second Reading of Council – 28 October 2013
Notice of Publication – 12 June 2015
Effective Date – 12 June 2015

j. "Regional Unified Command Group (RUCG) means the group established by the Agreement to plan for and be responsible for the executive direction and management of emergency activities.

k. "Regional Emergency Co-ordinator" (REC) means the person appointed to serve as the staff person in accordance with the Agreement.

l. "Regional Emergency Organization" (REO) means the Organization established as per the Agreement.

m. "Regional Emergency Planning Committee" (REPC) means the Committee responsible to recommend policy to the Regional Unified Command Group.

n. "State of Emergency Regulations" means regulations approved by the Governor in Council by Order in Council 92-61, Regulation 17/92, as amended from time to time.

o. "State of Local Emergency" means a state of local emergency declared by the Council of a participating municipality pursuant to the Act or by a Mayor or Warden in the event Council cannot be assembled in a timely manner or renewed pursuant to the Act and Regulations made pursuant thereto and this By-law.

REGIONAL EMERGENCY ORGANIZATION

3. The Council hereby agrees to the establishment of a Regional Emergency Organization in accordance with the Agreement.

4. The Regional Emergency Organization shall consist of the following persons and Committees:

    a. A Regional Unified Command Group
    b. A Regional Emergency Coordinator; and
    c. A Regional Emergency Planning Committee

REGIONAL UNIFIED COMMAND GROUP

5. Council shall appoint the senior elected municipal official, and a suitable alternate, to the Regional Unified Command Group in accordance with the Agreement for such term as the Agreement provides.

6. The Regional Unified Command Group shall

    a. be responsible for directing and overseeing the development of the regional emergency measures plan;

b. brief Council(s) on the development of these plans;

c. recommend the declaration of a State of Local Emergency to the Council(s) of participating municipalities as required or in the event such Council(s) cannot be assembled in a timely manner the senior elected official of the affected municipality(s) or any senior elected member of the Unified Command Group may declare such a state in accordance with the Act;

d. be responsible for the Executive direction and management of emergency activities during a State of Local Emergency;

e. with the approval fo the Minister, recommend the renewal of a State of Local Emergency;

f. brief Council(s) on developments during a State of Local Emergency;

g. recommend the termination of a State of Local Emergency;

h. ensure a copy of any signed declaration of a state of local emergency is delivered to the Minister and the Director.

REGIONAL EMERGENCY COORDINATOR

7. The Regional Emergency Coordinator shall be appointed in accordance with the Agreement.

8. The Regional Emergency Coordinator shall be paid for work incurred under this By-law in accordance with the Agreement.

9. The Regional Emergency Coordinator shall:

   a. chair the Regional Emergency Planning Committee;
   b. coordinate and prepare regional emergency measures plans;
   c. following the declaration of a State of Local Emergency, prescribe necessary duties to be fulfilled by employees, servants and agents of the Municipalities;
   d. perform such duties as may be required by the Unified Command Group or as provided for in the Agreement.

REGIONAL EMERGENCY PLANNING COMMITTEE

10. Each party shall appoint an appropriate local municipal emergency management coordinating representative to the Regional Emergency Planning Committee as the Agreement provides.

First Reading of Council – 23 September 2013
Notice of Intention to Adopt – 27 September 2013
Second Reading of Council – 28 October 2013
Notice of Publication – 12 June 2015
Effective Date – 12 June 2015

11. The provision of appropriate representatives and their alternates to the REMPC will be coordinated by the REMC. The Regional Emergency Planning committee shall include, but not be limited to, persons responsible during an emergency to provide:

    i. community services;
    ii. law enforcement
    iii. fire-control;
    iv. engineering services;
    v. health services;
    vi. public information;
    vii. transportation;
    viii. communications;
    ix. hospital
    x. utilities;
    xi. financial services;
    xii. legal services

12. The Regional Emergency Planning Committee shall:

    a. assist the Regional Emergency Coordinator in the preparation and co-ordination of regional emergency measures plans;

    b. advise the Unified Command Group as required on the development of regional emergency measures plans;

    c. upon request, assist the Regional Unified Command Group in the briefing of Councils on the development of regional emergency plans;

    d. assume Incident Command System (ICS) duties within any Regional Emergency Operations Centre (EOC) that might be established in response to an emergency requirement in the region.

AGREEMENTS

13. The Council hereby agrees that the Regional Unified Command Group may enter into agreements with the Government of Canada, the Province of Nova Scotia, a municipality, city or town, or any other agency or any person. In the event any such agreement may involve financial costs the agreement will require ratification by all participating REO Municipalities.

14. The Council may appropriate and expend monies:

a. to pay reasonable expenses of members of the Regional Unified Command Group, the Regional Emergency Coordinator and the Regional Emergency Planning Committee; and

b. to fulfill the terms and conditions of any agreements as per Section 13.

DUTIES DURING A STATE OF LOCAL EMERGENCY

15. Following the issuance of a declaration under Section 6, and for the duration of the State of Local Emergency:

a. every Councillor shall keep the Mayor posted respecting their whereabouts;
b. every employee, servant and agent of the Municipality who has a key role to play in such emergencies as identified in the regional emergency measures plans shall:

.i advise the Regional Emergency Coordinator of their whereabouts; and

.ii fulfil such duties as may be prescribed by the Regional Emergency Coordinator.

REPEAL

16. Amherst Emergency Management By-Law, C-8, adopted by Council on February 16, 2004 and approved by the Minister, Emergency Management Office (NS), and amended by Council on September 29, 2008 and approved by the Minister, Emergency Management Office (NS) on October 29, 2008, is hereby repealed.

First Reading of Council – 23 September 2013
Notice of Intention to Adopt – 27 September 2013
Second Reading of Council – 28 October 2013
Notice of Publication – 12 June 2015
Effective Date – 12 June 2015

Annotation for Official Bylaw Book	
Date of First Reading	23 September 2013
Date of advertisement of Notice of Intent to Consider	27 September 2013
Date of Second Reading	28 October 2013
Date of advertisement of passage of Bylaw	12 June 2015
Date of receiving a certified copy of Bylaw from Minister of Municipal Affairs	29 May 2015
Effective Date of Bylaw	12 June 2015
I certify that this Regional Emergency Management Bylaw was adopted by Council and published as indicated above	
Gregory D. Herrett, CA Town Clerk and CAO	12 June 2015 Date

First Reading of Council – 23 September 2013
Notice of Intention to Adopt – 27 September 2013
Second Reading of Council – 28 October 2013
Notice of Publication – 12 June 2015
Effective Date – 12 June 2015

DEPARTMENT: COUNCIL

TITLE: APPOINTMENT OF MEMBERS OF COUNCIL TO EXTERNAL BOARDS, COMMITTEES & COMMISSIONS

Minutes reference date February 26, 2018

Short Title

1. This Policy may be known as the *Appointments of Members of Council to External Bodies Policy.*

Purposes

2. The purposes of this Policy are to determine

   (a) when Council may appoint or refuse to appoint Members to external bodies;
   (b) which external bodies Council may consider appointing Members;
   (c) the reporting requirements regarding other bodies on which Members may choose to serve without the appointment of Council.

Interpretation

3. In this Policy,

   (a) "CAO" means the Chief Administrative Officer of the Municipality;
   (b) "Clerk" means the Clerk of the Municipality, and includes a person acting under the direction or supervision of the Clerk;
   (c) "Council" means the Council of the Town;
   (d) "External body" means any board, commission, committee, body or local authority of any kind established to exercise or exercising any power or authority under any general or special Act with respect to any of the affairs or purposes of a municipality or parts thereof or of two or more municipalities or parts thereof, or to which a municipality or municipalities are required to provide funds.
   (e) "Member" means a member of Council, including the Mayor; and
   (f) "Municipality" means the Town of Amherst.

Roles and Responsibilities

4. (1) Only Council may appoint Members to external bodies.
   (2) Any appointment by Council of Members to external bodies shall be made pursuant to section 9 or 10 of the Policy.

5. The Clerk shall keep a list of the appointments of Members to external bodies made by Council.
6. A Member who sits on an external body that has not been appointed to such body by Council shall provide the name of that external body to the Clerk.

External Bodies

7. Council shall not be bound by the by-laws or articles of incorporation adopted by an external body providing for the appointment of a Member to such body.

Council Appointments Required by Enactment, By-law or Agreement

8. (1) Council may appoint Members to external bodies

   (i) in accordance with any enactment of the Government of Canada or Province of Nova Scotia;
   (ii) in accordance with the By-laws of the Municipality or an agreement to which the Municipality is a party; or
   (iii) as otherwise directed by Council.

   (2) An external body Council considers meets the purpose of subsection 1 of this section shall be named in Appendix A.

   (3) Council may amend Appendix A to add or remove the name of an external body.

External Bodies by Council Appointment

9. (1) Council may appoint Members to bodies, including external bodies, which in the opinion of Council:
   (a) are community wide in scope;
   (b) affect or may affect a municipal interest; or
   (c) are community organizations with a mandate to provide an alternative service delivery in respect of municipal property on behalf of the Municipality, and to which the Municipality is the primary funder.
   (2) An external body Council considers meets the purpose of subsection 1 of this section shall be named in Appendix B.
   (3) Council may amend Appendix B to add or remove the name of an external body.

External Bodies Without Council Appointment

10. (1) A Member who sits on a body that has not been appointed to such body by Council shall advise the Clerk of the name of the body on which he or she sits.
    (2) The Clerk shall retain a list of the names of the bodies provided by the Members pursuant to subsection 1 of this section and the list shall indicate the name of the Member and the name of the body provided.
    (3) The Clerk shall retain the list created pursuant to subsection 2 of this section in the Office of the Municipal Clerk as a public record.
    (4) The Clerk shall provide the list annually to the Members for their review and the Members shall advise the Clerk of any errors or omissions on such list.

Appendices

11. Any Appendix attached to this Policy shall form part of the Policy.

Appendix A
External Bodies to which Members are appointed pursuant to section 9

Board, Committee or Commission	Members Appointed	Act, Legislation, By-Law Agreement or Membership
Cumberland Public Libraries Board	1 Member appointed	By-laws of Board
Cumberland Joint Services Management Authority	2 Members appointed	Intermunicipal Agreement
Regional Emergency Management	2 Members appointed	Intermunicipal Agreement
Amherst Board of Police Commissioners	3 Members appointed	Bylaw – Amherst Board of Police Commissioners
Northern Region Solid Waste	1 Member appointed	Intermunicipal Agreement
Cumberland YMCA	1 Member appointed	Contribution Agreement
LA Animal Shelter	1 Member appointed	Contribution Agreement

Appendix B
External Bodies to which Members are appointed pursuant to Section 10

Board, Committee or Commission	Members of Council Appointed	Comments
Municipal Alcohol Project	1 Member appointed	By Request of Organization Council may appoint member
Senior Safety Advisory Committee	1 Member appointed	

CUMBERLAND REGIONAL LIBRARY

By-Laws
February 2004

Table of Contents

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 and the Municipality of the County of Cumberland will each appoint 2 members. There shall be one member appointed from each of the other 3 Towns - Oxford, Parrsboro, and Springhill. 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, Assistant Librarian; however, of the 2 persons one must be a Trustee and one must be either the Chief Librarian or Assistant 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 other 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.
Five members of the Board shall constitute a quorum.

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:

The Executive is empowered to act as a Standing Committee to make decisions as necessary on business arising between meetings. Committees, with the exception of the Executive Committee, should be appointed for special purposes only, and should not be regarded as Standing Committees.

ARTICLE VII VOTING:

Motions shall be carried by a majority vote of Board Members present. In case of a tie vote, the vote is defeated.

ARTICLE VIII PARLIAMENTARY PROCEDURE:

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

ARTICLE IX 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.

THIS INTER-MUNICIPAL AGREEMENT dated the 29th day of June, 2010,

BETWEEN:

THE MUNICIPALITY OF THE COUNTY OF CUMBERLAND, a Municipal Corporation;

OF THE FIRST PART

- and -

THE MUNICIPALITY OF COLCHESTER, a Municipal Corporation;

OF THE SECOND PART

- and -

THE MUNICIPALITY OF EAST HANTS, a Municipal Corporation;

OF THE THIRD PART

- and -

THE TOWN OF AMHERST;

OF THE FOURTH PART

- and -

THE TOWN OF SPRINGHILL;

OF THE FIFTH PART

-and -

THE TOWN OF OXFORD;

OF THE SIXTH PART

- and -

THE TOWN OF PARRSBORO;

OF THE SEVENTH PART

- and -

THE TOWN OF TRURO;

OF THE EIGHTH PART

- and -

THE TOWN OF STEWIACKE

OF THE NINTH PART

Whereas the Environment Act SNS 1994-95, c.1, as amended and the Solid Waste-Resource Management Regulations *authorize and create* seven Solid Waste Resource Regions in the Province of Nova Scotia including Region 3, known as the Northern Region which is comprised of the counties of Colchester and Cumberland and the District of East Hants. The mandate of the Northern Region is to enable the Municipal units to collaborate in order to meet waste resource objectives as set and determined by the Minister of Environment. These objectives could include, but are not limited to, solid waste-resource management reports, plans, disposal targets, diversion goals and fair distribution of provincial funding.

And whereas the parties agree that the respective elected Municipal representatives and staff will work collectively and cooperatively on the objectives as set by the Minister, the recommendations are non-binding and each individual Municipal Unit retains full responsibility and authority for all financial and operational decisions required to comply with the Environment Act and regulations.

AND WHEREAS the parties have previously cooperated in the creation of a Northern Region Solid Waste Management Plan;

AND WHEREAS it is in the best interests of the parties to work in a coordinated manner with all Municipal Units within Northern Region;

AND WHEREAS there is a need to determine how inter-municipal cooperation can be achieved, how decisions can be made, and how decisions or recommendations made through cooperative discussions can be reviewed and approved by the parties;

AND WHEREAS the parties wish to formalize by Agreement, the arrangement which has been in effect;

WITNESSETH that in consideration of the mutual covenants hereinafter set out, the parties agree as follows:

1. Effective Date:

1.1 The parties acknowledge the creation of the Northern Region Solid Waste Resource Committee (NRWRC) effective January 1, 1999, to which each party belongs.

2. Representation

2.1 The Council for each Municipal Unit shall appoint one elected representative and one alternate to attend meetings of the Northern Region Solid Waste Resource Committee to address solid waste resource issues. The Council representatives shall be the voting members.

2.2 In addition to elected representation Staff may attend meetings in an ex officio capacity without voting privileges.

3. Meetings

3.1 The Committee shall select from the elected members a Chairperson and a Vice-Chairperson to preside as Chairperson.

3.2 The Chairperson shall preside for a two (2) year term. Thereafter, and before the expiry of each Chairperson's term, the Committee shall elect a replacement Chairperson.

3.3 No Chairperson shall serve more than two (2) consecutive terms without interruption.

3.4 The Committee shall meet at least on a quarterly basis or as deemed necessary by the Chairperson or Vice-Chairperson or at the request of three (3) participating members.

3.5 Each meeting of the Committee shall be chaired by the Chairperson or Vice-Chairperson, or in their absence, a member selected at the meeting.

3.6 Meeting locations shall be on a rotating basis, as decided by the Committee.

3.7 Scheduled meetings of the Committee, require a quorum of five (5) Municipal Units being present, who represent more than 50% of the population (as per the latest census figures) of Northern Region. Decisions shall be by majority vote of elected officials representing the Region and who are present and voting at the time decisions are made.

3.8 Each Municipal Unit is allowed one vote.

3.9 Elected representatives must attend Northern Region Meetings. If the elected representative does not attend three consecutive meetings without leave of the Committee the Municipality will be asked to appoint a new representative.

4. Administrative Representatives

4.1 A group of administrative representatives as directed by the Committee may meet separately and apart or together with the elected representatives to consider the issues before the Committee and present the entire Committee of elected and appointed representatives with a prepared agenda for meetings and specific recommendations in relation to same.

4.2 Meetings of the administrative representatives, if held, may be held on a rotating basis, as decided by the Committee.

4.3 Each meeting of the administrative representatives shall be chaired by an administrator in the area where the meeting is being held or by any other method determined by the administrative representatives.

5. Funding

5.1 Funding currently available from the Province for Regional Coordinators shall be directed to the host of the Regional Coordinator position, during the period of the Committee's existence. The position shall rotate between Cumberland Joint Services Management Authority, Colchester Solid Waste Resource Management, and the Municipality of East Hants. The Regional Coordinator position and funding rotates every two years. The committee will describe the role of the Regional Coordinator by resolution passed from time to time.

5.2 The participating Authorities/Municipalities will each assign an employee as the Waste Reduction Coordinator for the purposes of liaising with the Resource Recovery Fund Board Nova Scotia (RRFB) on behalf of their participating units.

6. Independent Discussions

6.1 Each party shall have the right to enter into independent discussions and agreements without being restricted as a result of participating formally in the Northern Region Solid Waste Resource Committee.

SIGNED, SEALED AND DELIVERED in the presence of

Witness

THE MUNICIPALITY OF THE COUNTY OF CUMBERLAND

Per: Rennie J. Bugley
Rennie J. Bugley, CAO

Per: R. Keith Hunter
R. Keith Hunter, Warden

Witness

THE MUNICIPALITY OF THE COUNTY OF COLCHESTER

Per: Dan McDougall
Dan McDougall, CAO

Per: Bob Taylor
Bob Taylor, Mayor

Witness

THE MUNICIPALITY OF EAST HANTS

Per: .....
Connie Nolan, ~~Acting~~ CAO

Per: .....
John Patterson, Warden

Witness

THE TOWN OF AMHERST

Per: .....
Greg Herrett, CAO

Per: .....
Robert Small, Mayor

Witness

THE TOWN OF SPRINGHILL

Per: .....
Don Tabor, CAO

Per: .....
Allen Dill, Mayor

Witness

THE TOWN OF OXFORD

Per: .....
Darrell White, CAO

Per: .....
Lloyd Jenkins, Mayor

Witness

THE TOWN OF PARRSBORO

Per: .....
Ray Hickey, CAO

Per: .....
Lois Smith, Mayor

Witness

THE TOWN OF TRURO

Per: .....
Jim Langille, CA

Per: .....
Bill Mills, Mayor

Witness

THE TOWN OF STEWIACKE

Per: .....
Sheldon Dorey, CAO

Per: .....
Dereck Rhoddy, Mayor

Memorandum of Understanding

THE TOWN OF AMHERST

(Hereinafter referred to as "the Town")

AND

THE LA ANIMAL SHELTER

(Hereinafter referred to as "the Shelter")

WHEREAS the Shelter has requested that the Town compensate the Shelter for pound services; and

WHEREAS the Town supports the work of the Shelter; and

WHEREAS the goal of the relationship between the Town and the Shelter is the protection and humane treatment of dogs and the well being of the citizens of Amherst; and

WHEREAS the Town and the Shelter agree that the protection and control of dogs is an issue that concerns many citizens,

THEREFORE it is agreed that:

1. **The Shelter will provide "Pound" services to the Town in respect of canine control as defined in the Town's Dog By-law, including but limited to:**
   a. **Basic housing**
   b. **Transportation of dogs (after they have been delivered by the Town's animal control officer)**
   c. **Basic food, water and hygiene**
   d. **Appropriate veterinary care**
   e. **Provide a mechanism to;**
      i. **Find homes for healthy pets**
      ii. **Euthanize dogs when deemed necessary**
      iii. **Provision to pay vet costs for dogs in need of immediate veterinary attention up to the cost of euthanization and disposal of the body, estimated at the time of signing this agreement to be approximately $150.**
   f. **Sell dog licenses/permits on behalf of the Town, in accordance with the Dog By-law. For clarity, this is intended to mean that both the Town and the Shelter would sell licenses / permits.**

2. **The procedures to be followed in respect of dogs coming to the shelter shall be in accordance with Appendix A.**

3. **All actions taken and procedures followed in respect of this MOU shall be in accordance with the Town's Dog By-law.**

4. The Town will continue to retain the services, at its own expense, of an Animal Control Officer, reporting to the Chief of Police, who shall continue to have the responsibility to administer and enforce the Dog By-law and who will continue to be responsible for the capture of and delivery to the Shelter of dogs which have been identified as being required to be impounded.

5. The Town shall appoint the Shelter as its "Poundkeeper" under the provisions of the Town's Dog By-law.

6. The Town and the Shelter shall cooperate on a program of education for the citizens of Amherst with respect to the provisions of the Town's Dog By-law and canine health and wellness in general.

7. The Shelter shall report monthly to the Town on statistics and activities in respect of dogs delivered to the Shelter from the Town.

8. a. The Town shall compensate the Shelter in the base amount of $10,000 annually, payable in two equal installments. The first such installment shall be payable on the signing of this MOU and on each April 1 thereafter during the term of this MOU. The second annual installment shall be payable on October 1 of each year during the term of this MOU.

   b. Provision for the Town to pay if the Shelter holds dogs while waiting for a determination as to how the dog will be dealt with (court proceeding, etc.)

9. The Town shall, in addition to the amounts identified in paragraph 8 above, compensate the Shelter in an amount equal to the gross amount of the proceeds of the sale of dog licenses/permits subject to the limits described in paragraph 10 below. Such payments will be made to the Shelter on a monthly basis.

10. The total amount paid to the Shelter, by the Town, in respect of paragraphs 8 and 9 above shall not exceed $20,000 in any fiscal year of the Town. (April 1- March 31)

11. This MOU shall be in effect from time of signing and shall continue in effect until canceled by either of the parties using the procedures set out in paragraph 13.

12. The terms and conditions of this MOU shall be reviewed annually by the parties.

13. Either party to this MOU may terminate its participation in this relationship by giving six months notice, in writing, of its intention to discontinue the relationship. The following positions are designated as representatives of the Parties for the purposes of this MOU and notices and/or reports required under this MOU shall be delivered as follows:
    a. In the case of the Shelter, the president of the association
    b. In the case of the Town, the Chief Administrative Officer

This Memorandum of Understanding reflects an agreement between the Town of Amherst and the LA Animal Shelter.

IN WITNESS WHEREOF both parties have executed this Memorandum of Understanding by their duly authorized officers this 30th day of ~~July~~ September, 2010. RP

SIGNED, SEALED AND DELIVERED

witness

TOWN OF AMHERST

Robert Small
Mayor

Gregory D. Herrett, CA
Chief Administrative Officer

LA ANIMAL SHELTER

COMMITTEE OF THE WHOLE

CDR# 2021012

Date: February 16, 2021

TO:	Mayor Kogon and Members of Council
SUBMITTED BY:	Kimberlee Jones, Municipal Clerk
DATE:	*February 16, 2021*
SUBJECT:	***Draft Policy on Internal Committees of Council***

ORIGIN: Council has identified the review of all committees as a priority for the current year

LEGISLATIVE AUTHORITY: Section 24 of the Municipal Government Act provides the statutory authority to Council with respect to standing, special and advisory committees.

DIRECTION REQUESTED: That Council review the attached proposed policy and provide feedback at the Committee of the Whole meeting with regard to the purpose and objectives of each of the Town's internal committees and the roles and responsibilities of members appointed to those committees.

It is suggested that Council after a discussion a special meeting be arranged to begin working through the terms of reference for each of the existing committees and any to be added for inclusion in the new "committees" policy. Given that it has been recognized that the Poverty Committee terms of reference is in need of a review it is suggested that the process might start with that policy.

DISCUSSION: During the Council Orientation and Strategic Planning Session Council has identified that they would like a comprehensive review of our policies, procedures and bylaws. As a first step we are presenting a committee policy template for Council's discussion and consideration.

The intent of the proposed policy would be to consolidate all internal committee terms of reference into one document so that a consistent approach is achieved in terms of the operaton of the committees.

It should be noted that at the end of the draft policy space is reserved for the substantive terms of reference for each of the committees For discussion purposes at Tuesday's meeting only two such terms of reference were included but the final product would feature all internal Council committees.

FINANCIAL IMPLICATIONS: There are no financial implications

SOCIAL JUSTICE IMPLICATIONS: There are no social justice implications

ENVIRONMENTAL IMPLICATIONS: There are no environmental implications

COMMUNITY ENGAGEMENT: There was no community engagement

ALTERNATIVES:

ATTACHMENTS: Draft policy

Report prepared by:
Report and Financial approved by:

Chapter []
Policy on Committees of Council

1. This Policy is entitled “Policy on Committees of Council” and applies to standing committees in respect of which the voting members may be both Council Members and members who are not Members of Council.

2. Any power conferred by this Policy upon an employee of the **[Town of Amherst]** to authorize expenditures shall be exercised in a manner consistent with the By-Laws and Policies of the **[Town of Amherst]**.

3. The following provisions shall apply to all Committees established by this Policy, except where the Policy specifically provides otherwise for any Committee:

   (1) Except to the extent that Committee membership is otherwise determined by By-Law or Policy, Committee membership shall be reviewed by Council within 3 months following each municipal general election. Council may replace Committee members who resign or who, in Council’s opinion, are unable or unwilling to discharge their duties, or who fail to attend diligently to the Committee’s affairs. The **[Mayor]** shall be an *ex officio* member of any Committee to which the **[Mayor]** is not appointed, with a voice but no vote.

   (2) Except to the extent that the Chair is otherwise determined by By-Law or Policy of Council, Council may appoint a person to serve as Chair of the Committee, but if Council does not appoint a Chair, the Committee shall elect a Chair from one of its members. The Chair shall be entitled to speak and to vote on any motion. Subject to the other provisions of this Policy, the Chair shall have the powers and responsibilities at Committee meetings that are conferred upon the Chair at Council meetings pursuant to the Town of Amherst’s Proceedings of Council Policy, with any necessary modifications for context.

   (4) Except to the extent that the Secretary is otherwise determined by By-Law or Policy of Council, **the Chief Administrative Officer** may appoint an employee of the Town of Amherst to serve as Secretary, with a voice but no vote. If **the Chief**

Administrative Officer does not appoint a secretary, the Committee shall elect a Secretary from one of its members, in which event the Secretary shall be a full voting member of the Committee. The Secretary shall keep minutes of the Committee meetings.

(5) The Committee shall meet at such time and place which it sets at a preceding meeting or at such other time and place as Council, the Committee's Secretary, the Committee's Chair or a quorum of Committee members may set by providing notice of meeting to all Committee members at least 3 days in advance. The date, time and location of Committee meetings shall be posted by the Secretary at **[insert prominent location used for posting notices]**.

(6) Subject to any resolution of Council, the resources which may be utilized by the Committee include:

(a) advice and support of **[the Chief Administrative Officer OR the Clerk]** or his or her designate;

(b) use of the **[Town of Amherst's]** facilities and supplies for meetings, photocopying, postage and other administrative needs, through **[the Chief Administrative Officer OR the Clerk]**;

(c) use of external services reasonably necessary to discharge the Committee's mandate, through **[the Chief Administrative Officer OR the Clerk]**; and

(d) such other resources as may reasonably be required, through **[the Chief Administrative Officer OR the Clerk].**

(7) All meeting minutes, and records of the Committee shall be open to the public except as expressly authorized by law.

(8) A quorum of the Committee shall be the same as that which applies to Council pursuant to provincial legislation, with any necessary changes for context.

(9) Subject to the other provisions of this Policy, the rules of procedure, conduct and debate that apply at Council meetings pursuant to the **[Town of Amherst's]** Proceedings of Council Policy, apply at Committee meetings with any necessary modifications for context, **[except that no notices of reconsideration shall be permitted at Committee meetings]**.

(10) Committee members may prepare and submit a minority report or recommendation to Council if they do not concur in a report or recommendation of the majority.

(11) In the event the Committee fails to provide a report or recommendation to Council within any deadline set by Council, Council may proceed with a decision regarding a matter within the Committee's mandate without awaiting the Committee report or recommendation.

Provisions Regarding [Youth Town Council] (there would be multiple instances of this)

12. Council hereby establishes **[or confirms the establishment of]** the **[Youth Town Council]** as **[a standing committee]**.

12.1 **MANDATE:** The Amherst Youth Town Council will act as an advisory body to Town Council on those matters within the influence of the Town of Amherst which have an impact on the youth of the Town, regardless of their cultural and religious identity, socio-economic background, intellectual and physical abilities, sexuality or gender. The Amherst Youth Town Council will improve the image of the Town of Amherst by raising the profile of the Town's youth. The Council will create community awareness of youth facilities, youth services, youth organizations and the opportunities and programs they provide.

12.2 **ROLE OF COMMITTEE**:

12.2.1 The Amherst Youth Town Council will identify and bring forward issues which have an impact on the youth of Amherst and, while indirectly under the control of the Town of Amherst, may be of sufficient significance to warrant the Town's consideration or support.

12.2.2 The Amherst Youth Town Council shall encourage its members to become more familiar with the workings of local government through education, involvement and participation in council meetings.

12.2.3 The Amherst Youth Town Council will, through researching issues and presenting constructive solutions, act as a realistic advocate for the youth of our community.

12.2.4 The Amherst Youth Town Council will endeavor to participate actively in community events and activities, as well as host events they deem fit, in Amherst, and through this involvement, foster a positive image for all young people.

12.2.5 The Amherst Youth Town Council may address, foster discussion, or make recommendations to Town Council on issues that they believe need to be addressed for the benefit of the youth.

13. **MEMBERSHIP**

13.1 The **Youth Town Council** shall be composed of **12** Council Members appointed by Council

13.1.1 Members shall be students attending Amherst schools from grade 7 to 12 with a maximum of three members being county residents.

13.1.2 The term for citizen youth appointees shall be two years and members may be reappointed to the committee without limitations. Members who do not complete their two year term may be replaced, with their replacement finishing their term and eligible for reappointment without limitations. Citizen appointee terms shall commence November 1st annually.

13.1.3 In June of each year, advertisement for expression of interest will be posted using appropriate media to reach youth. Council will appoint members for the new term prior to the end of October each year.

14. **MEETINGS:**

14.1.1 Meetings will be scheduled by the Junior Mayor, in consultation with staff and fellow members. Generally, meetings will commence at 3:05pm at an accessible location.

14.1.2 The committee will meet bi-monthly or as required. Each month a member of the Amherst Youth Town Council will attend an Amherst Town Council regular meeting.

14.1.3 *All meetings are open to the public. If local organizations wish to present to the Amherst Youth Town Council they must previously inform the elected Junior Mayor of their presentation plans.

14.1.4 *All members of the Amherst Youth Town Council are required to notify a member of the executive committee if they are to miss a meeting. If two meetings are missed without regrets sent, the committee will discuss attendance improvement for that individual

Provisions Regarding [Poverty Reduction Advisory Committee] (there would be multiple instances of this)

15. Council hereby establishes **[or confirms the establishment of]** the **Advisory Committee to Reduce Poverty Issues** as **[a standing committee]**.

15.1. **ROLE:** The Advisory Committee to Reduce Poverty Issues (the “Committee”) assists Town Council (“Council”) in fulfilling its responsibilities relating to creating a well community and reducing poverty in The Town.

15.1.2 In particular, the Committee assists Council by:

a. Recommending initiatives related to poverty reduction;

b. Providing recommendations on ways to educate the community and engage stakeholders;

c. Reviewing studies, plans and proposals related to this area and providing comments to staff and recommendations to Council in accordance with this information;

d. Proposing changes to policy to encourage or enable Council's goals in the poverty reduction area;

e. Provide staff with information beneficial to the strategic direction of Council as it relates to poverty reduction.

16. MEMBERSHIP

16.1 The Committee shall have voting membership that includes:

a) A Town of Amherst Council member

b) A representative from the Business Community

c) Someone with current Lived Experience

d) Someone who is either a newcomer or works with newcomers

e) One member from the NSHA

f) Service provider to persons experience low income / social isolation

g) Someone related to the academic or education aspects of poverty

h) Two other members working or volunteering in areas related to poverty

Non-voting members shall include:

i) A Town of Amherst staff member

j) Topic specialists

k) Those invited to meetings on an as needed basis

16.2 The initial appointments (effective January 29, 2019) will be for one-year terms, as a transitional measure, and subsequent appointments will have four members for a one-year term and four members for a two-year term to ensure knowledge is retained on the Committee. Appointees shall possess knowledge and understanding of poverty related

issues and services currently being provided by the community. Appointments shall be approved by Council annually at their October meeting.

16.3 The Town of Amherst Council member shall be elected annually by Council.

16.4 The Town of Amherst staff member and the secretary of the Committee shall be appointed by the Chief Administrative Officer.

16.5 The Chair shall be the Town of Amherst Council member.

17. MEETINGS

17.1 The Committee shall normally meet monthly (monthly except July and August). Additional meetings may be called based on requirements. The Committee Chair will make periodic reports to Council on matters relating to the Committee's duties and responsibilities.

17.2 All meetings shall be public meetings and closed meetings will follow the guidelines of the Municipal Government Act.

17.3 The Committee provides open avenues of communication to stakeholders and Council.

****Only 2 committees presented for discussion but every committee would follow this format in this document.

The following pages 55-72 are a copy of current internal committee policies.

DEPARTMENT: Council and Corporate Services

TITLE: Audit Committee Terms of Reference

Minutes reference date: 29 March 2016 27 February 2017

Purpose

1. The Audit Committee (the "Committee") assists Town Council ("Council") in fulfilling its oversight responsibilities relating to finance and audit matters delegated to management by Council.

2. In particular, the Committee assists Council by reviewing:
   a. Key financial information that will be provided to the province or made public;
   b. Compliance with strategic financial plans, operating and capital budgets;
   c. External and/or internal audit activities;
   d. The system of internal controls, risk management and financial information technology;
   e. Cash and investment management activities;
   f. Insurance coverage of significant risks and uncertainties;
   g. Financial Condition Indicators.

Composition, Operations and Accountability

3. The Committee shall be comprised of all members of Council plus two citizen appointments. The Committee shall be appointed by Council.

4. The initial citizen appointments (effective November 1, 2016) will be for one-year terms, as a transitional measure, and subsequent citizen appointments will be for two-year terms. Citizen appointees shall possess knowledge and understanding of financial and investment matters.

5. The Chief Administrative Officer (CAO) of the Town or his or her appointee shall be the secretary of the Committee

6. The Chief Administrative Officer, Treasurer and Accountant shall be non-voting members of the Committee.

7. The Chair shall be a member of Council and shall be elected annually by the Committee.

8. The Committee shall meet at least four times each year. The Committee Chair will make periodic reports to Council on matters relating to the Committee's duties and responsibilities.

9. The Committee shall meet with the external auditors as it deems appropriate to consider any matter that the Committee or auditors determine should be brought to the attention of Council.

10. Through the CAO the Committee may request members of the Town's senior management to attend meetings of the Committee as deemed necessary.

11. The Committee provides open avenues of communication among management, employees, external auditors and Council.

Duties and Responsibilities

12. The Committee has the following responsibilities and will perform the following duties.

Financial Information

a. The Committee will review the following financial information that will be provided to the Province or made public:
   i. Annual audited financial statements;
   ii. Management discussion and analysis that accompanies the audited financial statements

b. Ensure that meaningful financial information regarding current financial results and up to date forecasts is received on a timely basis, and that it provides information required for decision making.

c. Review quarterly internal financial reports.

d. Review:
   i. the appropriateness of accounting policies and financial reporting practices and any proposed changes thereto;
   ii. any new or pending developments in accounting and reporting standards; and
   iii. significant estimates contained in the financial statements and other financial information.

e. The Committee will:
   i. assess the performance of the external auditor;
   ii. review and recommend that Council approve the engagement or reappointment of the external auditor as required;
   iii. oversee the activities of the external auditor by:
      1. reviewing, assessing and receiving assurances as to the independence of the external auditor;
      2. reviewing the provision of non-audit services performed by the external auditor;
      3. reviewing the external audit plan including the engagement letter, materiality limits, staffing, timetable and proposed fees;
      4. if necessary, requesting to meet with the external auditor without management present;
      5. reviewing matters with respect to the conduct and reporting of the external audit with particular reference to any difficulties encountered or restrictions imposed by management; and
      6. receiving and reviewing the external auditor's:
         a. audit report;
         b. findings with respect to the appropriateness of accounting policies, management estimates and significant accounting and/or reporting issues;
         c. management letter including managements responses thereto and the evaluation of the internal control system; and
         d. other matters of relevance identified in the audit.

f. The Committee will periodically evaluate the need for the establishment of an internal audit function and make appropriate recommendations to the Council.

Internal Control, Risk Management and Financial Information Systems

g. The Committee will review:
   i. the system of internal control;
   ii. financial policies;
   iii. the strategic and financial risk assessment process to ensure that key strategic and financial risks are identified, assessed and risk mitigation strategies are implemented;
   iv. financial information technology to ensure that it effectively supports or provides for current and future planning, financial activities;
   v. the security of financial information, financial information technology and financial information disaster recovery plans; and
   vi. compliance with financial statutory and regulatory obligations.

Investment Management Activity

h. The Committee shall be responsible for the management of the Town's investment portfolio in accordance with paragraph 5 (c) of the Investment Policy, #03600-01.

Banking Services

i. The Committee will periodically assess banking services and oversee the procurement of these services in accordance with Council policy.

Insurance Coverage of Significant Risks and Uncertainties

j. The Committee will review the adequacy of insurance program and coverage for significant risks and uncertainties.

Terms of Reference for the Committee

13. The Committee will review its terms of reference annually.

DEPARTMENT: PLANNING AND DEVELOPMENT DEPARTMENT

TITLE: **PLANNING ADVISORY COMMITTEE POLICY**

Minutes reference date: 27 March 2006; 29 November 2010; 24 October 2011; March 24, 2014; 22 January 2015

PURPOSE:

The purpose of this policy is to establish a Planning Advisory Committee in accordance with Section 200 of the *Municipal Government Act*.

ROLE OF COMMITTEE

1. The role of a Planning Advisory Committee is to advise Council respecting the preparation or amendment of the Town's Municipal Planning Strategy, Land Use Bylaw and Subdivision Bylaw as well as general land use planning matters.

2. The duties assigned to the Committee, pursuant to this policy, shall only be carried out by the Committee.

3. In addition to the duties of the Committee pursuant to Section 200 of the *Municipal Government Act* and pursuant to the Heritage Properties Bylaw, the Committee will also act as the Heritage Advisory Committee.

4. In addition to the duties of the Committee pursuant to Section 200 of the *Municipal Government Act,* the Planning Advisory Committee will also undertake the duties assigned to it pursuant to the Dangerous or Unsightly Premises Policy of the Town of Amherst.

MEMBERSHIP

5. The Council shall appoint members of the Planning Advisory Committee by resolution.

6. Membership shall include three members of Town Council and three members of the public who are residents of the Town of Amherst.

7. The term for members shall be three years, and members may be re-appointed to the Committee. Public members' terms shall be by fiscal year, with one member appointed each year.

8. In January of each year, an advertisement for the public member(s) whose term is set to expire that fiscal year shall be placed in the local newspaper. It is the intention to have members with a varied background; however, members with a planning, architecture, engineering or other similar background will have some preference.

9. A the beginning of the first meeting of each fiscal year the Committee will elect a chairperson as well as a vice-chairperson. Terms for such shall be one year. The chairperson and vice chairperson may be re-elected.

STAFF RESOURCES

10. The Deputy Chief Administrative Officer – Operations is responsible for all functions of the Committee including:
    a. Calling meeting:
    b. Taking minutes
    c. Distribution of reports and other information as required;
    d. Public notification as required;
    e. Providing Committee motions to the Chief Administrative Officer for inclusion on the Council agenda.

11. Where additional information or work is required of staff by the Committee the Deputy Chief Administrative Officer – Operations (Deputy CAO) will be responsible for prioritizing staff resources, in conjunction with the Chief Administrative Officer when required.

12. Meetings are to be attended by the Deputy CAO or designate as well as an Executive Assistant. At the discretion of the Deputy CAO, other staff may be invited / asked to attend as well. Standing invitations to Committee meetings will be given to the Chief Administrative Officer and all Directors.

MEETINGS

13. Meetings will be automatically scheduled for the first Monday of every month. Meetings will commence at 4:30 PM unless otherwise informed.

14. Meeting times may be changed when appropriate by the Chairperson in consultation with the Deputy CAO.

15. Meetings may be cancelled by the Chairperson in consultation with the Deputy CAO when there are no agenda items.

16. All meetings are open to the public as per Section 203 of the *Municipal Government Act*, unless the Committee, by a majority vote, moves a meeting in private to discuss matters permitted by the *Act*.

17. The date, time and location of Committee meetings shall be posted in the lobby of Town Hall three days prior to the meeting, and on the Town's website.

18. An agenda package will be provided to all Committee members and staff no later than 4:00 PM, two business days prior to the meeting.

TITLE: TREE ADVISORY COMMITTEE

Minutes reference date: 23 February 2009

PURPOSE

To establish a policy for the governance of the Amherst Tree Advisory Committee.

BASIS

To provide Council and staff direction related to Dutch Elm diseased trees within the Town of Amherst and to other issues related to trees within the community which are not the direct responsibility of the Town Engineer under the *Municipal Government Act.* Dutch Elm Disease continues to be a significant concern to all municipalities in Nova Scotia including the Town of Amherst. To ensure community involvement, the Town requires the assistance from concerned community members to provide their expertise and direction so that the spread of Dutch Elm disease can be curtailed.

ROLE OF COMMITTEE

The role of a Tree Advisory Committee is to:

1. Advise Council as required from time to time with data related to Dutch Elm diseased trees in Amherst and the spread of this disease.

2. The Committee will work with staff in determining appropriate strategies and actions for the treatment and/or removal diseased trees.

3. The Committee will provide advice regarding the species of trees that the Town should plant in place of the trees that have been removed.

4. The Committee will work with staff and consider any training opportunities or resources that the Town should be accessing in addressing Dutch Elm Disease Trees in Amherst.

5. The Committee will provide advice and direction on matters related to Trees within the Town of Amherst that Council may request from time to time.

MEMBERSHIP:

1. The Council shall appoint members of the Tree Advisory Committee by resolution.

2. All members shall be residents of the Town and shall include two members of Town Council and three citizen appointees.

3. The term for citizen appointees shall be three years, and members may be re-appointed to the Committee without limitations. Citizen appointee terms shall be by fiscal year.

TITLE: TREE ADVISORY COMMITTEE

Minutes reference date: 23 February 2009

4. In September of the last year of the term, an advertisement for citizen appointees shall be placed in the local newspaper. Council will appoint members for the new term prior to the end of that year.

MEETINGS:

1. Meetings will be scheduled by the Chairperson in consultation with staff. Generally meetings will commence at 12:00 noon.
2. The committee will meet at least three times annually. All meetings are open to the public.

DEPARTMENT: Operations

TITLE: **North Tyndal Wellfield Advisory Committee Policy**

Minutes reference date: 26 May 2014

1. ADVISORY COMMITTEE

There shall be a Committee which shall consist of six members appointed in the manner hereinafter set out and which shall be known as the "North Tyndal Wellfield Advisory Committee."

2. DEFINITIONS

(a) "Committee" means the North Tyndal Wellfield Advisory Committee;

(b) "County Council" means the Council of the Municipality of the County of Cumberland;

(c) "Town Council" means the Council of the Town of Amherst;

3. MEMBERSHIP SHALL CONSIST OF

(a) Two members of the Town Council appointed by resolution of Town Council;

(b) Two members of the County Council appointed by resolution of County Council;

(c) Two members of the public, one appointed by each Council by resolution, and preferably residents or landowners in the water recharge area;

(d) Staff resources shall include:

- Deputy CAO. – Town of Amherst
- Town Engineer – Town of Amherst
- Planner – Town of Amherst
- Planner – Municipality of the County of Cumberland
- County Engineer – Municipality of the County of Cumberland
- Department of Service Nova Scotia and Municipal Relations
- Department of Environment
- Department of Natural Resources
- Department of Agriculture
- Secretarial support from Town of Amherst

4. TERMS OF MEMBERSHIP

(a) Members shall serve for a term of one year commencing at the annual meetings. All members shall be eligible to be reappointed.

(b) When a member of the Committee ceases to be a member of a Council, his or her term on the Committee will be terminated.

5. QUORUM

Three members of the Committee will constitute a quorum.

6. CHAIR

At the first meeting of the Committee held in each year, a Chair and a Vice-Chair shall be elected from among the members who shall hold office until their successors are elected.

7. THE ROLE OF THE NORTH TYNDAL WELLFIELD ADVISORY COMMITTEE SHALL BE:

(a) To advise the Councils on policy issues to do with the protection of the groundwater quality.

(b) To advise the Water Utility on operating policy issues as contained in the Groundwater Protection Strategy and Management Plan.

(c) To ensure effective integration of current and proposed provincial government legislation through representation by staff from provincial departments.

(d) To update the current Groundwater Protection Plan

8. THE ROLE OF THE AMHERST WATER UTILITY SHALL INCLUDE:

(a) Acting as the operating arm for the North Tyndal Wellfield including execution of all management functions;

(b) Providing funding for the work of this Committee in the protected water area.

9. MEETINGS

Meetings of the Committee shall be held at least twice in every year, the first of which shall be considered the annual meeting. The Chair may convene a meeting of the Committee at any time provided seven days advance written notice is given.

DEPARTMENT: Council and Corporate Services

TITLE: Advisory Committee to Reduce Poverty Issues

Minutes reference date: December 16, 2019

Purpose

1. The Advisory Committee to Reduce Poverty Issues (the "Committee") assists Town Council ("Council") in fulfilling its responsibilities relating to creating a well community and reducing poverty in The Town.

2. In particular, the Committee assists Council by:
   a. Recommending initiatives related to poverty reduction;
   b. Providing recommendations on ways to educate the community and engage stakeholders;
   c. Reviewing studies, plans and proposals related to this area and providing comments to staff and recommendations to Council in accordance with this information;
   d. Proposing changes to policy to encourage or enable Council's goals in the poverty reduction area;
   e. Provide staff with information beneficial to the strategic direction of Council as it relates to poverty reduction.

Composition, Operations and Accountability

3. The Committee shall have voting membership that includes:
   a) A Town of Amherst Council member
   b) A representative from the Business Community
   c) Someone with current Lived Experience
   d) Someone who is either a newcomer or works with newcomers
   e) One member from the NSHA
   f) Service provider to persons experience low income / social isolation
   g) Someone related to the academic or education aspects of poverty

   h) Two other members working or volunteering in areas related to poverty

   Non-voting members shall include:
   i) A Town of Amherst staff member
   j) Topic specialists
   k) Those invited to meetings on an as needed basis

4. The initial appointments (effective January 29, 2019) will be for one-year terms, as a transitional measure, and subsequent appointments will have four members for a one-year term and four members for a two-year term to ensure knowledge is retained on the Committee. Appointees shall possess knowledge and understanding of poverty related issues and services currently being provided by the community. Appointments shall be approved by Council annually at their October meeting.

5. The Town of Amherst Council member shall be elected annually by Council.

6. The Town of Amherst staff member and the secretary of the Committee shall be appointed by the Chief Administrative Officer.

DEPARTMENT: Council and Corporate Services

TITLE: Advisory Committee to Reduce Poverty Issues

Minutes reference date: December 16, 2019

7. The Chair shall be the Town of Amherst Council member.

8. The Committee shall normally meet monthly (monthly except July and August). Additional meetings may be called based on requirements. The Committee Chair will make periodic reports to Council on matters relating to the Committee's duties and responsibilities.

9. All meetings shall be public meetings and closed meetings will follow the guidelines of the Municipal Government Act.

10. The Committee provides open avenues of communication to stakeholders and Council.

Goals

11. The Committee has the following goals:
    a. Provide a summary of existing services aimed at community well-being and poverty reduction;
    b. Identify gaps in service provisions and knowledge of poverty and community well-being;
    c. Engagement of stakeholders including all levels of government, Town residents and businesses in poverty reduction;
    d. Developing the framework for a strategic plan around poverty reduction;
        i. Work collaboratively with those experiencing poverty, existing services providers in the not for profit, non-governmental and service organizations, concerned citizens, government, businesses and other stakeholders;
        ii. Identify short- and long-term options for impacting the poverty reduction component of community well being;
        iii. Identify areas for education and fact gathering.
    e. Monitor ongoing efforts on implementation of the strategic plan once developed;
    f. Provide insight to Town staff and Council on evolving issues once the plan is developed.

Terms of Reference for the Committee

12. The Committee will review its terms of reference annually.

DEPARTMENT: **Executive Operations**

TITLE: **Accessibility Advisory Committee**

Minutes reference date: February 24, 2020

1.0 BACKGROUND

Under the Nova Scotia Accessibility Act (NSAA), the Town of Amherst is required to appoint an Accessibility Advisory Committee to provide input on accessibility matters within the Town of Amherst.

2.0 PURPOSE

The Accessibility Advisory Committee ("Committee") assists Town Council ("Council") in fulfilling its responsibilities relating to identifying, preventing and eliminating barriers to people with disabilities in municipal programs, services, initiatives and facilities. The Committee plays a pivotal role in helping the Town of Amherst become a barrier-free community and ensuring obligations under *An Act Respecting Accessibility in Nova Scotia* (2017) are met, and to assist in creating a community of wellbeing.

3.0 DEFINITIONS

3.1 The definitions in the Nova Scotia Accessibility Act will supersede any and all definitions in this policy

3.2 Barrier means anything that hinders or challenges the full and effective participation in society of persons with disabilities, including a physical barrier, an architectural barrier, an information or communication barrier, an attitudinal barrier, a technological barrier, a policy or a practice;

3.3 Council means the Town Council for the Town of Amherst;

3.4 Disability includes a physical, mental, intellectual, learning or sensory impairment, including an episodic disability, that, in interaction with a barrier, hinders an individual's full and effective participation in society.

4.0 POLICY

4.1 Role

The Accessibility Advisory Committee shall:

4.1.1 Advise Council on the preparation, implementation, and effectiveness of its accessibility plan. In accordance with the Accessibility Act, the plan must include:

i. a report on measures the municipality has taken and intends to take to identify, remove, and prevent barriers

ii. information on procedures the municipality has in place to assess the following for their impact on accessibility for people with disabilities:

- any proposed policies, programs, practices, and services
- any proposed enactments or by-laws

iii. any other prescribed information

4.1.2 Review and update its accessibility plan at least every three years, in accordance with the Act.

4.1.3 Consult with the community on accessibility in the Town of Amherst.

4.1.4 Advise Council on the impact of Town of Amherst policies, programs, and services on people with disabilities.

4.1.5 Review and monitor existing and proposed Town of Amherst bylaws to promote full participation of people with disabilities, in accordance with the Act.

4.1.6 Identify and advise on the accessibility of existing and proposed municipal services and facilities.

4.1.7 Advise and make recommendations about strategies designed to achieve the objectives of the Town's accessibility plan.

4.1.8 Receive and review information from Council and its committees, and make recommendations, as requested.

4.1.9 Monitoring federal and provincial government directives and regulations.

4.2 Membership

4.2.1 In accordance with the Act, at least half of the committee membership must be people with disabilities or represent organizations that represent people with disabilities with preference for the former.

4.2.2 All members must adhere to and abide by the Code of Ethics Policy, Policy #04000-12.

4.2.3 When making appointments to the Committee, Council will give consideration to representation from different sectors of the community.

4.2.4 Appointees shall possess knowledge and understanding of accessibility related issues and services currently being provided by the community. Appointments shall be approved by Council annually at their October meeting.

4.2.5 The Committee shall have 8 voting membership that includes:
a) 2 Town of Amherst Council members
b) 6 community members

4.2.6 Non-voting members shall include:
a) Municipal Accessibility Coordinator – Town of Amherst staff

4.3 Terms of Appointment

4.3.1 The initial appointments will be for one-year terms, as a transitional measure, and subsequent appointments will have three members for a one-year term and four members for a two-year term to ensure knowledge is retained on the Committee.

4.3.2 The Town of Amherst Council members shall be appointed annually by Council.

4.3.3 The Town of Amherst Accessibility Coordinator, and the Secretary of the Committee shall be employees of the Town of Amherst and appointed by the Chief Administrative Officer.

4.3.4 The Chair and Vice Chair shall be elected annually by the Committee, and the Chair shall be a Town of Amherst Council member.

5. OTHER

5.1 The Committee shall meet at least quarterly but may meet more frequently, as required

5.2 Meetings of the Committee shall be open to the Public, however, they are subject to the provision of Section 22 of the Municipal Government Act with respect to closed meetings

5.3 The Committee provides open avenues of communication to stakeholders and Council.

5.4 The Committee may establish Working Groups to explore specific issues related to the accessibility plan and/or to other responsibilities. Members of the Working Group may consist of additional members of the community.

5.5 Meetings shall convene at 4pm on the day selected, unless otherwise specified.

5.6 The Committee and its members shall follow the rule of order, as set in the Proceedings of Council Policy, Policy #10350-24.

6. TERMS OF REFERENCE REVIEW

6.1 The Committee will review its terms of reference annually and make any recommendations to Council, as the Committee deems appropriate.

7. REFERENCES

7.1 Bill NO. 59 – Accessibility Act, Chapter 2 of the Act of 2017.

DEPARTMENT: Executive

TITLE: **Joint Councils Terms of Reference**

Minutes reference date: February 25, 2019 1st Revision date:

Introduction

The Councils of the Municipality of the County of Cumberland ("the County"), the Town of Oxford ("Oxford") and the Town of Amherst ("Amherst") wish to establish a committee through which issues of mutual interest may be discussed at the council level. To this end, the Joint Council Committee has been established as a standing committee of each of the Councils.

1. Goals

To assist the Councils in an effort to:

- Identify opportunities for and encourage coordination, cooperation or sharing of services and/or programs between the municipal units.
- Promote the Cumberland region as a vibrant and healthy community that is a great place to live, work and play.

2. Purpose

The purpose of Committee is to:

- Facilitate communication between and among elected officials and provide a forum for the exchange of information on issues of mutual interest;
- Review studies, plans and proposals related to the approved committee goals and provide comments to staff and recommendations Councils.
- Propose policy changes that would encourage or enable the Committee's approved goals.
- Act as a single forum for presentations or report to both municipalities when appropriate. (example – grants to organizations)

3. Membership

- All elected members of the Councils of all three units are voting members of this committee.
- The CAO's are non-voting members of the Committee.
- The Warden and Mayors shall act as the chair on a rotating basis.
- The Municipal Advisor who has been appointed by the Department of Municipal Affairs for the region shall be an ex-officio member

4. Meetings

- The Committee will meet on the first Tuesday of February, May, September, and December of each year.
- Together, the Warden and Mayors may convene additional meetings as deemed necessary in consultation with the CAO's.
- A quorum will consist of fifteen voting members including at least two voting members of each Council.
- Meeting location and coordination shall rotate among the three municipal units.

DEPARTMENT: Executive

TITLE: **Joint Councils Terms of Reference**

Minutes reference date: February 25, 2019

1st Revision date:

- Minutes shall be kept and the municipality coordinating the meeting will provide administrative support.
- Agenda items will be compiled by the hosting Municipal Clerk or CAO. Any agenda items must be forwarded to staff at least two weeks in advance of meetings.
- Agendas and staff reports shall be made available to the Committee on the Friday immediately preceding the scheduled meeting. Agendas and staff reports shall also be posted to the Amherst website prior to the meeting. The County and Oxford shall post a link to the agenda on their respective websites.
- No additions to the agenda will be permitted at the beginning of a meeting unless unanimously accepted.

5. Role and Responsibility of Staff

Staff representatives from the County, Oxford and Amherst shall provide administrative and research support to the Committee. This includes, but is not limited to the preparation and distribution of agendas and staff reports. Staff of each municipal unit will maintain a copy of all official records pertaining to the committee within their organization in accordance with their records management policy.

6. Reporting and Communication

Meetings of the Committee shall take place in accordance with Section 22 of the Municipal Government Act.

A meeting report including the meeting agenda, draft minutes and any forthcoming recommendations shall be presented to all councils at their next regular meeting.

Approved motions of the committee shall constitute recommendations to each of the Councils of the County, Oxford and Amherst.

7. Conflict of Interest

Members shall declare possible conflicts of interest before agenda items are presented and leave the meeting or part of the meeting during which the matter is under consideration.

8. Amendments

The Committee may recommend amendments to these terms of reference to each of the participating councils. Any amendments must be approved by all three Councils to be effective.

COMMITTEE OF THE WHOLE

CDR# 2021005

Date: February 16, 2021

TO:	Mayor Kogon and Members of Council
SUBMITTED BY:	Kimberlee Jones, Municipal Clerk
DATE:	February 16, 2021
SUBJECT:	Proceedings of Council Policy – Virtual Meetings

ORIGIN: While working through the restrictions in place due to the ongoing Covid-19 pandemic, staff have noted that there are examples of situations where virtual meetings, or virtual participation in in-person meetings may be appropriate after the restrictions are lifted.

LEGISLATIVE AUTHORITY: MGA 23(1) The council may make policies (a) respecting the date, hour and place of the meetings of the council and the notice to be given for them; and (b) regulating its own proceedings and preserving order at meetings of Council

DIRECTION REQUESTED: That Council review the proposed amendments to the Proceedings of Council Policy and provide feedback and direction to staff on: a)whether they believe that ongoing virtual participation is appropriate in some circumstances and b) the specifics of the suggested amendments. Based on this feedback staff will make appropriate changes, if any, and bring the policy back next month for consideration.

BACKGROUND: The Proceedings of Council Policy sets out the requirements for the conduct of meetings and the preparations of the meeting materials for Council and the public.

DISCUSSION: The Covid-19 pandemic and the directives from the Province of Nova Scotia and the Chief Medical Officer of Health have restricted our ability to meet in person for almost a year now. The requirements of gathering limits, physical distancing and the structure of our Council Chambers has meant that, in most cases, Council and Committees must meet virtually in order to not only comply with the mandated restrictions, but also ensure the safety of our meeting participants.

The proposed amendments reflected in the policy include an allowance for the continuation of virtual attendance under specific conditions. It is the intention to resume in person meetings, as health orders and logistics allow, however this amendment allows for one or more participants to be permitted to attend via video conference should circumstances prevent their attendance in person.

Several other Nova Scotia municipalities have made similar changes to their proceedings of Council policy/Bylaw. Staff have borrowed language from both Truro and Yarmouth in drafting the proposed amendments.

FINANCIAL IMPLICATIONS: There are no financial implications

COMMUNITY ENGAGEMENT: There has been no community engagement

ENVIRONMENTAL IMPLICATIONS: There are no environmental implications

SOCIAL JUSTICE IMPLICATIONS: There are no social justice implications to the proposed amendments.

ALTERNATIVES:

1- Approve the policy with the amendments as presented
2- Approve the policy amendment with alternative language
3- Do not amend the policy

ATTACHMENTS: Proceedings of Council Policy

Report prepared by: Kimberlee Jones
Report and Financial approved by:

TOWN OF AMHERST POLICY

NUMBER 10350-24

DEPARTMENT: **Council**

TITLE: **Proceedings of Council**

Minutes reference date: 23 February 2015 22 June 2015 2019 January 2019 2020 November 23

General

1. The procedural requirements in this Policy are intended to complement and supplement, and not to replace, the requirements contained in applicable municipal legislation. Authority to enact this policy is under Section 23(1)(a) and (b) of the *Municipal Government Act.* The rules of order set out in this policy shall apply to all Town committees and commissions.

Definitions

2. In this Policy, unless the context otherwise requires,

   (a) "business day(s)" means a day when the Town of Amherst office is open for business;

   (b) "Chair" means the presiding officer;

   (c) "committee" means any standing or adhoc committee or commission, the members of which are appointed by Council;

   (c) "Council" means the Council of the Town of Amherst;

   (d) "Council Member(s)" include(s) the Mayor unless the context indicates otherwise;

   (e) "majority" means more than one half of those present, unless the context indicates otherwise.

   (f) "Consent Agenda" means routine items or non -controversial items that are listed under the Consent Agenda section of the Agenda.

Time, Place, Date and Notice of Meetings of Council and Committee of the Whole

3. Unless otherwise specified pursuant to section 5, regular meetings of Council shall be held:

   (a) In Council Chambers, Dominion Public Building, 98 Victoria Street, Amherst;

   (b) On the fourth Monday of every month except that there shall be no regular meeting during the months of July and August;

   (c) Commencing at 6:00 PM and concluding not later than 8:00 PM; when public hearings are scheduled, the hearing will commence at 5:30 PM and the Council meeting will commence at 6:00 PM.

   (d) Council members must attend Council meetings in person, or, if approved by Council, one or more Council members may appear at a meeting by videoconference.

(e) Council member attending a meeting by videoconference shall be considered present at the meeting. If a Council member becomes disconnected from the meeting due to technical problems or other reasons, the Council member shall be considered to have left the meeting at the time of disconnection.

4. Unless otherwise specified to section 5, regular meetings of Committee of the Whole shall be held:

(a) In Council Chambers, Dominion Public Building, 98 Victoria Street, Amherst;

(b) On the third Monday of every month except that there shall be no regular meeting during the months of July and August;

(c) Commencing at 4:00 PM and concluding not later than 6:00 PM.

i. Should there remain unfinished business on the agenda at 6:00 PM, the meeting shall be adjourned until 4:00 PM on the fourth Monday when the balance of the business on the agenda shall be addressed.

(d) Council members must attend Council meetings in person, or, if approved by Council, one or more Council members may appear at a meeting by videoconference.

(e) Council member attending a meeting by videoconference shall be considered present at the meeting. If a Council member becomes disconnected from the meeting due to technical problems or other reasons, the Council member shall be considered to have left the meeting at the time of disconnection.

5. Requirments for Virtual Attendance

(a) A Council or committee member may request to join electronically under the following circumstances: a. Away for Council related business; b. Health reasons; or c. Weather.

(b) When a Council or committee member requests to participate virtually, the Clerk shall be notified at least 48 hours prior to the scheduled start time.

(c) All participants must have access to the necessary equipment for participation. A right of membership is participation; therefore, the technology used must be accessible to all members to be included in the meeting. d) All rules pertaining to in-person Council or Committee meetings apply equally to electronic meetings, for example, notice, pre-meeting package requirements, quorum, minute-taking, voting, confidentiality requirements, etc.

(d) Participants are to login 10 minutes before the scheduled meeting time to resolve any technical issues before the meeting starts.

(f) During In Camera sessions, all meeting participants must ensure they maintain complete privacy in their off-site meeting space. This will ensure all discussions are kept confidential and are only heard by those invited to and attending the meeting.

(g) All provisions and policy related to in camera meetings and conflict of interest will apply equally for all electronic meetings.

Subject to any conditions or limitations provided for under the Act, Regulations, Bylaws or this Policy, a Council member who participates in a meeting through electronic means shall be deemed to be present at the meeting and will be recorded as in attendance at and part of the quorum of the meeting

6. Regular meetings of Council or Committee of the Whole may be rescheduled, relocated or cancelled:

   (a) By resolution of Council at a previous meeting three or more days in advance of the additional or special meeting;

   (b) By resolution of Committee of the Whole at a meeting three or more days in advance of the additional or special meeting; or

   (c) By the Chief Administrative Officer on behalf of the Mayor, owing to unforeseen circumstances, provided the Mayor believes that the majority of Council Members would support such a step.

7. Additional or special meetings of Council or Committee of the Whole may be convened

   (a) By resolution of Council at a previous meeting three or more days in advance of the additional meeting;

   (b) By resolution of Committee of the Whole at a meeting three or more days in advance of the additional or special meeting; or

   (c) By the Chief Administrative Officer on behalf of the Mayor, owing to unforeseen circumstances provided the Mayor believes that the majority of Council Members would support such a step.

   (d) Business conducted at a special meeting must conform to what is specified in the call of the meeting.

8. Specific notice to Council Members and to the public need not be provided of

   (a) Meetings held pursuant to section 3 or 4; or

   (b) Meetings held pursuant to subsection (a) and (b) of section 5 or 6;

   but, subject to any statutory relaxation of notice requirements, three days' notice shall be specifically provided for other meetings to Council Members in the manner described in section 9 and to the public in the manner described in section 10.

9. Within 30 days following the first meeting of Council after a municipal election or by-election:

(a) The CAO shall provide a cellular phone to each Council Member which the Council Member will check at least once per day; and

(b) The CAO shall provide an electronic email address to each Council Member, and the Council Member will check at least once per day;

10. Subject to section 7, notice of meetings shall be provided by electronic mail to each Council member through the Town electronic mail address as provided in section 8.

11. Subject to section 7, notice of meetings shall be provided to the public by posting in the lobby of the Dominion Public Building and in a prominent place on the Town's website, a "Notice of Council Meeting" containing the time, date and place of the meeting.

Conduct of Meetings

12. It shall be the duty of the Chair to:

(a) Open the meeting of Council by taking the chair and calling the Council Members to order;

(b) Receive and submit to Council motions properly presented by a Council Member;

(c) Put to a vote a question which is regularly moved and seconded or necessarily arising 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 Council Members, when engaged in debate, within the rules of conduct of debate;

(f) Enforce on all occasions, the observance of order and decorum;

(g) Call by name any Council Member persisting in a breach of the rules of order of Council thereby ordering him or her to vacate the Council Chambers;

(h) Inform the Council when necessary, or when referred to, on a point of order;

(i) Permit the Chief Administrative Officer to speak on any point upon request;

(j) Permit proper questions to be asked through the Chair or any official or employee of the Town of Amherst, to provide information to assist any debate;

(k) Declare a meeting dissolved if no quorum has been achieved within 15 minutes of the scheduled meeting time. And

(l) Adjourn the meeting when the business is concluded or, when an adjournment time has been set and approved by majority vote or when the adjournment time has been reached, except when it is extended by unanimous consent.

Council Agenda

13. All items appearing on the Council agenda will only consist of items that have been:

    (a) Recommended or referred to Council by motion through either Committee of the Whole or a committee of Council;

    (b) Placed on the agenda by Council through a motion or notice of motion at a previous meeting;

    (c) Submitted by a member of Council prior to the issuing of the final agenda;

14. Consent Agenda – Regular Meetings of Council
    (a) Subject to subsection (b), the Consent Agenda may contain routine or non-controversial items;
    (b) The following matters shall not be set on the Consent Agenda:
        i. Second Readings of by-laws and land use bylaws, including any amendments
        ii. Policies
        iii. Planning documents as defined by the Municipal Government Act;
        iv. Development agreements, including any amendments thereto;
        v. Appeals;
        vi. Motions of recission, or motions requiring a 2/3 vote of Council;
        vii. In Camera matters; and
        viii. Late or added items to the agenda
    (c) After the Consent Agenda motion has been duly moved and seconded, any member may move that an item be removed from the Consent Agenda, with no seconder, the motions shall be granted as of right.
    (d) During the consideration of of the motion to approve the Consent Agenda, there shall be no discussion or debate on the specific items contained therein.
    (e) The Chair shall clarify the items that remain on the Consent Agenda, before a vote shall be taken.
    (f) The vote on the Consent Agenda shall require a majority vote of the Council Members present.
    (g) Items listed under the Consent Agenda are deemed approved when the vote as described in subsection (f) is passed.
    (h) An item removed during the Consent Agenda, will be dealt with where it has been placed on the agenda.

15. Except for matters arising from correspondence, committee or other reports, agenda items, or notices of motion or other material circulated to Council Members on or before the business day before the meeting, and except for matters arising from an *in* camera meeting, no motion committing the Town of Amherst to the expenditure of funds shall be accepted by the Chair for the consideration of Council except with the unanimous consent of Council Members present.

16. Preliminary Council agendas will be issued by 4:30 PM on the Thursday preceding the regularly scheduled meeting.

17. Final Council agendas will be issued by noon on the day of the meeting.

18. Items included on the Council agenda will include a copy of the motion to be made when the item arises on the agenda.

19. Copies of the agenda and supporting documentation will be made available to the public in electronic format by 9:00 AM the day of the meeting except for the supporting documents related to matters to be dealt with in camera.

20. At Council meetings, unless a majority consents to a different order for the meeting, Council shall conduct business in the following order:

    (a) Call to Order

    (b) Territorial Acknowlegement

    (c) National anthem

    (d) Presentations

    (e) Approval of agenda

    (f) Consent Agenda

    (g) Approval of minutes from the previous meeting

    (h) Requests for Decision

    (i) Information / Discussion Items

    (j) Internal Committee Reports

    (k) External Committee Reports

    (l) Adjournment

21. Councillors who have been appointed to outside Boards and Agencies shall provide a written report to the Council to be included in the agenda package. Recognizing that such reports provide Council with the ability to make informed decisions, reports may contain such elements as:

    (a) The date the meeting was held;

    (b) A review of the key issues or discussion points covered that have an impact on the Town;

    (c) Information and decisions that may impact a current Council position, or future Council course of action;

    (d) A summary of the organization's key operations and events.

Committee of the Whole Agenda

22. The Committee of the Whole will meet for the purpose of discussion and possible referral to Council and no formal decisions will be made by Committee of the Whole, except to the extent that Committee of the Whole is specifically designated bylaw, policy or delegated by a resolution of Council as having the authority to make a decision.

23. Items appearing on the Committee of the Whole agenda will only consist of items as follows:

    (a) Placed on the agenda by Council or Committee of the Whole through a motion or notice of motion from a previous meeting;

    (b) Submitted by a member of Council prior to the issuing of the final agenda;

    (c) Staff reports;

    (d) Items from the administration requiring a decision or direction;

24. Consent Agenda – Committee of the Whole
    (a) Subject to subsection (b), the Consent Agenda may contain routine or non-controversial items;
    (b) The following matters shall not be set on the Consent Agenda:
        i. Policies
        ii. Planning documents as defined by the Municipal Government Act;
        iii. Development agreements or any amendments thereto;
        iv. Motions of recission, or motions requiring a 2/3 vote of Council;
        v. In Camera matters; and
        vi. Late or added items to the agenda
    (c) After the Consent Agenda motion has been duly moved and seconded, any member may move that an item be removed from the Consent Agenda, with no seconder, the motions shall be granted as of right.
    (d) During the consideration of of the motion to approve the Consent Agenda, there shall be no discussion or debate on the specific items contained therein.
    (e) The Chair shall clarify the items that remain on the Consent Agenda, before a vote shall be taken.
    (f) The vote on the Consent Agenda shall require a majority vote of the Council Members present.
    (g) Items listed under the Consent Agenda are deemed approved when the vote as described in subsection (f) is passed.
    (h) An item removed during the Consent Agenda, will be dealt with where it has been placed on the agenda.

25. Preliminary Committee of the Whole agendas will be issued by 4:30 pm on the Thursday preceding the regularly scheduled meeting.

26. Final Committee of the Whole agendas will be issued by 10:00 am on the day of the meeting.

27. Items included on the Committee of the Whole agenda will include a copy of the motion to be made when the item arises on the agenda.

28. Copies of the Committee of the Whole agenda and supporting documentation will be made available to the public in electronic format by 10:00 AM the day of the meeting, except for the supporting documents related to matters to be dealt with in camera.

29. At Committee of the Whole meetings, unless a majority consents to a different order for the meeting, Council shall conduct business in the following order:

(a) Call to Order

(b) Approval of Agenda

(c) Consent Agenda

(d) Approval of Minutes

(e) Presentations

(f) Council Direction Requests

(g) Information / Discussion Items

(h) Monthly Departmental Reports

(i) Adjournment

Minutes

30. At regular meetings of Council, except when Council resolves to defer approval of minutes for a maximum of one additional meeting, the minutes of the last preceding regular meeting and subsequent special meetings shall be reviewed and after all necessary corrections and amendments have been made and the minutes approved, the approved minutes shall be entered in the minute book of the proceedings of Council and such entry shall conclusively constitute the minutes of Council.

31. The minutes shall be kept by the Clerk who may, in his or her discretion, appoint recording secretaries as appropriate

32. The Minutes shall:

    (a) Record the time when any Council Member joins or leaves a meeting which is in progress;

    (b) Contain all resolutions, decisions by consensus and motions, with the name of the movers and seconders, and shall record the outcome of each vote;

    (c) Mention reports, petitions and other papers submitted to Council only by their respective titles, or a brief description of their contents.

Motions, Voting and Speaking

33. The Chair shall start every question properly presented to Council and before putting it to a vote, shall ask, “Is Council ready for the question” and if no Council Member offers to speak, the Chair shall put the question, after which no Council Member shall be permitted to speak upon it.
34. The usual form of voting shall be by the Chair calling for “yeas” and “nays”, but any Council Member, before or after a voice vote can call for, and obtain through the Chair, a show of hands and any two Council Members can call for, and obtain through the Chair, a recorded vote with each Council Member’s vote entered into the minutes.

35. A motion must be seconded and then repeated by the Chair or read aloud by the Chief Administrative Officer before it is debated. The Chair may direct that the motion be put in writing.

36. After reading of a motion by the Chair or Chief Administrative Officer, it shall be open for discussion.

37. A motion may at any time before the Council has voted on it be withdrawn by the mover with the consent of the seconder.

38. The Chair must vote and shall be deemed to have voted in the affirmative on any resolution unless the Chair indicates clearly it is voting in the negative.

39. When any question is before the Council, the only motions in order shall be:

    (a) A motion in amendment of the original motion;

    (b) A motion to refer the question, including the motion and amendment if one is moved, to any committee;

    (c) A motion to defer the consideration of the question either indefinitely or to a specified time;

    (d) A motion to close the debate at a specified time;

    (e) A motion that the question be put to a vote;

    (f) A motion to adjourn.

40. When any one of the motions mentioned in the next preceding section has been made as an amendment to the original motion, no other motion may be made as an amendment except to the original motion or to the amendment, except the following:

    (a) To refer to a committee;

    (b) To defer the consideration of the question;

    (c) To close the debate at a specified time;

    (d) That the question be put to a vote;

    (e) To adjourn

    Any of which may be moved either to the original motion or to the amendment of the original motion.

41. A motion:

    (a) That the debate be closed at a specified time; or

    (b) That the question be put to a vote,

Shall be put to a vote without further amendment or debate, but a motion that the question be put to a vote shall not itself be put to a vote until every Council Member who has not spoken on the question and claims a right to speak has been heard.

42. A motion that the question be put to a vote shall preclude all amendments to the main question until the motion is decided, and shall be put to a vote, without debate, in the following words: "That this question be put to a vote". If this motion is resolved in the affirmative, the original question shall be put to a vote immediately, without any amendment or debate, but if such motion is resolved in the negative, then the Council shall proceed to other business.

43. A motion to adjourn shall always be in order except in the following cases:

    (a) When a Council Member is in possession of the floor;

    (b) When the "yeas" and "nays" are being called;

    (c) While the Council Members are voting; or

    (d) When the adjournment was the last preceding motion.

44. The following questions shall be decided without debate:

    (a) A motion to reconsider;

    (b) All motions as to priority of business or as to the suspension of the order of the day;

    (c) Applications to speak more than the prescribed number of times;

    (d) A motion to allow any person other than the Council Members or CAO to address the Council;

    (e) A motion to postpone to a specified time or day;

    (f) A motion to lay on the table when claiming a privilege over another person; and

    (g) A motion to adjourn.

45. Amendments shall be put in the reverse order to that in which they are moved. Every amendment submitted shall be decided or withdrawn before the main question is put to a vote. Only one amendment shall be allowed to an amendment and any further amendment must be to the main question.

46. Any notice of motion given by a Council Member for a subsequent meeting may, in the absence of the Council Member giving such notice, be taken up by any other Council Member.

47. Every Council Member, prior to speaking on any question or motion, shall raise a hand and wait to be recognized by the Chair. When two or more Council Members raise their hands to speak, the Chair shall designate as the Council Member who has the floor the Council Member who, in the opinion of the Chair, first raised a hand.

48. No Council Member may speak more than twice, without the leave of Council, on any motion except to explain a misconception of his remarks, but the mover of a motion shall have the right to reply and sum up in closing the debate.

49. When a Council Member wishes to explain, the Council Member shall raise a hand and ask leave of the Chair, without further comment, and if permitted by the Chair, shall explain only an actual misunderstanding of language.

50. No Council Member shall speak more than two minutes upon any matter at one time, without the leave of Council.

51. During a meeting Council may adjourn for short periods or move to another place, without ending the meeting.

Reconsideration

52. After any question has been decided in the affirmative, any Council Member who has voted in the affirmative, may, after the decision has been announced from the chair but before adjournment of the meeting, give notice of an intention to move a reconsideration at the next meeting of the Council. The giving of such a notice operates as a stay or suspension of Council's decision.

53. Unless reconsideration is moved at the next meeting, the right of reconsideration shall be lost.

54. No discussion of the main question shall be allowed on the motion for reconsideration.

55. The following matters are not eligible for reconsideration:

    (a) A motion approving the first or second reading of a bylaw enactment, amendment or repeal;

    (b) A motion to decide upon a matter which was the subject of a statutory hearing by Council;

    (c) A matter which has been reconsidered once; and

    (d) A vote to reconsider.

Rescission

56. No motion to rescind any resolution of Council shall be made unless Notice of intention to move the same has been given at the regular meeting of Council just previous to that at which the same is moved.

57. A Notice of motion to rescind any previous resolution of the Council may be given by any member at any regular meeting of Council.

58. When giving Notice of motion to rescind, the member shall provide a brief explanation of the reason for the Notice.

59. A Notice of motion to rescind shall be dealt with at the next meeting of the Council.

60. At such meeting, the giver of such Notice, or in the absence of the giver, any other member on the giver's behalf shall move the motion to rescind and shall briefly state the reasons therefor.

61. If the motion to rescinded is seconded the same becomes subject to debate according to the normal rules except that it may not be amended.

62. A motion to rescind requires the same vote as was required for the resolution which is subject to rescission. That is, if the resolution subject to rescission required a majority vote of Council the motion to rescind such resolution shall require a majority vote of Council.

Points of Order

63. It shall be the duty of the Chair, and the privilege of any Council Member, to call any Council Member to order, who violates any established rule or order. A point of order must be decided before the subject under consideration is proceeded with.

64. When a Council Member is called to order, the Council Member shall remain seated and silent until the point is determined, until called upon by the Chair to be heard on the point of order.

65. A point of order is not debatable amongst other Council Members, unless the Chair invites discussion in an effort to assist in making a ruling. Where the Chair permits discussion of a point of order, no Council Member shall speak more than once.

66. Decisions of the Chair on points of order or procedure, including an order expelling and excluding a person from the Council Chambers pursuant to sections 65 and 66, are not debatable but are appealable to Council by any Council Member. When an appeal is made from the decision of the Chair, the Chair shall simply put the question, "Shall the decision of the Chair be sustained?"

67. No Council Member shall use offensive or unparliamentary language or speak disrespectfully to or about anyone while in Council, or speak outside the parameters of the question in debate.

68. If a Council Member resists the rules of Council, willfully obstructs the business of Council or disobeys the decision of the Chair, or of Council on appeal, on any question of order or practice or upon the interpretation of the rules of Council after being called to order by the Chair or otherwise disrupts the proceedings of council, the Council Member may be ordered by the Chair to leave the Council Member's seat provided that a majority vote of Council shall be required to sustain the expulsion.

69. If the Council Member refuses to leave the Council Member's seat, the Chair may order the Council Member to be expelled and excluded from the Council Chambers.

70. Such Council Member may, by vote of Council, later in the meeting or at a subsequent meeting be permitted to re-enter Council Chambers and to resume participation in Council's business with or without conditions.

71. Persons who are not Council Members of officers or employees of the Town of Amherst shall observe silence and order in the Council Chambers, unless given permission to speak. Any such persons disturbing the proceedings of Council shall be called to order by the Chair, and, if

they fail to comply, shall be ordered by the Chair to be expelled and excluded from the Council Chambers, provided that a majority vote of Council shall be required to sustain the expulsion.

72. Such member of the public may, by vote of Council, later in the meeting or at a subsequent meeting, be permitted to re-enter Council Chambers with or without conditions.

73. An order of the Chair to expel a person from the Council Chambers pursuant to section 68 of this Policy constitutes a direction from the Town of Amherst to leave the premises for purposes of the *Protection of Property Act* and other applicable laws.

74. If any question arises that is not provided for by applicable legislation or the foregoing rules, it shall be decided according to the ruling of the Chair, having regard to general principles of parliamentary procedure to the best of the Chair's ability but the Chair shall not be expected to conform its decisions with parliamentary procedure texts or precedents.

75. Any of the rules of order may be suspended in its operation by the unanimous consent of the Council Members present.

Presentations to Council

76. Persons wishing to make a presentation to Council shall write one week in advance of the next Committee of the Whole meeting to the CAO outlining their issue and the decision they wish Council to consider, and request to make a presentation.

77. The request will be added to the next Committee of the Whole agenda to be issued.

78. Committee of the Whole will discuss the matter when it appears on the agenda, and will determine if they wish to have the presentation at a future meeting.

79. The CAO shall advise the person or group requesting to make a presentation of the decision of Committee of the Whole including, if approved, the date and time of the presentation.

80. Presentations shall be limited to 15 minutes, unless Committee of the Whole determines a longer period of time is needed.

81. When a delegation is recognized and offered an opportunity to speak, the Mayor or Chairperson of the meeting will request the spokesperson to come forward from the gallery to present. Only one person shall be permitted to speak.

82. No debate or decision on the presentation will occur during the meeting in which the presentation is made, unless the item was previously an agenda item for that meeting.

Petitions

83. Persons wishing to present a petition to Council shall file a copy of the petition with the CAO before 12:00 noon on the Wednesday prior to the meeting of Council at which it is proposed to be presented.

84. The CAO shall circulate a copy of any such petition to each member of Council before the meeting at which it is proposed to be presented.

85. The body of the petition itself, excluding the list of names, shall, if determined by the Chairperson to be practical, be read by the CAO on behalf of the group supporting the petition.

86. No petition shall be presented which Council determines to contain impertinent or improper matter.

87. No persons shall be permitted to speak, whether supporting or opposing the petition, unless the petition comes up for discussion which shall be at the next regular meeting of Council unless Council decides according to the rules to hold a special meeting of Council for that purpose.

MEMORANDUM

TO: Mayor Kogon and Members of Council

FROM: Kimberlee Jones, Municipal Clerk

DATE: February 16, 2021

SUBJECT: Presentation to Council Request

Staff have been contacted by Allison Lair requesting to give a presentation to Council with regards to the YMCA of Cumberland UpLift Program. A copy of the request is attached.

In accordance with Policy 10350-24 Proceedings of Council Policy, I am seeking Council's direction on whether it may be interested in such a presentation. Should Council have an interest I will proceed to arrange for a presentation.

YMCA of Cumberland
ymcaofcumberland.com

92 Church St, P.O. Box 552
Amherst, Nova Scotia
Phone: 902-667-9112 Fax: 902-661-4692
Charitable Registration # 119307007RR0001

Dear Mr. MacDonald:

I am writing to request that the YMCA of Cumberland is added to the agenda for the February Town Council meeting.

The YMCA of Cumberland would like to present to the Town Council regarding the UpLift Program and a request for the use of a $5,000 grant from this program to develop an outdoor beach volleyball court in the Town of Amherst.

Amanda Mollon will be presenting along with a couple of the youth involved in program. UpLift empowers children and youth to take the lead in creating school communities that are healthy, vibrant, caring and connected. Our Y, in partnership with UpLift, ran a six-week program for youth in grades 5-7 that focused on activities which fostered knowledge of healthy food and activities as well as developed leadership skills for the youth. One of the culminating activities that the youth focused on what discussing and deciding on a healthy project that would improve the wellbeing of others within their community. They chose an outdoor beach volleyball court.

I look forward to your response.

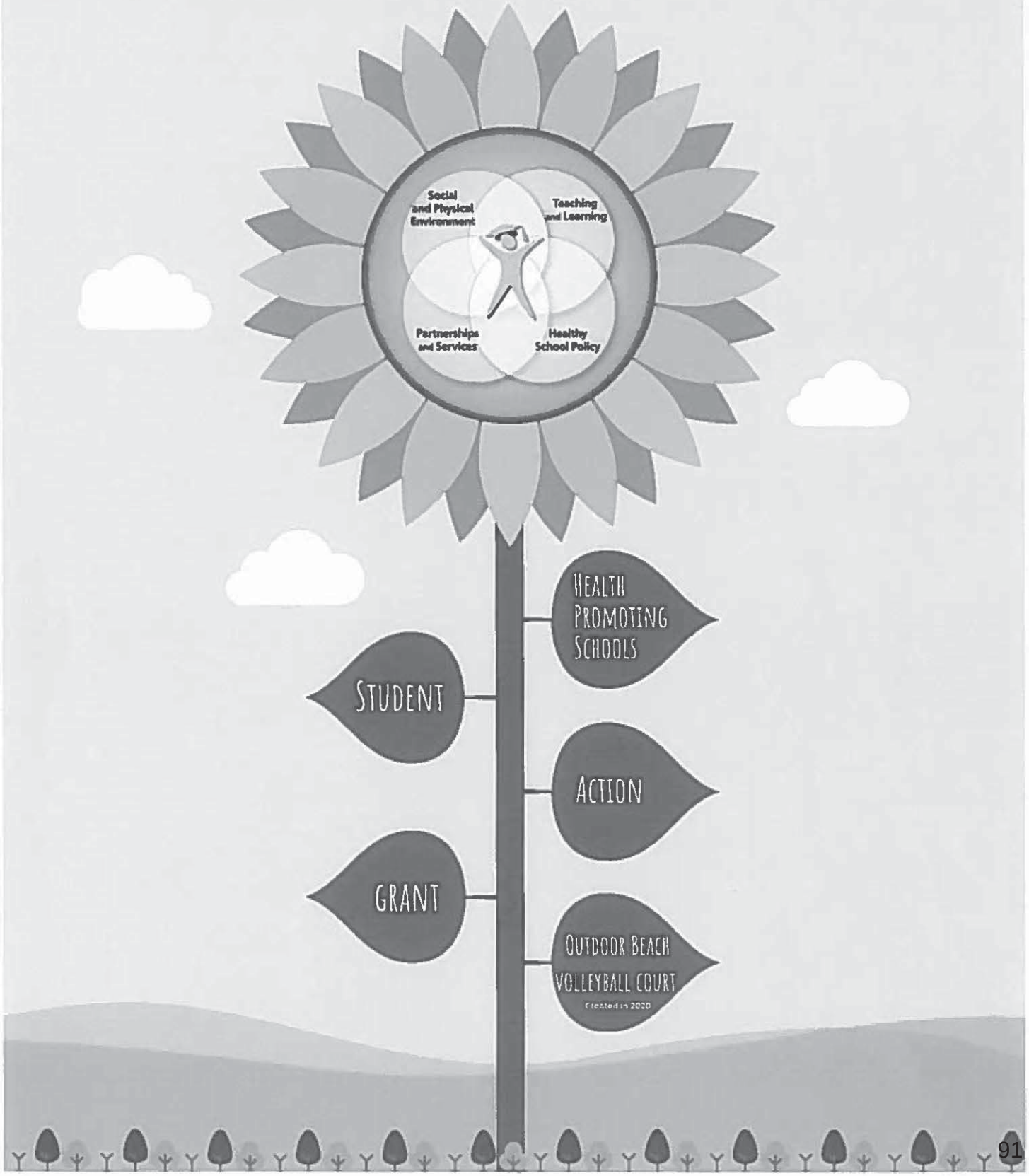
Kind regards,

Alison Lair
Manager of Community Development
YMCA of Cumberland

Building healthy communities

Promoting Healthy Learning Environments With the UpLift Partnership

The UpLift Partnership provides $5000 in seed funding to participating schools to enhance the HPS approach. Projects are required to incorporate meaningful student involvement. Funding is provided by the PHAC and matched private sector funding. It is encouraged to combine this grant with other grant opportunities.



OUTDOOR BEACH VOLLEYBALL COURT

WHAT IS IT?

An outdoor beach volleyball court is an outdoor setup of a volleyball net on a sand surface where students can play volleyball during PE classes, during lunch breaks and recess, or outside of school hours. Implementing a beach volleyball court outside a school can help students build relationships with their peers and enjoy spending time playing a game in the outdoors.

WHO SHOULD BE INVOLVED?

Planning an outdoor play area means engaging different members of the school community:
- Principal
- Students
- Teachers
- Parents
- Regional Centre for Education/Conseil scolaire acadien provincial
- Municipal government (i.e. to discuss beach volleyball court in a shared space)
- Local contractors and building stores
- Other community partners

WHAT ARE THE BENEFITS?

Students attending a school with an outdoor beach volleyball court mentioned that they expect this project to reduce boredom and bullying. As well, this new infrastructure can increase physical activity levels among students while giving them the opportunity to build new relationships with their peers. Implementing an outdoor beach volleyball court can also provide a resource that can be available to community members outside of school hours and during the summer. This can solidify the school as a community resource while also opening up opportunities for future partnerships between the school and community groups.

OUTDOOR BEACH VOLLEYBALL COURT

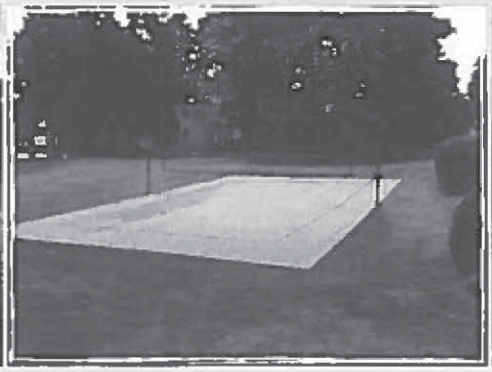
BUDGET

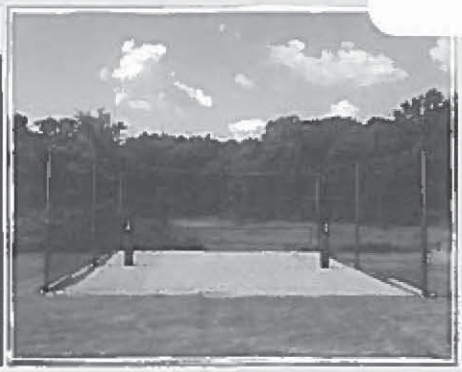
Hants North Rural High School:
- Excavate organics + topsoil for 30'x60' pad
- Installation of solid base
- Geo-textile
- 6" of sand (geo-textile between base and sand)
- Installation of sauna-tubes & concrete for net posts
- Excavator, labour & aggregate

Total + HST = **$8,280.00**

Hants North Rural & Kennetcook District School Volleyball Court

Other examples





OUTDOOR BEACH VOLLEYBALL COURT

STUDENT ENGAGEMENT & SKILL DEVELOPMENT

Student engagement: There are examples of schools creating a health action group involving a group of dedicated students that help support and approve this type of project and provide input about its value. The student health action group can also be responsible for promoting the outdoor beach volleyball court among their peers as well as build lasting relationships with community groups. Students can also support this project by identifying locations for the court to be placed, in alignment with professional input and approval.

Skill Development: The student health action group can be part of the many steps leading to the project's implementation. They can have the opportunity to learn about the assessment, budget, tendering, ordering and construction stages and what is involved in each step. This group can also have the opportunity to gain leadership skills as well as improve their knowledge around health promotion and the Health Promoting Schools approach through communication with their peers and the greater community about this project.

POSSIBLE VENDORS

Cobequid (also known as Cobequid Trail Consulting) - a family run business specializing in the creation of uniquely captivating outdoor playscapes for children of all ages.

Joy Elliott Landscape Architectural Design - Joy Elliott practices Landscape Architecture and has designed and overseen construction of residential landscapes, public plazas, a boardwalk, playgrounds, etc.

Turf Masters Landscaping - A family-owned and operated business with a passion for bringing designs to life for clients, in the form of playgrounds, hardscapes and recreational parks.

Bienenstock Natural Playgrounds - Bienenstock celebrates divergent thinking and risk taking. Their team of designers, landscape architects, trainers, educators and construction experts is reflective of their approach—comprehensive, international and multidisciplinary.

TO LEARN MORE
Visit our website: https://www.upliftns.ca
Email: UpLift@dal.ca
@UpLiftns UpLiftNS UpLift Nova Scotia

Agence de la santé publique du Canada
Public Health Agency of Canada

COMMITTEE OF THE WHOLE

CDR# 2021006

Date: February 16, 2021

TO:	Mayor Kogon and Members of Council
SUBMITTED BY:	Michael Hunter, CPA, CA – CFO
DATE:	February 16, 2021
SUBJECT:	**Setting the Mandatory Provincial Contribution Area Rate**

ORIGIN: Budget Management Policy 03450-04.

LEGISLATIVE AUTHORITY: Town of Amherst Budget Management Policy 03450-04 and the MGA section 75 which authorizes the levying of area rates.

RECOMMENDATION: The setting of the Mandatory Provincial Contribution Area Rate provides funding for provincial services the Town is mandated by the province to pay for. They include amounts for Education, Property Valuation Services Corporation (PVSC) Assessment Services, Correctional Services, Housing and the Library. It is recommended that the setting of the Mandatory Provincial Contribution Area Rate at $0.402, an increase of 0.005, for the 2021-22 fiscal year be referred to the February 22, 2021 regular meeting of Council for approval.

BACKGROUND: The Budget Management Policy states in section 15 that Council will consider setting the Mandatory Provincial Contribution Area Rate by the end of February each year based on the available information from the province at the time and will communicate it to the public through social media.

DISCUSSION: The following assumptions were made for each of the components of the Mandatory Provincial Contribution Area Rate:

a) **Education** – The Town is required to provide funding to the Chignecto Central Regional Centre for Education under the Education Act. This mandatory education contribution is set by the Province of NS and is based on the Town's share of the Uniform Assessment.

Uniform assessment for 2021-22 is $534,722,261 (2020-21 $523,901,080). The rate has not been set yet by the province. However, the rate of 0.3048 has not changed in 9 years. So, if the rate does not change again this year, education costs to the Town for 2021-22 will be $1,629,833, an increase of $32,983.

b) **PVSC Assessment Services** – The Town is required to provide funding to pay a share of the cost of operating the provincial assessment system. The Town pays a portion of the total Property Valuation Services Corporation costs, based on the Town's share of the Uniform Assessment and the Town's share of assessment accounts across the province.

The Town will not know its exact share of PVSC costs until late February or early March. Last year the actual came in at $116,333 compared to a budget of $119,136, a savings of $2,803. The calculation for assessment services is linked to Uniform Assessment (which increased by 2.07%) so for the 2021-22 fiscal year we have calculated a 2% increase based on last year's actual for a 2021-22 budget figure of $118,660. Since our budget figure for 2020-21 was higher than actual last year, this results in a budget decrease of $476.

c) **Correction Services** – The Town is required to make a mandatory contribution to the province to fund the cost of correctional services. The contribution is set by the Province of Nova Scotia and is based on the Town's share of the Uniform Assessment and the Town's share of dwelling units across the province.

Our share of correction services costs will not be known with complete certainty until sometime in March or April. Last year the actual came in at $110,228 compared to a budget of $114,211, a savings of $3,983. The calculation for corrections is linked to Uniform Assessment (which increased by 2.07%) so for the 2021-22 fiscal year we have calculated a 2% increase based on last year's actual for a 2021-22 budget figure of $112,433. Since our budget figure for 2020-21 was higher than actual last year, this results in a budget decrease of $1,778.

d) **Housing** – The Cobequid Housing Authority administers and manages public non-profit housing for seniors and families on low incomes within the Town. The Town is required to fund a portion of the prior year deficit of the Cobequid Housing Authority annually.

The Housing Authority has provided its budget for the current fiscal year. Amherst's share based on their budget would be $219,245. The actual amount will be based on their actuals and not this budget figure. Actuals will not be known for some time. In 2020-21 Amherst's share of the Authority's budget was $230,000, however actuals came in at $195,599. The year prior, in 2019-20 Amherst's share of the Authority's budget was $230,000, however actuals came in at $248,767. We are recommending to reduce the budget to the amount provided by the Housing Authority. Since there was an excess of $34,401 in funds from the Housing budget this year, those funds will be transferred to the Mandatory Provincial Contribution Area Rate Reserve within the Operating Reserve. If the actuals come in more than budget next year, we will withdraw the funds from Reserve if required.

e) **Library** – The Town is required to fund the Cumberland Public Library pursuant to a formula determined by the Province of Nova Scotia. The Town does not share in any surplus or deficits. In addition, the Town provides funds for the operating and maintenance of the library building which is included in the General Rate.

The expense for the regional library has been $61,820 for the last 7 years. There were meetings and conversations in 2019 regarding changing the formula for the regional library funding. We have used the amount from this new funding formula for the budget for 2021-22 which is $87,299.

Town of Amherst Mandatory Provincial Contribution Area Rate				
	2020/21 Projected Actuals	2020/21 Approved Budget	2021/22 Proposed Budget	Budget Change
$0.01 on Tax Rate =		**$ 53,429**	**$ 53,825**	**$ 396**
Mandatory Provincial Contributions Area Rate				
Education	$ 1,596,852	$ 1,596,850	$ 1,629,833	$ 32,983
Corrections	110,228	114,211	112,433	(1,778)
Housing	195,599	230,000	219,245	(10,755)
PVSC - Assessment	116,333	119,136	118,660	(476)
Library	61,820	61,820	87,299	25,479
Transfer from Operating Reserve - rounding	-	-	(3,691)	(3,691)
Total Mand Provincial Contributions Budget	**$ 2,080,832**	**$ 2,122,017**	**$ 2,163,779**	**$ 41,762**
Mandatory Provincial Contributions Area Rate =		**$ 0.397**	**$ 0.402**	**0.005**

FINANCIAL IMPLICATIONS: The Mandatory Provincial Contribution Area Rate will see an increase of $0.005 due to changes in costs mostly for education and library.

At the end of the 2018/19 fiscal year, there was a surplus in the Mandatory Provincial Contribution Area Rate of $21,281. This amount was transferred to a separate account in the Operating Reserve to be used in the future if there was ever a deficit.

For the 2019/20 fiscal year, the expense for Housing came in $18,767 higher than budget and Assessment Services and Corrections came in under budget by $1,507 and $4,122 respectively. This resulted in the Mandatory Provincial Contribution Area Rate being over budget by $13,138. To fund the $13,138 deficit in the Mandatory Provincial Contribution Area Rate in 2019/20 a transfer from Operating Reserve was made as part of the year end adjustments that withdrew this amount from Operating Reserve and transfer it to the General Operating Mandatory Provincial Contribution Area Rate.

For the 2020/21 fiscal year, the Mandatory Provincial Contribution Area Rate is projected to have a surplus of $41,185; with $2,803 form assessment, $3,983 from corrections and $34,401 from housing. This surplus of $41,185 will be transferred to the Mandatory Provincial Contribution Area Rate Reserve in the Operating Reserve fund. This will bring the reserve ending balance at March 31, 2021 to $49,328.

To make the Mandatory Provincial Contribution Area Rate balance in 2021-22 to the exact amount required for funding, a transfer is required of $3,691in 2021-22 from the Mandatory Provincial Contribution Area Rate Reserve in the Operating Reserve fund.

	Final Audited Balance	Proposed 2020/21 Transactions		Proposed Final Balance	Proposed 2021/22 Transactions		Proposed Balance
OPERATING RESERVE	**31-Mar-20**	**Additions**	**Withdrawls**	**31-Mar-21**	**Additions**	**Withdrawls**	**31-Mar-22**
Reserve Mandatory Provincial Contribution Area Rate	**8,143**			**49,328**			**45,637**
20/21 Operating - estimated surplus		41,185					
21/22 Operating - transfer to balance area rate						3,691	

COMMUNITY ENGAGEMENT: Communications will be coordinated by Corporate Communications Officer including media releases, the Town's website and social media.

ENVIRONMENTAL IMPLICATIONS: None

SOCIAL JUSTICE IMPLICATIONS: None

ALTERNATIVES:

1. Wait until the figures are released by the Province before the Mandatory Provincial Contribution Area Rate is set.

ATTACHMENTS:

Report prepared by: Sarah Wilson, Senior Accountant
Report and Financial approved by: Michael Hunter, CPA, CA, CFO

Town of Amherst
Mandatory Provincial Contribution Area Rate

	2020/21 Projected Actuals	2020/21 Approved Budget	2021/22 Proposed Budget	Budget Change
$0.01 on Tax Rate =		**$ 53,429**	**$ 53,825**	**$ 396**
Mandatory Provincial Contributions Area Rate				
Education	$ 1,596,852	$ 1,596,850	$ 1,629,833	$ 32,983
Corrections	110,228	114,211	112,433	(1,778)
Housing	195,599	230,000	219,245	(10,755)
PVSC - Assessment	116,333	119,136	118,660	(476)
Library	61,820	61,820	87,299	25,479
Transfer from Operating Reserve - rounding	-	-	(3,691)	(3,691)
Total Mand Provincial Contributions Budget	**$ 2,080,832**	**$ 2,122,017**	**$ 2,163,779**	**$ 41,762**
Mandatory Provincial Contributions Area Rate =		**$ 0.397**	**$ 0.402**	**0.005**

COST CENTER:PREVIOUS 3 YEAR ACTUAL/CURRENT YEAR ACTUAL/CURRENT YEAR NEXT YEAR BUDGET COMPARISON

Cost element group MUN2 MUN2
Cost Center Group MANDAREA Mandatory Provincial Contr Area Rate
Periods Reported: 1 **to** 12
Comparison Years: 2020/2021 **and** 2021/2022
Plan Version: 0 Plan/Act - Version
Plan Version Compare: 2 Proposed
Date of Report: 02/08/2021

Cost elements/Cost centers	2017/2018 Actual	2018/2019 Actual	2019/2020 Actual	2020/2021 Actual	2020/2021 Budget	2021/2022 Budget	Change 2020 to 2021 Budget Amount	% Change
*** 4000 RESIDENTIAL TAXE		1,112,735.00-	1,143,401.00-	1,112,436.00-	1,112,436-	1,154,198-	41,762-	3.8
*** 4010 TAXES COMMERCIAL		994,944.00-	983,104.00-	1,009,581.00-	1,009,581-	1,009,581-		
*** 4730 TRAN-FR OPER RES			13,137.92-			3,691-	3,691-	
**** Gross revenues		2,107,679.00-	2,139,642.92-	2,122,017.00-	2,122,017-	2,167,470-	45,453-	2.1
* 9470 ASSESSMENT SERVI	116,575.44	117,012.20	117,259.92	116,333.36	119,136	118,660	476-	0.4-
* 9600 PROV.CORRECTIONS	115,148.00	114,033.00	112,412.00	82,671.00	114,211	112,433	1,778-	1.6-
* 9610 REGIONAL HOUSING	238,071.00	192,792.50	248,767.00	195,599.00	230,000	219,245	10,755-	4.7-
* 9620 REGIONAL LIBRARY	61,820.00	61,820.00	61,820.00	61,820.00	61,820	87,299	25,479	41.2
* 9630 REG. SCHOOL BOAR	1,583,700.00	1,600,740.00	1,599,384.00	1,463,781.00	1,596,850	1,629,833	32,983	2.1
** Unconditional Transfer	2,115,314.44	2,086,397.70	2,139,642.92	1,920,204.36	2,122,017	2,167,470	45,453	2.1
*** Fiscal Services	2,115,314.44	2,086,397.70	2,139,642.92	1,920,204.36	2,122,017	2,167,470	45,453	2.1
**** Expenditures	2,115,314.44	2,086,397.70	2,139,642.92	1,920,204.36	2,122,017	2,167,470	45,453	2.1
******* Total**	**2,115,314.44**	**21,281.30-**		**201,812.64-**				

COMMITTEE OF THE WHOLE

CDR# 2021008

Date: February 16, 2021

TO:	Mayor Kogon and Members of Council
SUBMITTED BY:	Jason MacDonald, Deputy CAO-Operations
DATE:	February 16, 2021
SUBJECT:	Northern Region Solid Waste Agreement

ORIGIN: Need to remove the municipalities that are no longer party to this agreement.

LEGISLATIVE AUTHORITY: Nova Scotia Environment Act; Nova Scotia Municipal Government Act 60 (1) A municipality or a village may agree with one or more municipalities, villages, service commissions, the Government of the Province or of Canada or a department or agency of either of them or a band council pursuant to the Indian Act (Canada) to provide or administer municipal or village services.

RECOMMENDATION: That Committee of the Whole place the attached Northern Region Intermunicipal Solid Waste Agreement on the February 22, 2021 meeting of Amherst Town Council for consideration and approval.

BACKGROUND: The Nova Scotia Environment Act creates seven Solid Waste Resource Regions in the Province of Nova Scotia including Region 3, known as the Northern Region which is comprised of the counties of Colchester, Cumberland and the District of East Hants. The mandate of the Northern Region is to enable the municipal units to collaborate in order to meet waste resource objectives as set and determined by the Minister of Environment. These objectives could include, but are not limited to, solid waste-resource management reports, plans, disposal targets, diversion goals and distribution of provincial funding.

DISCUSSION: The updated agreement mainly deals with housekeeping matters and are not substantive. Updates include the removal of the former Towns of Springhill and Parrsboro; allowing a Committee Chair to serve more than 2 consecutive terms (upon agreement of the Committee) and changing the quorum from 5 to 4 elected representatives.

FINANCIAL IMPLICATIONS: There are no changes to the funding formula in the proposed agreement.

SOCIAL JUSTICE IMPLICATIONS: There are no social justice implications to approving the new agreement.

ENVIRONMENTAL IMPLICATIONS: The amended agreement does not change the environmental goals of the Committee.

COMMUNITY ENGAGEMENT: As this is an administrative agreement between multiple municipal units no community engagement is contemplated at this time.

ALTERNATIVES: Request that the Committee make changes to the proposed agreement.

ATTACHMENTS: Northern Region Solid Waste Agreement

Report prepared by:
Report and Financial approved by:

THIS INTER-MUNICIPAL AGREEMENT dated the -day of , 20~~1~~21~~0~~,

BETWEEN:

THE MUNICIPALITY OF THE COUNTY OF CUMBERLAND, a Municipal Corporation;

OF THE FIRST PART

- and -

THE MUNICIPALITY OF COLCHESTER, a Municipal Corporation;

OF THE SECOND PART

- and -

THE MUNICIPALITY OF EAST HANTS, a Municipal Corporation;

OF THE THIRD PART

- and -

THE TOWN OF AMHERST;

OF THE FOURTH PART

- and -

~~**THE TOWN OF SPRINGHILL;**~~

~~**OF THE FIFTH PART**~~

~~- and -~~

THE TOWN OF OXFORD;

OF THE ~~SIXTH~~ FIFTH PART

- and -

~~**THE TOWN OF PARRSBORO;**~~

~~**OF THE SEVENTH PART**~~

~~- and -~~

THE TOWN OF TRURO;

OF THE ~~EIGHTH~~ SIXTH PART

- and -

THE TOWN OF STEWIACKE

OF THE ~~NINTH~~ SEVENTH PART

Whereas -the Environment Act SNS 1994-95, c.1, as amended- and the Solid Waste-Resource Management Regulations *authorize and create*- seven (7) Solid Waste Resource Regions in the

Province of Nova Scotia including Region 3, known as the Northern Region which is comprised of the counties of Colchester and Cumberland and the District of East Hants. The mandate of the Northern Region is to enable the Municipal units to collaborate in order to meet waste resource objectives as set and determined by the Minister of Environment. These objectives could include, but are not limited to, solid waste-resource management reports, plans, disposal targets, diversion goals and ~~fair~~ distribution of provincial funding.

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And whereas the parties agree that the respective elected Municipal representatives and staff will work collectively and cooperatively on the objectives as set by the Minister, the recommendations are non-binding and each individual -Municipal Unit retains full responsibility and authority for all financial and operational decisions required to comply with the Environment Act and regulations.

AND WHEREAS the parties have previously cooperated in the creation of a Northern Region Solid Waste Management Plan;

AND WHEREAS it is in the best interests of the parties to work in a coordinated manner with all Municipal Units within Northern Region;

AND WHEREAS there is a need to determine how inter-municipal cooperation can be achieved, how decisions can be made, and how decisions or recommendations made through cooperative discussions can be reviewed and approved by the parties;

AND WHEREAS the parties wish to formalize by Agreement, the arrangement which has been in effect;

WITNESSETH that in consideration of the mutual covenants hereinafter set out, the parties agree as follows:

1. Effective Date:

1.1 The parties acknowledge the creation of the Northern Region Solid Waste Resource Committee (NRWRC) effective January 1, 1999, to which each party belongs.

2. Representation

2.1 The Council for each Municipal Unit shall appoint one elected representative and one alternate to attend meetings of the Northern Region Solid Waste Resource Committee to address solid waste resource issues. The Council representatives shall be the voting members.

2.2 In addition to elected representation Staff may attend meetings in an ex officio capacity without voting privileges.

3. Meetings

3.1 The Committee shall select from the elected members a Chairperson and a Vice-Chairperson to preside as Chairperson.

3.2 The Chairperson shall preside for a two (2) year term. Thereafter, and before the expiry of each Chairperson's term, the Committee shall elect a replacement Chairperson.

3.3 No Chairperson shall serve more than two (2) consecutive terms without interruption, unless agreed upon by the committee.

3.4 The Committee shall meet at least on a quarterly basis or as deemed necessary by the Chairperson or Vice-Chairperson or at the request of three (3) participating members.

3.5 Each meeting of the Committee shall be chaired by the Chairperson or Vice-Chairperson, or in their absence, a member selected at the meeting.

3.6 Meeting locations shall be on a rotating basis, and/or hosted virtually as decided by the Committee.

3.7 Scheduled meetings of the Committee~~,~~ require a quorum of ~~five (5)~~ four (4) Municipal Units being present, who represent more than 50% of the population (as per the latest census figures) of Northern Region. Decisions shall be by majority vote of elected officials representing the Region and who are present and voting at the time decisions are made.

3.8 Each Municipal Unit is allowed one vote.

3.9 Elected representatives must attend Northern Region Meetings. If the elected representative does not attend three consecutive meetings without leave of the Committee the Municipality will be asked to appoint a new representative.

4. Administrative Representatives

4.1 A group of administrative representatives as directed by the Committee may meet separately and apart or together with the elected representatives to consider the issues before the Committee and present the entire Committee of elected and appointed representatives with a prepared agenda for meetings and specific recommendations in relation to same.

4.2 Meetings of the administrative representatives, if held, may be held on a rotating basis, as decided by the Committee.

4.3 Each meeting of the administrative representatives shall be chaired by an administrator in the area where the meeting is being held or by any other method determined by the

administrative representatives.

5. Funding

5.1 Funding currently available from the Province for Regional Coordinators shall be directed to the ~~host of the~~ Regional Coordinator positions, during the period of the Committee~~=~~s existence. The funding will be shared ~~position shall rotate~~ between Cumberland Joint Services Management Authority, Municipality of Colchester~~Colchester Solid Waste Resource Management~~, and the Municipality of East Hants. The Regional Coordinator position ~~and funding~~ rotates every two years. The committee will describe the role of the Regional Coordinator by resolution passed from time to time.

5.2 The participating Authorities/Municipalities will each assign an employee as the ~~Waste Reduction~~ Regional Coordinator for the purposes of liaising with the Resource Recovery Fund Board Nova Scotia (RRFB) now known as DivertNS and other stake holders on behalf of their participating units.

5.3 Funding made available from the Province or other stakeholders shall be disbursed to partners as the funding is designed. Ie Diversion credit funding distributed by actual diversion rates, funding by contract (Education & Enforcement), funding by population will be divided through the Region etc.

6. Independent Discussions

6.1 Each party shall have the right to enter into independent discussions and agreements without being restricted as a result of participating formally in the Northern Region Solid Waste Resource Committee.

SIGNED, SEALED AND DELIVERED	)	**THE MUNICIPALITY OF THE**
in the presence of	)	**COUNTY OF CUMBERLAND**
	)	
	)	Per:.....
	)	Rennie J. Bugley, CAO
	)	
	)	Per:.....
	)	~~R. Keith Hunter~~, Warden
	)	**THE MUNICIPALITY OF THE**
	)	**COUNTY OF COLCHESTER**

)
) Per:.....
) ~~Dan McDougall~~ Rob Simonds, CAO
)
) Per:.....
) ~~Bob Taylor~~Christine Blair, Mayor

) **THE MUNICIPALITY OF EAST**
) **HANTS**
)
) Per:.....
) ~~Ian Glasgow~~Kim Ramsay, CAO
)
) Per:.....
) ~~John Patterson~~, Warden

) **THE TOWN OF AMHERST**
)
) Per:.....
) Greg Herrett, CAO
)
)
) Per:.....
) ~~Robert Small~~, Mayor

) ~~**THE TOWN OF SPRINGHILL**~~
~~)~~
~~) Per:.....~~
~~) Don Tabor, CAO~~
~~)~~
~~)~~
~~) Per:.....~~
~~) Allen Dill, Mayor~~

) **THE TOWN OF OXFORD**
)
) Per:.....
) ~~Darrell White~~Rachel Jones, CAO

)
)

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) Per:.....
) ~~Lloyd Jenkins~~, Mayor

~~) **THE TOWN OF PARRSBORO**~~
~~)~~
~~) Per:.....~~
~~) Ray Hickey, CAO~~
~~)~~
~~)~~
~~) Per:.....~~
~~) Lois Smith, Mayor~~

THE TOWN OF TRURO
)
) Per:.....
) ~~Jim Langille~~ Mike Dolter, CAO
)
)
) Per:.....
) Bill Mills, Mayor

) **THE TOWN OF STEWIACKE**
)
) Per:.....
) ~~Sheldon Dorey~~ Dale Bogle, CAO
)
)
) Per:.....
) ~~Dereck Rhoddy~~George Lloy, Mayor

COMMITTEE OF THE WHOLE

CDR# 2021010

DATE: February 16, 2021

TO:	Mayor Kogon and Members of Council
SUBMITTED BY:	Dwayne Pike, Chief of Police
DATE:	February 16, 2021
SUBJECT:	**Noise Bylaw**

ORIGIN: December 14, 2020 Committee of the Whole

LEGISLATIVE AUTHORITY: MGA 172(1)(d) A council may make by-laws, for municipal purposes respecting nuisances, activities and things that, in the opinion of council, may be or may cause nuisances, including noise

RECOMMENDATION: Staff are seeking council's direction on whether they would like to continue to proceed toward a noise bylaw. If council is interested in proceeding, there is a need to determine what the bylaw should address and contain. Direction or feedback can be provided via email which can be used to update the draft by-law and to present during March 2021 COW.

BACKGROUND: At the December 14th, 2020 Committee of the Whole meeting, council was provided with a report in regards to questions about a noise bylaw to address concerns of loud mufflers. As a result of that conversation, my advice was that a noise bylaw would not sufficiently address muffler related complaints, but that Council may wish to discuss considering a bylaw to deal with other noise issues, just as many other municipalities our size and structure have done. In many jurisdictions, municipal bylaws exist to deal with issues of noise, especially in relation to 'disturbing' the neighborhood. Such bylaws often specify times of day when certain activities are acceptable and also provide exemptions or exemptions granted by council for specific or special events. In a few cases, the bylaws allow for a 'decibel reader' to help determine what is excessive. As a result of that conversation, Council has asked that a report be completed in regards to the drafting of a bylaw to deal with noise issues.

DISCUSSION: Police routinely receive complaints concerning noise in our community. Outside of a bylaw, we have several options that may apply when dealing with noise complaints.

Criminal Code: Section 430(1)(c) of the Criminal Code makes it an offense to interfere with the 'lawful use and enjoyment of property'. In these cases, we have to specify how the behavior or

problem interfered with the ability to enjoy property. Charges under the Criminal Code are usually reserved for the more serious of incidents.
Section 175(1) of the Criminal Code deals with 'Causing a disturbance' when the disturbance is at or near a public place. Disturbances can be a result of people fighting, screaming, shouting, swearing, singing, using insulting language or by being drunk.

Protection of Property Act: The Nova Scotia Protection of Property Act is a provincial statute that deals primarily with property issues such as trespassing. Section 7 of the Act deals with 'disturbing an occupier of premises' by either 'unreasonable' operation (for recreational purposes) of a Motor Vehicle or by disorderly conduct. For these matters, Police can issue a summary offense ticket.

A bylaw can be drafted to deal with these kinds of incidents as well as other noise complaints. Police routinely receive noise/disturbance complaints that include, loud music-Loud parties, fighting, swearing, vulgar language, idling vehicles for no reason, fireworks/firearms, and the use of machinery or tools.

In reviewing noise bylaws from different jurisdictions, there are some commonalities:

- **General Clause:** In most noise bylaws there is a general clause that forbids any activity that generates noise that *unreasonably* disturbs the 'peace and tranquility' of a neighborhood. Evidence that one person is disturbed is usually enough evidence to say that the bylaw has been violated. I would suggest that the bylaw include a *General Prohibition* Section that includes the following:
  "no person shall engage in any activity that unreasonably disturbs or tends to disturb the peace and tranquility of a neighbourhood"
  This can be followed by a referral to an appendix or an activity list that provides guidance for what kind of activities are permitted and during what times.
- **Fixed Exemption**: Many bylaws have fixed exemptions for emergency response vehicles or for noise as a result of essential services repair. This can also include organized activities that are held in municipal or public areas during certain hours of the day. This section can be divided into subsections that discuss specific examples of exemptions and may also include time frames.
- **Granted Exemptions (by Council):** Council may grant an exemption for an activity that would normally not be permitted. This can include noise from industrial, commercial or even community activities. An example would be a granted exemption for a live band downtown on Canada Day and includes an application process that is reviewed and considered by council. To aid in reviewing these requests, this section would also include what criteria council will use which can include:

    - Social or economic benefit of the proposed activity to the town;
    - The volume, nature, duration and consistency of the sound or noise from the activity;
    - The proximity and nature of abutting or adjacent land uses
    - Balancing the applicants interests against any negative effect resulting from the proposed exemption;

- **Activity Schedules**: As noted above, Council, through a bylaw, may compile a list of time frames that allow for certain activities. These schedules provide guidance for when certain activities can take place without contravening the bylaw. These can be times during the day, or even days of the week when noise-generating activities are acceptable. In some cases, certain activities are never permitted, regardless of the time of day. An example would be the running of a generator for purposes of construction work at specified hours through the day.
- **Decibel Readers**: Decibel Readers are included in some of the reviewed bylaws. The bylaws provide information on allowable noise limits and in some cases how these measurements are to be captured. In many cases, there are also schedules in regards to 'allowable decibel limits' during certain times of the day.
- **Penalties:** Penalties vary widely and range from $100 fines to $10,000, often listing fine amount increases for subsequent offenses. First offense fines normally run between $100 to $400.
-

A noise bylaw for the town should also include the following:

1. Definitions, including terms such as "dwelling unit", "Occupants', "Sound system", "Town", "police officer", "Emergency response personnel", "fireworks", "point of reception", and "Construction";
2. A penalty section which outlines the penalties and or any step increases as a result of previous incidents;
3. Schedules that list activities that are:
    a. Prohibited at all times
    b. Prohibited during specific times

CONCLUSION

A noise bylaw may be very useful in addressing issues as loud parties/gatherings, idling vehicles, fireworks, construction and any noise caused by disorderly behaviour. Such activities can be controlled by granted exemptions, or allowable times through the day or week. Council will need to determine how they feel this bylaw should be applied as well as what the main contents of the bylaw should be. Use of a '*Decibel Reader'* can be limiting and problematic when trying to isolate specific noises and would require training and strict policy on the use an application of this tool. It would also require a decision on the allowable decibel limits as opposed to what is considered to be 'unnecessary' and 'disturbing' noise. There are many different examples of noise bylaws from other jurisdictions that are available for review. A synopsis of some of these is available in Appendix A. Attached is also a draft copy of a by-law that Council may consider using as a foundation for a "Noise and Disturbances By-Law".

Appendix A

Cumberland County:

- General clause that bans any activity that disrupts the 'peace and tranquility' of a neighbourhood;
- Fixed exemptions that include noises as a result of emergency response or repair of essential services
- Council can grant exemptions for certain activities
- Schedules that list activity examples and correlating time frames to allow such activities.
- Refers to combustion engines and the requirement for an effective 'muffling device'
- Fines range from $200 to not more than $2000

Truro:

- General clause that bans any activity that disrupts the 'peace and tranquility' of a neighbourhood;
- Fixed exemptions that include noises as a result of emergency response or repair of essential services
- Council can grant exemptions for certain activities
- Schedules that list activity examples and correlating time frames to allow such activities.
- Decibel Reader can be used to determine excessive noise levels, measured from the property where the noise is heard
    - 7:00am to 10:00pm – anything over 65dBA
    - 10:00pm to 7:00am – anything over 55dBA
- Noise can include barking dogs, fighting swearing, loud persons, sound systems;
- Explicitly states that the bylaw is not intended for unnecessary noise from a motor vehicle;
- Fines amount of $387.50 per incident.

New Glasgow:

- Fixed exemptions that include noises as a result of emergency response or repair of essential services;
- Council can grant exemptions for certain activities
- Decibel levels can be used to determine excessive noise levels, measured from the property where the noise is heard
    - 7:00am to 10:00pm – anything over 75dBA
    - 10:00pm to 6:59am – anything over 65dBA
- Noise can include barking dogs, fighting swearing, loud persons, sound systems
- Refers to combustion engines and the requirement for an effective 'muffling device';
- Fine amounts between $100 and $5000

Kentville:

- General clause that bans any activity that disrupts the 'peace and tranquility' of a neighbourhood;
- Fixed exemptions that include noises as a result of emergency response or repair of essential services;
- Council can grant exemptions for certain activities

- Decibel levels can be used to determine excessive noise levels, measured from the property where the noise is heard
    - 7:00am to 10:00pm – anything over 90dBA
    - 10:00pm to 6:59am – anything over 55dBA
- Noise can include fighting swearing, loud persons, sound systems etc;
- Fine amounts of $200 for 1st offense, up to $400 for a second offense and up to $900 for 3rd and any subsequent offenses.

Stellerton:

- General clause that bans any activity that disrupts the 'peace and tranquility' of a neighbourhood
- Fixed exemptions that include noises as a result of emergency response or repair of essential services;
- Council can grant exemptions for certain activities
- Decibel levels can be used to determine excessive noise levels, measured 100 feet from the source of the noise:
    - Daytime (defined as 7:00am to 10:00pm) - anything greater than 75dBA
    - Nighttime (defined as any time other than daytime) - anything greater than 55dBA
- Noise can include barking dogs, fighting swearing, loud persons, sound systems
- Refers to vehicle mufflers and the requirement for an effective 'muffling device' that ensures that noise does not exceed:
    - 92dBA while the engine is idling
    - 100dBA when the engine is at any other speed greater than idling
    - Measured 20 inches from the exhaust outlet
- Fines of between $100 and $10,000 and up to 6 months in prison

Annapolis County:

- General clause that bans any activity that disrupts the 'peace and tranquility' of a neighbourhood;
- Fixed exemptions that include noises as a result of emergency response or repair of essential services;
- Council can grant exemptions for certain activities;
- Schedules that list activity examples and correlating time frames to allow such activities.
- Does not reference vehicle mufflers, but does address unnecessary idling during certain times;
- Fines are between $100 and not more than $1000.

Annapolis Royal:

- Bylaw deals with more than noise and is call the "orderly and peaceful conduct' bylaw; deals with noise issues, as well as begging, loitering, littering, damage to property, unruly behaviour and other types of behaviour that would be considered 'disorderly'
- General clause that bans any activity that disrupts the 'peace and tranquility' of a neighbourhood;
- Fixed exemptions that include noises as a result of emergency response or repair of essential services;
- Council can grant exemptions for certain activities

- Schedules that list activity examples and correlating time frames to allow such activities.
- Refers to combustion engines and the requirement for an effective 'muffling device'
- Fines between $100 and $1000 and up to 90 days in prison.

Cape Breton Regional:

- General clause that bans any activity that disrupts the 'peace and tranquility' of a neighbourhood;
- Fixed exemptions that include noises as a result of emergency response or repair of essential services;
- Council can grant exemptions for certain activities;
- Schedules that list activity examples and correlating time frames to allow such activities.
- Refers to combustion engines and the requirement for an effective 'muffling device';
- Includes a section on unnecessary engine idling for over 5 minutes;
- Fines between $100 and $5000 and in default of payment, up to 60 days imprisonment.

FINANCIAL IMPLICATIONS: At this point there are no direct financial implications to the implantation of a noise bylaw. Dependant upon the enforcement approach and expectation, it is possible that there may be some additional costs related to that activity. They are as yet undetermined.

SOCIAL JUSTICE IMPLICATIONS: n/a

ENVIRONMENTAL IMPLICATIONS: n/a

COMMUNITY ENGAGEMENT: As with any bylaw there would be two readings and plenty of space for community engagement once the final draft is ready for presentation.

ALTERNATIVES: At this point, this report and attachments are provided to seek direction and support. Alternatives will flow from the discussion and debate.

ATTACHMENTS: Draft By law attached

Report prepared by:
Report and Financial approved by:

TOWN OF AMHERST

RESPECTING EXCESSIVE NOISE AND DISTURBANCES

The Town of Amherst under authority of the *Municipal Government Act,* in Section 172(1) (a), (c) and (d) authorizes a council to make by-laws for municipal purposes respecting the health, well-being, safety and protection of persons; persons and activities in public places and places open to the public; and nuisances, including burning, odours and fumes.

Short Title

1) This By-law may be cited as By-law #, the “Noise and Disturbances By-law”.

Interpretation

2) In this By-law

(a) **"CAO”** means the Chief Administrative Officer of the Town of Amherst;

(b) “**Construction”** includes erection, alteration, repair, dismantling and demolition of structures and includes structural maintenance, hammering, land clearing, moving of earth, rock or felled trees, rock breaking, grading, excavating, the laying of pipe or conduit whether above or below ground level, working with concrete, alteration or installation of any equipment, the structural installation of construction components or materials in any form whatsoever, the placing or removing of any construction related materials and includes any related work, but does not include blasting;

(c) **“Council”** means the Council of the Town of Amherst;

(d) **“Dwelling unit”** means self-contained living quarters fit for occupancy that are accessible from a private entrance, either outside the building or in a common area within the building, that are occupied, or if unoccupied are reasonably fit for occupancy, and that contain kitchen facilities within the unit, and have toilet facilities that are not shared with the occupants of other dwelling units;

“**Dwelling Unit**” also includes the real property upon which the dwelling unit is located as well as the lawns, yards and surrounding areas;

(e) **“Emergency Response Personnel”** includes police, fire departments or brigades, registered emergency service providers, search and rescue personnel, provincial, regional or municipal Emergency Measures Organizations, ambulance or emergency health service providers and includes volunteer or military personnel responding to an apparent conditional of emergency;

(f) **"Fireworks"** means any article containing a combustible or explosive composition or any substance or combination of substances prepared for, capable of, or discharged for the purposes of producing a pyrotechnical display which may or may not be proceeded by, accompanied with, or followed by an explosion, or an explosion without any pyrotechnical display;

(g) "**Municipality"** means the Town of Amherst;

(h) "**Police Officer"** means a member of the Amherst Police Department or a member of the Provincial Police as defined by Police Act, SNS 2004, c 31;

(i) "**Point of Reception**" means any point on the premises of a person where sound originating from other than those premises, is received;

(j) "**Premise"** means a tract of land or property which may include buildings;

(k) **"Occupant(s)"** shall mean anyone who resides at, or has care and control of a dwelling unit;

(l) "**Recreational Vehicle**" means any motor vehicle which is designed to be, or intended to be, used other than on a public highway or on the surface of the water and includes, without limiting the generality of the foregoing all-terrain vehicles, trail bikes and snowmobiles but does not include a motor home or travel trailer for the purposes of this By-Law;

General Prohibition

3.

(a) No person shall engage in any activity that unreasonably disturbs or tends to disturb the peace and tranquility of a neighbourhood;

(b) Without limiting the generality of subsection (a), the activities listed in Schedule "A" during the prohibited times and places as set out therein are deemed to be activities that unreasonably disturb the peace and tranquility of a neighbourhood;

(c) No person shall use any profane, obscene, abusive or provoking language, taunting epithets or threatening gestures in any public place or a place that is open to the public, or while attending a sports event, activity or public meeting within the Municipality;

(d) For the purposes of a prosecution pursuant to subsections (a), (b) or (c), evidence that one neighbour is unreasonably disturbed by a noise is prima facie evidence that the neighbourhood is disturbed by noise;

(e) No occupier of premises or a dwelling unit, or a person who has care of control of a premise or a dwelling unit shall permit any activity that is prohibited by this By-Law.

Fixed Exemptions

4. Except where noted, this by-law does not apply to:

    a) Emergency response personnel engaged in the execution of their emergency response duties;

    b) Persons acting at the request of emergency response personnel during an actual or apparent emergency condition;

    c) Persons involved in the repair of essential services such as electrical power, sewer systems, water distribution, and telephone services;

    d) Construction activities between the hours of 7:00am and 10:00pm for which all necessary permits have been obtained;

    e) Parades, processions or demonstrations for which a permit or permission has been granted by the Municipality or the traffic authority;

    f) Any community or community-group sponsored festival, jubilee, event or activity for which a permit or permission has been granted by the Municipality;

    g) Athletic, recreational or school activities in arenas, playing fields, courts, school grounds and the like between the hours of 7:00am and 12:00am;

    h) The reasonable ringing of a bell or chimes of a church:

    i) Noise relating to industrial activities that are occurring or located in Industrial Zones.

Grant of Exemptions by Council

5. Any person may make application to Council to be granted an exemption from any of the provisions of this by-law with respect to the emission of noise from an industrial, institutional, commercial or community activity for which that person may otherwise be prosecuted. Council, by resolution, may refuse to grant the exemption or may grant the exemption applied for or any exemption of lesser effect. Any exemption so granted shall:

    a) Specify a time period of not greater than 2 years for which the exemption shall be effective;

    b) Shall be confirmed in writing by the CAO before becoming effective; and

    c) Shall include such terms and conditions as Council deems appropriate

6. In deciding whether or not to grant an exemption under section 5 or in determining terms or conditions of the exemption, Council shall give consideration to:

    a) The social or economic benefit of the proposed activity to the Municipality;

    b) The volume, nature, duration and consistency of noise emission from the proposed activity;

    c) The proximity and nature of abutting or adjacent land uses;

    d) The hours of operation of the proposed activity; and

    e) Any other factor relevant to balancing the interests of the applicant in the proposed activity against the interests of those persons who might be disturbed by the proposed activity.

7. In those cases where an exemption is granted, Council may revoke the exemption if it believes that a breach of same has occurred;

8. Any alleged breach by the applicant of any of the terms and conditions of any exemption granted by Council shall be investigated by Municipality Staff and reported to Council in writing. Council shall determine whether or not a breach has occurred and where is has been determined that a breach has taken place, as much as five (5) days may be allowed for ceasing the activity.

Penalty

9. Every person who violates the provisions of this Part shall be liable to a penalty of not less than Two Hundred Dollars ($200.00) and not exceeding Two Thousand Dollars ($2,000.00) for each offence, and in default of payment thereof to imprisonment for a period not exceeding fourteen (14) days.

10. Every day during which an offence pursuant to section 9 continues is a separate offense.

Schedule "A"

Part 1 – Activities prohibited at all times

Activities that unreasonably disturb the peace and tranquillity of a neighbourhood throughout the Municipality, and at all times, where the sound resulting therefrom is audible at a point of reception.

1. The operation of any combustion engine or pneumatic device without an effective exhaust in intake muffling device in good order and in constant operation;

2. The operation of a vehicle or a vehicle with a trailer resulting in banging, clanking, squealing or other like sounds due to an improperly secured load or equipment or inadequate maintenance;

3. The operation of a motor vehicle horn or other warning device except where required or authorized by law or in accordance with good safety practices;

4. The operation of any public address system, television set, radio, disc player, tape deck, phonograph or other electronic sound reproduction or amplification system if the resulting sound is audible beyond the bounds of the property where it is being created

5. The detonation or use of fireworks within the Municipality limits except where an exemption has been granted by Council;

6. Fighting, screaming, shouting that causes any loud and unnecessary noise;

7. The operation of a recreational vehicle within 30 meters of a residence except for the reason of operation for the purpose of parking or storage on one's own property;

8. Persistent barking, calling, whining or the making of any similar persistent noise-making by an animal;

9. The operation of an engine or motor in, or on, any motor vehicle or item of attached auxiliary equipment for a continuous period exceeding five minutes, while such vehicle is stationary in a residential area unless;

    a. Weather conditions justify the use of heating or refrigerating powered by the motor or engine for the safety and welfare of the operator, passenger or animals, or the preservation of perishable cargo, and where the vehicle is stationary for purposes of delivery or loading;

    b. Prevailing low temperatures make longer idling periods necessary immediately after starting the engine

Part 2 – Activities prohibited any day before 7:00am and after 10:00pm

1. The operation outdoors of any power tool for domestic purposes other than snow removal

2. The operation of a chainsaw for any domestic purpose

MEMO

TO: Mayor Kogon and Members of Council

FROM: Andrew Fisher, Manager of Planning & Strategic Initiatives

DATE: February 16, 2021

RE: **Update – recognition of individuals and renaming Lord Amherst Drive**

At a January 2021 Committee of the Whole meeting the following motion was passed:

That staff be directed to provide an update on the recognition of individuals and the Renaming of Lord Amherst Drive at the February Committee of the Whole meeting.

With regard to renaming Lord Amherst Drive, after the passing of Rocky Johnson in January 2020, Council directed staff to investigate renaming this street Rocky Johnson Drive. In accordance with the Town's Street Naming Policy and Procedure, the three property owners on Lord Amherst Drive were solicited for comment about the potential name change. Of the two owners that responded both were in opposition. The reasoning for the opposition could be summarized as follows:

- The pandemic has resulted in significant challenges and the name change would only add to the difficulty.
- Honouring Rocky Johnson is good idea, just not in this way.
- The change will cause undue confusion for customers.
- Having 'Amherst' in the street name provides marketing benefits and advantages.
- The current name was requested by the hotel operator to help make the hotel easier to find.
- There is no apparent connection between Mr. Johnson and Lord Amherst Drive.
- Consider renaming the street on which he lived.

In September 2020, the following motion was defeated at Committee of the Whole;

That Committee of the Whole refer the issue of renaming Lord Amherst Drive to Rocky Johnson Drive to the September 28, 2020 regular meeting of Council.

Given the defeat of the above motion, no further action has been taken with respect to renaming Lord Amherst Drive.

With regard to recognizing individuals, the attached Street Naming Policy and Procedure includes a list of prominent individuals that have been identified for new streets or existing streets that Council wishes to rename. However, there is currently no town policy to provide a method of nominating and selecting prominent individuals worthy of recognition. Furthermore, there is no clear method of determining in what way the recognition should take place.

Given this policy gap, staff are researching naming policies in other jurisdictions to develop policy that provides a fair, and consistent process for naming municipally owned streets, facilities, parks, park features, and other town assets. A draft policy will be brought to Council in the near future.

DEPARTMENT: PLANNING AND DEVELOPMENT

TITLE: **STREET NAMING POLICY**

Minutes Reference Date: 25 November 2002 28 October 2013

PURPOSE

To establish a policy for the naming of streets within the Town. A clearly defined street naming policy is required in order to:

a) Ensure any potential difficulties and delays for emergency vehicles are avoided;
b) Enable visitors to find their way around Town efficiently and in a pleasant manner;
c) Enable businesses and service providers within the Town to carry out their business efficiently.

POLICY STATEMENT

It shall be the policy of the Amherst Town Council that all new streets shall be named, or existing streets re-named, according to the following criteria. The three principals which guide the street naming procedures:

i) Avoid Duplication – there should be no duplication of street names, including street names differentiated by a suffix.
ii) Avoid Confusion – street names that sound similar should be avoided.
iii) Establish Continuity – streets running in one compass direction should have one name for the entire length.

SUGGESTED STREET NAME LIST

Street Name	Background
Logan	Senator Hance James Logan
Hewson	Dr. Charles Wentworth Upham Hewson
Black	Percy Chapman Black (MLA)
Cameron	Fred S. Cameron (Runner, Boston Marathon Winner)
Ketchum	Henry G. C. Ketchum (Ship Railway)
Curry	Nathanial Curry (President of Rhodes Curry and Company Ltd.)
Cox	Ester Cox Ghost Story
Hillcoat	Hillcoat Pianos
Page	Amos Page, Silversmith
White	Shermie White, Hockey – New York Rangers
Lake View	View from new Hotel at Exit 4
Jackson	Stanton Jackson, Hockey – Toronto Maple Leafs
Riley	Hockey and Music (family)
Maltby	Frederick Roy Maltby, Hockey and Community

Monthly Departmental Report

Corporate Service

February 2021

CORPORATE SERVICES

- Bank reconciliations for December were completed and reviewed – no exceptions noted
- Bank reconciliations for January are in progress
- 3rd Quarter Results are completed and we are working on projections to year end which will be presented to the Audit Committee soon.

PAYROLL

- Payroll and WCB remittances are up to date.
- Payroll remittances are remitted to CRA bi-weekly by the payroll company. The current remittance for statutory deductions will be due February 23rd.
- WCB is now remitted automatically via our payroll provider. The current remittance is due February 15th.
- The payroll year-end process is nearing completion. T4 and T4A slips will be distributed to staff the week of February 15th.

FINANCIAL

- Staff continue to work on the operating and capital budgets for year ended March 31, 2022. The capital budget is expected to be presented to Council soon.
- Staff continue to work on the operating budget for the general rate. Operating budget segments are expected to be presented to Council in the near future.
- The December financial reports for the Cumberland Business Connector were completed in January.

2021 SPRING TAX SALE

- The tentative date for the 2021 spring tax sale will be Tuesday May 11, 2021. Preliminary tax sale notices were sent out in January 2021.

2021 ASSESSMENT ROLL

- The assessment roll has been received from Property Valuation Services Corporation (PVSC) and loaded into SAP for the fiscal year ending March 31, 2022.
- PVSC sent out all Property Assessment Notices in January and the deadline for appeals was February 11, 2021.
- The Town anticipates it will receive the appeal inventory in early March.

WATER / SEWER BILLING

- Water reads were completed by public works staff for the third quarter water/sewer bills. The bills were sent out in January and are due on February 26. There were 12 real estate sales that required final water/sewer bills in January.

CUSTOMER SERVICE TRACKING – E11

- There was a total of 52 opened cases in January and 56 cases closed. The categories tied with the most opened/closed cases in January were related to compost bin repairs/replacements and icy streets.

HUMAN RESOURCES

- The competition for Manager of Information Services is nearing completion. Candidate screening and selection is currently in progress.
- A competition was held for Customer Service Assistant(s) for the Amherst Stadium. Candidates have been selected and notified.

INFORMATION SERVICES (IS)

- Two desktops were received for Council Chambers and ready to be set up.
- Assisted Oxford with umbrella DNS for Telus.
- IT support with Vision 33 has been in place since the IT Manager position became vacant and will continue until the role has been filled.
- Server monitoring and firewall monitoring was set up and is running smoothly.

PROCUREMENT

Staff continues with preparing procurement documents for both capital projects and operational requirements needed. Procurement is reviewing scopes and working with the departments to have procurements readied for release.

	Jan	Feb	Mar	April	May	June	July	Aug	Sept	Oct	Nov	Dec	Jan
Capital													
Anticipated Procurement from Capital Budget: 26													
Scopes for capital received in the month	2	5	0	1	4	4	7	0	3	5	2	0	0
All procurement:													
Total new scopes of work received in month	6	8	11	9	6	10	14	0	7	19	3	0	6
Released to the public in the month	4	5	10	8	6	8	16	2	10	23	4	4	7
Closed during the month	3	5	10	9	6	7	16	2	7	21	9	4	6
Awarded by par/council during the month	1	6	9	8	7	9	7	9	7	15	8	3	10
Open at the end of month (released month a, closed month b)	4	5	1	4	5	1	1	3	2	6	5	5	1

ITEMS COMING UP

In terms of items for the future, the focus for the next few months are the operating and capital budgets and the procurement related to the Capital Budget approvals.

Monthly Departmental Report

Operations

February 2021

Public Works

- The asphalt recycler/hot patcher was used for 11 days in January patching potholes, approximately 27 tonnes of recycled asphalt placed.
- Majority of the decorative Christmas lighting was removed in January.
- There was only 1 significant snow event in January which required plowing of streets, sidewalks, and parking lots.
    - January 2, 2021 – 25 cm
- The salt truck was called out on 11 occasions in January to salt Town streets.
- Snow was hauled from the downtown and from parking lots on January 5th and 6th, 2021.
- Sidewalks were salted 8 times during the month.
- approximately 175 tonnes of road salt was used during the month.
- There was 1 broken water main in January;
    - 41 Winston Avenue – 6" cast iron main
- Water meters were read in January, and the bills have been delivered.
- The chlorine analyzer at the reservoirs on Willow Street failed and a new one has been ordered, the new analyzer should be installed in March
- Public Works and recreation staff performed flooding and ice maintenance on the outdoor rink.

COMMUNITY WELL-BEING

- Community Engagement with community partners ie. Empowering Beyond Barriers (mitten boxes), ARHS students for the Red Dress Project
- Community Support Grant applications were requested
- Worked closely with CANSA for African Heritage Month planning
- Worked on people attraction strategy and engaged people who inquired about moving to Amherst
- Attended various committee meetings and workshops ie. Tourism, Engage NS, Tamarack, and MPAL

CULTURE MARKETING AND EVENTS

- Winter Carnival: Snow Sculptures, Chopped Family Night cooking challenge, guided snowshoe excursion, Winter Photo Contest, Mystery Tree ID with the Town horticulturist, a virtual chili challenge, skating party with lights and music, interactive online game and book, Athletic Achievers video, Flag Raising video. 5 days of activities for wellness and fun
- Website development: Updated, created new graphics, redesigned Festivals & Events
- Developed Town of Amherst Graphic Standards Guide: Guide for best practices for the visual assets of the Town of Amherst
- Developed marketing materials: Research relocation guide design, Come Home to Amherst, Winter Activity Challenge Graphic, Community Profile Booklet, snowshoe videos, winter photos
- Social Media Tracking report and analysis

ACTIVE LIVING

- Friday Night Fun held 1-night with twenty-one 5-8-year-olds and twenty-four 9-14 –year-olds
- Snowshoes and walking poles were loaned to 19 people and skates were loaned to 6 people
- The walking track had 835 participants with an average of 46 people each day
- Amherst to Amherst Walking Challenge
- An exercise bike has been installed at the Amherst Stadium for use of community residents
- Learn 2 Lead Cumberland hosted 3 online sessions with Max Chauvin for non-profits. It also hosted a workshop on Canadian Woman and Sport

PARKS

- Parks remain open - all washrooms are closed for the season except for the washrooms at Dickey Park which remain open daily from 9:00am to 5:00pm.
- Dog park remains open.
- Outdoor skating surface is open. It is open daily from sunrise to 10:00pm weather permitting

AMHERST STADIUM

- The Stadium is open for ice rental but not open to the general public.
- Hockey games were reinstated on Jan. 25 with no spectators. Maximum amount of players on the ice is 60.
- Ramblers re-started their season back on Jan. 30 with no spectators.
- Nova Scotia Figure Skating Provincials are cancelled due to Covid 19. It was scheduled to take place on March 5, 6, and 7 at the Amherst Stadium.
- CCMHJA has indicated there last day for the season will be March 31, 2021

UPCOMING / ONGOING PROJECTS

- Continuation of Winter Carnival
- Opening of walking track at stadium and public skating
- Working with Truro U15 Major hockey team to host a number of league games in Amherst (there are three Amherst and one Cumberland residents on the team)
- Patching of potholes with recycled hot mix asphalt
- Solid waste collection from on street receptacles
- Assist with ice maintenance at the outdoor rink
- Snow and de-icing operations as needed
- De-icing and snow removal of VIA Rail platform as needed
- Installation of new outside doors at the Public Works garage
- Flowers for beds and hanging baskets are being procured for spring delivery
- Continue working with our Challenge Fund partners for the purchase of land in and around the North Tyndal Wellfield
- Installation of new well pump and motor at the well field

Monthly Departmental Report

Police Department

February 2021

This report covers the month of January 2021

TRAINING

PROS End-User Course: Constable Cameron BAKER attended RCMP HQ in Dartmouth from January 4th to January 8th on the PROs End-User Course. This course enables our officers to access and utilize the file maintenance system that our investigative files are stored on, and provides instruction on creating court files, adding entities, reports and exhibits and other items, as well as other documentation required for files.

ACE (African Canadian Experience) Training: From January 18th to 22nd, 2021, Chief Dwayne Pike and Sgt Aaron Graham attended ACE Training which was hosted by the Department of Justice. This training is designed for higher ranks and managers who are in a position to make changes and influence others in relation to police relationships with minority groups and to understand issues faced by minority groups. The curriculum included presentations on Human Rights Legislation, History of African Nova Scotians, and open and frank discussions on topics such as equality, equity and white privilege. Ideally, this course will be available again for other members.

PROS Supervisor's Course: Corporal Derek Hebert attended the PROS Supervisors Course at RCMP HQ in Dartmouth on January 26th and 27th. This 2-day course provides PROS users the ability to review and complete supervisory functions and tasks when reviewing investigational files. Corporal Hebert is currently the '2 IC" on his platoon and when the Sergeant is not working, he is the supervisor and reviews the files of the platoon members and provides direction, guidance and support to the shift members.

Phased Interview Training: The phased interview course is scheduled for February 22nd to the 26th at the Amherst Police Department. Six of our members will receive this 5-day training which will be delivered by members of the RCMP Truth Verification Unit. This in-depth training provides members with the most up-to-date techniques in interviewing both suspects and witnesses and covered different kinds of interviews, case law and utilizes role playing and live interviews to assess and build on the skills and knowledge of each candidate. By hosting the training, we are able to train more of our members and share the costs with other departments. Hosting locally means a reduced cost in training, accommodations and meals. We are working with the Department of Justice and Public Health to ensure that all risks as a result of Covid-19 are mitigated.

PERSONNEL

Shift and Assignment Changes: As a result of the new corporals being installed on the platoons, additional changes in staffing were made in January 2021. This included removing the Sergeant from MCU and replacing them with an 'Acting Corporal'. At this time, we still have 5 Sergeants (one has been off on extended sick leave and is not being paid by the town) and will reduce this to 4 via attrition. Until that happens, Cst Tom Wood has been assigned to the Major Crime Unit as an Acting Corporal and Sergeant Aaron Graham has returned to uniform patrol. With Cst Wood going into MCU, Cst Charlie Munro, who is part time, has been assigned as our Crime Prevention Officer. He is supervised by Tom Wood who will assist and guide him as he takes on this new role.

With Cst Derek Hebert being promoted to Corporal, he has also to returned to Patrol after spending close to 3 years in Street Crime. Constable Stefan Deuville has been reassigned from patrol to Street Crime to replace Cpl Hebert, joining the other APD member, Cst John Haggerty.

OPERATIONAL

Arrest of NB Shooting Suspect: On January 6th, members of the Amherst Police Department, with the assistance of the Cumberland Integrated Street Crime Unit arrested Janson Baker, a suspect in a shooting in Riverview NB. BAKER was the subject of an Alert that was sent out in southern New Brunswick. An alert was also sent out for the Province of Nova Scotia and was resolved successfully with the arrest of BAKER when he came out of a residence on Eddy Street.

New Drug Found During Seizure: As a result of a search and seizure conducted by The Cumberland Integrated Street Crime Unit, on November 26th, 2020, Health Canada has identified one of the substances seized as "Isotonitazene" which is an opioid similar to fentanyl and is dangerous if not handled properly. When seized by police, this drug was in the form of white triangular shaped pills with "M" on one side and the number "8" on the other. A purple powder that was seized was also confirmed to contain isotonitazene.

Two Charged with Drug trafficking offenses: On January 14th, The Cumberland Integrated Street Crime Unit, searched a vehicle and a residence in Amherst resulting in a seizure that included methamphetamine, crystal meth, cocaine, crack cocaine and various prescription pills. A 32-year-old female and a 52-year-old male were arrested and charged and are scheduled to appear in court at a later date to answer to the charges.

CRIME PREVENTION/SCHOOL RESOURCE

Through the month of January, both Cst Munro and Cst Harrison continued to work a modified schedule as a result of Covid-19 protocols. Instead of working 8 hour shifts 5 days a week, both continued to work four (4) twelve (12) hour days supporting the platoon during dayshifts. By the first of February however, their schedules have been adjusted to weekdays as they are starting to resume some of the roles and responsibilities of these positions. As school/youth liaison, Cst Harrison has been able to access the schools on a regular basis and Cst Munro, with the assistance of Cst Wood, has been resuming some of the Crime Prevention programs keeping in mind Covid-19 protocols and restrictions.

OPERATIONAL STATS – January 2021

Occurrences:	384	Criminal Code Charges:	97
Impaired by Alcohol:	2	CDSA:	7
Impaired by Drug:	0	CBCA:	**1**
Traffic Tickets:	7	PPA:	0
HPA:	0	Traffic Written Warnings:	8
Vehicle Checks:	99	LCA:	2
Foot Patrol Hours**:**	5 h 47 m	Bike Patrol Hours:	0

Monthly Departmental Report

Fire Department

February 2021

RESPONSE #'s (January)

Town of Amherst – **8 events**

- **1** Electrical fire
- **2** Smell of smoke / Air quality check
- **1** Monitored alarm activations
- **1** Smoke alarm activation
- **1** Open burning
- **1** Flue fire
- **1** Garbage can fire

Contract area (District 2) – **5 events**

- **3** Monitored alarm activations
- **2** Smoke alarm activation

FIRE PREVENTION

4 fire inspections were completed during this period. Based on Covid-19 restrictions the department was unable to participate with in-person fire prevention activities this year. On February 4th, the department provided a virtual fire station and fire truck tour to some primary students at Spring Street Academy. This provided a great opportunity to present fire prevention information, show our operational equipment and the ability to demonstrate our technology.

WEEKLY TRAINING & PROFESSIONAL DEVELOPMENT

The department continues to focus its training on leadership and operational development. In addition, the department continues to adjust to the pandemic environment and adapt our operational objectives to meet the changing needs during this pandemic. This includes adjusting the services we provide to ensure that we respect the physical distancing requirements and provisions of the provincial state of emergency order.

RECRUITMENT

The fire department is starting our annual recruitment program and is looking for new members to join our team. For more information on becoming a member of the Amherst Fire Department, please visit the Amherst Fire Station, speak to any Amherst fire fighter or go to www.amherst.ca/volunteer-firefighter.

Monthly Departmental Report

Planning & Strategic Initiatives

February 2021

Development and Building Permits, as well as Property Complaint forms, can now be completed and submitted on the Town of Amherst website. As the attached Activity Report shows, January is typically a slow month for development. However, staff have been working with multiple developers on projects currently in the planning stages that are likely to move forward in 2021. Staff anticipate a solid year ahead for development, particularly in the multi-unit residential space.

Staff held a virtual Public Participation Opportunity on February 3rd for two development agreement applications to allow a garden suite at 17 Victor Avenue, and to allow an additional dwelling unit at 15 Clinton Street. Although no member of the public attended, it was a good opportunity to test the virtual format for future meetings. The two applications will be considered at the March meeting of the Planning Advisory Committee.

Land clearing for the 2 MW solar farm to be located in the Industrial Park has begun. The tentative schedule for this project is as follows:

February	Regulatory application for a subscription rate and credit structure
April/May	Solar Garden construction begins (design and procurement Jan-April)
June	Solar garden is open for customer subscriptions
Fall 2021	Commercial operation date of the garden

Detailed installation planning has begun for two solar photovoltaic systems to be located on the roof of the Fire Station and the Police Department. Both systems will be operational by October 2021.

Staff have been further developing project outlines for Council's Strategic Priority Projects and we've been able to get some of the work started in February. Project outline briefs will be presented for Council's approval this month.

Planning staff continue to provide planning and development services for the Town of Oxford.

ACTIVITY REPORT

For Month of January 2021-01-31

	Jan 2020			Jan 2021		
Type	**Permits**	**Units**	**Value of Construction**	**Permits**	**Units**	**Value of Construction**
Single Family	0	0	0	1	0	500
Duplex/Semi	0	0	0	0	0	0
Apartments	0	0	0	0	0	0
Other Residential	2	0	41,000	0	0	0
Commercial	3	0	12,300	1	0	9,174
Industrial	1	0	1,000	0	0	0
Inst & Gov	0	0	0	0	0	0
Agriculture	0	0	0	0	0	0
Other	0	0	0	0	0	0
Total	6	0	54,300	2	0	9,674
Year To Date	6	0	54,300	2	0	9,674

Monthly Report
Economic Development
February 2021

Business Supports
Posting local business information and daily promotion continues on the Amherst Loves You Back Facebook page.

The Business Development Officer reached out to local business owners to see how business has been impacted by the border closing due to COVID-19 restrictions. The BDO spoke with 24 business owners from different sectors on how their sales have been impacted with the closure of Exit 1 and also the recent closure of the NB/NS border on November 26. Many residents travel between the two provinces for services and shopping needs. As long as the border is closed, it will continue to negatively affect the Amherst Business Community putting survival for smaller businesses and services at risk.

The Business Development Officer reached out to 14 businesses in the Industrial park area to gather feedback on employment challenges and job vacancies. Bigger employers are struggling to find and keep production workers and machine operators. These companies have a high turnover rate. Some are facing challenges to find the specific skilled workers they require. Companies will be looking to hire more employees over the next few months as they reach their busy season. There are currently over 120 jobs vacant in the Amherst area.

The joint Community Economic Development Strategy is 95% completed. This CED strategy is a collaborative effort between the Town of Amherst, the Municipality of Cumberland, the Cumberland Business Connector, and the Town of Oxford focusing on economy, population, quality of life, and community capacity. We plan to present the draft plan to a Joint Councils meeting very soon.

People Attraction
Weekly ads are posted on Facebook, Instagram and Twitter promoting Amherst as a great place to live work and play, encouraging people to come home to Amherst and create a life they'll love. We have received and responded to 12 emails from people requesting information as they are moving to Amherst or are considering it.

One "Dream Big Grow Here" commercial building promotion ads was posted in January targeting audiences across Canada.

An Amherst relocation guide is 65% completed. This guide will be shared with people inquiring about moving to Amherst and also local realtors, recruitment committees and anyone else that has connections to newcomers.

Business Development Opportunities
The Business Development Officer continues to be in contact with an opportunity that is interested in bringing their business to Amherst.