

**TOWN OF AMHERST  
Regular Council Meeting  
Minutes**

**Date:** February 24, 2020  
**Time:** 7:00 pm  
**Location:** Council Chambers, Town Hall

**Members Present** Mayor David Kogon  
 Deputy Mayor Sheila Christie  
 Councillor Jason Blanch  
 Councillor Vince Byrne  
 Councillor Darrell Jones  
 Councillor Wayne MacKenzie  
 Councillor Terry Rhindress

**Staff Present** Greg Herrett, CAO  
 Jason MacDonald, Deputy CAO Operations  
 Shelley Rector, 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

**1. CALL TO ORDER**

Mayor Kogon called the meeting to order at 7:00 p.m.

**2. TERRITORIAL ACKNOWLEDGMENT**

Mayor Kogon gave the Territorial Acknowledgement.

**3. O CANADA**

Michelle LeBlanc did the singing of O Canada.

**4. APPROVAL OF AGENDA/MINUTES**

**4.1 Approval of the Agenda**

Moved By Councillor MacKenzie

Seconded By Councillor Jones

That the agenda be approved with the addition of Councillor Blanch announcement.

**Motion Carried**

**4.2 Approval of Minutes**

**4.2.1 January 20, 2020 Public Hearing**

Moved By Councillor Byrne

Seconded By Deputy Mayor Christie

To approve the minutes of the January 20, 2020 Public Hearing as circulated.

**Motion Carried**

**4.2.2 January 27, 2020 Public Hearing**

Moved By Councillor Rhindress

Seconded By Councillor Blanch

To approve the minutes of the January 27, 2020 Public Hearing as circulated.

**Motion Carried**

**4.2.3 January 27, 2020 Council****Moved By Councillor Jones****Seconded By Councillor MacKenzie****To approve the minutes of the January 27, 2020 regular meeting of Council as circulated.****Motion Carried****4.2.4 February 4, 2020 Special Council****Moved By Councillor Byrne****Seconded By Deputy Mayor Christie****To approve the February 4, 2020 minutes of a special meeting of Council as circulated.****Motion Carried****5. REQUESTS FOR DECISION****5.1 2 Abbott Street Development Agreement - Second Reading****Moved By Councillor Rhindress****Seconded By Councillor Blanch****That Council give second reading of the proposed development agreement for 2 Abbott Street.****Motion Carried**

Case No: DA-2019-01

This Agreement made this \_\_\_\_\_ Day of \_\_\_\_\_ 2019.

Between:

**Ross MacLelland** (owner of property located at Abbott Street [PID 25357344], hereinafter called the "Owner"),

of the one part, and

**The Town of Amherst** (a body corporate in the Province of Nova Scotia, hereinafter called the "Town"),

of the other part.

WHEREAS the Owner wishes to obtain permission pursuant to Policy CP - 15 of the Municipal Planning Strategy of the Town of Amherst, to construct single-detached dwelling on property located at 2 Abbott Street (PID 25357344).

AND WHEREAS a condition of the granting of approval of Council is that the Owner enter into an Agreement with the Town;

AND WHEREAS the Council of the Town, at its meeting on the \_\_\_\_<sup>th</sup> Day of \_\_\_\_\_ 2019, approved the said Development Agreement, subject to the registered Owner of the land described herein entering into this Agreement;

AND WHEREAS the following Schedules shall be attached to and form part of this Agreement:

- (a) Schedule 'A' - Terms and Conditions
- (b) Schedule 'B' - Site Plan
- (c) Schedule 'C' - Building Elevation

NOW THEREFORE THIS AGREEMENT WITNESSETH THAT in consideration of the granting by the Town of the Development Agreement requested by the Owner, the Owner agrees as follows:

- 1) That the Owner is the registered owner of the aforesaid Lands in the Town of Amherst, hereinafter called the "Lands". The aforesaid Lands are the only lands in the Town of Amherst to which this Agreement applies, and the Lands are illustrated in the plan shown on Schedule B attached.
- 2) That the Owner may construct a single-detached dwelling on the Lands.
- 3) Nothing in this Agreement shall exempt or be taken to exempt the Owner or any other person from complying with the requirements of any Bylaw of the Town applicable to the Property (other than

the Land Use Bylaw to the extent varied by this Agreement) or any Provincial or Federal statute, act, or regulation.

- 4) Any failure of the Town to insist upon strict enforcement of any requirements or conditions contained in this Agreement shall not be deemed a waiver of any rights or remedies that the Town may have and shall not be deemed a waiver of any subsequent breach or default in the conditions or requirements contained in this Agreement.
- 5) Should the Owner fail to act in accordance with any aspect of this Agreement, the Town shall retain the right to discharge the Agreement upon 30 days notification and / or enter the property and conduct the required work. The cost of the said work will become a lien on the property tax bill.
- 6) The Town shall issue the necessary Development Permit for the development upon expiration of the appeal period specified for Development Agreements under Section 249 of the *Municipal Government Act*, as the same may be amended from time to time, or upon the withdrawal or dismissal of any appeal which may be taken.
- 7) The Agreement shall be binding upon the parties hereto and their heirs, executors, administrators, successors and assigns, and shall run with the land which is the subject of this Agreement until such time as it is discharged by the Town in accordance with Section 229 of the *Municipal Government Act*.

**SIGNED, SEALED AND DELIVERED**

In the presence of

**THE TOWN OF AMHERST**

\_\_\_\_\_

\_\_\_\_\_

David Kogon MD, Mayor

\_\_\_\_\_

Gregory D. Herrett, CAO

**FOR THE OWNER**

\_\_\_\_\_

\_\_\_\_\_

Ross MacLelland

**Schedule A                    2 Abbott Street - Development Agreement**

Terms and Conditions:

**1.0 USE OF LAND AND BUILDINGS**

- 1.1 The use of the Lands shall be limited to a single-detached dwelling and a storage garage in the general location shown on Schedule 'B'.
- 1.2 A minimum of one (1) parking space shall be provided for the dwelling unit on the Lands and shall be generally configured as shown on Schedule 'B'.
- 1.4 Accessory buildings may be permitted on the Lands in accordance with the *Town of Amherst Land Use Bylaw*.
- 1.5 The dwelling shall generally conform to the design shown on Schedule 'C'. Variations to the architectural details may be permitted, to the satisfaction of the Development Officer.
- 1.6 All areas of the Lands not covered by buildings or driveways generally as shown on Schedule 'B' shall be landscaped.
- 1.7 The area between the existing driveway and the dwelling shall be landscaped to act as a visual separation between the residential use and the commercial use.

**2.0 GENERAL REQUIREMENTS**

- 2.1 The Owner shall keep the Lands and buildings and any portion thereof clean and in good repair. All elements of the development on the Lands shall be regularly maintained and kept in a tidy state, and free from unkept materials of any kind.
- 2.2 Signage on the property shall conform to the Town of Amherst *Land Use Bylaw*.
- 2.3 The Owner shall ensure that exterior lighting does not shine directly onto adjacent properties.
- 2.4 Solid waste management shall be in conformance with the Town of Amherst *Solid Waste Bylaw*.
- 2.5 The Owner shall be responsible for storm water management during and after construction.

**SCHEDULE 'B'**



## SCHEDULE 'C'



## 5.2 Land Use Bylaw Amendment - Signage Second Reading

Moved By Deputy Mayor Christie

Seconded By Councillor Byrne

The Council approve Second Reading of the amendments with respect to signage as drafted.

Motion Carried

### Town of Amherst

#### By-Law P-2-26 to amend the Land Use By-Law, P-2

1. This is a by-law to amend the Land Use By-Law of the Town of Amherst with respect to the matter of regulating tourism-related signs and election signs on town-owned property and right-of-way's, and signs in residential zones.
2. In the Land Use By-law, Section 6.6 *Signs Permitted in all Zones* is amended by removing the words, "and bearing no commercial advertising" in subsection 6.3 (f), and adding "tourism-oriented signs" to the same subsection as shown in bold red type:

### 6.3 Signs Permitted in all Zones

The following signs are permitted in all zones and no development permit is required for their erection:

- (a) Signs not more than 0.2 m<sup>2</sup> in sign area, showing the civic number of a building;
- (b) signs of not more than 0.2 m<sup>2</sup> in sign area, showing the name of a resident or an occupier;
- (d) "No trespassing" signs or other signs regulating the use of a lot, and of not more than 0.2 m<sup>2</sup> in sign area, unless otherwise directed by a public authority;

- (d) real estate signs not exceeding 0.6 m<sup>2</sup> in sign area in a residential zone and 1.5 m<sup>2</sup> in other zones, which advertise the sale, rental or lease of the premises;
  - (e) signs regulating or denoting on-premises traffic, or parking, or other signs denoting the direction or function of various parts of a building or premises, provided that such signs are less than 0.5 m<sup>2</sup> in area;
  - (f) signs erected by a governmental body, or under the direction of such a body, ~~and bearing no commercial advertising,~~ **such as tourism-oriented signs**, traffic signs, railroad crossing signs, safety signs, signs identifying public institutions or public election lists or other public notices;
  - (g) memorial signs or tablets, and signs denoting the history of a site or structure provided that no such sign exceeds 0.5 m<sup>2</sup> in area;
  - (h) the flag, pennant or insignia of any nation, province or state or of any religious, charitable or fraternal organization;
  - (i) a sign having an area of not more than 10 m<sup>2</sup> incidental to construction and within the area of such construction, and erected only during the period of construction;
  - (j) a sign painted on window; and,
  - (k) election signs.
3. In the Land Use By-law, Section 6.4 *Signs Prohibited in all Zones* is amended by adding the words, "including election signs, located" to subsection 6.4 (f), as shown in red type:

#### 6.4 Signs Prohibited in all Zones

Except where permitted under conditions expressly set out in this section, the following signs are prohibited in all zones:

- (a) any sign or sign structure which constitutes a hazard to public safety or health;
  - (b) signs which by reason of size, location, content, colouring or manner of illumination obstruct the vision of drivers or obstruct or detract from the visibility or effectiveness of any traffic sign or control device on public streets or roads;
  - (c) any sign which obstructs free ingress to or egress from a fire escape door, window or other required exit way;
  - (d) signs not erected by a public authority which make use of words such as "STOP", "LOOK", "ONE WAY", "DANGER", "YIELD", or any similar words, phrases, symbols, lights or characters in such manner as to interfere with, mislead, or confuse traffic along a public road;
  - (e) signs on utility poles;
  - (f) signs, **including election signs, located** on a public lot or a public right-of-way unless erected by a governmental body, or unless specially permitted by Council, and except sandwich boards signs in the Downtown Zone;
  - (g) signs painted on, attached to, or supported by a tree, stone, cliff or other natural object;
  - (h) portable signs advertising a business not located on the same property as the said sign.
4. In the Land Use By-law, Section 6.6 *Residential Zones* is amended by replacing 0.2 with 0.6 in subsection 6.6 (a), adding subsection 6.6 (f) with the words, "Off-site signs are not permitted", as shown below in red type:

#### 6.6 Signs in Residential Zones

Unless otherwise specified in this Bylaw, signage in a Residential Zone shall be subject to the following requirements:

- (a) The maximum sign area shall be ~~0.2~~ **0.6** m<sup>2</sup> per side in the case of a two sided sign.
- (c) The maximum height of the sign shall be 1.5 m.
- (d) Facia signs shall not be located in excess of 3 m above the grade of the wall upon which it is affixed.
- (e) The sign shall be set back a minimum of 1 m from any lot line

**(e) Off-site signs are not permitted.**

**5.3 Appointment of Returning Officer****Moved By Councillor Rhindress****Seconded By Councillor MacKenzie****That Council appoint Municipal Clerk Kim Jones as the Returning Officer for the 2020 municipal election, and further appoint Deputy Clerk Natalie LeBlanc as the Assistant Returning Officer.****Motion Carried****5.4 Volunteer of the Year****Moved By Councillor MacKenzie****Seconded By Councillor Rhindress****That Council approve of Michael Wilson as Amherst Volunteer of the year to be recognized at the Nova Scotia Ceremony, and recommend Rajan McKenny for the Provincial Youth Volunteer Award.****Motion Carried****5.5 Accessibility Committee****Moved By Councillor Jones****Seconded By Councillor MacKenzie****That Council approve the Terms of Reference for the newly created Advisory Committee on Accessibility.****Motion Carried****TOWN OF AMHERST POLICY****NUMBER****PAGE 7 of 20****DEPARTMENT: All Town of Amherst Departments****TITLE: Accessibility Advisory Committee**

Minutes reference date:

**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.

- 5.6 **Street Renaming Copp Lane to Ernie Lane Policy**  
**Moved By Councillor Rhindress**  
**Seconded By Councillor Jones**  
**That Council approve the attached Policy to Rename Copp Lane to Ernie Lane.**

**Motion Carried**

TOWN OF AMHERST POLICY

NUMBER 31600-26  
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DEPARTMENT: **ENGINEERING & PUBLIC WORKS**

TITLE: **STREET RENAMING – COPP LANE TO ERNIE LANE**

Minutes reference date: 24 February 2020

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**PURPOSE:**

To rename Copp Lane to Ernie Lane.

**POLICY STATEMENT:**

The Town of Amherst hereby renames Copp Lane to Ernie Lane effective September 1, 2020.

- 5.7 **Expense Reimbursement Policy and Hospitality Expense Policy Amendments**  
**Moved By Councillor MacKenzie**  
**Seconded By Councillor Rhindress**  
**That Council approve the housekeeping amendments to the Expense Reimbursement and Hospitality Expense Policies to comply with renumbering of sections in the Municipal Government Act.**

**Motion Carried**

**DEPARTMENT:** CORPORATE SERVICES

**TITLE:** Expense Reimbursement Policy

Minutes reference date: March 25, 2019 November 26, 2018

**PURPOSE:**

1. This policy safeguards the appropriate use of municipal funds through the establishment of uniform standards and procedures respecting reimbursement of expenses incurred by Council members, the Chief Administrative Officer ("CAO"), and Town of Amherst employees, Committee members and Commissioners in relation to Town of Amherst business.

**SIGNING AUTHORITY:**

2. The following are the Signing Authorities for the positions referred to, and shall be responsible for administering this policy with respect to the individuals in those positions:

Position	Signing Authority
Mayor	CAO/Designate
Members of Council & CAO	Mayor/Designate
Town Employees	Director or CAO/Designate
Committee member or Commissioner	CAO/Designate

3. A Signing Authority may designate a second signing authority in their absence. The designation of a secondary signing authority shall be in writing and shall state the name and position of the designate.
4. A Signing Authority is prohibited from authorizing expenses incurred on their own behalf.

**INDIVIDUAL RESPONSIBILITIES**

5. Everyone who incurs an expense in relation to Town business is responsible for:
  - (1) familiarizing themselves and complying with the provisions of this policy;
  - (2) By April 1 of each year signing an acknowledgment document certifying that they have reviewed this policy and sought all clarifications necessary for a complete understanding of its provisions and their responsibilities pursuant to it. Failure to sign this acknowledgement document annually will disqualify the individual from claiming expenses for reimbursement under this policy until the document has been signed for that year.
  - (3) completing and submitting expense claims with necessary supporting documentation;
  - (4) Exercising reasonable diligence and are incurring expenses prudently and responsibly; and
  - (5) with respect to travel, cancelling reservations as required, safeguarding travel advances and funds provided, and considering alternatives to travel such as teleconferencing and videoconferencing.

**PERMITTED EXPENSES**

6. Subject to and in accordance with this policy, the following expenses incurred by a member of Council, the CAO or a Town employee, Committee member or Commissioner are eligible for reimbursement:
  - (1) authorized travel within Nova Scotia, including transportation, accommodation and meal costs;
  - (2) pre-approved out-of-province travel, including transportation, accommodation and meal costs;
  - (3) approved training or continuing education costs.

**AUTHORIZED TRAVEL**

7. Council members shall be reimbursed for the reasonable expenses incurred in attending:
  - (1) conferences and professional development authorized by Policy 10350-26 Council Conference Attendance and Professional Development;
  - (2) meetings or conferences at which the Council member's attendance is authorized or requested by Council;
  - (3) a meeting of any Board, Commission, Committee or other organization to which the Council member has been appointed by Council, except that no reimbursement shall be provided by the Town if the Council member is entitled to reimbursement of expenses directly from the applicable 0147 organization;

- (4) in the case of the Mayor and Deputy-Mayor or Designate, attendance at functions, meetings or conferences involving less than \$200 in reimbursable expenses in respect of which one or more municipal representatives has been invited or requested or would otherwise reasonably be expected to attend, unless Council has specifically directed the Mayor or Deputy-Mayor or Designate not to attend;
  - (5) in the case of a Councillor, attendance on behalf of the Town at a function identified in the previous subsection of this policy, involving less than \$200 in reimbursable expenses provided that such attendance is either at the request of the Mayor or Deputy-Mayor to attend in lieu of the Mayor or Deputy-Mayor; and
  - (6) a training or continuing education event in accordance with the provisions of this policy concerning training and education.
8. The CAO shall be reimbursed for the reasonable expenses pursuant to the CAO's employment contract.
  9. An employee of the Town of Amherst, Committee member or Commissioner shall be reimbursed for the reasonable expenses, if pre-approved, incurred:
    - (a) in the carrying out of the duties and responsibilities associated with their employment and duly authorized by the Director and/or CAO on the Prior Approval Form;
    - (b) for meetings, conferences, or professional development events at which the attendance of the employee, Committee member or Commissioner is authorized or is requested by the CAO;
    - (c) for attendance at a meeting of any Board, Commission, Committee or other organization to which the employee has been appointed, except that no reimbursement shall be provided by the Town of Amherst if the employee, Committee member or Commissioner is entitled to reimbursement of expenses directly from the applicable organization; and
    - (d) at a training or continuing education event in accordance with the provisions of this policy concerning training or education.

#### **OUT-OF-PROVINCE TRAVEL**

10. All requests for out-of-province travel shall be made in writing and shall contain the following information:
  - (a) the purpose and duration of the trip;
  - (b) the location(s) to be visited;
  - (c) the dates and times of arrival and departure;
  - (d) any pre-paid transportation, meals, or accommodation; and
  - (e) any other anticipated expenses.
11. All requests for out-of-province travel by Council members shall be reviewed by the CAO, Mayor or Designate who shall consider the necessity of travel based on the information provided.
12. All out-of-province travel by the CAO, other than that pursuant to the employment contract, shall be reviewed by the Mayor or Designate who shall follow the same guidelines established for Council members.
13. All requests for out-of-province travel by Town of Amherst employees, Committee members or Commissioners shall be reviewed by the CAO, who shall follow the same guidelines established for Council members.
14. If a request for out-of-province travel is approved, and the Claimant (not Town of Amherst) pays all or some of the expenses for the travel, the Claimant will be eligible for reimbursement of those expenses after submitting an expense claim in accordance with this policy.

#### **LIMITS ON REIMBURSEMENT OF EXPENSES**

15. Notwithstanding any other provision of the policy, the following limits shall apply to the reimbursement of expenses:
  - (1) subject to payment of per diem, a claimant shall only be reimbursed for costs that they have incurred;
  - (2) the expenses of a Council member for political activity associated with election or re-election is not reimbursable by the Town of Amherst;
  - (3) airplane travel shall be booked by Town of Amherst staff or shall only be reimbursed at the lowest rate which would have been available if Town of Amherst staff had booked the airfare. Reasonable costs for airport improvement or similar fees and luggage shall be reimbursed at actual costs.
  - (4) accommodation costs shall be reimbursed at actual costs. Government rates should be obtained whenever possible. Hotel upgrades shall be at the personal expense of the Claimant unless there are ergonomic necessities attributable to physical requirements included, but not limited to, wheel chair accessibility;
  - (5) reimbursement for meals shall not exceed the per diem meal amounts set out in this policy, except in the case of out-of-province travel, in which event the applicable Signing Authority may authorize reimbursement of meals expenses at a comparable standard. Reimbursement for meals shall not be claimed in respect of meals that are included as part of registration fees for conferences or seminars;

- (6) the cost of any alcoholic beverages shall not be reimbursed;
- (7) fees, deposits, interest and surcharges incurred on a personal credit card shall not be reimbursed;
- (8) when personal and Town of Amherst travel is combined, only documented expenses directly related to the Town of Amherst portion are reimbursable. Extended travel time and related expenses are at the traveler's own expense;
- (9) reimbursement shall not be provided for loss of personal effects; for medical and hospital treatment; for purchase of luggage, clothing and other personal equipment; or for personal services such as shoe shines, valet services, dry-cleaning, laundry, haircuts and other personal services;
- (10) there shall be no reimbursement of travel and related expense for individuals other than a Council member, the CAO, or an employee, Committee member or Commissioner of the Town of Amherst;
- (11) there shall be no reimbursement for travel by a Council member within the Town of Amherst because such travel is deemed to be included in the monthly vehicle allowance.

#### **TRAVEL ADVANCES**

16. Advances are not routinely approved. The following limits shall apply to the use of advances:

- (1) all advances must be approved by the CAO;
- (2) advances will only be issued where an overnight stay is required;
- (3) advances will not be made for less than \$200;
- (4) the CAO must not approve an advance unless the CAO is satisfied that there is a reasonable need for the advance;
- (5) upon completion of the travel for which an advance has been made, the recipient must complete an expense claim in relation to the travel costs that reconciles the amount of the advance with the actual reimbursable expenses incurred. The recipient must repay any part of the advance owing to the Town of Amherst within 10 days of completing the travel.

#### **USE OF TOWN OF AMHERST CREDIT CARDS**

17. Town of Amherst credit cards, in respect of travel expenses, shall only be used for parking, accommodations, airfare, vehicle rentals and event registration fees. Town of Amherst credit cards shall not be used for tolls or per diem meal allowances.

#### **PER DIEM MEAL ALLOWANCES**

18. For each day or part day when overnight accommodation forms part of an authorized expense, the Claimant shall be paid a meal allowance for each meal for which the Claimant is required to pay, in the amounts authorized from time to time as per diem meal allowances by the Province of Nova Scotia OR in the amount of \$12 for breakfast, \$17 for lunch, and \$26 for supper. This allowance includes gratuities and taxes.
19. Claimants whose religious beliefs or medical requirements prohibit them from consuming certain foods should be aware the appropriate meals can normally be obtained from caterers, provided that adequate notice of a special requirement is given. Should special dietary requirements negate the ability to participate in a meal that is provided free of cost, and as a result the Claimant must pay for a meal, they shall be paid a meal allowance for that meal.

#### **KILOMETRAGE**

20. The kilometrage allowance reimbursed for Claimants using personal vehicles for authorized travel shall be at the rate stipulated from time to time by the Province of Nova Scotia as the maximum kilometrage rate for its employees.
21. Where several Council members, the CAO, and/or employees, Committee members or Commissioners of the Town of Amherst, or any combination thereof, attend the same meeting, conference or function, each shall make reasonable efforts to share a vehicle.

#### **VEHICLE RENTALS**

22. The cost of rental of a vehicle shall be a reimbursable expense in instances where:
  - (1) reasonable ground transportation services such as public transit, taxis or hotel shuttles are unavailable; or
  - (2) two or more Council members, the CAO, and/or employees, Committee members or Commissioners of the Town of Amherst or any combination thereof, are traveling together, and it is more economical than the combined cost of other reasonable ground transportation.
23. Compact, economical vehicles must be used unless three or more persons are travelling together, the bulk or weight of goods being transported necessitates a larger vehicle or a compact, economical vehicle is unavailable.

24. For the protection of the Claimant and the Town of Amherst, Claimants must ensure that adequate insurance (collision, comprehensive and third-party liability insurance) is in place for all drivers by either renting the vehicle using a personal credit card with an insurance option, or by purchasing a policy from the rental agency. The applicable deductible must be the lowest available given the coverage described above.

#### EXPENSE CLAIMS

25. Expense claims must be submitted on the form provided from time to time by the Town of Amherst and shall be signed by the Claimant.
26. The business reason for each expense must be submitted with all expense claims and a detailed itemized receipt is required for all expense claims except:
- (1) claims for per diem meal allowances;
  - (2) tolls and parking; and
  - (3) claims for personal vehicle kilometrage for authorized travel.
27. If no receipt is available, a written attestation signed by the Claimant must be submitted to explain why the receipt is unavailable, and a description itemizing and confirming the expenses must be provided. Debit or credit card transaction records are not acceptable as receipts.
28. Expenses incurred by one individual on behalf of another must be attributed to the individual for whom those expenses were incurred.
29. No expense claim shall be paid unless the claim is first approved for payment by the Signing Authority who has authority to approve the claim. Before approving an expense claim, a Signing Authority must ensure that:
- (1) the claim is consistent with policy;
  - (2) the expenses claimed were necessarily incurred in the performance of municipal business;
  - (3) appropriate receipts are provided to support the claim, and the claim documentation is appropriately filed; and
  - (4) the expenses claimed have appropriate justification.
30. In considering an expense claim for payment, a Signing Authority may request additional explanations, documentation or justification from the Claimant, and may refuse to approve any claim or expense that the Signing Authority decides is unreasonable or not in compliance with this policy.
31. The use of petty cash to pay an expense claim is prohibited.

#### TIMEFRAME

32. A claim for reimbursement of an expense shall be submitted for approval within thirty (30) days of the expense being incurred.
33. Expenses must be submitted and charged to the year in which they occurred. Expenses cannot be carried forward to future years.

#### FRAUD, MISUSE OR MISAPPROPRIATION OF MUNICIPAL FUNDS

34. Fraudulent irregularity, misuse or misappropriation of Town of Amherst funds may result in disciplinary action up to and including termination of employment.
35. Suspicious activity and potential misuse of funds must be reported immediately to the CAO. If such activity relates to the CAO it must be reported immediately to the Mayor.

#### REPORTING REQUIREMENTS

36. Pursuant to section 65D of the *Municipal Government Act*, the CAO shall ensure that the Municipality does the following:
- (1) within 90 days of the end of each fiscal quarter, prepares and posts an expense report on the Town of Amherst website for the Mayor, CAO (including an employee of the Town of Amherst delegated any of the responsibilities or powers of the CAO pursuant to subsection 29(b) of the *Municipal Government Act*) and each member of Council on their expenses regarding the following:
    - a. travel and travel related expenses, including transportation, accommodation and incidentals;
    - b. meals; and
    - c. training and education.
  - (2) On a monthly basis, posts the expense reports of each reportable individual on the Town of Amherst website on their expenses regarding the following:
    - a. travel and travel related expenses, including transportation, accommodation and incidentals;

- b. meals; and
- c. training and education.

**REVIEW REQUIREMENTS**

- 37. The Town of Amherst Audit Committee shall review the expense annual summary report, relevant to section 36, by October 31<sup>st</sup> of each year.
- 38. By the January 31<sup>st</sup> immediately following a regular election held under the *Municipal Elections Act*, Council shall review this policy and, following motion by Council, either re-adopt the policy or amend the policy and adopt the policy as amended.

**TOWN OF AMHERST POLICY**

**NUMBER 03000-08**  
**Page 14 of 20**

**DEPARTMENT:** CORPORATE SERVICES

**TITLE:** Hospitality Policy

Minutes reference date: November 26, 2018

**POLICY STATEMENT:**

- 39. The Town of Amherst recognizes that hospitality-related activities are, at times, necessary and legitimate expenses supporting the effective conduct of government business for reasons of diplomacy, protocol, business development or promotional advocacy.
- 40. The offering of hospitality will be done in such a manner so as to reflect the prudent stewardship of public funds. This policy safeguards the appropriate use of public funds through the establishment of uniform standards and procedures respecting Council members, the Chief Administrative Officer ("CAO") and Town of Amherst employee hospitality claims.

**POLICY OBJECTIVES**

- 41. To provide direction and guidance with respect to the appropriate expensing of necessary hospitality expenses that support the Town of Amherst's objectives.
- 42. To ensure hospitality is offered in an accountable, economical and consistent manner in the facilitation of government business and/or for reasons of diplomacy, protocol, business development or promotional advocacy.
- 43. To ensure taxpayers' dollars are used prudently and responsibly with a focus on accountability and transparency.

**HOSPITALITY AND HOSPITALITY EVENTS**

- 44. A hospitality event is a reception, ceremony, conference, or other event that involves hosting individuals from outside the Town of Amherst. Hospitality may be offered under the following circumstances in accordance with this policy:
  - (1) hosting foreign dignitaries;
  - (2) engaging in official public matters with representatives from other governments, business, industry or labour leaders, or other community leaders;
  - (3) sponsoring or hosting conferences;
  - (4) hosting ceremonies / recognition events; and
  - (5) other official functions, as approved by the CAO, their designate or Town of Amherst Council.

**SIGNING AUTHORITY**

- 45. The following are the Signing Authority for the positions referred to, and shall be responsible for administering this policy with respect to the individuals in those positions:

Position	Signing Authority
Mayor	CAO/Designate
Members of Council & CAO	Mayor/ Designate
Town Employees	CAO/Designate

46. A Signing Authority may designate a second signing authority. The designation of a secondary signing authority shall be in writing and shall state the name and position of the designate.
47. A Signing Authority is prohibited from authorizing payment of hospitality expenses incurred on their own behalf.

#### **PRIOR AUTHORIZATION**

48. Subject to this policy, all hospitality events require prior authorization.
49. A request for prior authorization for hospitality events requires the following information:
- (a) rationale/purpose of the event;
  - (b) estimated numbers of attendees and their respective affiliations;
  - (c) if alcohol is to be provided at the event, the reasons that the provision of alcohol is appropriate and warranted in the circumstances; and
  - (d) estimated itemized costs including gratuities and supplementary expenses.
50. Requests for hospitality events shall be reviewed by the appropriate Signing Authority as set out in paragraph 7 of this policy, who shall consider the value and benefit of the proposed event in relation to its cost in deciding whether to approve the hospitality event.
51. In instances where a hospitality event has been held without prior approval, claims for reimbursement must provide the details outlined above and also include a document outlining the reasons prior approval was not possible.

#### **SERVING OF ALCOHOL**

52. While the standard for hospitality is the provision of non-alcoholic beverages, the provision of alcohol in the context of hospitality for reasons of diplomacy, protocol, business development or promotional advocacy is deemed an acceptable expense in limited circumstances. Any request for approval to serve alcohol at a hospitality event must have prior approval by the appropriate Signing Authority, as set out in paragraph 7 of this policy.
53. The Town of Amherst and its employees and members of Council are expected to act responsibly in the use of public funds and in the care and well-being of themselves, other employees and their respective guests with respect to the serving of alcohol.
54. The Town of Amherst will demonstrate good judgement in the reasonableness of the quantity and expense of alcoholic beverages offered to guests.
55. If alcohol is provided at a hospitality event, food must be served.

#### **GIFTS**

56. For reasons of diplomacy, protocol, business development or promotional advocacy, the giving of token gifts to individuals outside of government (value not to exceed \$40.00) is sometimes appropriate. Any giving of gifts requires prior approval by the appropriate Signing Authority as set out in paragraph 7 of this policy.

#### **CLAIMS FOR REIMBURSEMENT OF HOSPITALITY EXPENSES**

57. By April 1 of each year any individual claiming reimbursement pursuant to this policy must sign an acknowledgment document certifying that they have reviewed this policy and sought all clarifications necessary for a complete understanding of its provisions and their responsibilities pursuant to it. Failure to sign this acknowledgement document annually will disqualify the individual from claiming expenses for reimbursement under this policy until the document has been signed for that year.
58. Claims for reimbursement of hospitality expenses must be submitted on the form provided from time to time by the Town of Amherst and shall be signed by the Claimant.
59. Hospitality expense claims must include the following:
- (1) a copy of the signed prior authorization for the hospitality event for which the expense was incurred;
  - (2) the names and positions of the guests at the hospitality event;
  - (3) the business objective for the expense; and
  - (4) a detailed itemized receipt for the expense.
60. In instances where prior approval of the hospitality event was not possible, the hospitality expense claim must also provide the information required in paragraph 11 of this policy and an explanation of why prior approval was not possible.

61. If no receipt is available for a hospitality expense, a written attestation signed by the Claimant must be submitted to explain why the receipt is unavailable, and a description itemizing and confirming the expense must be provided. Debit or credit card transaction records are not acceptable as receipts.
62. Hospitality expenses incurred by one individual on behalf of another must be attributed to the individual for whom those expenses were incurred.
63. No hospitality expense claim shall be paid unless the claim is first approved for payment by the Signing Authority who has authority to approve the claim. Before approving an expense claim, a Signing Authority must ensure that:
- (1) the claim is consistent with this policy;
  - (2) the expenses claimed were necessarily incurred in the performance of municipal business;
  - (3) appropriate receipts are provided to support the claim, and that the claim documentation is appropriately filed; and
  - (4) the expenses claimed have appropriate justification.
64. In considering a hospitality expense claim for payment, a Signing Authority may request additional explanations, documentation or justification from the claimant, and may refuse to approve any claim or expense that did not have prior authorization and that the Signing Authority decides is unreasonable or not in compliance with this policy.
65. The use of petty cash to pay a hospitality expense claim is prohibited.

#### REPORTING REQUIREMENTS

66. Pursuant to s. 65D of the *Municipal Government Act*, the CAO shall ensure that the Town of Amherst does the following:
- (1) within ninety (90) days of the end of each fiscal quarter, prepares and posts a hospitality expense report on the Town of Amherst website that describes all of the hospitality expenses incurred by the Town of Amherst, including purchases of alcohol during the quarter.
  - (2) by September 30<sup>th</sup> of each year, prepares and files with the Minister of Municipal Affairs an annual summary report that summarizes the hospitality expense reports for the preceding fiscal year that is compliant with the requirements of the Department of Municipal Affairs and the requirements set out in the Financial Reporting and Accounting Manual.
  - (3) On a monthly basis, posts the expense reports of each reportable individual on the Town of Amherst website on their expenses related to hospitality.

#### 5.8 Temporary Borrowing Resolution

**Moved By Councillor Byrne**

**Seconded By Councillor Blanch**

**That Council approve a Temporary Borrowing Resolution in the amount not exceeding \$1,209,332 for the following items, and submit it to the Department of Municipal Affairs for Ministerial approval:**

Willow Street – Spring to East Pleasant – water main replacement (water utility)	\$ 449,332
Water – backhoe (water utility)	\$ 150,000
Willow Street – Spring to East Pleasant – sanitary sewer, curb, sidewalk, culvert, paving	\$ 535,000
Community Credit Union Business Innovation Centre – new roof	\$ 75,000

**Total Temporary Borrowing Resolution - Town of Amherst**

**\$ 1,209,332.00**

**Motion Carried**

#### 5.9 Mandatory Contribution Area Rate

**Moved By Councillor Blanch**

**Seconded By Deputy Mayor Christie**

**That Council set the Mandatory Provincial Contribution Area Rate at \$0.397, a decrease of .8 cents, for the 2020-21 fiscal year.**

**Motion Carried**

**5.10 Sewer Rates**

Moved By Councillor Byrne

Seconded By Councillor Blanch

WHEREAS Council is authorized by the Town of Amherst Sanitary Sewer Rates By-law to set rates for sewer services;

THEREFORE BE IT RESOLVED THAT owners shall be billed for sewer services using one of the following methods effective April 1, 2020:

**Metered Customers**

- **Residential**: \$0.99 per cu. meter of metered water consumption as determined by the Amherst Water Utility;
- **Commercial/Industrial/Institutional**: \$0.49 per cu. meter of metered water consumption as determined by the Amherst Water Utility.

- **Base Charges**

Those owners whose water service is metered shall pay a usage charge:

• 5/8"	\$18.00
• 3/4"	\$27.00
• 1"	\$43.75
• 1 ½"	\$86.00
• 2"	\$136.25
• 3"	\$271.25
• 4"	\$500.00

- **Non-Metered Customers**

For non-metered customers in unmetered mobile home parks, the park owner shall pay \$178.53 per dwelling unit per annum.

**Motion Carried**

**5.11 Wastewater Treatment Facility Rate**

Moved By Deputy Mayor Christie

Seconded By Councillor Byrne

WHEREAS Council has included in its estimates for the fiscal year ending March 31, 2021, an amount to be raised for a portion of the debenture principal and interest payments for the wastewater treatment facility, a purpose for which the Town may expend funds; and

WHEREAS there are approximately 486 unmetered mobile homes within a land leased community within the boundaries of the Town of Amherst; and

WHEREAS the Council may, under paragraph 75(4)(b) of the *Municipal Government Act*, in lieu of levying an area rate, levy a uniform charge on each unmetered mobile home within a land leased community in the area;

THEREFORE BE IT RESOLVED that a uniform charge of \$72.00 be levied for the fiscal year ending March 31, 2021 on each unmetered mobile home within a land leased community within the boundaries of the Town of Amherst, and that these uniform charges are due and payable on September 30, 2020 with interest to be charged on all final tax accounts outstanding on or after October 1, 2020 at the rate of 1% per month, 12% per annum.

**Motion Carried**

**5.12 Solid Waste Rates**

**Moved By Councillor Blanch  
Seconded By Deputy Mayor Christie**

**WHEREAS Council has included in its estimates for the fiscal year ending March 31, 2021, the amount of \$591,795 to be expended for the purpose of solid waste management, a purpose for which the Town may expend funds; and**

**WHEREAS \$591,495 is funded from the Solid Waste Management Uniform Charge; and**

**WHEREAS there are approximately 3,205 dwelling units within the boundaries of the Town of Amherst in residential premises with less than four such dwelling units; and**

**WHEREAS the Council may, under paragraph 75(4)(b) of the *Municipal Government Act*, in lieu of levying an area rate, levy a uniform charge on each property assessment in the area;**

**THEREFORE BE IT RESOLVED that a uniform charge of \$185.00 be levied for the fiscal year ending March 31, 2021 on each dwelling unit within the boundaries of the Town of Amherst in residential premises with less than four such dwelling units, and that these uniform charges are due and payable on September 30, 2020 with interest to be charged on all final tax accounts outstanding on or after October 1, 2020 at the rate of 1% per month, 12% per annum, and further and that staff be directed to complete an alternative fee structure as soon as possible.**

**Motion Carried**

**6. INFORMATION / DISCUSSION ITEMS**

**6.1 Physician Recruitment**

**Moved By Deputy Mayor Christie  
Seconded By Councillor Blanch**

**That Council authorize the expenditure of \$500 in support of the physician retention effort.**

**Motion Carried**

**7. INTERNAL COMMITTEE REPORTS**

**7.1 Planning Advisory Committee – No Report**

**7.2 Amherst Board of Police Commissioners**

Information item; no direction given or action required.

**7.3 Audit Committee**

**Moved By Councillor Byrne  
Seconded By Councillor MacKenzie**

**That Council, on the recommendation of the Audit Committee, appoint Jorgensen and Bickerton as auditors for the 2019/20 fiscal year.**

**Motion Carried**

**7.4 Amherst Youth Town Council**

Information item; no direction given or action required.

## 8. EXTERNAL COMMITTEE REPORTS

- 8.1 **Cumberland Public Libraries – No Report**
- 8.2 **Cumberland YMCA – No Report**
- 8.3 **Cumberland Joint Services Management Authority – No Report**
- 8.4 **Northern Region Solid Waste Committee**  
Information item; no direction given or action required.
- 8.5 **L. A. Animal Shelter – No Report**
- 8.6 **Senior Safety**  
Information item; no direction given or action required.
- 8.7 **Inter Municipal Tourism**  
Information item; no direction given or action required.
- 8.8 **Poverty Reduction – No Report**

## 9. RESIGNATION OF COUNCILLOR BLANCH

Councillor Blanch announced his resignation from Council effective February 29, 2020, and read the following letter:

Kim Jones  
Amherst Town Clerk  
Town Hall  
Victoria Street  
Amherst NS

February 24, 2020

Dear Kim Jones,

I am writing today to announce my resignation from Amherst Town Council effective February 29, 2020. It has been an absolute honour to serve as an Amherst Town Councillor. I am proud of the accomplishments that we have made as a Town during these past three years and I am happy that so many of the policies we have implemented will continue to benefit Amherst and its residents for decades to come. I am resigning for personal reasons, largely related to the fact that I have built a new home, just outside Amherst in the county, that I want to fully and completely move into and share with my family. If I was to remain a resident of Amherst I would certainly be running for re-election in October.

I have loved this job. I have loved being able to immerse myself in all the available information on a topic and then contribute to the important decisions that impact peoples lives. I am proud that so many of the intentions I set for myself coming onto council have been initiated or are already accomplished. I am equally proud of all the work we have accomplished that was initiated by other council members and staff. Together we have accomplished so much. The true power of teamwork is on display everyday at Town Hall for all that choose to look. I have truly enjoyed interacting with the Mayor, Council, Youth Town Council and all of the amazing staff of the Town of Amherst, from the CAO to our summer students. At every turn I have been impressed by the thoughtfulness, dedication and positive intentions of all of these people. As a citizen of Amherst, you can rest assured that the people representing you and the ones working for you, have your best interest in mind. I know they care about you and about your opinion as I have seen that care first hand. Good politics requires an engaged public and better decisions are always reached when more minds are focused on finding solutions. Come to council meetings, especially the Committee of the Whole meetings, watch the meetings live stream and call or email your council members. The more you look the more you will be amazed, as I have been, by the quality and dedication of our staff and council.

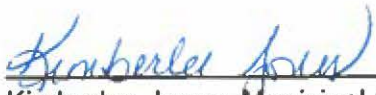
My final love about being a town councillor is you, the people of Amherst. What an amazing opportunity it has been to get to know my community so deeply! We live in an extraordinary community, full of kind, intelligent people who constantly go out of their way to support each other. This community spirit is in evidence in all of the amazing volunteers and organizations and service clubs and the staggering number of community events. Amherst is a community that continues to reinvent itself and that is in evidence by the creative nature of Amherst's new and lasting businesses. Amherst is truly a great place to live, work and play and in my opinion this is because of you, the people of Amherst.


Thank you Amherst for the greatest job anyone could ever ask for It has been an honour to serve you.

Jason Blanch

10. **ADJOURNMENT**  
**Moved By Councillor Blanch**  
**Seconded By Councillor MacKenzie**  
**To adjourn the meeting at 7:45 p.m.**

**Motion Carried**

  
\_\_\_\_\_  
Kimberlee Jones, Municipal Clerk  
Town Clerk

  
\_\_\_\_\_  
David Kogon, MD  
Mayor