

November 2, 2015

The Municipal Council for the Municipality of the County of Pictou met in the Council Chambers of the Municipal Administration Building on Monday November 2, 2015 at 7:00 p.m.

PRESENT

Dist.	1	Clr. Sally Fraser
	2	Clr. Deborah Wadden
	3	Clr. Edward MacMaster
	4	Warden Ronnie Baillie
	5	Clr. Robert Parker
	6	Clr. Jim Turple
	7	Clr. David Parker
	8	Clr. Leonard Fraser
	9	Clr. Larry Turner
	10	Clr. Jamie Davidson
	11	Deputy Warden Andy Thompson
	12	Clr. Chester Dewar
	13	Clr. Randy Palmer
	14	Clr. Scott Johnston

IN ATTENDANCE

Don Fraser, Solicitor, MacIntosh, MacDonnell & MacDonald
Brian Cullen, CAO/Municipal Clerk-Treasurer
Karen E. Cornish, Deputy Municipal Treasurer
Carolyn MacIntosh, Deputy Municipal Clerk
Anne MacCarthy, By-Law Enforcement/Dog Control Officer
Jane Johnson, Recording Secretary

BY APPOINTMENT

Stacy Dlamini, Program Director, Pictou County Roots for Youth Program
Kevin MacDonald & Heather Murphy, MacDonald & Murphy Inc.

CALL TO ORDER

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

WELCOME

Warden Baillie welcomed Tim Houston, MLA for Pictou East to the Council Chambers.

AGENDA

It was moved by Clr. Palmer and seconded by Clr. Davidson that the agenda be approved as circulated.

Motion carried.

MINUTES

It was moved by Clr. Turple and seconded by Clr. S. Fraser that the minutes October 5, 2015 be approved with the following corrections:

Pg. 6: "least was for 1 year" should read "lease was for 1 year"
"least will expire" should read "lease will expire"

Motion carried.

CORRESPONDENCE

Correspondence was received and acknowledged from the following:

- (a) Service NS Alcohol, Gaming, Fuel & Tobacco Division – Acknowledging receipt of Council's response to proposed changes to the Liquor Control Act.
- (b) Min. Fisheries & Aquaculture – Outlining the funding programs and filing deadlines for financial assistance to address the stream bank erosion along the West River.
- (c) Correspondence (uncirculated) expressing appreciation for financial support was received from the Westville Curling Club, the Abercrombie Cemetery Corp & the Nighthawk Volleyball Club

RECOGNITION OF INDIVIDUALS & GROUPS

There was no recognition of individuals & groups.

COMMUNITY ANNOUNCEMENTS

PICTOU NORTH COLCHESTER EXHIBITION

Clr. D. Parker informed Council that he received a card from the Directors of the Pictou North Colchester Exhibition addressed to the Councillors expressing appreciation to those Councillors who had volunteered at the Exhibition.

TEAM CANADA RUGBY

Clr. Turple reported that at a previous Council meeting Ms. Emma Taylor was recognized for her rugby skills. Since that time she has since been chosen to play for Canada's Senior Women's Rugby Team in England later this month.

SUNNY BRAE REMEMBRANCE DAY SERVICE

Deputy Warden Thompson reported that on Wednesday, November 11, 2015 at 2:00 p.m. there will be a Remembrance Day service in Sunny Brae.

HISTORICAL NIGHT – MERIGOMISH

Clr. S. Fraser reported there will be a historical night in Merigomish in St. Paul's Presbyterian Church on Saturday, November 7, 2015 at 7:00 p.m.

HUNTER'S BREAKFAST – SPRINGVILLE

Clr. Johnston informed Council there will be a hunter's breakfast in Springville every Saturday morning until hunting season is over from 6:30 a.m. to 10:00 a.m.

TOWN OF PICTOU REMEMBRANCE DAY SERVICE

Warden Baillie informed Council the County's Remembrance Day Service will be held on Sunday, November 8, 2015 at 2:00 p.m. at the Pictou County War Memorial Cenotaph.

PRESENTATION – PICTOU CO. ROOTS FOR YOUTH, STACY DLAMINI (7:10 P.M.)

Ms. Stacy Dlamini, Program Director with Pictou County Roots for Youth met with Council and informed them that she took on this role on June 1, 2015. Roots for Youth is a youth shelter and they help young people from the ages of 16 – 24 with emergency accommodations. They deal with young people with a variety of challenges and young people come to them when something dramatic has happened so they can no longer be at home. They operate daily drop in sessions at Roots House located at 603 East River Road from 4:30 to 8:00 p.m. Young people can drop in to cook a meal, take a shower and do laundry but more importantly find someone to talk to. Ms. Dlamini informed Council when she first came to Roots for Youth there were 3 volunteers and the first month she spent at Roots for Youth she did not see 1 young person. It appeared that the organization had become a bit dormant and there were no programs being offered at Roots House but yet the need was so great. She first started a campaign in the traditional media and social media and she was pleased to say that since June 1 until now the volunteer base has increased from 3 to 26 volunteers. She also noticed the need to meet with people in the community to talk about what they do and to make sure people know what they are about. They engaged students at both of the high schools at lunch time regarding Roots House. It is important they do not operate just as a homeless shelter so they started some exciting programs and they called one program, "Inward and Upward". This program targets jobless youth in the community and it was designed with the Department of Community Services in mind who refers young people to the program. It is a session intervention that is aimed at increasing self-esteem, assertiveness and vision for one's future. They are in the process of launching another program called "Express Yourself" and it is aimed at helping young people make use of the dramatic arts such as spoken word poetry, dance, drama and monologues. This program expresses their opinions on a variety of topics and it is partnered with Mental Health. This program will be launched in both of the high schools and they are working with the English and Drama teachers. They are going to provide a platform for young people to create a body of work that is their voice on issues that matter to them. Another program to be launched in the New Year is "Girl Talk" and that really helps young girls to deal with issues such as body image and self-esteem. Ms. Dlamini pointed out it is really important for Roots for Youth to go further than they have ever gone before. In the past they provide a safe space for young people to come while they tried to figure out the next step. We help young people to find opportunities to volunteer so that their lives have meaning and to access income through Community Services. They also go to Career Connections to make sure that every young person that comes to Roots House leaves Roots House with a professional resume. They go to the charity cupboard and Salvation Army to make sure the young people have access to clothing they need. We look at the list of landlords in the County and we help them identify affordable and safe housing they can access. When we get to the point where young people move out of Roots House then we make sure they have what they need to move into an apartment. The most important change brought to the organization is that when young people leave Roots House they do not really leave because we pair the young person with a volunteer so we can continue to provide them with services. We want to end homelessness and once the young people are out in the community that they are on a road that leads to success and fulfilment. This means studying further or getting a job and we want to walk with and support where necessary. Our volunteers cook with youths at Roots House and sit down to eat with them. Ms. Dlamini reported that reunification with family is their first priority so they see if there is a family member they can speak with and what kinds of supports are in place to make this work. Funding is always a challenge but they do quite a lot with very little as they continue to service the residents of Pictou County.

Clr. R. Parker commented that we all should feel very blessed to have someone help the youth and to reignite this program is a well needed for our young people. He asked where the funding comes from for the Roots program to have an employee.

Ms. Dlamini explained that approximately 17% of their funding comes from the United Way and that is \$10,000 a year. The annual operating expenses including the salary of the Director totals \$60,000 a year and the shortfall is made up of grants and proposals through fundraising events in the community. The Inward & Upward Program is funded by the Department of Community Services and they receive

\$3,000 to run that program for 6 weeks. They have some ideas to make their organization more sustainable that include social entrepreneurship.

Clr. R. Parker asked if there was any root cause as to why young people become homeless and Ms. Dlamini replied that often substance abuse plays a factor but often it relates to issues with a parent(s). There is a lot of dysfunction happening in families and a lot is related to substance abuse where parents become physically and emotionally abusive. There are times when young people come to Roots House when they have been kicked out of their home and sometimes it is because of their sexuality.

Clr. D. Parker asked Ms. Dlamini if she has seen any impact from the closure of the mental health services on the Roots for Youth organization.

Ms. Dlamini replied that mental health is one of the biggest issues that young people face because they need counselling due to some varying levels of trauma in their lives. Sometimes counselling is enough but they may require psychiatric assistance. She pointed out that at the time she started her position at Roots House the Mental Health Unit at the Aberdeen Hospital closed. We need to find a way to intervene earlier in the crisis before they are ready to take that drastic last step. She reported that she does not know what it would have been like if we still had the mental health facility but mental health services are really needed.

Clr. Wadden commented that the closure of the Mental Health Unit at the Aberdeen Hospital is a real concern in the area and thanked Ms. Dlamini for her presentation and all the work she is doing for the Roots for Youth Program in the County.

Warden Baillie thanked Ms. Dlamini for her presentation and excused her from the balance of the meeting. (7:30 p.m.)

DANGEROUS & UNSIGHTLY HEARING – MILDRED PUSHIE (7:30 P.M.)

At 7:30 p.m. Warden Baillie convened a hearing with respect to a dangerous and unsightly premises assessed to Mildred Pushie, 61 West River East Side Road, West River Station, Pictou County (AAN03847691). No one was present in the Chambers representing the property owner.

Council viewed an electronic presentation of pictures taken earlier today by the By-Law Enforcement Officer showing debris around the property and the house boarded up. The By-Law Enforcement Officer informed Council that the Fullerton's who are in charge of the property were in probate and were not to be on the property until that process was complete. Ms. MacCarthy received a complaint on June 15th, 2015 and on June 25th she visited the site and started the process for the dangerous and unsightly hearing. Ms. MacCarthy reported that she received the title search on August 31st, 2015 and attended the property and posted it on October 19th, 2015.

Clr. Wadden asked if anyone was living in the house and Ms. MacCarthy replied that there has not been anyone living in the house for a number of years.

Clr. Dewar asked the owner of the property and Ms. MacCarthy responded the title search was for Mildred Pushie.

Clr. Dewar asked if this could be an exercise for a fire department to clean up the property and Ms. MacCarthy replied that the Department of Environments frowns upon controlled burns as a means of cleaning up debris.

Clr. R. Parker asked if there are bank mortgages on the property if the notice of the hearing had to be served on the mortgage holder.

The Solicitor responded the encumbrancers are identified in the certificate and Ms. MacCarthy's practice is to give them notice of anything that has taken place.

Clr. R. Parker asked who has the opportunity to clean up the property if it is still in Ms. Pushie's name and Ms. MacCarthy replied Crystal Fullerton is Ms. Pushie's daughter.

Clr. R. Parker asked is the Municipality responsible to allow the mortgager to clean up the property if Ms. Fullerton does not clean it up.

The Solicitor responded that the mortgagers are given notice if they want to foreclose and take steps they can but the Municipality is entitled to proceed.

Clr. D. Parker asked if the Municipality's lien for demolition expenses would take precedence over the mortgages and the Solicitor confirmed that it would take precedence.

Clr. Palmer asked the taxes owing on the property and the CAO replied all taxes are paid in full to date.

Clr. L. Fraser reported the residents will be glad to see the property cleaned up, adding that since Mildred Pushie passed away it has deteriorated significantly.

Deputy Warden Thompson pointed out the tax bill will be reduced if the house is tore down because the assessment will be much lower without a dwelling on the property.

RESOLUTION – DEMOLITION ORDER

Clr. L. Fraser presented a resolution to Council as follows:

RESOLUTION

BE IT RESOLVED by the Municipal Council for the Municipality of the County of Pictou that Council finds that the property located at 61 West River East Side, West River (Tax Account #03847691), and further described in the attached Order is dangerous and unsightly;

AND BE IT RESOLVED that Council, pursuant to Section 346 of Part 15 of Chapter 18 of the Acts of 1998, the *Municipal Government Act*, make an Order in the form attached hereto and forming part of this resolution, the said Order to be signed and issued forthwith on behalf of the Council by the Chief Administrative Officer of the Municipality or his designate.

DATED at Pictou, N. S. this 2nd day of November, 2015.

(Sgd.) Leonard Fraser
Larry Turner

ORDER

MUNICIPAL GOVERNMENT ACT, STATUES OF NOVA SCOTIA, 1998, CHAPTER 18 ORDER REQUIRING DEMOLITION

TO: Mildred Pushie
ATT. Crystal Fullerton
22 Harry Elliott Road
Belmont, N.S.
B0M 1C0

TAKE NOTICE that pursuant to Section 346 of *The Municipal Government Act*, The Council of the Municipality of the County of Pictou (“the Council” and “the County) has determined that the property located at 61 West River East Side Road, West River Station, Pictou County, Nova Scotia, associated with Tax Account Number 03847691, and PID #00857482, which lands are included in those more particularly described in Schedule “A” hereto attached and forming a part hereof (“the Property”) is dangerous or unsightly.

AND FURTHER TAKE NOTICE that the Council orders you to remedy these conditions by doing all of the following work, acts or things (“the work”) on the property, that is to say:

Complete all required work to the property as listed below:

- (1) Demolish the house on the property which is in a ruinous or dilapidated condition, leaving the site in a safe condition.
- (2) Remove all debris on the property, including but not limited to construction and demolition materials, household items.

- (3) Remove foundation and backfill site with clean fill.

THE WORK IS TO BE COMPLETED AND DONE WITHIN THIRTY (30) DAYS OF THE DATE OF SERVICE OF THIS ORDER.

AND FURTHER TAKE NOTICE

THAT in the event of failure by you to comply with the requirements of this Order within Thirty (30) days after its date of service, the administrator may enter upon the property without warrant or other legal process and carry out the work specified in this Order;

THAT the cost of the work, with interest at the rate determined by the Council, from the date of the completion of the work until the date of payment:

- (a) Is the first lien on the property upon which the work was done and that the property is liable to be sold in a tax sale in accordance with *The Municipal Government Act*, and;
- (b) May at any time be sued for and recovered in an action in the name of the County.

THAT after this Order is served; any person who permits or causes a dangerous or unsightly condition, continues to permit or cause a dangerous or unsightly condition or fails to comply with the terms of the Order is liable, on summary conviction, to a penalty of not less than One Hundred (\$100.00) Dollars, and not more than Five Thousand (\$5000.00) Dollars, and, in default of payment, to imprisonment for not more than three (3) months;

THAT every day during which the condition is not remedied is a separate offence.

MOTION

It was moved by Cllr. L. Fraser and seconded by Cllr. Turner that the preceding resolution be adopted as presented.

Motion carried.

FINANCIAL SERVICES COMMITTEE REPORT

Cllr. Palmer presented the report of the Financial Services Committee as follows:

FINANCIAL SERVICES COMMITTEE REPORT

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

1. Reviewed the report of the Recreation Coordinator for the months of August and September.
2. Considered requests for municipal grants. (Resolution to follow)
3. Met with a resident of District 10 to hear concerns with regard to the levy of area rates for fire protection and street lighting in Hillside. Councillor Davidson has agreed to convene a meeting for the residents to discuss costs area rate options.
4. Considered a request for a tax adjustment. (Resolution to follow)
5. Discussed appointments to standing committees and outside boards for the 2015/16 term. (Resolution to follow).

6. Requested that an invitation be extended to meet with representatives of the Property Valuation Services Corporation to respond to questions regarding the assessment of forestry and agricultural land.
7. Reviewed the list of Accounts Paid for the month of September.

DATED at Pictou, N.S. this 2nd day of November, 2015.

(Sgd.) Randy Palmer
Jamie Davidson

MOTION

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

Motion carried.

PROPERTY SERVICES COMMITTEE REPORT

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

PROPERTY SERVICES COMMITTEE REPORT

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

1. Reviewed the report of the Building Inspector, By-Law/Dog Control Officer and Warden for the month of September.
2. Discussed the status of on-going projects. The Greenhill Water & Wastewater Project TIR permit is being processed, however we are still awaiting DOE approval. The Magic Valley Extension is estimated at \$195,000 and will require meetings with the property owner before advancing. The Lyon's Brook/Scotsburn System is still awaiting a legal opinion. A preliminary design has been completed for the Smith's Lane Sewer Extension in Abercrombie and is awaiting input from the Councillor on the identity of the service area. Drawings for the Hopewell Wastewater Extension are complete; the next step will be the preparation of tender packages and the payment of the owner's deposit. The LED street lighting project will commence November 1st. We are still awaiting the digital information on scoping; in the interim a new project manager has been assigned to the project. Preliminary discussions have taken place on alternatives for advancing Phase II of the MacLellan's Brook/Plymouth Sewer Project using the Gas Tax Fund. Elshirl Road, part of the River Road, part of the Plymouth Park Road and the beginning of MacLellan's Brook Road (prior to the first lift station) have been identified as potential service areas.
3. Discussed the need to purchase property on the in Priestville adjacent to the Municipality's pumping station for an expansion of that infrastructure. (Resolution to follow)
4. Agreed to write to Transportation & Infrastructure Renewal asking that the Elgin, Mark and Marsh Roads be considered for paving.
5. Deferred a discussion on paving and repaving projects subdivision streets in 2016/17 to the November meeting for a review of eligible roads.

DATED at Pictou, N.S. this 2nd of November, 2015.

(Sgd.) David Parker
Jim Turple

MOTION

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

Clr. R. Parker reported the Property Services Committee also discussed Stanwood Drive and the work to be done. He asked if the apron will be paved this year and the CAO replied that he had spoken with the Director of Public Works & Development who informed him that the asphalt should be on the road by the next Property Services Committee meeting.

Clr. Wadden asked if the LED lights are still on target and have any areas been identified with problems.

The CAO responded that the contractor is 1 – 2 weeks behind schedule due to delays in the delivery of the fixtures. He also advised there does not appear to be any anomalies that require correction at this time.

Clr. Dewar referred to the Elgin, Mark and Marsh Roads that are double chip sealed and pointed out that they should be paved because there is no salt or buses on these roads.

Motion carried.

MUNICIPAL ALCOHOL PROJECT

Clr. Wadden reported that the AGFT(Alcohol,Gaming,Fuel and Tobacco) proposed changes to Liquor in Eating Establishments and removing Dry Areas and Plebiscites, our committee received this update: this request came from the industry itself (the bars and restaurants arena) so it falls under Service NS and Minister Mark Furey and this inquiry was started at the Minister's direction. This request was only sent out to the municipal units not to the general public. Of the approximate 51 units only 14 replied and 6 of those were from Pictou County, so we do not have a lot of optimism that our voices will be heard on this issue. However, these changes do require legislative changes, so any chance any of our Councillors have an opportunity to speak to our local MLA's our MAP committee encourage this dialogue. Let our MLA's know our concerns on this issue. As a follow up, if and when legislative changes do occur to support AGFT's request, we may be asking for a follow up letter of disappointment on this issue.

Plans are continuing with our planned youth forum, possibly the middle of February timeframe. The 3 high schools are once again engaged in this project so we anticipate good results from this forum.

Safe ride home initiatives has shown a great deal of interest from our local festival organizers, so we plan to start meeting with these committees Feb/March time frame.

Finally, at our UNSM conference this week our MAP group will be presenting the policy we have developed provincially and Dr. Strang will be a presenter. The other session being offered at the same time is Tourism which is another important topic for our municipalities so we are hoping that if 2 Councillors are attending from each unit, they will split up and get the message from both workshops so our municipalities will all be better informed.

ECONOMIC DEVELOPMENT WORKING GROUP

Clr. R. Parker reported that the Economic Development Working Group has met 3 times in the Council Chambers with fair representation from all the Councils within the County. All 6 Councils have approved the mandate and they will be reporting back to the Councils on a monthly basis. A meeting was held last Wednesday and the Municipality's CAO was also in attendance with the Councillors who sit on this Committee. There were a number of groups also invited to this meeting who are working on an on-going basis trying to bring more job opportunities, employment and business to this County. There were representatives at the meeting from NOBL, the Chamber of Commerce, Sean Murray, Pulse and 2020. It was a very good session and everyone brought a different angle and it showed that economic development is not just about attracting industry but it is also about positivity and attitude change. We agreed to meet quarterly with those groups and to try and encourage everyone to keep going to try and improve the job opportunities within this County. In the future we are planning to get together with some of the educational institutions that we think are going to play a key role. The 3 ways we are going to try and create more job

opportunities in Pictou County are through education, communication and promotion of our community. We are called a working group and we want to get some things done. We want measurable results so we have to try and measure where we are at but first we have to get those figures for a starting point. We want to meet with some of the businesses we already have to help them grow and to work at selling our community. We will also be working with Frank MacFarlane, the MLAs and our new MP so there are a lot of players involved but we want everyone on side working together so we can make some things happen sooner rather than later. Clr. R. Parker informed Council that the Economic Development Working Group will make a report every month to Council.

Clr. L. Fraser asked if the other units have the same people attend these meetings and Clr. R. Parker replied some have attended every meeting except when there was a conflict with another meeting. Clr. R. Parker pointed out there was quite a bit of concern at that meeting that the municipal units have not joined a REN. There was assurance from the Minister of SNSMR when the municipal units met with him that as a County we would not be penalized for not being parts of a REN.

Clr. Turner reported the group wanted to focus on something they could work on and one thing that was mentioned was the marijuana facility in Stellarton. The group felt that was something they could work on by trying to move it forward.

Warden Baillie commented that he was surprised the MOU process was not discussed.

Clr. R. Parker reported the group wants to do the best it can to represent all Pictou County and the the MOU process will proceed and move forward on its own anyway. Clr. R. Parker pointed out that regardless of the type of governance structure we will have there is still need for this working group.

2014/15 FINANCIAL STATEMENTS (8:00 P.M.)

Ms. Heather Murphy, MacDonald & Murphy Inc. reviewed the Consolidated Financial Statements for the Municipality for the period ending March 31, 2015. In respect to the report Ms. Murphy advised that it is the opinion of the firm that the financial statements presently fairly, in all material respects, the financial position of the Municipality and the results of its operations and its cash flows.

In reviewing the Consolidated Statements of Financial Activities, Ms. Murphy reported that the total revenue for the reporting period was \$17,100,533; total expenditures for the period were \$14,705,523 and the change in the fund balances for the year was \$2,395,010.

Clr. D. Parker asked Ms. Murphy if there was any evidence of misappropriation of funds and Ms. Murphy responded during the parameters of the audit that was carried out there was no evidence of any fraud.

Clr. L. Fraser referred to the water operating fund and asked why it is always in a deficit and the CAO replied that the Municipality has delayed its rate hearing until New Glasgow receives its rate increase. The Municipality's rate will change so that will eliminate the deficit but we are not producing water just selling it and that depends on the 3 other utilities that we purchase water from.

Clr. L. Fraser asked the type of security the residents of the Municipality will have if we move forward with the MOU in regards to fire levies and Municipal Services Grants.

Warden Baillie replied the towns are in favor of the grant process but cautioned that you cannot bind future Councils to guarantee these services.

MOTION

It was moved by Clr. Palmer and seconded by Clr. Dewar that Council approve the 2014/15 Financial Statements as presented.

Clr. D. Parker thanked staff for the hard work on the budgeting process, financial controls and auditing process.

Motion carried.

Warden Baillie thanked Mr. MacDonald and Ms. Murphy as well as the Municipality's staff for all the hard work during the past year. He then excused Mr. MacDonald and Ms. Murphy from the balance of the meeting. (8:20 p.m.)

RESOLUTION – MUNICIPAL GRANTS

Clr. Dewar presented a resolution to Council as follows:

RESOLUTION

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

Recreation:

2016 Canada-Cuba Goodwill Tour	\$ 200.00	To assist with Travel Expenses
Pictou County Athletics	202.50	Program Expenses
Sara LeBlanc	100.00	World Agility Championship Exp.
Little Hbr. Community Ctr.	<u>1,000.00</u>	Construction of Outdoor Rink
TOTAL:	\$ 1,502.50	

Council:

Remembering Canada's Heroes	<u>\$ 1,000.00</u>	School Presentation Expenses
	\$ 1,000.00	

Municipal Services:

D01 Merigomish & Dist. Fire Dept.	\$ 1,000.00	Relocation of Smoke House
D02 Little Harbour Comm. Ctr.	4,900.00	Construction of Outdoor Rink
D14 East Riv. St. Mary's Fire Dept.	2,500.00	Bathroom Renovations
D14 Sunny Brae War Mem. Society	<u>500.00</u>	Installation of Handrail along Walkway
TOTAL:	\$ 8,900.00	

GRAND TOTAL: \$ 11,402.50

DATED at Pictou, N.S. this 2nd day of November, 2015

(Sgd.) Chester Dewar
Randy Palmer

MOTION

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

Motion carried.

RESOLUTION – TAX WRITE-OFF

Clr. Turple presented a resolution to Council as follows:

RESOLUTION

BE IT RESOLVED by the Municipal Council for the Municipality of the County of Pictou that Council approve the following write-off on sewer maintenance fees and hydrant fees, the same having been reviewed and approved by the Financial Services Committee:

<u>ACCOUNT #</u>	<u>ACCOUNT NAME</u>	<u>AMOUNT</u>	<u>REASON</u>
02645076	W. Vernon MacAulay & Glendal MacAulay	\$553.00	Bldg. destroyed by fire in Feb., 2015

DATED at Pictou, N.S. this 2nd day of November, 2015.

(Sgd.) Jim Turple
David Parker

MOTION

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

Motion carried.

RESOLUTION – 2015/16 COMMITTEES & OUTSIDE BD. APPOINTMENTS

Deputy Warden Thompson presented a resolution to Council as follows:

RESOLUTION

BE IT RESOLVED by the Municipal Council for the Municipality of the County of Pictou that Council approve the following nominations for the 2015/16 term:

STANDING COMMITTEES			
Financial Services			Full Council
Property Services			Full Council
Committee of Council as a Whole			Full Council
Executive			Full Council
OUTSIDE BOARDS			
Ad Hoc Energy Committee			Robert Parker, David Parker, Leonard Fraser, Ronald Baillie, Richard Williams, Sandy Stewart & Chris Stewart
Ad Hoc Solid Waste Strategy Committee			Larry Turner
Ad Hoc Violence Against Women Comm.			Deborah Wadden, Ronald Baillie, Robert Parker, Andy Thompson
Airfield Engineering Flight			Andy Thompson, Allister MacDonald
Community Economic Development			Ronald Baillie, Robert Parker, David Parker, Leonard Fraser, Larry Turner
Community Grant Review Committee			Ronald Baillie, Andy Thompson, David Parker, Randy Palmer, Chester Dewar, Deborah Wadden
deCoste-Pictou Library Feasibility Oversight Comm.			Jim Turple, Sally Fraser

Eastern Mainland Housing Authority	Linda Priske (to Dec. 5/16)
Fences Arbitration Committee	Joyce Roode (to Nov/16)
Fire Fighters Liaison Committee	Ronald Baillie, David Parker, Jamie Davidson
Forbes Lake Watershed Committee	Andy Thompson, Scott Johnston
Friends of the River John Library Board	Robert Parker
Go Clean Get Green Committee	Andy Thompson
Hector Arena Commission	David Parker, Leonard Fraser, Ronald Baillie
Heritage Advisory Committee	Sally Fraser, Deborah Wadden, Edward MacMaster, Jamie Davidson, Larry Turner
Ivor MacDonald Memorial Arena Board	Sally Fraser, Andy Thompson, Randy Palmer
LORDA Board of Directors	David Parker, Leonard Fraser
Municipal Alcohol Project Committee	Deborah Wadden
Mun. Economic Develop't. Working Grp.	Robert Parker, Larry Turner
New Scotland Business Pk. Board of Directors	Larry Turner, Andy Thompson, Jamie Davidson
Noise Committee	Warden, Deputy Warden & Clr. for area with Complaint
Northumberland Fisheries Museum & Heritage Association Board	Jim Turple
Pictou-Antigonish Regional Library Board	Sally Fraser
Pictou Co. Firefighter's Assoc. Liaison	David Parker, Leonard Fraser (Alternate)
Pictou Co. Genealogy & Heritage Society	Robert Parker
Pictou County Shared Services Authority	Ronald Baillie
Pictou Co. Sports Heritage Hall of Fame	Jamie Davidson
Pictou Co. Wellness Centre Bd. Authority	Ronald Baillie
Pictou Landing Harbour Authority	Deborah Wadden
Pictou-North Colchester Exhibition	Robert Parker, Chester Dewar
Pictou Source Water Protection Comm.	Jim Turple, Ronald Baillie
Planning Advisory Committee	Leonard Fraser, Deborah Wadden, Randy Palmer, Jamie Davidson, Earle Cameron (to Nov./16), Fielding Smith (to Nov./16)
Police Advisory Board	Ronald Baillie, Randy Palmer, Sally Fraser, Linda Priske (to Nov./16), George Crocker (to Nov./16), Len Thomas (to Nov./16)
REMO: Unified Command Group	Ronald Baillie, Andy Thompson (Alternate)
Riverton Guest Home Corporation	Chester Dewar, Andy Thompson, Deborah Wadden, Earle Cameron (to Dec. 31/16), Bonnie Allan (to Dec. 31/17)
Riverview Home Corporation	David Parker
Sinclair Island Fishermen's Association	Deborah Wadden
Trenton Source Water Protection Comm.	Jamie Davidson, Deborah Wadden
UNSM Delegates	Full Council
OFFICERS	
Returning Officer	To be Determined
Development Officer (Subdivision By-Law)	Jeffery Turnbull
Development Officer (Wind Energy LUB)	Jeffery Turnbull
Dog Control Officer	Anne MacCarthy
Relief Dog Control Officer	John Fillier
Poundkeepers (Dogs)	Pictou County SPCA & Dog Control Officer/Relief DCO
Poundkeepers (Animals @ Large)	Wally Ross

DATED at Pictou, NS this 2nd day of November, 2015.

(Sgd.) Andy Thompson
Sally Fraser

MOTION

It was moved by Deputy Warden Thompson and seconded by Clr. S. Fraser that the preceding resolution be adopted as presented.

Clr. L. Fraser asked that Council meet with a representative from Eastern Mainland Housing to give an update on the maintenance of the low income housing units.

Warden Baillie replied they will add that to a future agenda for further discussion.

Motion carried.

RESOLUTION – PURCHASE OF PROPERTY @10453 SHERBROOKE RD, PRIESTVILLE

Clr. Palmer presented a resolution to Council as follows:

RESOLUTION

WHEREAS the Municipality of the County of Pictou requires additional lands adjacent to the existing Water Booster Station in Priestville to facilitate up-grades and expansion of the booster station as part of the Sherbrook Road Water and Wastewater Extension Project;

WHEREAS the adjacent property owners, Craig Douglas and Angela Marie Fiet of 10453 Sherbrooke Road, Priestville have agreed to sell to the Municipality of portion of PID 00874784 for this purpose;

THEREFORE BE IT RESOLVED by the Municipal Council for the Municipality of the County of Pictou that Council authorize the purchase of 173 m² of land from Craig Douglas Fiet and Angela Marie Fiet of 10453 Sherbrooke Road, Priestville, representing a portion of PID 00874784 as identified in the Plan of Subdivision 2494-15 of Landmark Surveys Ltd., dated February 19, 2015 at a purchase price of \$4,800 + HST.

AND BE IT FURTHER RESOLVED that all costs related to the subdivision and sale of the property be paid by the Municipality.

DATED at Pictou, NS this 2nd day of November, 2015.

(Sgd.) Randy Palmer
Chester Dewar

MOTION

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

Motion carried.

EMERGENCY RESOLUTIONS

There were no emergency resolutions.

NOTICE OF MOTION – 1ST READING

NOTICE OF MOTION (First Reading)

TAKE NOTICE that the following by-law will be presented to Council for consideration on Monday, December 7, 2015.

DATED at Pictou, NS this 2nd day of November, 2015

(Sgd.) Clr. David Parker
Financial Services Committee



MUNICIPALITY OF THE COUNTY OF PICTOU ALTERNATIVE VOTING BY-LAW

BE IT ENACTED by the Council of the Municipality of the County of Pictou, under the authority of Section 146A of the *Municipal Elections Act*, 1989 R.S.N.S. c. 300, as amended, as follows:

Short Title

1. This By-law shall be known as the “Alternative Voting By-law”.

Definitions

2. In this by-law:
 - (a) “Act” means the *Municipal Elections Act*, 1989 R.S.N.S. c. 300, as amended;
 - (b) “advance poll” means the Tuesday immediately preceding ordinary polling day; and either
 - (i) one other day fixed by the Council by resolution that is either Thursday, the ninth day before ordinary polling day, or Saturday the seventh day before ordinary polling day; or
 - (ii) if Council has delegated its authority to fix a day to the Returning Officer, one other day fixed by the Returning Officer that is either Thursday, the ninth day before ordinary polling day, or Saturday the seventh day before ordinary polling day;
 - (c) “alternative polling days” means any hours and dates fixed by a resolution of Council for alternative voting;
 - (d) “alternative voting” means voting by telephone or via the internet and includes a combination of telephone and internet voting;
 - (e) “ballot box” means a computer database in the system where cast internet ballots and telephone ballots are put;
 - (f) “candidate” means a person who has been nominated as a candidate pursuant to the Act;
 - (g) “Council” means the Council of the municipality;

- (g) “Deputy Returning Officer” means a person appointed under the Act to preside over a polling station;
- (h) “Education Act” means the *Education Act*, 1995-1996 S.N.S. c. 1, as amended;
- (i) “election” means an election held pursuant to the Act, including a school board election, special election and a plebiscite;
- (j) “Election Officer” means an “election official” under the Act;
- (k) “elector” means a person:
 - (i) qualified to vote pursuant to the Act and the Education Act; and
 - (ii) entitled to vote for an election pursuant to section 7 of this by-law;
- (l) “final list of electors” means the final list of electors completed pursuant to section 40 of the Act;
- (m) “friend voter” means a friend who votes for an elector pursuant to section 9 of this by-law;
- (n) “internet ballot” means an image of a ballot on a computer screen including all the choices available to an elector and the spaces in which an elector marks a vote;
- (o) “municipality” means the Municipality of the County of Pictou;
- (p) “normal business hours” means the time between 8:30 am and 4:30 pm Monday through to and including Friday;
- (q) “ordinary polling day” means the third Saturday in October in a regular election year and in the case of any other election means the Saturday fixed for the election;
- (r) “PIN” means the Personal Identification Number issued to an elector for alternative voting on alternative polling days;
- (s) “plebiscite” means a plebiscite directed to be held by the Council pursuant to section 56(2) of the *Municipal Government Act*;
- (t) “proxy voter” means an elector who votes by a proxy pursuant to the Act;
- (u) “regular election year” means 2016 and every fourth year thereafter;
- (v) “rejected ballot” means the refusal by an elector to accept a ballot in a race;
- (w) “Returning Officer” means a Returning Officer appointed pursuant to the Act;
- (x) “seal” means to secure the ballot box and prevent internet and telephone ballots from being cast;
- (y) “special election” means a special election held pursuant to the Act, including a special election for a vacancy on a school board;
- (z) “spoiled ballot” means an internet ballot or telephone ballot marked by an elector indicating a refusal to cast a vote for any candidate in a race;
- (za) “system” means the technology, including software, that:

- (i) records and counts votes; and
 - (ii) processes and stores the results of alternative voting during alternative polling days;
- (zb) “System Elections Officer” means:
- (i) a person who maintains, monitors, or audits the system, and
 - (ii) a person who has access to the system beyond the access necessary to vote by alternative voting.
- (zc) “telephone ballot” means:
- (i) an audio set of instructions which describes the voting choices available to an elector; and
 - (ii) the marking of a selection by an elector by depressing the number on a touch tone keypad;

Alternative Voting Permitted

3. Subject to this by-law, alternative voting shall be permitted on alternative polling days.

Notification of Electors

4. (1) The Returning Officer shall cause notice of alternative polling days to be published in a newspaper circulating in the municipality.
- (2) The notice of alternative polling days shall:
- (a) identify the alternative polling days for alternative voting; and
 - (b) inform the elector that telephone voting and internet voting is permitted during alternative polling days.
- (3) The notice may include any other information the Returning Officer deems necessary.

Form of Telephone and Internet Ballots

5. (1) A telephone ballot and internet ballot shall:
- (a) identify the title “Election for Mayor” or “Election for Councillor” or “Election for School Board Member”, as the case may be;
 - (b) identify the names or names by which they are commonly known of the candidates with given names followed by surnames, arranged alphabetically in order of their surnames and, where necessary, their given names, and
 - (c) warn the elector to “vote for one candidate only” or “vote for not more than (the number of candidates to be elected) candidates” as the case may be.
- (2) No title, honour, decoration or degree shall be included with a candidate’s name on an internet ballot or telephone ballot.

Oath

6. Any oath that is authorized or required shall be made in the form specified by the Act.

Electors

7. No person shall vote by alternative voting unless:
- (a) the person's name appears on the final list of electors on the date chosen by Council for the final list of electors to be completed pursuant to section 40 of the Act; or
 - (b) the person's name does not appear on the final list of electors and:
 - (i) the person appears before the Returning Officer or the Deputy Returning Officer during normal business hours during alternative polling days; and
 - (ii) the person swears an oath in the prescribed by the Act.

Proxy Voting

8. A proxy voter shall not vote for an elector by alternative voting.

Friend Voting

9. (1) A friend voter shall only vote for an elector by alternative voting if:
- (a) an elector is unable to vote because :
 - (i) the elector is blind;
 - (ii) the elector cannot read; or
 - (iii) the elector has a physical disability that prevents him or her from voting by alternative voting.
 - (b) the elector and the friend appear, in person, before the Returning Officer or the Deputy Returning Officer and take the prescribed oaths.
- (2) A candidate shall not act as a friend voter unless the elector is a child, grandchild, brother, sister, parent, grandparent, or spouse of the candidate.
- (3) The elector shall take an oath in the form prescribed by the Act providing that he or she is incapable of voting without assistance.
- (4) The friend of the elector shall take an oath in the prescribed form to this by-law that:
- (a) the friend has not previously acted as a friend for any other elector in the election other than an elector who is a child, grandchild, brother, sister, parent, grandparent, or spouse of the friend of the elector;
 - (b) the friend will mark the ballot as requested by the elector; and
 - (c) the friend will keep secret the choice of the elector.
- (5) The Returning Officer shall enter in the poll book:
- (a) the reason why the elector is unable to vote;
 - (b) the name of the friend; and
 - (c) the fact that the oaths were taken.

Voting

- 10 (1) The system shall put internet ballots and telephone ballots cast by an elector in the ballot box.
- (2) The system shall put spoiled ballots in the ballot box.

Seal

11. (1) Where alternative voting closes before the close of the polls on ordinary polling day, the system shall seal the ballot box until after the close of the poll on ordinary polling day.
- (2) The system shall seal the ballot box even where fewer than ten persons from any polling district voted for a candidate during alternative polling days.

List of persons who voted

12. Where alternative voting closes before the close of the polls on ordinary polling day, the system shall:
 - (a) generate a list of all electors who voted by alternative voting; and
 - (b) on the Final List of Electors cause a line to be drawn through the name of all the electors who voted during alternative polling days.
13. (a) A printed and electronic copy of the lists under section 12 shall be delivered to the Returning Officer within 24 hours of the close of alternative voting.
- (b) Where alternative voting closes at the close of the polls on ordinary polling day, the system shall generate a list of all electors who voted by alternative voting.

Counting

14. (1) At the close of ordinary polling day, the system shall generate a count of the telephone ballots and internet ballots in the ballot box that were cast for each candidate during alternative polling days.
- (2) In counting the votes that were cast for each candidate during alternative polling days, the system shall count spoiled ballots and shall not count rejected ballots.

Tallying of Rejected Ballots

15. At the close of ordinary polling day, the system shall tally the number of spoiled ballots that were cast during alternative polling days and the tally shall be delivered to the Returning Officer.

Recount by System

16. In the event of a recount, the system shall regenerate the election count and a printed copy of the regenerated count shall be given to the Returning Officer.
17. If the initial count and the regenerated count match, the regenerated count shall be the final count of the votes cast by alternative voting.
18. (1) If the regenerated count and the initial count do not match, the Returning Officer shall:
 - a) direct one final count be regenerated by the system of the votes cast by alternative voting, and

b) attend while the final count is being regenerated.

(2) The regenerated final count pursuant to subsection (1) shall be the final count of the votes cast by alternative voting.

Recount by Court

19. (1) For a recount, the judge shall only consider the final count by the system, as determined by section 17 or 18, of the total number of votes that were cast by alternative voting for each candidate.

(2) The final count by the system, as determined by section 17 or 18, of the total number of votes that were cast by alternative voting for each candidate shall be added to the judge's count of the number of votes for each candidate cast by non alternative voting.

Secrecy

20. An election officer and system election officer shall maintain and aid in maintaining the secrecy of the voting.

21. Every person in attendance at a polling station, or at the counting of the votes, shall maintain and aid in maintaining the secrecy of the voting.

Other Methods of Voting

22. If voting via the Internet through the unsupervised use of a personal computing device is permitted during an election, voting shall be permitted by some other means on each advance polling day and on ordinary polling day.

Severability

23. If a court of competent jurisdiction should declare any section or part of a section of this by-law to be invalid, such section or part of a section shall not be construed as having persuaded or influenced Council to pass the remainder of the by-law and it is hereby declared that the remainder of the by-law shall be valid and shall remain in force.

Prohibitions

24. No person shall:

- (a) use another person's PIN to vote or access the system unless the person is a friend voter;
- (b) take, seize, or deprive an elector of his or her PIN; or
- (c) sell, gift, transfer, assign or purchase a PIN.

25. No person shall:

- (a) interfere or attempt to interfere with an elector who is casting an internet ballot or telephone ballot;
- (b) interfere or attempt to interfere with alternative voting; or
- (c) attempt to ascertain the name of the candidate for whom an elector is about to vote or has voted.

26. No person shall, at any time, communicate or attempt to communicate any information relating to the candidate for whom an elector has voted.

Offences and Penalty

27. (1) A person who:
- (a) violates any provision of this by-law; or
 - (b) permits anything to be done in violation of any provision of this by-law; is guilty of an offence.
- (2) A person who contravenes subsection (1) of this section is guilty of an offence and is liable, on summary conviction, to a penalty of not less than five thousand dollars and not more than ten thousand dollars and in default of payment, to imprisonment for a term of two years less a day, or both.
- (3) In determining a penalty under subsection (2), a judge shall take into account:
- (a) the number of votes attempted to be interfered with;
 - (b) the number of votes interfered with; and
 - (c) any potential interference with the outcome of an election.
- (4) Pursuant to section 146A of the Act:
- (a) the limitation period for the prosecution of an offence under this by-law is two years from the later of the date of the commission of the offence and the date on which it was discovered that an offence had been committed; and
 - (b) *The Remission of Penalties Act*, 1989 SNS c. 397, as amended, does not apply to a pecuniary penalty imposed by this by-law.

DATED at Pictou, NS this 7th day of December, 2015.

BUDGET & ASSESSMENT TAXES

Clr. Turple reported that he was approached last week by Mr. Allan English, a resident in District #3 about assessments and budgets. Mr. English asked that the following summary be read to Council:

PROPERTY TAXATION SUMMARY (THE GOAL)

“What every property owner needs to know (important if you have a mortgage): Ask yourself: “Does my property put a greater burden on my Municipality’s budget than my neighbors? If the burden is the same, shouldn’t the tax billing also be the same?” Provincial law says “NO”. Assessment is the only criteria. Common sense suggests otherwise.

The Facts

In Canada there are three levels of government, Federal, Provincial and Municipal. Where appropriate, Federal Law trumps Provincial Law and Provincial Law trumps Municipal Law and the **will of the majority of the people trumps all three.** When it comes to taxing Nova Scotians, the Canada Revenue Agency and the Nova Scotia Department of Finance, based on net income levels, treats all individuals fairly under the law. As well, the Nova Scotia Harmonized Sales Tax (HST) treats everyone equally. In most communities service costs to our homes such as water and sewer rates, basic

electrical, basic telephone, basic cable, basic internet and other such fees for the most part are the same for everyone.

However, when it comes to taxing Municipal home owners, equal billing for equal basic services does not exist, except maybe in some condominiums and cookie cutter subdivisions. In the average neighborhood in most Nova Scotia Municipalities there can be no doubt that there are few residential properties that are tax billed the same. The current system of value assessment punishes owners for a high level of property maintenance and rewards those who choose to allow their homes and properties to deteriorate. It is popular to assume that lower assessed homes are owned by low income property owners. That same assumption applies to higher assessed homes and their owner income. That is never a given and should be considered irrelevant when applying property taxes based on assessed value. Such a practice easily comes under the definition of **discrimination** based on perceived income.

A Little Municipal Tax History

It is difficult to explain all the nuances of municipal government to the majority of Provincial property owners. However, to make it as simple as possible; the job of being at Municipal Council, whether in Amherst or Annapolis Royal, involves just two things and they are: (1) to provide the services that are needed and wanted by the property owners of their community and (2) to maintain those services. The “needed” parts of the equation includes; administration, infrastructure (water, sewer, streets, etc.), police and fire protection, garbage, etc., etc. The “want” parts of the equation are the “perks”; playgrounds, swimming pools, ball fields, convention centers, bus service, etc., etc.

The needs and wants are in the municipal budget and the total cost is found under the column (A) for “Expenditures”. In order to pay for those expenditures municipalities get their money from two places. The first is in the column (B) “Other Income” where moneys are received from such sources as Nova Scotia Power, Federal and Provincial grants, water and sewer rates, parking tickets and other fees, etc. By subtracting (B) from (A) Councils end up with column (C): “Net Services Cost”. To pay the net services cost, Councils require income from Residential, Commercial and Resource property taxation. Councils are required by law to balance their budgets by collecting taxes based on the assessed value of all taxable properties within their boundaries. Those individual figures are provided by the Property Valuation Services Corporation (PVSC) in a book known as the “ASSESSMENT ROLL”. It is from those total numbers that a tax rate is derived. TA DA! Here’s your tax bill. I can’t make that part any simpler.

Today’s Reality

Many decades ago the real estate business exploded into what we see today and the complex assessment laws have developed along with those changes into an industry on to itself. The PVSC costs Provincial property owners +/- \$17,000 annually. The unfairness of tax billing for equal basic services created by the current system of assessment based property taxation screams for change. However, not enough property owners hear the scream. The Municipal Government Act, The Assessment Act and the Property Valuation Services Corporation Act dictate to the municipalities how they must balance their annual budgets by taxing each property owner based on the assessed value of their property. Equal taxation for equal services was never in the cards.

Nova Scotia has adopted a system of assessment called “CAP Value Assessment” which ties the annual increase of CAP residential property assessment to the annual percentage increase of the Nova Scotia Consumer Price Index (CPI), usually between 1 and 3%. Consequently, now a CPI increase in the price of groceries, gasoline, diapers, etc., results in a percentage increase in the annual CAP assessment of all eligible residential properties across the Province. Unless municipalities correspondingly lower their annual tax rate to match the percentage CAP increase, every residential property owner’s tax bill will increase. The current CAP is lost on the resale of CAP properties.

The Union of Nova Scotia Municipalities (UNSM) recently enacted a comprehensive study on property taxation by two noted experts with the hamstringing criteria; *“The evaluation will identify opportunities for improvement in the current system, and will make recommendations as to how changes might be implemented.”* Four of their seven recommendations from the study enhance the work of the PVSC including the eventual phasing out of the popular CAP assessment program. It becomes obvious that the majority of stakeholders’ reviews were ignored. The UNSM got exactly what it paid for. The study is currently being evaluated by the Department of Municipal Affairs.

Understanding the Problem

What is **not generally understood** by the majority of Councils as well as residential property owners across the province is **the spread** in tax billing created by the percentage increase of CAP and market value assessments. Every year the difference between each tax bill and most all other tax bills within a given municipality **widens**. The result is, those home owners who pay **average or more than average** tax bills in each Municipality are in fact **subsidizing** the tax bills of those paying **less** than their individual tax bills, regardless of income. **It is the irreversible spread in tax billing that is promoted by assessment based property taxation that creates inequities throughout any community.”** *See figures explaining that concept below.

If property owners and Councils could take the time to look at their Municipality’s annual budget, specifically the expenditures column, it should show that most, if not all are directed towards people, not property. Administration, protective services, transportation services, environmental health services, environmental development services, recreation and culture, fiscal services, water and sewer, etc., etc. all points to satisfying the wants and needs of **residences**. This being the case, then what does **property values** have to do with the **cost of services** to people. The answer, of course, is **NOTHING!**

Most municipally elected officials have never read the provincial legislations under which our municipalities must govern, especially the **Municipal Government Act (MGA)**, and rely on “staff” to keep them on the straight and narrow while managing our services. **There is no political or financial benefit for the province to dictate how communities recover their net cost of services.** Nowhere in the MGA does it say it cannot be challenged. This is where you as property owners can unite to make a difference.

The Fix

As legislative change of this type is most effective from the bottom up it is hoped that at least one individual in each municipality across the province will pick up the touch and create a petition of concern to present to his or her Municipal Council. If Councils can prove to the UNSM that a majority of property owners in a majority of municipalities wish to see the legislation dealing with assessment based property taxation repealed, then the UNSM must approach the legislature to achieve the goal. If property owners in a given municipality feel that assessment is still the way to go, so be it. If not they should have the right to decide for themselves the best method to pay for their municipal services, without government interference. Not an easy task but if you **read the full document** a second time slowly you just might see that doing nothing will gain nothing.

This leaves municipalities to come up with their own way to recover what in reality should be known as a **net cost of services fee**. There is probably no one method of net service cost recovery as every urban and rural community is different with diverse residential, commercial, agricultural and resource properties. Net services cost recovery is and always will be the responsibility of commercial and residential property owners no matter what the style of taxation.

So there it is! Do you and the majority of property owners of Nova Scotia want equality and fairness in property taxation? If the answer is a resounding **“YES!”** then the best course of action is to talk with everyone you know in your community and across the province, use e-mail, Face Book”, and/or “Twitter” if necessary and have them read this

“GOAL”. Create a petition to your Municipal Councils stating your wishes as a property taxpayer to work towards equality and fairness in property taxation. Form an Oversight Committee to help your Councils.

Section 15 of the Canadian Charter of Rights and Freedom states: *“Equality under the law is equality in the substance of the law, where the content of the law is equal and fair to everyone so that everyone experiences the same result.”*

A copy of this document is available in PDF format at : nspropertytax2015@yahoo.com.

Tax Spread Scenario

*Let’s assume your residential property has a CAP assessment value of \$200,000 and your long time friendly neighbor’s is \$100,000 with both receiving equal basic services. Let’s also assume a Nova Scotia annual Consumer Price Index of 2% (CPI). You are retired living on a pension and your neighbor and his wife still work at good paying jobs.

*Your Municipal Council has done its best to minimize the expenditures for the coming tax year and based on the assessment roll has come up with a residential tax rate of \$2.00 per \$100 of assessment.

*Your tax bill for the current year will be: $\$2,000 \times \$2.00 = \$4,000$ and your neighbor’s bill will be $\$1,000 \times \$2.00 = \$2,000$. The difference is \$2,000. That’s bad enough!

*Next year the CPI is the same 2%, so your CAP assessment rises to \$204,000 and your neighbor’s increases to \$102,000. Council has done its best again but total expenditures have increased so a reduction in the tax rate is impossible. However, by maintaining the tax rate of \$2.00 from the previous year, increased revenue will come from the resulting higher assessment base and the budget will be balanced.

*Your new tax bill will be $\$2,040 \times \$2.00 = \$4,080$ and your neighbor’s bill will be $\$1,020 \times \$2.00 = \$2,040$. Your bill went up \$80 while your lucky neighbor had an increase of only \$40.

*That \$40 difference is called the tax spread and each year the tax spread continues to increase, eventually into hundreds or even thousands of dollars between you and your lesser assessed neighbors throughout the community with no additional basic services being added by the municipality. The next year’s tax spread would be \$80.80.

*This is purely the result of assessment based property taxation. No equality and definitely no fairness. It’s amazing how the word “**shall**” in the MGA can create such havoc. If you agree, pass this summary on, if not please pass it on anyway and please provide feedback.

*Feedback: for more explanation, help, or an expanded **in depth copy of this document** in PDF format, email: nspropertytax2015@yahoo.com”

Warden Baillie reported that HRM has looked at different tax structures and expressed his personal opinion that property tax is an unfair tax. Warden Baillie pointed that the assessment CAP is unfair because it is penalizing young families and low income residents.

Clr. Turple asked if the CAP can be discussed at the UNSM and Warden Baillie replied we can find out through the executive of the UNSM.

Clr. L. Fraser reported the wheels of government do not move like private industry making it difficult for people to understand.

Clr. R. Parker reported the CAP system is unfair but most people hope the CAP does not come of their property assessment. It is a very confusing system and until someone explains it to people then it is probably never going to change because it will be politically unpopular.

Deputy Warden Thompson commented that it was a political decision to put the CAP in place and the Provincial Government took it out of the hands of the municipalities. Shoreline properties, mostly on the south shore of Nova Scotia, were bought by Germans and Americans driving the assessments up so the Provincial Government put a CAP on assessment increases. The consequences has created more burden on low income homeowners and it took the control away from the municipalities setting their own tax rates.

Clr. D. Parker commented that everyone has the opportunity to appeal their assessment in January and the gentleman who wrote this summary is arguing for a flat tax. Many of taxes are based on the ability to pay or the perceived ability to pay depending on the amount you make or the size of your house.

MACLAREN ROAD – GARDEN OF EDEN

Clr. Johnston asked if there was an up-date on the property located on the MacLaren Road and the Solicitor replied a court date has been set but further information would require a closed session of Council.

Warden Baillie asked Clr. Johnston if he could speak with the Solicitor after the meeting about the issue and Clr. Johnston responded that would be fine with him.

MOU UPDATES & QUESTIONS

Warden Baillie informed Council that a conditional application has been filed with the UARB and the preliminary hearing was held. There were 5 intervenors that included the Towns of Trenton and Westville, the Police Union, CUPE and the Province; all 5 were granted intervenors status by the Board. The UARB has asked that 27 information requests be filed by November 20, 2015. Warden Baillie reported that the Steering Committee met with the Minister last week about the MOU process and he would help if required.

The CAO pointed out that the information that will be filed on November 20, 2015 is the evidence to support the application and all that information comes back to the Councils for review and discussion.

Clr. L. Fraser reported the Minister was going to meet with the Towns of Trenton and Westville and he asked how those meetings went.

Warden Baillie confirmed that the Minister met with both units but we would have to go into closed session for a further discussion on that issue.

Clr. D. Parker reported that he has attended some MOU meetings and he appreciated the amount of work being done to prepare for this process. He reported that he has been getting questions from his residents regarding the Town of New Glasgow Police Pension Fund and what written assurances we have that we will not pay the current or future deficits of that fund.

Warden Baillie replied that there are no plans for the New Glasgow Regional Police to dissolve into the RCMP, adding that the Town may be up-to-date with its pension responsibilities.

Clr. D. Parker pointed out that Councillors salaries compared to staff salaries is a small piece of the new government structure. Clr. D. Parker asked for a cost estimate of the new human resources department compared to the current human resource costs.

Warden Baillie replied that information will be presented once all the financial information is available.

Clr. D. Parker commented that regardless of what happens next year it may only be months before 2 or 3 of the smaller or poorer towns will be at our doorstep with their dissolution.

Clr. Turple asked if the volunteer fire departments will continue and Warden Baillie replied that there are no plans in the MOU process for the fire departments to change.

Clr. R. Parker inquired about the use of existing reserves by a new regional government.

The CAO responded that reserves are restricted for the benefit of those communities in the former municipal unit.

In the event that there were no reserves, Clr. R. Parker asked if the money to fund future sewer and water projects in this municipality would come out of the funds of the new regional municipality.

The CAO replied one of the core principles is the user pay system so if you are installing a sidewalk it may be just those users of that area that would carry that cost.

Clr. R. Parker asked if the expectation was for Councillors to remain neutral regarding the MOU process, or if Councillors should be promoting it.

Warden Baillie replied that the Steering Committee has to present the evidence as positive but all Councillors should be neutral until we see the final package.

Clr. Wadden reported that once our pre-conditions are met we should encourage the residents to vote but let them make the decision on whether to accept the MOU or not.

Clr. Dewar pointed out that we decided to participate in this study but there was nothing in the study that was going to help the Municipality so he had to question why we are we fixing something that is not

broke. Clr. Dewar inquired about the amount of money the Municipality has spent to date on the MOU and Warden Baillie replied all 4 units are paying in kind services; as well, each unit has contributed \$50,000. To the process.

Clr. Dewar asked the amount of money saved using in-kind services from the 4 units and Warden Baillie responded that it would be approximately \$270,000.

Clr. Dewar pointed out that is only \$20,000 more than what we are going to have to pay to the Wellness Center so what is the difference?

Deputy Warden Thompson commented that there are going to be some smaller units in Pictou County facing some tough decisions if this MOU does not move forward.

REFERRALS TO COMMITTEES & NOTICES OF MOTION

Clr. Wadden asked that the topic of French Immersion Programs be added to the next Property Services agenda for discussion. The program is being phased out at F.H. MacDonald School so students are transferring to New Glasgow for French Immersion. If transportation is a problem for some students to go to New Glasgow then they cannot take these courses.

Clr. L. Fraser asked that issues with Nova Scotia Power be added to the next Property Services agenda. This company has no competition and it is unfair to residents who have long wait times for power to be connected to new homes and buildings. Clr. L. Fraser reported that he does not understand why it takes NSP so long to respond to a referral because people are waiting far too long to get their power hooked up.

CLOSED SESSION

Council met in closed session at 9:30 p.m. to discuss matters relating to contract negotiations.

OPEN SESSION

Council resumed in open session at 9:50 p.m.

ADJOURN

It was moved by Clr. Turple and seconded by Clr. D. Parker that the meeting adjourn.
Motion carried. (9:50 p.m.)

WARDEN

MUNICIPAL CLERK