



**MIDDLETON TOWN COUNCIL
TOWN HALL – COUNCIL CHAMBERS
MONDAY, MAY 4, 2015
7:00 P.M.**

AGENDA

- 15.05.01 CALL TO ORDER
- 15.05.02 APPROVAL OF THE AGENDA
- 15.05.03 PROCLAMATION
 - .01 Emergency Preparedness Week
- 15.05.04 APPROVAL OF THE MINUTES
 - .01 Council Meeting – April 7, 2015
 - .02 Special Council Meeting – April 20, 2015
- 15.05.05 NEW BUSINESS
 - .01 Committee of the Whole Recommendations
 - a. RFD 008-2015: Operating Reserve Policy
 - b. RFD 009-2015: Debt Management Policy
 - c. RFD 010-2015: Internet and Mobile Device Acceptable Use Policy
 - d. RFD 011-2015: Legacy 2017 Inter-Municipal Agreement
 - .02 RFD 013-2015: Valley REN Inter-Municipal Agreement Amendments
 - .03 **Appointment – Middleton Fire Department**
- 15.05.06 REPORTS
 - .01 Mayor
- 15.05.07 CORRESPONDENCE
- 15.05.08 ANYTHING BY MEMBERS
- 15.05.09 ADJOURNMENT

Proclamation

EMERGENCY PREPAREDNESS WEEK

MAY 3 - 9, 2015

- WHEREAS** Emergency preparedness is everyone's responsibility;
- WHEREAS** Individuals can make a difference during an emergency, if they are prepared; and
- WHEREAS** The goal of "Emergency Preparedness Week" is to raise community awareness of the importance of knowing the risk, having a family emergency preparedness plan and kit, and knowing what to do in an emergency event; and
- WHEREAS** Successful emergency response depends on coordinated emergency planning and preparedness.
- THEREFORE** I, Calvin Eddy, Mayor of the Town of Middleton, do hereby proclaim **May 3rd to 9th, 2015** as *Emergency Preparedness Week* in the Town of Middleton.

Be Prepared for 72 Hours

Dated at the Town of Middleton
this 4th day of May, 2015.

Calvin Eddy, Mayor



REQUEST FOR DECISION
Operating Reserve Policy
#008-2015

Date: 16 April 2015	Subject: Operating Reserve Policy
Proposal Attached: Yes	Submitted by: Rachel Turner, Chief Administrative Officer

Proposal:	That Committee of the Whole recommend to Council the approval of the Operating Reserve Policy as presented.
Background:	The attached policy is the next step in the development of core best practices for financial management that the Municipal Finance Corporation is partnering with the Town of Middleton with. The MFC staff will be presenting the background on the development of the policy. It has been reviewed with both myself and Director of Finance Marianne Daine to ensure that it meets the needs of our organization.
Benefits:	As outlined in the MFC presentation.
Disadvantages:	
Options:	
Required Resources:	
Source of Funding:	
Sustainability Implications: (Environmental, Social, Economic and Cultural)	
Staff Comments/Recommendations:	
CAO's Review/Comments:	

CAO Initials: RLT

Target Decision Date: 4 May 2015

Town of Middleton Operating Reserve Fund Policy

Effective Date:

Approval by Council Resolution:

Statement

1. Planning today and saving incrementally for unexpected future events will help mitigate the financial impact of major, nonrecurring or unforeseen expenditures on the Town's annual operating budget, as well as take advantage of unexpected opportunities to leverage external funding programs.
2. The Town of Middleton is committed to establishing and maintaining an Operating Reserve Fund. The level of Operating Reserve Fund will be at least 10 per cent of regular general fund operating revenues.

Objectives

1. The purpose of maintaining adequate levels in the Operating Reserve Fund is to mitigate current and future risks and to ensure stable tax rates. Operating reserves are a significant consideration in long-term financial planning and management.
2. In addition, Operating Reserve Funds will provide the Town with a budgetary option that can help mitigate the need to cut services or to raise taxes.

Principles

1. The minimum target for the operating reserve will be approximately 10% of the Town's operating revenues.
2. All operating surpluses will be transferred to the Operating Reserve Fund.
3. Any additional reserves created by the Town will have their purpose clearly defined in a Business Case. The Business Case must also include the source and application of funds, the expected time line and any appropriate maximum amount, and projected annual contributions, withdrawals, and balances.
4. All reserve fund transactions should be transparent to the public. Amounts to be placed in the Operating Reserve Fund should be included in the annual budget.
5. The Operating Reserve Fund will be invested at a bank that the Town does business with.
6. It is intended that Council can revisit this policy in the future to amend the minimum balances as required.

Uses

1. The operating reserve may be used to smooth significant fluctuations in operating expenditures and/or revenue loss which cannot be anticipated and are beyond the control of the organization. Council can use the fund for both operating and capital purposes.
2. Council may apply funds from the Operating Reserve Fund in the normal course of operations, but maintain the minimum approved balance, as follows:
 - a. Applied in the Annual Draft Operating Budget
 - b. Applied during Operating Budget Deliberations
 - c. Applied to other funds as part of budget deliberations - Capital, Area Rated, Water Utilities
3. Council may apply funds from the Operating Reserve Fund which lowers the fund balance below the minimum approved balance, in an emergency situation, such as the following:
 - a. A protective services emergency, such as a flood condition, snow situation etc.
 - b. A required property purchase under an agreement.
 - c. A transfer of service/costs to the Town that could not be reasonably budgeted or foreseen.
 - d. A required payment under existing legislation that could not be foreseen, such as pension funding liability.
 - e. An emergency requiring repairs to a Town asset or to an asset supported by the Town.
 - f. A major revenue shortfall that could not be predicted.
4. The assumption under these situations is that there is no other funding source available, or other sources are ruled out. This also assumes that a review of the existing budget to take cost cutting measures in other areas will not have sufficient impact to mitigate the costs of an emergency situation.
5. In order to bring the Operating Reserve Fund back to the minimum balance, the amount of the shortfall is to be included in the draft budget for the following fiscal year. During budget deliberations, Council can approve, amend or develop a phase in approach to balance the Reserve over a number of fiscal periods.

Application

1. This policy applies to the Operating Reserve Fund of the Town of Middleton.



REQUEST FOR DECISION
Debt Management Policy
#009-2015

Date: 16 April 2015	Subject: Debt Management Policy
Proposal Attached: Yes	Submitted by: Rachel Turner, Chief Administrative Officer

Proposal:	That Committee of the Whole recommend to Council the approval of the Debt Management Policy as presented.
Background:	The attached policy is the next step in the development of core best practices for financial management that the Municipal Finance Corporation is partnering with the Town of Middleton with. The MFC staff will be presenting the background on the development of the policy. It has been reviewed with both myself and Director of Finance Marianne Daine to ensure that it meets the needs of our organization.
Benefits:	As outlined in the MFC presentation.
Disadvantages:	
Options:	
Required Resources:	
Source of Funding:	
Sustainability Implications: (Environmental, Social, Economic and Cultural)	
Staff Comments/Recommendations:	
CAO's Review/Comments:	

CAO Initials: RLT

Target Decision Date: 4 May 2015

Town of Middleton Debt Management Policy

Effective Date:

Approval by Council Resolution:

Statement

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

Policy Objectives

The objectives of the Debt Management Policy are to:

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

Policy Principles

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

projects that will be serviced from revenues from the Town's utility operations (water utility) and other revenue generating capital projects (e.g., administrative building tenants, debt incurred on behalf of fire departments).

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

4. Managing outstanding debt

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

5. Timing & Purpose of Debt

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

Application

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



REQUEST FOR DECISION
Internet and Mobile Device Acceptable Use
#011-2015

Date: 16 April 2015	Subject: Internet and Mobile Device Acceptable Use
Proposal Attached: Yes	Submitted by: Rachel Turner, Chief Administrative Officer

Proposal:	That Committee of the Whole recommend to Council the approval of the Internet and Mobile Device Acceptable Use Policy.
Background:	In the past year, a number of questions have been brought forward around the acceptable use of Town-owned devices, financial charges, and how those devices are dealt with when there are outgoing elected and appointed officials. At the April Council meeting, staff were instructed to bring back a policy that provided clear and defined parameters on how these issues will be dealt with on a go-forward basis.
Benefits:	Issues around accountability, transparency, and responsibility when it comes to using the Town of Middleton's IT network and systems are clearly defined for all users. It provides guidelines for staff dealing with implementing these systems and also ensures that devices that are provided to users are truly required. The issue of privacy and what is public information should be understood by all users of the Town's electronic network.
Disadvantages:	<p>This may require a change in practice due to increased awareness of responsibility and privacy issues.</p> <p>The methods of conducting business in today's society has a general trend of more and more staff and elected officials being plugged in and connected to technology on an almost 24-hour basis. If these are the expectations of any organization, there are costs associated with that connectivity and a balance between the need and the want to be connected.</p> <p>Having a work-related cellular phone is also classified as a taxable benefit by CRA, and the Town should be following those rules set by CRA for the affected staff and elected officials who have been provided cellular phones for work related purposes.</p>

	This will impact some employees, but the laws set by CRA must be followed so that the Town is in compliance should it ever be audited by CRA.
Options:	
Required Resources:	
Source of Funding:	
Sustainability Implications: (Environmental, Social, Economic and Cultural)	
Staff Comments/ Recommendations:	
CAO's Review/ Comments:	By implementing consistent and clear parameters around the acceptable use of the Town's network and systems, end users are provided with the information required to conduct themselves appropriately and within the expectations of the Town of Middleton.

CAO Initials: RLT

Target Decision Date: 4 May 2015

TOWN OF MIDDLETON CODE -	
Subject: Internet and Mobile Device Acceptable Use	Number:
Coverage: Employees and Council	Approved by: Council
Effective Date :	Revision Date:

Rationale

The purpose of this policy is to define standards, procedures and restrictions for end users who have legitimate business requirements to use Town of Middleton information technology services and systems.

Definitions

1. In this Policy:
 - (1) “Chief Administrative Officer” means the Chief Administrative Officer of the Town of Middleton;
 - (2) “Council” means the Council of the Town of Middleton;
 - (3) “document” refers to any kind of file that can be read on a system as if it were a printed page, including web pages, emails and files meant to be accessed by documentation or data management software (e.g., Microsoft Office applications), or an electronic publishing tool (e.g., Adobe Acrobat);
 - (4) “elected official” means the Mayor, Deputy Mayor or Councillor of the Town of Middleton;
 - (5) “IT” means Information Technology;
 - (6) “IT Administrator” means the Information Technology professional employed or contracted to provide IT services to the Town of Middleton;
 - (7) “Management Committee” means the Management Committee of the Town of Middleton;
 - (8) “network” means a collection of systems interconnected by communication channels that allow sharing of resources and information, including connectivity to the internet where applicable;
 - (9) “peripheral” means a device attached to a host system that is dependent on the host and expands the host’s capabilities, but does not form part of the

system's core structure, including printers, fax machines, digital cameras, data storage devices (e.g., flash drives), projectors, keyboards, speakers, and monitors;

- (10) "portable systems" means systems which may be moved from place to place, including mobile phones and tablets;
- (11) "server" means a hardware system that supplies data or resources to other systems on a network;
- (12) "software" means the entire set of programs, procedures, and related documentation associated with a system;
- (13) "system" means a communication device designed to accept data, perform prescribed mathematical and logical operations at high speed, and display the results of these operations. Such devices include computers (e.g., desktop, laptop), tablets, mobile devices (e.g., cell phones, smart phones), and landline telephones;
- (14) "user" means an employee or elected official of the Town of Middleton or another individual who is authorized to use the Town of Middleton's network or systems; and
- (15) "working hours" means the hours of operation for the Town of Middleton, generally Monday to Friday, 8:30 am to 4:30 pm (8:00 am to 5:00 pm for Public Works).

Policy Statement

Guiding Principles

- 2. The following principles will guide the IT practices of the Town of Middleton:
 - (1) Efficiency – to provide seamless IT infrastructure, tools and services in support of the administrative process of the Town of Middleton;
 - (2) Professionalism – to require that network use and information sharing is used ethically and primarily for business-related purposes;
 - (3) Integrity – to ensure that municipal employees and elected officials conduct themselves honestly and appropriately in all forms of communication,

respecting the laws governing copyright infringement, intellectual property, software licensing, property rights and privacy;

- (4) Accountability – to require that all municipal employees and elected officials are responsible for understanding and following the relevant policies and procedures affecting system, network, and Internet usage;
- (5) Security – to continually monitor, evaluate and improve the technology and practices employer to secure the Municipality’s mobile devices, networks, servers and systems; and
- (6) Legislative – to adhere to applicable provincial, federal and municipal laws, regulations and policies.

Roles and Responsibilities

3. Council will ensure that the Town of Middleton has in place a comprehensive Internet and Mobile Device Acceptable Usage Policy.

4. The Chief Administrative Officer will:

- (1) administer and implement this Policy; and
- (2) identify necessary revisions to the Policy in collaboration with the IT Administrator and Management Team.

5. The IT Administrator will:

- (1) authorize and install all software associated with the Town of Middleton’s servers, systems, peripherals, and any other devices connected to the network.
- (2) generate, when required, internet activity reports, analyze usage patterns, and provide a summary report to the Management Committee;
- (3) remain knowledgeable of new concepts to assess and promote the use of technology; and
- (4) ensure information technology training opportunities are available for all employees of the Town of Middleton and elected officials.

- (5) provide assistance and support to employees of the Town of Middleton and elected officials to maximize their use of the Town of Middleton's systems and network; and
 - (6) report any observed and/or suspected incidents of non-compliance with this Policy by the Town of Middleton's employees and elected officials to the CAO.
6. The Department Heads will:
 - (1) ensure that Service Area staff are familiar with this Policy;
 - (2) address any inappropriate activity conducted by service area staff; and
 - (3) identify necessary revisions to the Policy in collaboration with the IT Administrator and Chief Administrative Officer.

Personal Usage of Network and Systems

7. Users are permitted to use the Town of Middleton's network and systems for reasonable personal use to take care of occasional personal matters during working hours, provided that doing so does not interfere with the operations of the Town of Middleton.

8. Personal use of the Town of Middleton's network and systems that incur costs ~~more than \$10.00 over and above~~ the regular and approved budget or would reasonably be considered outside of regular use ~~(per month, quarter, year, or cumulative?)~~ will be invoiced and recovered from the individual user.

Prohibition on Use of Portable Systems While Operating Motor Vehicles

9. The use of a portable system by an employee or elected official of the Town of Middleton is prohibited while operating:
 - (1) a vehicle owned by the Town of Middleton; or
 - (2) a vehicle not owned by the Town of Middleton, but in the conduct of the business of the Town of Middleton
- in accordance with section 100D of Nova Scotia's *Motor Vehicle Act*, as amended.

Internet Usage

10. Users shall not access the following categories of websites while using the network or systems of the Town of Middleton:

- (1) file sharing and piracy sites;
- (2) sites that promote, foster, or perpetuate discrimination on the basis of race, creed, colour, age, religion, gender, marital status, physical or mental disability, or sexual orientation;
- (3) sexual content and sites that link to sexual content;
- (4) sites that are illegal or promote illegal activity contrary to the laws of Canada or Province of Nova Scotia; and
- (5) any other material that would reasonably be considered offensive.

11. A user who accidentally connects to a website described in section 10 must immediately disconnect from the site and notify the IT Administrator of the incident.

Safety and Security

12. Users shall not make changes to or disable software which has been installed on the Town of Middleton's system and network for the purpose of:

- (1) protection of the user and the Town of Middleton's privacy and security; or
- (2) protection of the network and system of the Town of Middleton against viruses and malicious software.

13. Users shall not download and install software on the Town of Middleton's systems or connect peripheral devices to the Town of Middleton's system and network without the prior approval of the IT Administrator.

14. Users shall not take mobile devices out of Canada without prior notification and approval from the CAO. All occurrences of devices leaving the country must be reported and recorded per subsection 5(3) of the *Personal Information International Disclosure Protection Act*.

15. Users who have been provided mobile devices as part of their employment with the Town of Middleton, or as a result of an election, shall return said devices when the employer/employee/Council relationship is ended. Due to the nature of technology, the CAO, in consultation with the IT Administrator and Director of Finance, may allow the purchase of the mobile device based on the condition of the device and the level of technology that is available/utilized by the Town of Middleton as compared to the capacity of the mobile device in question.

Personal Accountability

16. A user shall not share or divulge any username or password issued to the user by the Town of Middleton for the purpose of providing access to the system, network or Internet resources of the Town of Middleton.

17. A user of the Town of Middleton's network and system shall identify themselves honestly, accurately, and completely when participating in all forms of electronic communication (e.g., email) and when participating in other interactive Internet-based activities (e.g., social media and blogs).

Application of Freedom of Information and Protection of Privacy

18. Activity records of a user's system and network usage, which includes, but is not limited to call history, emails, text messages and Internet access history, is information that may be released to the public, if requested, under Part XX of the *Municipal Government Act*, as amended, regarding freedom of information and protection of privacy.

Discipline

19. Any contravention of this Policy may result in action by the Town of Middleton including, but not limited to confiscation of equipment of the Town of Middleton. Employees of the Town of Middleton are subject to disciplinary action up to and including termination of employment.

Certification

THIS IS TO CERTIFY that this policy was
duly passed by a majority vote of the Council
at a duly called Council meeting held on the
____ day of _____, 20____.

GIVEN under the hand of the CAO and
under the seal of the Town of Middleton this
_____ day of _____, 20_____.

Rachel L. Turner
Chief Administrative Officer



REQUEST FOR DECISION
Legacy 2017 Inter-municipal Agreement
#011-2015

Date: 16 April 2015	Subject: Legacy 2017 Inter-municipal Agreement
Proposal Attached: Yes	Submitted by: Rachel Turner, Chief Administrative Officer

Proposal:	That Committee of the Whole recommend to Council the approval, in principle, of the Inter-municipal Service Agreement for the 2017 Legacy Initiative as presented.
Background:	<p>Over the last 8-10 months, the Town of Middleton has been involved in a developing project that has been termed the Legacy 2017 Initiative, which was initially brought into discussion by MP Greg Kerr. As a result, a broad and ever-growing committee has been working towards the organization and integration of the communities and businesses, as well as First Nations, in Annapolis, Digby and Clare to find a way to build a lasting legacy that encourages, supports and promotes Canada's 150th anniversary, and recognize the Annapolis Basin region as the birthplace of what has now become Canada.</p> <p>The broad intent is to find the common thread that winds through the various communities and geographic areas of the above-noted district that link and support each other in telling the tale of our history and how this area came to be the birthplace of Canada.</p> <p>At a meeting held in February 2015, the Committee was presented with and agreed to the idea of forming an inter-municipal service agreement, pursuant to Section 60 and 61 of the <i>Municipal Government Act</i>, to better coordinate this initiative.</p> <p>It has been proposed that a budget for this Board be developed at no more than \$50,000, with the funding formula for participating parties based on the Valley Waste funding formula. The schedule has not yet been determined, and the agreement has yet to be reviewed by a solicitor.</p> <p>Included is a recent press release that outlines some of the support and publicity around this project, as both the Federal and</p>

	Provincial Governments have been apprised of and support what is happening.
Benefits:	Participating in a larger, regional approach that is intended to bring higher awareness both nationally and internationally, and develop the region as a destination for tourists and residents alike, to learn more about our history, culture, and heritage, has the potential to improve the tourism traffic through the Town and within the region. This could have a tremendously positive impact on economic development and stability for our commercial entities.
Disadvantages:	There will be a financial cost associated with this that has yet to be determined.
Options:	
Required Resources:	Staff time through involvement in the Legacy Committee, as well as funding to see the project through over the next two or three fiscal years, beginning in 2015/16.
Source of Funding:	General Operating Budget.
Sustainability Implications: (Environmental, Social, Economic and Cultural)	This initiative has the potential to positively impact the community on economic, cultural, and social levels through increased tourism, economic development, and awareness of this region's cultural heritage in the development of Canada as a nation.
Staff Comments/ Recommendations:	
CAO's Review/ Comments:	There is support from all levels of government in the development of this project. By strengthening the region and promoting it within the country and internationally, we have an opportunity to tap into a tourism market that has largely been underutilized.

CAO Initials: RLT

Target Decision Date: 4 May 2015

DRAFT INTERMUNICIPAL SERVICES AGREEMENT

(DRAFT April 13, 2015 - *Must be vetted through Legal Council*)

Canada 2017 Board

THIS AGREEMENT IS MADE EFFECTIVE THE _____ DAY OF March, 2015

BETWEEN:

TOWN OF ANNAPOLIS ROYAL, a body corporate pursuant to Section 8 of the *Municipal Government Act*;

TOWN OF DIGBY, a body corporate pursuant to Section 8 of the *Municipal Government Act*;

TOWN OF MIDDLETON, a body corporate pursuant to Section 8 of the *Municipal Government Act*;

MUNICIPALITY OF THE DISTRICT OF CLARE, a body corporate pursuant to Section 7 of the *Municipal Government Act*;

MUNICIPALITY OF THE DISTRICT OF DIGBY, a body corporate pursuant to Section 7 of the *Municipal Government Act*;

AND

MUNICIPALITY OF THE COUNTY OF ANNAPOLIS, a body corporate pursuant to Section 7 of the *Municipal Government Act*;

THE PARTIES HERETO AGREE AS FOLLOWS:

Purpose

1. The purpose of this Agreement is to create a corporation to provide for the following services:
 - a) To act as a coordinating body that encourages, supports and promotes the celebration of Canada's 150th anniversary;
 - b) To encourage, support and/or engage in activities and projects that celebrate Canada's 150th anniversary;
 - c) To encourage, support and engage in activities and projects which celebrate the Annapolis Basin region as the birthplace of what would become Canada;
 - d) To encourage, support and celebrate the role of First Nations and their hospitality and crucial role in the development of Canada;
 - e) To encourage, support and celebrate the diverse cultural mix that established the region as a welcoming society in pre-confederation Canada;
 - f) To encourage, develop and promote the communications to media celebrating the role of the Annapolis Basin Region in the establishment of Canada.

2. This Agreement is an Intermunicipal Service Agreement pursuant to Section 60 and 61 of the *Municipal Government Act*.
3. This agreement
 - (1) creates a body corporate, the “Canada 2017 Board” (the “Board”), a committee consisting of one (1) representative of each participating municipality plus one First Nation representative;
 - (2) delegates to the Board the power to act as a coordinating body that encourages, supports and promotes the celebration of Canada's 150th anniversary and may include the provision of services within or outside the participating municipal units; and
 - (3) for greater certainty, delegates to the Board the power to create or own assets for this purpose.
4. Each municipal unit may also appoint an alternate member of the Board who may vote in the place of the member during any absence and the alternate member may attend meetings of the Board at the expense of the appointing municipal unit and shall maintain awareness of the business of the Board such that continuity is not lost and no disruption of the work of the Board occurs.
5. The Board may invite two (2) citizens at large to be members of the Board.
6. All members will be voting members.
7. A board member shall serve a term of office specified by the appointing municipality and shall hold office until their successor is named.
8. Appointments are effective upon the Board being advised in writing of the name and address for the appointed representative, together with the representative’s term of office by the appointing municipality.
9. Initial appointments shall be made by each participating municipality no later than four (4) weeks after signing this Agreement.
10. In the event that a member resigns or otherwise vacates his / her office, the appointing municipality shall appoint a new member no later than six weeks from the effective date of the vacancy.
11. Each municipal unit is responsible for reimbursement of travel costs for their representative to attend board meetings. The Board shall reimburse members for travel and other expenses incurred in connection with the carrying out the work of the Board pursuant to a written expense policy to be adopted by the Board, and as may be amended from time to time.

DECISIONS

12. A quorum of the Board shall be a majority of the members.
13. Any decision requiring the agreement of the members of the board of directors shall be decided by a majority of those members present unless otherwise stated in this agreement.
14. A motion on which the votes are tied is lost.
15. The Corporation shall adopt rules of procedure to govern its meetings and the conduct of its business.

16. Any decision requiring the agreement of the parties represented on the Board shall be decided by a majority of two thirds (2/3) plus one. Decisions requiring consent of the municipal units include:
- a) changes to the parties to the Agreement;
 - b) addition of new parties to the agreement;
 - c) additions to the services agreed to be provided by the Board;
 - d) the allocation, leasing or sale of capital assets having a value of greater than one hundred thousand dollars (\$100,000);
 - e) approval of the annual operating plan and budget;
 - f) approval of the annual capital budget;
 - g) approval of supplemental budget estimates; and
 - h) alteration of this agreement.

OFFICERS

17. The Board shall annually name one of its members to be Chairperson.
18. The Board shall annually name one of its members to be Vice-Chairperson to act in the absence or incapacity of the Chairperson.
19. All members, including the Chairperson or other person presiding, shall vote on every question before the Board, except in the case of a conflict of interest where the member shall declare his / her interest in the matter and conduct himself / herself in accordance with the *Municipal Conflict of Interest Act*. An alternate member may vote in the place of a member who has declared an interest in a matter before the Board.
20. The board of directors shall appoint a Secretary to keep and maintain the minutes and records (except the financial records) and perform such other duties as may be assigned. This position may be held by a member of the Board, an employee of the Corporation, an employee of a municipality that is a party to this agreement, or a person contracted to provide service to the Board. However, at no time is an employee of a municipality an employee of the Corporation.
21. The board of directors shall appoint a Treasurer to maintain the financial records of the Corporation and perform such other duties as may be assigned. This position may be held by a member of the Board, an employee of the Corporation, an employee of a municipality that is a party to this agreement, or a person contracted to provide service to the Board. However, at no time is an employee of a municipality an employee of the Corporation.
22. The offices of Secretary and Treasurer may be combined.

SHARING OF COSTS

23. The municipal units agree to contribute to the net operating costs (i.e. operating costs minus operating revenues) and capital costs incurred by the Corporation in accordance with the cost-sharing formula which is attached as Schedule "A" **(to be developed)** to this Agreement, and which schedule is initialed by the participating municipal units.

ASSETS

24. The Corporation shall have the power to accept grants, gifts, assignments, devises and bequests of real and personal property and to apply them to the general purposes of the Corporation.
25. The Corporation shall have the power to acquire real and personal property by deed, will, gift or lease or in any other manner, and to lease.
26. Any asset created or acquired by the Corporation shall be owned by the Corporation.
27. No capital asset valued at greater than one hundred thousand dollars (\$100,000) shall be disposed of by the Corporation unless approved by all of the participating municipal units.

BORROWING

28. The Corporation shall have the power to borrow money from the Nova Scotia Municipal Finance Corporation, or any bank, credit union or financial institution, at prevailing interest rates for any lawful purpose of the Corporation, including but not limited to capital costs and acquisitions, debt financing and refinancing, and the establishment of an operating line of credit for current annual expenditures, subject only to Ministerial approval as may be required by Section 88(1) of the *Municipal Government Act*.

SERVICES AND CONTRACTS

29. The Board is empowered to make provision for the use of equipment, facilities, services and personnel necessary or advisable to provide the services contemplated by this Agreement.
30. The Board may contract with any person, including a municipal unit, for the provision of any service or facility necessary or advisable to provide the responsibilities assigned to it by this Agreement.
31. This Agreement delegates to the Board the power to enter into agreements with other municipalities, villages, service commissions, the Government of the Province or of Canada or a department or agency of either of them or a band council pursuant to the Indian Act (Canada).
32. The Board shall annually appoint an auditor.

OPERATING

33. The Corporation shall have the power to raise revenue by means determined appropriate by the Board to augment or replace the municipalities' contribution to costs, provided that such means are consistent with the annual operating plan and budget.
34. Operating costs may include the following:
 - a. wages and salaries for personnel employed directly by the Corporation for the purposes of the Corporation;
 - b. the payment of fees to contractors;
 - c. principal and interest charges on debts incurred by the Corporation or the municipalities on behalf of the Corporation;
 - d. lease, maintenance and repair expenses for any property operated by the Corporation for the purposes of the Corporation;

- e. preparation, inspection, delivery, installation and removal of materials, plants, tools and supplies;
- f. travel expenses properly incurred by employees or members of the Corporation for the purposes of the Corporation;
- g. rentals of equipment whether from a municipality or otherwise, including any applicable insurance cost, transportation cost, cost of loading and unloading, registration fees, cost of installation, dismantling and removal, repair and replacement (exclusive of repairs necessitated by defects when acquired);
- h. expendable materials, supplies, light; power, heat, water, and tools except those customarily provided by trades people;
- i. advertising, promotional and educational costs;
- j. assessments under the *Workers Compensation Act*, employment insurance, Canada Pension Plan contributions, vacation pay, or paid vacations and other statutory requirements, sales and other taxes;
- k. other permissive employee benefits, as approved by the Corporation;
- l. administration costs of the Corporation including payment of staff and reimbursement of expenses to board members, legal and audit fees, and like costs;
- m. premiums for liability, errors and omissions, plant and equipment and other insurance policies;
- n. any capital costs financed through capital from revenue and not financed by a capital borrowing, grants or other sources; and
- o. other expenses deemed necessary provided that they are consistent with this Agreement.

ANNUAL OPERATING PLAN

- 35. No later than 90 days before the beginning of the fiscal year, the Corporation shall approve and submit the annual operating plan and annual budget to each of the municipal units for their approval.
- 36. No later than 30 days before the beginning of the fiscal year, the municipal units shall each consider and either approve or reject the annual operating plan and budget, and inform the Corporation of such decision within one day.

PAYMENTS BY MUNICIPAL UNITS

- 37. The Corporation shall invoice the municipal units monthly for each municipality's share of the net operating costs and capital costs, and such invoice shall be due immediately and payable within 60 days of the date of the invoice.
- 38. Any municipality which is more than thirty days in arrears shall pay interest on the arrears at a rate to be determined by policy of the Corporation, as may be amended from time-to-time.

BUDGET

- 39. The Corporation shall not expend funds in excess of the amounts approved by the municipal units in the annual budget or any supplementary budget.

40. If the Corporation determines that the annual budget should be revised, the Corporation will approve and submit a supplementary budget to each of the municipalities for approval. Not later than 45 days after receiving the supplementary budget, the municipality shall consider and either approve or reject the supplementary budget and inform the Corporation of such decision within one day.

MUNICIPAL GRANTS

41. The municipal units, or any one or more of them, may apply for grants on behalf of the Corporation for which municipalities are eligible but for which the Corporation is not eligible. Any grants so acquired shall be credited to the Corporation and shall be in addition to the municipality's share of the net operating costs and capital costs of the Corporation.

FISCAL YEAR/ANNUAL REPORT

42. The fiscal year of the Corporation is the municipal fiscal year.
43. No later than one hundred twenty days after the end of the fiscal year, the Association shall submit an annual report to each municipal unit describing the Association's activities in the preceding fiscal year and including an audited financial statement.
44. The accounts of the Association shall be kept and reported on as required by the Municipal Accounting and Reporting Manual prescribed by the Minister of Municipal Affairs as may be amended from time-to-time.

AMENDMENT

45. Any new party to the agreement shall be a municipal unit or another organization permitted pursuant to Section 60 of the *Municipal Government Act*.
46. New parties may only be added to this agreement upon agreement of the participating municipalities in accordance with Section 16.

WITHDRAWAL BY MUNICIPAL UNIT

47. Any municipal unit wishing to withdraw from this Agreement shall give notice of withdrawal to the other municipalities not less than nine months prior to the intended withdrawal date. The withdrawal date shall coincide with the end of a fiscal year and shall not be any other date.
48. Any municipal unit withdrawing from this agreement remains responsible for the municipality's share of any liabilities of the Corporation incurred to the date of the withdrawal and any severance, penalty, or other costs necessarily incurred by the Corporation as a result of the withdrawal.
49. Any municipal unit to this agreement which exercises its right to withdraw from the agreement ceases to have any interest in any assets created or acquired by the Corporation.

DISSOLUTION

50. The Corporation may only be dissolved upon agreement of all of the parties.
51. Upon dissolution, the assets and liabilities of the Corporation are vested in the municipalities in the same proportion as costs are shared, as determined by the cost-sharing formula set out in Schedule "B" (*to be developed*).

APPLICABLE LAW

52. This Agreement is governed by the laws of Nova Scotia.
53. The Corporation is bound by:
- a) the *Municipal Government Act*, including Part XX (Freedom of Information and Protection of Privacy);
 - b) the *Municipal Conflict of Interest Act*;
 - c) the *Privacy Act* (Canada);
 - d) the agreement on interprovincial trade and applicable provincial government procurement policies; and
 - e) any general municipal agreements to which all of the participating municipal units have consented.

ARBITRATION

54. If any disagreement arises among the municipal units as to the proper interpretation of this agreement that cannot be resolved by mediation, the member municipalities shall submit the area of disagreement to an arbitrator as provided by the *Commercial Arbitration Act*.

TERMINATION

55. The parties agree that this Agreement shall terminate on March 31, 2020, but shall be capable of renewal on such terms as the parties shall agree in writing.

ENTIRE AGREEMENT

56. The municipal units agree that this is the entire agreement among the parties with respect to the provision of the services described herein, and that this agreement may only be altered by agreement in writing by the parties.

IN WITNESS WHEREOF the parties hereto have executed this agreement by their respective officials, duly authorized in that behalf, on the day and year first above written.

SIGNED AND SEALED

in the presence of:

_____)	TOWN OF ANNAPOLIS ROYAL
)	
)	
)	Per: _____, Mayor
)	
)	
)	
_____)	Per: _____, Clerk
)	
)	
)	

)

TOWN OF DIGBY

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Per: _____, Mayor

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Per: _____, Clerk

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)

)

TOWN OF MIDDLETON

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Per: _____, Mayor

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Per: _____, Clerk

)

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)

) **MUNICIPALITY OF THE DISTRICT OF CLARE**

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) Per: _____, Warden

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) Per: _____, Clerk

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) **MUNICIPALITY OF THE DISTRICT OF DIGBY**

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) Per: _____, Warden

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) Per: _____, Clerk

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) **MUNICIPALITY OF THE COUNTY OF ANNAPOLIS**

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) Per: _____, Warden

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) Per: _____, Clerk

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Province Offers Support for 2017 Legacy Planning

April 10, 2015

(ANNAPOLIS ROYAL, NS) Momentum continues to grow in southwestern Nova Scotia to build a regional legacy strategy to mark Canada's 150th birthday.

The provincial government underlined its support at a recent meeting in Annapolis Royal when Kelliann Dean, the Deputy Minister for the Nova Scotia Department of Communities, Culture and Heritage (NSCCH) met with West Nova Member of Parliament Greg Kerr and Annapolis Municipality Chief Administrative Officer John Ferguson.

The meeting was arranged by Kerr as part of his ongoing effort to encourage community preparedness and collaboration in benefiting from the federal government's plan to commemorate and support significant heritage milestones of a broad national perspective through the "Road to 2017" plan.

The meeting included a tour of Fort Anne and a viewing of the Nova Scotia Charter document.

Kerr welcomed the provincial backing and said it was indicative of a positive spirit of government cooperation.

"At an earlier meeting Premier McNeil indicated his wholehearted support for such a collaborative regional approach and the discussion with the Deputy Minister, and a senior member of her staff underlined the fact that he remains fully committed to taking advantage of this opportunity." Kerr reported.

Following the meeting and tour Deputy Minister Dean said she was impressed with the level of planning and teamwork; and reiterated the provincial government's commitment of support for the regional legacy 2017 agenda.

Kerr once again said that the Canada 2017 is an opportunity that can't be ignored.

"This may be a national initiative but the Premier, the provincial government, and the area's municipal units all realize that we have to work together to develop a plan that will effectively recognize and promote our distinguished historical legacy", he maintained.

In February six area municipal units announced agreement to develop a regional heritage and cultural funding strategy, and that their respective municipal units would entertain a draft inter-municipal agreement to identify and pursue specific legacy initiatives. Several more area municipalities have recently indicated strong interest in participating in the agreement.

The agreement would allow for a corporation or not-for-profit organization to be created, giving more flexibility to the municipal units.

A regional Legacy Committee has been formed and is chaired by Municipality of Annapolis Chief Administrative Officer (CAO) John Ferguson, who also welcomed the involvement of the Province.

“The fact that the provincial government saw fit to send the Deputy Minister and a senior staff member from the Department of Communities, Culture and Heritage to meet with us and to offer support is a definite indication that this project is getting top level attention”, Ferguson pointed out.

The CAO commended Kerr’s leadership on this project and said that the level of communication and cooperation between the area MP and the Premier, who is also the MLA for Annapolis, has been instrumental in moving the planning forward and that he anticipated the municipal units would follow with equally dedicated participation.

“The support from our region’s Mayors, Wardens and administration has been tremendous,” Ferguson said, adding “This regional relationship continues to build not only opportunity that will attract people to all our communities, but raise our historical profile nationally and internationally. “

Both Kerr and Ferguson suggested that the next steps would include the formalization of the shared municipal agreement and development of a comprehensive proposal.

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Photo caption for attached: *Pictured in front of the Nova Scotia Charter document at Fort Anne National Historic Site are (l-r): Annapolis County CAO John Ferguson; Fort Anne Visitor Experience Manager Lillian Stewart; Nova Scotia CCH Deputy Minister Kelliann Dean; and West Nova MP Greg Kerr.*

For further information contact:

Peter MacLellan

Legacy Committee Communications Coordinator

(902) 308-3331

John Ferguson

Legacy Committee Chair

(902) 532-3130



Ottawa

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Greg Kerr

Member of Parliament / Député
West Nova / Nova-Ouest

Circonscription

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Tél. : 902-742-6808
Téléc. : 902-742-6815

Canada Legacy 2017 Committee
C/O John Ferguson
PO Box 100
752 George street
Annapolis Royal, NS B0S1A0

April 27, 2015

I would like to thank the Canada Legacy 2017 Committee for your ongoing work and keeping me apprised of your progress communicated through your Chair John Ferguson. I understand you are making great progress in forming an inter-municipal relationship that will pursue regional opportunities that are presented by the approaching 150th Birthday of Canada in 2017.

I know you can achieve your goal that will see a world class documentary produced based on our rich heritage from Argyle to Grand Pré and the many communities in between.

This initiative will be a tribute to the tremendous history in our region of Canada. I support the belief that it is the incubator that shaped Canada. This includes the Mi'kmaq welcoming Samuel de Champlain and establishing the first European settlement north of Florida; Acadian settlement and expulsion; the Black community and 11 wars that lead to the impetus to build Fort Anne and the provincial Charter which gave Nova Scotia its name. Further, Fort Anne will celebrate its 100th Birthday in 2017 as the oldest National Historic Site in the Parks Canada system.

The legacy this shared history provides is so important. Many Canadians are not aware of this prequel to Canada. However, with your continued commitment this initiative has the potential to be an important economic opportunity, attracting visitors from across Canada and beyond.

It is up to us to tell this story and I remain committed to help.

Sincerely,

Greg Kerr, M.P.
West Nova



greg.kerr@parl.gc.ca
<http://www.gregkerrmp.ca/>



REQUEST FOR DECISION
Valley REN Inter-Municipal Agreement
#013-2015

Date: 29 April 2015	Subject: Valley REN Inter-Municipal Agreement
Proposal Attached: Yes	Submitted by: Rachel Turner, Chief Administrative Officer

Proposal:	That Council approve the requested amendments to sections 7 and 10 of the Valley REN Inter-Municipal Agreement and the revised funding formula, as presented.
Background:	<p>After the first year of existence, the Valley REN Inter-Municipal Agreement requires housekeeping amendments to the required quorum for the Board of Directors and the Liaison and Oversight Committee. The quorum amendments, specifically sections 7 and 10 in the Agreement, clarify what quorum consists of in order for business to be transacted at the respective meetings.</p> <p>The Board of Directors was initially at 8 members, but the agreement has the flexibility to have between eight and twelve members. The wording change allows for that flexibility without having to change it with each changing Board of Directors.</p> <p>Additionally, with the elimination of the provincial ERDT Department, staff participating from the Province is now coming from the Department of Municipal Affairs. As a result, quorum at the L&O Committee meetings must also include a provincial representative.</p> <p>The Town of Berwick gave notice last year at this time that it required the funding formula to be revised to better reflect ability to pay by the municipal partners. The L&O Committee tasked the CAO's to develop options, and the attached breakdown for funding was approved by the L&O Committee. It is calculated with a base charge of \$7,500 for each partner, and the remaining amount is based on 50% Uniform Assessment and 50% Population for each unit. This funding formula was discussed previously with Middleton Town Council, with agreement in principle. However, the Valley REN Board of Directors requires formal approval by each of the municipal partners.</p>

Benefits:	Transparency and consistency.
Disadvantages:	None foreseen.
Options:	
Required Resources:	
Source of Funding:	General Operating Budget.
Sustainability Implications: (Environmental, Social, Economic and Cultural)	
Staff Comments/ Recommendations:	
CAO's Review/ Comments:	These are housekeeping amendments to ensure clarity and provide consistency in the operation of the Valley REN, as well as to establish a relevant and defensible funding formula for current and potential future partners. The revised funding formula also slightly lowers the Town's financial commitment to the REN.

CAO Initials: RLT

Target Decision Date: 4 May 2015

Valley Regional Enterprise Network (VREN) – Requested Inter-Municipal Agreement Amendments

Requested by: Liaison and Oversight Committee - Chair David Corkum

Date: April 24, 2015

Response Request: Please respond to Kentville CAO Mark Phillips at mphillips@kentville.ca

Background: Discussions at the April 25, 2015 meeting of the Liaison and Oversight Committee has culminated in the following three (3) requested amendments of the Valley REN Inter-Municipal Agreement signed March 20, 2014. These amendments require the approval of all partners and your immediate attention.

Proposed Agreement Amendments

Section 10

- (a) All meetings of the Board of Directors require a quorum consisting of a majority of the maximum number of persons that may be appointed to the Board. If a quorum is not present, no business may be transacted at the meeting.

Proposed Amendment

All meetings of the Board of Directors require a quorum consisting of a majority of the number of persons that are appointed to the Board in that current year. If a quorum is not present, no business may be transacted at the meeting.

Section 7

- (a) All meetings of the Liaison and Oversight Committee require a quorum consisting of three-quarters (75%) of its total membership. If a quorum is not present, no business may be transacted at a meeting of the Liaison and Oversight Committee.

Proposed Amendment

All meetings of the Liaison and Oversight Committee require a quorum consisting of a majority of its total membership, plus the requirement that one provincial appointment be present at the meeting. If a quorum is not present, no business may be transacted at a meeting of the Liaison and Oversight Committee

Current Funding Formula reflected in Agreement – effective 2014/15

Partner	Total\$	Total %
Berwick	17,790	6.3%
Bridgetown	7,022	2.5%
Glooscap	7,500	2.6%
Hantsport	7,407	2.6%
Kentville	34,572	12.2%
Middleton	14,722	5.2%
Windsor	19,275	6.8%
Wolfville	34,572	12.2%
W Hants Co	51,715	18.2%
Kings Co	88,950	31.4%
	283,525	100%

Proposed Amendment- Funding Formula – effective 2015/16

Partner	Base	UA	Population	Total \$	Total %
Berwick	7,500	140,623,797	2,454	14,184	4.7%
Bridgetown	7,500	45,778,417	949	9,906	3.2%
Glooscap	7,500	-	-	7,500	2.5%
Hantsport	-	-	-	-	0.0%
Kentville	7,500	469,480,187	6,094	26,598	8.7%
Middleton	7,500	102,397,635	1,749	12,309	4.0%
Windsor	7,500	212,997,499	3,785	17,729	5.8%
Wolfville	7,500	439,002,523	4,269	23,167	7.6%
W Hants Co	7,500	987,743,103	10,380	43,938	14.4%
Kings Co	7,500	3,317,054,129	47,772	149,667	49.1%
	67,500	5,715,077,290	77,452	305,000	100.0%

Base	7,500
Municipal Contributions	305,000
Total Budget	610,000

MAYOR'S REPORT MAY 2015

April 7 th	Chaired monthly Council session
April 8 th	Attended “Valley Towns Roundtable”, Windsor
April 9 th	Attended Funding announcement with MP Greg Kerr re: North St. Chapel
April 15 th	Meeting re Sale of Industrial Park land
April 16 th	Attended Volunteer of the Year ceremonies in Annapolis Royal
April 18 th	Brought best wishes from the Town to Roy and Pauline Beals (60 th Wedding Anniversary Celebrations)
April 23 rd	Took part in Valley REN meeting (teleconference)
April 28 th	Attended URB Hearing re: Town Governance

CORRESPONDENCE – APRIL
(for May 4, 2015 Council Meeting)

The following items of correspondence are tabled for the Council's attention. A copy of any correspondence item listed, if not previously circulated, is available on SharePoint for interested members of Council:

1. A letter of appreciation from ***Bruce and Dolina Foster*** to the staff and Council for work well done and in a timely fashion.
2. A thank you card from ***Ron Brown & Family*** for the Town's kindness and sympathy.
3. An invitation to the Mayor from ***Nova Scotia Education and Early Childhood Development*** to attend the *Lieutenant Governor's Medal Presentation* to Grade 11 students who have been selected by the principal and staff of each high school under the Annapolis Valley Regional School Board.
4. An invitation to attend the ***Greg Kerr Roast*** on June 13th, 2015.
5. The May 2015 newsletter from ***Careforce***.