

## MUNICIPAL COUNCIL

**Tuesday, September 3, 2024 @ 7 p.m.**

### COUNCIL CHAMBERS/YOUTUBE STREAMING CHANNEL

1. Call to Order
2. Moment of Silence
3. Land Acknowledgement
4. Approval of Agenda
5. Emergency Resolutions
6. **Errors and Omissions/Corrections to Minutes**
  - a. Council Meeting August 6, 2024
7. **Correspondence**
  - a. Thank You from Ryan Case for Smiles for Council Grant
  - b. Thank You from Camp Geddie for Council Grant
  - c. Thank You from Pictou County Ground Search and Rescue for Council Grant
  - d. Thank you from Trenton FD Lob Ball Tournament with Recreation Grant
8. **Proclamation:** Right to Know Week September 23-29, 2024
9. **Presentation:** 144 Construction Engineering Flight—This presentation will outline the flight's work and how it can benefit municipalities.
10. **Business Items Not Requiring Action**
  - a. East River Business Park Business Development Report
11. **Business Items or Items Requiring Action**
  - a. Resolution: Municipal Service Grants – Clr. Elliott
  - b. Resolution: Clean Nova Scotia Funding Request – Clr. Turner
  - c. Resolution: Recreation Operating Grant – Clr. Wadden
  - d. Resolution: Ad Hoc Committee on Litter – Clr. Butler
  - e. Resolution: Pictou Island Fire Department Funding – Clr. MacKeil
  - f. New Code of Conduct for Elected Members – CAO Cullen

12. Consideration of Deferred Business

13. Community Announcements

14. Motions of Reconsideration

15. Adjournment

August 6, 2024

The Municipal Council for the Municipality of the County of Pictou met in the Council Chambers of the Municipal Administration Building by videoconference and teleconference on Tuesday, August 6, 2024, at 7:00 p.m.

**PRESENT**

Dist:

- 1 Clr. Don Butler
- 2 Clr. Deborah Wadden
- 3 Clr. Darla MacKeil
- 4 Clr. Mary Elliott
- 5 Deputy Warden Wayne Murray
- 6 Warden Robert Parker
- 7 Clr. David Parker
- 8 Clr. Larry Turner
- 9 Clr. Peter Boyles
- 10 Clr. Randy Palmer
- 11 Clr. Andy Thompson
- 12 Clr. Chester Dewar

**IN ATTENDANCE**

Brian Cullen, CAO Municipal Clerk-Treasurer  
Sueann Musick, Director of Corporate Services/Deputy Clerk  
Karen Cornish, Deputy Municipal Treasurer  
Evan Hale, Director of Emergency Services  
Shellie Pettipas, Administrative Assistant  
Adam MacInnis, Communications Officer

**ABSENT**

Logan McDowell, Director of Public Works & Development

**CALL TO ORDER & LAND ACKNOWLEDGEMENT**

Warden Parker called the meeting to order and invited Councillors to pray or reflect, as may be their preference, to help Council focus and properly do the work of the Municipality and to remember our Indigenous communities. He acknowledges that we are on the ancestral territorial lands of the Mikmaq people and would like to thank the Mikmaq people today for their ancestors sharing these precious lands with all our ancestors, whether they arrived here 400 years ago or four years ago. May we all live in peace and harmony together.

## **AGENDA**

It was moved by Clr. Boyles and seconded by Clr. Elliott that the agenda be approved as presented. **Motion Carried**

## **EMERGENCY RESOLUTIONS**

No emergency resolutions were brought forward.

## **ERRORS AND OMISSIONS/CORRECTION OF MINUTES**

Warden Parker asked if there were any errors, omissions, or corrections in the minutes for the July 2, 2024 Council Meeting. The minutes of the June 3, 2024, Council Meeting were reviewed by the Municipal Council. Warden Parker proclaimed the minutes of the meeting of July 2, 2024, as the official record of the meeting.

Clr. Wadden noted that the New Scotland Business Park report was missing from the minutes.

## **CORRESPONDENCE**

- a. Thank you from Northumberland Regional High School for MOPC Graduation Bursaries.
- b. Thank you from North Nova Education Centre for the MOPC Graduation Bursaries.
- c. Thank you from Northumberland Regional High School Graduate Austin Cullen for the MOPC Bursary.
- d. Thank you from North Nova Education Centre Graduate Lane MacFarlane for the MOPC Bursary.
- e. Thank you from North Nova Education Centre Graduate Blaine Wilson for the MOPC Bursary.
- f. Thank You from Tatamagouche Regional High School for the MOPC Bursary.
- g. Letter from NS Municipal Affairs and Housing regarding Canada Community-Building Fund.
- h. Letter from NS Municipal Affairs and Housing regarding the coordination of the Emergency Alert System.

## **BUSINESS ITEMS NOT REQUIRING ACTION**

The East River Business Park Business Development Report was received as presented.

## **BUSINESS ITEMS OR ITEMS REQUIRING ACTION**

## **COMMITTEE OF COUNCIL POLICY**

It was moved by Clr. Thompson and seconded by Clr. Dewar adopt the following Committees of Council Policy. **Motion Carried**

## **RESOLUTION**

**BE It RESOLVED** the Municipality of the County of Pictou adopt the following resolution, which updates the Committees of Council Policy:



**POLICY # 2024-08-06**

### MUNICIPALITY OF THE COUNTY OF PICTOU COMMITTEES OF COUNCIL POLICY

In accordance with Section 23(1) (c) of the Municipal Government Act, being Chapter 18 of the Revised Statutes of Nova Scotia, 1998, the Municipal Council for the Municipality of the County of Pictou hereby enacts a policy with respect to committees of Council as follows:

#### **1. POLICY**

1.1. The Council hereby establishes the following standing committees:

- 1.1.1. Committee of the Whole Council.
- 1.1.2. Executive Committee.
- 1.1.3. Financial Services Committee.
- 1.1.4. Property Services Committee.
- 1.1.5. Audit Committee.

## **2. NOMINATIONS**

- 2.1. The Financial Services Committee shall nominate:
  - 2.1.1. at the regular November meeting of the Council, the members to all standing committees and other committees for a period of one year unless otherwise specified by the terms of reference for that committee.
  - 2.1.2. at the regular November meeting of the Council, the members to all boards and commissions where a vacancy exists due to the expiration of the term of office of any such member, and the Municipality is authorized to fill such vacancy.
  - 2.1.3. at the April meeting of the Council appoint citizen representatives to Committees or to district and county offices as are required by By-Laws or Statutes of Nova Scotia, for a period of two ~~one~~ years.
- 2.2. Notwithstanding anything in this policy, in any election year, at the regular November meeting, the Warden shall appoint a nominating committee consisting of three members of Council as a special committee of Council and the nominating committee at that meeting shall nominate all members of the standing committees of Council.
- 2.3. Every such nomination shall be subject to the approval of the Council, to be determined at the meeting at which such nomination is presented, unless otherwise expressly provided, and the Council may reject any nominee of the Financial Services Committee and appoint another in his stead.
- 2.4. If any Councilor appointed a member of a standing committee, or a committee other than a standing committee, ceases to be a Councilor, he shall thereupon cease to be a member of such Committee, and the Financial Services Committee shall, subject to the approval of the Council, appoint another to fill the vacancy for the remainder of the term.

2.5. A vacancy happening in respect of any member appointed by the Council, or any board or commission, may be filled by resolution of the Council, at any meeting, and without giving any notice of motion.

2.6. The Council may, by a majority vote, remove any member of a committee, or any member of a board or commission, which it has power to appoint.

### **3. SPECIAL COMMITTEES (Ad-HOC)**

3.1. A special committee consisting of at least three members may be appointed from time to time, for the purpose of inquiring into and reporting upon any matter referred to such committee by resolution of the Council.

3.2. It will be the duty of all committees to report on matters referred to them by the Council. The report shall be in writing, signed by the Chairman or a majority thereof. If the committee is not unanimous, the minority may submit a separate report. Such reports shall be filed in a convenient form and be preserved as part of the records of the proceedings of the Council.

3.3. A number of three members or a majority of members of each special committee, whichever is the greater, shall form a quorum of such committee.

3.4. The Warden shall be a member ex-officio of all special committees and shall be entitled to vote at any meeting thereof.

### **4. COMMITTEE STRUCTURE**

4.1. Except for the Executive Committee, the standing and special committees of Council shall elect a Chair and a Deputy Chair from among their members.

- 4.2. The standing and special committees of the Council may constitute such subcommittees as they deem necessary to the proper discharge of their duties.
- 4.3. A majority of members of each committee shall form a quorum of each committee.
- 4.4. Every standing committee shall determine the time and place of the regular meetings of such committees, provided, however, that the Chairman may call other meetings of such committee at such time and place as he deems advisable.
- 4.5. If the Chairman determines that a quorum of the Committee will not be present for any meeting of the committee to be held as provided in subsection (2) of this section, he may name another day for the holding of such meetings or may cancel such meeting.

## **5. EXECUTIVE COMMITTEE**

- 5.1. The Executive Committee shall consist of the Warden, who shall be Chairman, and all members of Council.
- 5.2. The Clerk shall act as secretary of the Executive Committee.
- 5.3. The Committee shall, by resolution, determine the time and place of the regular meetings of such Committee, provided however, that the Chairman may call other meetings of such Committee at such time and place as he deems advisable.
- 5.4. If the Chairman determines that a quorum of the Committee will not be present for any meeting of the Committee to be held, as provided in subsection (3) of this section, he may name another day for the holding of such meeting or may cancel such meeting.



5.5. The Executive Committee shall consider and report on matters arising in relation to the following subjects:

5.5.1. community economic development.

5.5.2. emergency measures;

5.5.3. human resources matters, including:

*5.5.3.1. negotiating, for later ratification by Council, any labor contracts with employees of the Municipality, or their representatives.*

*5.5.3.2. dealing with all labor-related issues, including employee grievances, under any collective agreement or otherwise.*

*5.5.3.3. dealing with any other personnel-related issues.*

*5.5.3.4. any other matters as from time to time are assigned to it by Council or committees of Council.*

5.6. For greater clarity, to fulfill its mandate, the Committee may engage any expertise required.

## **6. FINANCIAL SERVICES COMMITTEE**

6.1. The Financial Services Committee shall consist of all members of Council.

6.2. The Clerk shall act as Secretary of the said Committee.

6.3. The Committee shall, by resolution, determine the time and place of the regular meetings of such Committee, provided however, that the Chairman may call other meetings of such Committee at such time and place as he deems advisable.

6.4. If the Chairman determines that a quorum of the Committee will not be present for any meeting of the Committee to be held as provided in subsection (3) of this section, he may name another day for the holding of such meetings or may cancel such meeting.

6.5. The Financial Services Committee shall consider and report on matters arising in relation to the following subjects:

6.5.1. all financial matters, in accordance with governing legislation.

6.5.2. drafts of by-laws, policies as provided for in the Municipal Government Act, agreements, easements, leases, and any other documents or any other matter of legal nature;

6.5.3. proposals and suggestions for amendments and additions to by-laws, policies as provided for in the Municipal Government Act, and enactments of the Legislature relating to municipal affairs;

6.5.4. all matters relating to the issue of licenses of every nature or kind in the Municipality.

6.5.5. nominations.

6.5.6. recreation.

6.5.7. Report of monthly activities of the Warden

6.5.8. any other matters as from time to time may be assigned to it by Council or committees of Council.

## **7. PROPERTY SERVICES COMMITTEE**

- 7.1. The Property Services Committee shall consist of all members of Council.
- 7.2. The Clerk shall act as Secretary of the Property Services Committee.
- 7.3. The Committee shall, by resolution, determine the time and place of the regular meetings of such Committee, provided however, that the Chairman may call other meetings of such Committee at such time and place as he deems advisable.
- 7.4. If the Chairman determines that a quorum of the Committee will not be present for any meeting of the Committee to be held, as provided in subsection (3) of this section, he may name another day for the holding of such meeting or may cancel such meeting.
- 7.5. The Property Services Committee shall consider and report on matters arising in relation to the following subjects:
  - 7.5.1. municipal services;
  - 7.5.2. all matters relating to land and buildings owned or under the control of the Council with which the Council is authorized to deal with under the by-laws or Statutes of Nova Scotia, and which the Council has not assigned to any other committee;
  - 7.5.3. wastewater management;
  - 7.5.4. building inspection;
  - 7.5.5. Fire Inspection
  - 7.5.6. by-law enforcement;

7.5.7. dog control;

**7.5.8. Emergency Services Department**

7.5.9. any other property services-related matters or such other matters as from time to time are assigned to it by Council or committees of Council.

**8. AUDIT COMMITTEE**

8.1. The purpose of the Audit Committee is to provide advice to the Council on matters relating to audit and finance.

8.1.1. The Audit Committee shall fulfill the requirements as outlined in Section 44 of the Municipal Government Act; and

8.1.2. The Audit Committee shall assist the Council in meeting its responsibilities by ensuring the adequacy and effectiveness of financial reporting, risk management and internal controls.

**8.2. The Audit Committee shall consist of eight (8) members, five (5) of which shall be members of the Municipal Council.**

8.3. The Members of the Audit Committee shall be appointed by the Council as follows:

8.3.1. Warden

8.3.2. Deputy Warden

8.3.3. The chair of the Financial Services Committee

8.3.4. Two Council members

**8.3.5. Three (3) citizen members appointed at large.**

8.4. The term of each appointment shall be two (2) years.

8.5. The Chair and Vice-Chair shall be elected annually in November, by the Members.

8.6. The Audit Committee shall:

8.6.1. review the qualifications, independence, quality of service and performance of the External Auditors annually; and

8.6.2. recommend to the Council the appointment or discharge of the External Auditors;

8.6.3. carry out the responsibilities of the Audit Committee as outlined in subsection 44 (2) of the Municipal Government Act , including:

*8.6.3.1. reviewing, in detail, the financial statements of the Municipality with the External Auditors,*

*8.6.3.2. evaluating internal control systems and management letters with the External Auditors,*

*8.6.3.3. reviewing the conduct and adequacy of any internal audit undertaken,*

*8.6.3.4. reviewing matters arising out of any internal audit that require further Investigation, and*

*8.6.3.5. undertaking other actions determined by the Council to be the duties of the Audit Committee; and*

*8.6.3.6. review with management and the External Auditor and recommend to the Council for approval, the annual audited financial statements.*

8.7. The Audit Committee shall:

- 8.7.1. review with Finance management the financial forecast and performance indicators to be presented to the Council;
  - 8.7.2. review annually the debt and interest risk management activities proposed for the upcoming year by management;
  - 8.7.3. review annually with Finance management and report to the Council on the appropriateness of financial accounting policies, disclosures and forecasts.
  - 8.7.4. ensure the adequacy and effectiveness of the systems of internal control in relation to financial controls and risk management as established by Administration;
  - 8.7.5. review with management, risk management and financial implications coming from such risk and implications, including: Environmental, Human Resources, Operational and the insurable risks and insurance coverage strategy of the Municipality; and
  - 8.7.6. review, as required, any other policies, procedures, forecasts, reports or process as agreed to mutually by the CAO and the Committee.
- 8.8. The Audit Committee shall review and make recommendations on proposals coming to the Council outside of the annual budget or tender process including:
- 8.8.1. new programs or services not yet approved or funded;
  - 8.8.2. programs or services that are being substantially altered;

8.8.3. proposed changes in any operating or project budget items;

8.8.4. the commitment of funds where there is insufficient approved budget;

8.8.5. new or increased capital projects not within the approved budget;

8.8.6. increases in project budget due to cost sharing; and

8.8.7. the creation or modification of reserves and withdrawals not approved in the approved budget.

8.9. The Audit Committee shall meet no less than four (4) times annually or as determined by the Committee.

## **9. GENERAL**

9.1. Administrative and meeting procedures shall be in accordance with the policies established by the Municipal Council.

9.2. The Council may at any time, by resolution, amend or add to the committee structure of the Council as herein established.

9.3. All former policies heretofore enacted with respect to committees of Council are hereby repealed.

Dated at Pictou, NS, on this 6<sup>th</sup> day of August 2024.

(Sgd) \_\_\_\_\_

\_\_\_\_\_  
**Motion Carried**  
**Clr. Andy Thompson**  
**Clr. Chester Dewar**

**AUDIT COMMITTEE APPOINTMENT**

It was moved by Clr. Wadden and seconded by Clr. Turner to approve the following appointment to the Audit Committee. **Motion Carried**

**RESOLUTION**

**BE IT RESOLVED** the Municipality of the County of Pictou appoint John Carruthers to its Municipal Audit Committee for a term ending in March 2026.

Dated at Pictou, NS, on this 6<sup>th</sup> day of August 2024.

(Sgd)

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**Motion Carried**  
**Clr. Deborah Wadden**  
**Clr. Larry Turner**

**MUNICIPAL SERVICE GRANTS**

It was moved by Clr. Turner and seconded by Clr. Wadden to approve the following Municipal Service Grants for Districts 2, 8, 9 and 12. **Motion Carried**

**RESOLUTION**

**BE IT RESOLVED** the Municipality of the County of Pictou approve the following Municipal Service Grants:

**District 2:**

- a. Little Harbour Community Centre \$10,000.00 – Improvements to Comm. Centre
- Total \$10,000.00**

**District 8:**

- a. Abercrombie Community Centre \$ 8,233.00 Cost of Plan for Grant Application
- b. Abercrombie Cemetery \$ 7,000.00 Construct Stairway @ Cemetery
- c. Mount William Cemetery \$ 3,049.00 Maintenance
- d. Alma Cemetery \$ 1,700.00 Maintenance
- e. Alma United Church \$ 5,700.00 Heat Pump Purchase/Installation
- Total \$25,682.00**

**District 9:**

- a. Linacy Fire Department \$10,000.00 Bunker Gear/Breathing Apparatus
- b. Hillside Cemetery \$ 2,000.00 Cemetery Expansion
- Total \$ 12,000.00**

**District 12:**

- a. Lorne Hall \$ 6,000.00 Maintenance of Hall
- b. Hopewell First Presbyterian \$ 1,275.00 Maint of War Memorial



c. MacLeod Cemetery	\$ 1,000.00	Lawn/Replace the Battery in the Church Defibillator
d. Elgin Pioneer Cemetery	\$ 1,000.00	Cemetery Maintenance
e. ERV Comm. Development Ass	\$ 6,000.00	Maintenance of Cemetery
		Newsletter and Riverton Hall Assistance
f. ERV Recreation	<u>\$2,000.00</u>	Maintenance of Field and Program Support
<b>Total</b>	<b>\$17,275.00</b>	

Dated at Pictou, NS, on this 6th day of August 2024.

(Sgd)

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**Motion Carried**  
**Clr. Larry Turner**  
**Clr. Deborah Wadden**

### **REQUEST TO WRITE A LETTER TO NSFM ABOUT COASTAL COMMUNITIES ACT**

Clr. Elliott said that coastal protection is a concern, the province is responsible for this, and it should be held accountable. The province has chosen to put this responsibility on to municipalities. Clr. Elliott said that the NSFM is here to represent municipalities. Clr. Elliott said that there needs to be a push to the provincial government to reclaim the Coastal Protection Act.

### **MOTION**

It was moved by Clr. Elliott and seconded by Clr. Parker to write a letter to the NSFM to make the Coastal Protection Act a priority.

Warden Parker turned the chair over to Deputy Warden Murray. The Warden has followed this issue since the provincial government opted out of the Coastal Protection Act. All parties agreed that this was important to have in place, and it is unknown why the province has decided to opt-out, and it appears that they have gone against the voice of the people. Warden Parker said whether individuals are for or against this, the big concern is that the province has handed this responsibility down to municipalities. The Warden said a meeting was held with Ms. Spencer from the NSFM and three Councillors were in attendance. There was concern that the NSFM should have a louder voice on this issue. Ms. Spencer said they had not heard much from other municipalities about this. Warden Parker said that the feeling in the room was that they needed to go through an incident like Hurricane Fiona.

Warden Parker agreed that it is time for the NSFM to play a key role in bringing together the province and the municipalities to work on this issue together. One of the

biggest sales tools in Nova Scotia is the coastline. Warden Parker stated being in full support of this motion and to push for a cooperative effort.

Clr. Parker concurs with the Warden and says that the province did not have the courage to do the right thing and introduce a set of rules. This is a deep band of hypocrisy when requiring land use bylaws and restricting wood lots in the county.

Clr. Thompson asked what the letter would accomplish and stated that the NSFM is already doing something to work with the province. Clr. Thompson asked what Council is requesting the NSFM to do.

Clr. Elliott said the letter's purpose would be to take the onus off the municipalities. Clr. Thompson would not support this motion and said that background information should be provided when items get put on the agenda. There is a policy on how the agendas are set up. Clr. Thompson said if someone wishes to build by the water, they have to follow the regulations now in place and is not sure what a Coastal Protection Act would do and said the onus is on the land owner to do the right thing. The province does not have enough regulators now and must have a small army of people for the Coastal Protection Act.

Clr. Elliott said there was no additional information to include, and the request is to ask the NSFM to support municipalities.

Clr. Turner asked if Clr. Thompson believed the Coastal Protection Act should be a provincial or municipal responsibility, and, in terms of the implementation and execution of the policy, is the municipality capable of sending out a small army to regulate? Clr. Thompson does not believe it is the municipality's job to tell somebody they shouldn't build close to a coastline and that common sense should prevail. Clr. Thompson said that the insurance industry and building codes would suffice, and regulations on protecting property from erosion already exist. Clr. Thompson said that the information from the province should be shared with homeowners, but the municipality should not be involved in it. Clr. Turner asked if the private insurance industry should be involved in the common good of the province.

Clr. Palmer said that the province developed guidelines for homeowners for coastal protection. Clr. Palmer said the government gets too involved in what people can and cannot do on their property. Clr. Palmer felt the municipality should avoid it and does not support this motion.

Clr. MacKeil said she is not in favour of having many restrictions on land and that residents should be free to do as they see fit if it does not harm or encroach on others. She said it is important for this to stay at a Provincial level and that the province owns beaches, so it makes sense for this to be provincial.

Clr. Butler said that many discussions took place in 2018-2019, and all parties in the province came together and agreed to act on this legislation. Several hurricanes have

heightened the need for coastal protection, and the province has given no good reason why this was dropped. The province should be held accountable.

Clr. Wadden expressed concern about sending a letter to the NSFM and is unsure of the expectation. The NSFM is currently working with the province on a toolbox that can be used if necessary. Clr. Wadden said that Tim Houston has made it abundantly clear that this is not a municipal issue. Clr. Wadden is uncomfortable with sending a letter to the NSFM and does not support the motion.

Warden Parker said that the letter requests that the NSFM work with the province toward a cooperative effort between municipalities and the province.

Clr. Turner said the Ecological Action Centre has joined the call for the province to open the regulations entirely. Clr. Turner said that the letter would be to ask the NSFM to take a leadership position on this and to support municipalities to protect the coastline for future generations.

**Motion Carried**  
**Clr. Mary Elliott**  
**Clr. David Parker**

**Nay Votes: Clr. Andy Thompson**  
**Clr. Deborah Wadden**  
**Clr. Randy Palmer**

## **CONSIDERATION OF DEFERRED BUSINESS**

Clr. Boyles said many residents have been asking about when the tax sale will take place. CAO Cullen said there will be an update at the next committee meeting. Mr. Cullen said there is not a firm date at this time, but it will be within the next few months. Warden Parker said this would be put on a future agenda for an update.

## **COMMUNITY ANNOUNCEMENTS**

Clr. Dewar said the Hopewell Ceilidh will be held on Sunday, August 11, 2024. About 60 people attended the meeting to keep the Ceilidh going. Everything has been cleaned up and mowed, and people have put lots of work into the event. Clr. Dewar said they are hoping for good weather.

Clr. MacKeil congratulated the Caribou Fire Department for the annual lobster supper on Saturday, August 10, 2024, sold out from the pre-order tickets. Clr. MacKeil said this was a good news story for District 3.

Clr. Parker said the Kathy Skoke Martin Memorial Golf Tournament will be held on August 24, 2024 at 1:00 p.m. at the Abercrombie Golf Course. The contact person is Vince Angst. This will be an 18-hole tournament for \$440.00 per team. The tournament is a fundraiser for the Pictou County SPCA's new Sharon and Elmer MacKay building. The deadline to register is Friday, August 10, 2024.

Clr. Palmer said the East Pictou Rural Fair will occur from August 13 to August 18, 2024. This event required a lot of planning and volunteer hours.

Clr. Boyles said that on Saturday, August 17, 2024, Hillside Hall will host a Hillside School reunion for any former students of the former Glenfalloch School. The reunion will take place from 2:00 p.m. to 9:00 p.m.

Clr. Thompson said Premier Houston announced funding for some worthy non-profit organizations in Pictou East. The MacDonald Rebekah Lodge will receive \$70,000 from two provincial funds, the Sutherland's River Community Centre will receive \$100,000 from two different funds to do work on the community centre, Merigomish will receive \$35,000, and the Ivor MacDonald Memorial Rink also received funding. Clr. Thompson was thankful to the provincial government for funding these important community projects.

Clr. Elliott said a community ham dinner will be sponsored by the Salem United Church on Friday, August 9, 2024, at 4:00 p.m. at the St. George's Presbyterian Church in River John. This take-out dinner consists of ham, potato salad, a roll, and apple crisp with whipped cream. The cost is \$15.00 and is to be booked in advance by calling 351-2759

Clr. Wadden said that Little Harbour also received a provincial grant and that residents were highly pleased with the work Clr. Thompson did so on their behalf to secure that funding. Clr. Wadden thanked Clr. Thompson for his help.

Warden Parker said that on Saturday, August 14, 2024, from 10:00 a.m. to 2:00 p.m., there will be a Family Fun Day at SARA Park. The event will be open to all young people in the county, and everyone is welcome. The Warden thanked the Recreation Staff who would be helping that day.

Warden Parker said the new Gut Bridge for the Jitney Trail is now in place. The bridge looks good and will serve the county residents and the Town of Pictou. It will open at the end of the month. Warden Parker said the municipality contributed significantly to the bridge replacement.

### **MOTIONS OF RECONSIDERATION**

There were no motions of reconsideration.

### **ADJOURN**

There being no further business to come before the meeting, the Warden declared the meeting adjourned at 7:55 p.m.

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WARDEN

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MUNICIPAL CLERK

## Sueann Musick

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**From:** Shellie Pettipas  
**Sent:** Thursday, August 22, 2024 10:20 AM  
**To:** Sueann Musick  
**Subject:** FW: Thank you for grant donation

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**From:** Jane Williams <janewilliams65@icloud.com>  
**Sent:** Thursday, August 22, 2024 9:35 AM  
**To:** Shellie Pettipas <Shellie.Pettipas@municip.ca>  
**Subject:** Thank you for grant donation

**WARNING:**  
This email originated from a sender outside of your organization.

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Good Morning Shellie,

Ryan's Case for Smiles are very thankful for the generous donation from the Municipality of Pictou County. We have been making and distributing Pillowcases for children in Hospitals, transition Homes and Ronald McDonald House for 12 years. We depend on donations to purchase fabric to make these.

One hospital contact person wrote these words to us: "Your willingness to help; the endless hours you spend crafting; your kind hearts make all the difference for our children when they come in to the hospital for tests and admission. They are usually frightened, sad, anxious when they arrive - when they get to see a fun, colorful pillowcases on their beds, they light up!"

And here is a photo of some of the fabric prepared for sewing pillowcases.

Jane Williams

Camp Geddie  
c/o John Reeves  
60 Reeves Rd  
Coalburn, NS, B2H 5C7  
August 8<sup>th</sup>, 2024

Cindy Fraser  
Recreation Co-ordinator  
Municipality of Pictou County  
46 Municipal Drive – P.O. Box 910  
Pictou, NS, B0K 1H0

Dear Ms. Fraser

On behalf of the Camp Geddie Management Committee I would like to thank the Municipality of Pictou County for their generous grant towards the payment of our new water treatment system for the Camp. Having pure water to drink is essential for the health and well-being of our campers and staff and your financial support will go a long way to ensure that this happens.

A great number of young people benefit from the recreational activities provided at Camp Geddie each year and having safe drinking water will benefit them all. Many thanks to MOPC for helping us with this important project.

Sincerely,

  
John Reeves



**Pictou County Volunteer Ground Search And Rescue**  
P. O. Box 1144,  
Trenton, N. S.,  
B0K 1X1

P.O. Box 910  
Pictou, NS  
B0K 1H0

Dear Warden and Councilors,

On behalf of Pictou County Ground Search and Rescue, I would like to extend our sincerest gratitude to the Municipal Council for the generous grant of \$10,000.00 for the 2024/25 fiscal period. Your support is crucial to the continued success of our operations, and we deeply appreciate the council's commitment to our cause.

The funds provided will significantly enhance our ability to serve the community effectively, ensuring that we can respond promptly and efficiently to search and rescue missions. This grant not only aids in our operational expenses but also strengthens our resources and preparedness for any emergencies that may arise.

We acknowledge the requirement to complete and return the enclosed reporting form by January 31, 2025, detailing how the funds were spent. Rest assured, we will adhere to this requirement and provide a comprehensive report in a timely manner.

Once again, thank you for your support and for believing in the mission of Pictou County Volunteer Ground Search and Rescue. We look forward to continuing our work with the confidence that we have the backing of our municipal council.

Best regards,

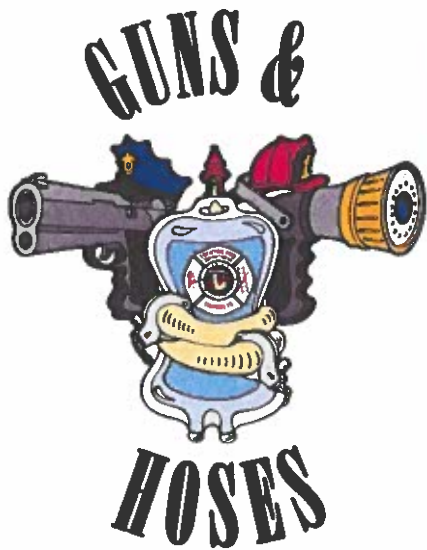
Kyle MacArthur  
President  
Pictou County Ground Search and Rescue  
PO BOX 1144, Trenton, NS B0K 1X1

Website: <https://www.pictousar.ca>  
Facebook: <https://www.facebook.com/PCVGSAR/>  
General Information: [contact@pictousar.ca](mailto:contact@pictousar.ca)





**THANK YOU**



**FROM THE BOTTOM OF OUR  
HEARTS**

**PROCLAMATION  
RIGHT TO KNOW WEEK  
September 23 to September 29, 2024**

**WHEREAS** the **Municipality of the County of Pictou** has adopted the principles of openness, transparency and accountability; and

**WHEREAS** *Part XX* of the *Municipal Government Act* gives citizens a right of access to information in the custody or under the control of the **Municipality of the County of Pictou**; and

**WHEREAS** access to information ensures citizens of Nova Scotia have the opportunity for meaningful participation in the democratic process; and

**WHEREAS** a celebration of the right of citizens to access information will facilitate informed public participation in policy formulation, ensure fairness in government decision-making and permit the airing and reconciliation of divergent views; and

**WHEREAS** **Municipality of the County of Pictou** joins all other Canadian jurisdictions and democracies world-wide in acknowledging international Right to Know Week;

**THEREFORE BE IT RESOLVED** that I, **Robert Parker, Warden of the Municipality of the County of Pictou** do hereby proclaim September 23 to September 29, 2024, to be Right to Know Week in the **Municipality of the County of Pictou**

**DATED at Pictou, Nova Scotia this the 3<sup>rd</sup> day of September 2024**

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**Robert Parker, Warden**



New Glasgow  
*flourish*

## **BUSINESS DEVELOPMENT REPORT**

August 2024

### **East River Business Park**

- Local service business with the letter of intent in place for Lot 5C has continued communication and their 90-day due diligence period will expire on October 8, 2024.
- Lot A-1 had their 60-day due diligence period expire on July 15, 2024, and the company expressed the desire to purchase the land for residential/commercial mixed-use development. The NSBDI Board agreed to provide more time to the interested company to work on a more detailed proposal including scale of development and construction timelines.
- Continued correspondence with ownership group of Lot 12 on North Novie Drive. Communication with the company who will be constructing the building. Equipment has been placed onsite recently to install the footings.
- Continued correspondence with the ownership group of Lot 10A.
- Continued communication with a real estate broker representing a client in need of approximately one acre of land for their respective business. Interested in a 1.4-acre parcel off Terra Cotta Drive but waiting to see if this land will be part of a proposed purchase by another company for a mixed-use development.
- Continued work with the owner of a business related to the purchase of a parcel of land to accommodate their future expansion. Survey work to begin soon on the parcel.

### **Other Activities:**

- Meeting with Investment Attraction Executive from Invest Nova Scotia to discuss the regional snapshot that Invest Nova Scotia is working on for the respective regions within the province.
- Meeting with the Member Relations Manager for the Atlantic Economic Council.
- Meeting with the Water Utility Forester/GIS Analyst for the Town of New Glasgow to discuss landscaping and tree planting in the East River Business Park including current issues within the right of way and recommendations as well as future projects and embedding policy within the restrictive covenants for the park.
- Meeting with the principal of MA MacIntyre Consulting who is contract with the Town of New Glasgow for their new Land-Use Plan and Municipal Planning Strategy as it relates to business development aspects.
- Meeting with local business owner to discuss land supply issues for light-industrial investment attraction and toured their manufacturing facility as well as discussed growth opportunities and obstacles impacting their business.

**RESOLUTION**

**BE IT RESOLVED** the Municipality of the County of Pictou approve the following Municipal Service Grants:

**District 2**

Little Harbour Community Centre	\$3,000.00	Install Water Purification System
Little Harbour Presbyterian Church	<u>\$7,000.00</u>	Offset Costs of Revovations
<b>TOTAL \$10,000.00</b>		

**District 4**

Melville Seafoam Campground Hall	<u>\$3,500.00</u>	Upgrade to Kitchen
<b>TOTAL \$3,500.00</b>		

**District 12**

Hopewell 4-H	\$2,000.00	Operating Expenses for 4H Club
St. Columbia United Church	<u>\$525.00</u>	Battery for Lifepak
<b>TOTAL \$2,525.00</b>		

Dated at Pictou, NS, on this 3rd day of September 2024.

(Sgd)

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**RESOLUTION**

**WHEREAS** the Municipality of the County of Pictou's Climate Change Advisory Committee has been working with Sydney Griffiths, Climate Lead for the Clean Foundation, to bring Quest Canada's Net-zero Communities Accelerator Program to the municipality.

**WHEREAS** the Quest Canada's Net-zero Communities Accelerator Program equips communities in Atlantic Canada with the tools and knowledge to develop and implement Community Energy and Emission Plans and to understand the net economic benefit they can provide, including benchmarking progress, peer-to-peer exchange and providing services that could bring local projects to life.

**BE IT RESOLVED** that the Municipality of the County of Pictou commit \$5,000.00 from the general operating budget to fund the Quest Net-zero Communities Accelerator Program.

Dated at Pictou, NS, on this 3rd day of September 2024.

(Sgd)

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\_\_\_\_\_

**RESOLUTION**

**WHEREAS** The Little Harbour Community Centre is interested in hosting the Youth Leads Arts program for youth aged 7 to 15, which will develop the creative talents of the area's next community leaders.

**WHEREAS** the youth in his program excel in developing their visual arts, filmmaking, drama, and cooking skills and have significantly boosted their confidence through volunteering at community events.

**BE IT RESOLVED** that the Municipality of the County of Pictou approve a \$2,900.00 Recreation Grant for Little Harbour's Youth Lead Arts program.

Dated at Pictou, NS, on this 3rd day of September 2024

(Sgd)

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\_\_\_\_\_

**RESOLUTION**

**WHEREAS** the Municipality of the County of Pictou has beautiful landscapes, country roads, and scenic beaches often tarnished by litter.

**WHEREAS** the Municipality of the County of Pictou sees littering as a disrespectful action that needs to be addressed by this Council to keep our districts beautiful.

**BE IT RESOLVED** that the Municipality of the County of Pictou establish an Ad Hoc Litter Awareness Committee, a dedicated body comprised of three elected members and three citizen members, to effectively address the issue of littering. This committee will be established after the October 2024 Municipal Elections for a one year term.

Dated at Pictou, NS, on this 3rd day of September 2024.

(Sgd)

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\_\_\_\_\_

**RESOLUTION**

**WHEREAS** the Municipality of the County of Pictou has provided the Pictou Island Fire Department with a grant of \$6,000.00 per year for operational purposes since 2001.

**WHEREAS** the Pictou Island Fire Department, recognizing the increasing demands and responsibilities, formally requested in August 2024 an increase in the grant for operational and training purposes.

**BE IT RESOLVED** that the Municipality of the County of Pictou grant the Pictou Island Fire Department a total of \$16,000.00 from its 2024/2025 general operating budget.

Dated at Pictou, NS, on this 3rd day of September 2024.

(Sgd)

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\_\_\_\_\_





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

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PO Box 216, Halifax, Nova Scotia, Canada B3J 2M4 • Telephone 902-424-5550 Fax 902-424-0581 • [novascotia.ca](http://novascotia.ca)

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August 9, 2024

To All Nova Scotia Elected Officials and Chief Administrative Officers/Village Clerks:

I am writing to inform you of an update on the municipal and village codes of conduct. In January 2022, the Code of Conduct Working Group was established to develop a set of recommendations on the code of conduct framework, which included content to include in the code, sanctions that may be imposed if a breach occurred, and options for an investigator model. This collaborative working group included representatives from the Nova Scotia Federation of Municipalities (NSFM), the Association of Municipal Administrators of Nova Scotia (AMANS), the Association of Nova Scotia Villages (ANSV), and the Department of Municipal Affairs and Housing (DMAH).

Following significant consultation with municipalities in September 2022, March 2023, and September 2023 on the code of conduct framework, the Code of Conduct Working Group developed 25 recommendations for me to consider as Minister. I am pleased to advise, after careful consideration, I am accepting all 25 recommendations presented by the Code of Conduct Working Group. The recommendations, along with the anticipated framework are appended to this letter for your reference.

The code of conduct framework will be coming into effect following the October municipal election. The legislative provisions require municipalities and villages to adopt a code of conduct consisting of the model code of conduct as outlined in the regulations. As Minister, I will prescribe that all municipalities and villages must adopt the model code of conduct within 60 days following the October election and provide confirmation of their notice of adoption. Should a municipality or village fail to meet the above requirements, municipal funding will be withheld pursuant to the *Municipal Grants Act*. As one of the first items to discuss on your agendas, I trust this will bring an unequivocal understanding of the conduct to uphold as an elected official in Nova Scotia.

I understand and recognize that code of conduct training is an important component to make the framework successful. The NSFM will be the lead organization on the development of a robust code of conduct training module, and it is expected this module will be available in early 2025. To bridge the gap between when the regulations will be in place to when the robust training module will be ready in early 2025, the Department will provide municipalities and villages resources that can be shared with councils and commissions.

Page 2

As we move toward a new standard for elected officials following the election, I would encourage you to share the documents appended in this letter with all candidates running in the upcoming municipal election. Candidates should be notified about the new expectations surrounding the code of conduct.

In closing, I would like to thank the Code of Conduct Working Group members for their hard work and dedication to this initiative over the past two years. This initiative is a wonderful example of collaboration between the Department and our municipal partners.

Sincerely,

A handwritten signature in cursive script, appearing to read "John A. Lohr".

Honourable John A. Lohr  
Minister of Municipal Affairs and Housing

Attached

- c: Code of Conduct Working Group
- Mayor Carolyn Bolivar-Getson, NSFM
- Juanita Spencer, CEO NSFM
- Kim Ramsay, President AMANS
- David Campbell, Executive Director AMANS

## **Proposed Recommendations from Code of Conduct Working Group**

The Code of Conduct Working Group (COCWG) has developed their proposed recommendations for the code of conduct regulations for the Department of Municipal Affairs and Housing (DMAH) to review. The 25 recommendations below reflect the consensus opinion from the COCWG.

### **Application:**

- There should be one code for all municipalities and villages.
- The code of conduct should operate together and as a supplement to other applicable laws, including the bylaws and policies with the municipality or village.
- The code of conduct should apply to elected officials at all times with respect to their behaviour regarding any action that negatively impacts the municipality or tarnishes its reputation.
- Nothing in the code of conduct is intended to silence elected officials from sharing or expressing dissenting opinions.
- The code of conduct should apply from the time elected officials are declared elected until their resignation, their disqualification, or their successor being sworn into office.

### **Content to include:**

- The code will include 45 provisions under various headings (e.g. general conduct, confidential information, etc.) See Appendix A for detailed provisions.
- 13 possible sanctions that can be imposed on a member for breaching the code of conduct. See Appendix B for the sanctions.
- 7 considerations elected officials shall evaluate before they can impose a sanction. See Appendix B for detailed considerations.
- Failure to comply with a sanction imposed is considered a breach of the code itself and will go to council with the investigator's recommendation only.

### **Complaint and investigator process:**

- Municipalities and villages will appoint an investigator and have their contact information readily available on their website. See Appendix C for detailed complaint and investigator process.
- Investigators should have experience in conducting investigations, and experience applying the principles of natural justice and procedural fairness.
- No conflict of interest can exist between the investigator and the parties involved.
- A complaint can be submitted no later than 6 months from discoverability.
- The CAO/Clerk shall be notified by the investigator that a complaint has been received and Council/Commission shall be notified if a complaint makes it to the investigation stage.

- The investigators report shall be brought to council/commission no later than 6 months from the time the complaint is received by the investigator. Extensions may be granted by council/commission for extenuating circumstances.
- Any complaints brought forward during the municipal election period between nomination day and ordinary polling day will not be investigated until the election has concluded.
- A member who has a complaint lodged against them will be able to review and respond to the information in the investigators report prior to council's vote.
- A member who has had a complaint lodged against them, or who has made the complaint, may not participate in the vote on whether there was a breach, and if applicable, may not participate in the decision regarding what sanction to impose.
- The Code of Conduct will state that a decision of a Council on a code of conduct matter is final and binding on all parties.
- At the conclusion of the investigation, require public disclosure of the section a complaint was lodged under, and the investigator's recommendation.

#### Training:

- Elected officials should be required to complete the training within 30 days of being sworn into office and failure to do so is considered a breach of the code itself and may go to council without an investigation.
- Any breach of the code determined by council shall result in additional code of conduct training for the person who committed the breach.
- Training to be developed and delivered in an online module format with quizzes and a minimum pass rate to ensure a minimum level of understanding.

#### Review:

- A review on the code of conduct shall begin 3 years post implementation to consider the effectiveness for municipal elected officials.
- Review the Municipal Elections Act (MEA) to see if there is potential to reduce the gap between the sanctions in the code of conduct and the Municipal Elections Act.

## **Appendix A: Recommended Prescribed Code of Conduct**

The recommended prescribed code of conduct would be applicable to all municipalities and villages with separate codes being developed to reflect the difference in terminology (e.g. village versus municipality, Chief Administrative Officer versus Clerk).

Code of Conduct shall apply to elected officials from the time that they are declared elected until:

- a) their resignation;
- b) their disqualification while in office; or
- c) their successor is sworn into office, or, if there is no successor, until the meeting at which the successor would have been sworn into office if there was a successor

The guiding principles to be included are:

- a. Collegiality – members of council will work together to further the best interests of the municipality in an honest and honourable way.
- b. Respect – members of council will demonstrate respect towards one another, the democratic decision-making process, and the role of staff.
- c. Integrity – members of council are expected to act lawfully and adhere to strong ethical principles by giving the municipality or village interests priority over private individual interests.
- d. Professionalism – members of council will create and maintain an environment that is respectful and free from all forms of harassment, including sexual harassment and discrimination. They must show consideration for every person's values, beliefs and contributions, and supporting and encouraging others to participate in council activities.
- e. Transparency – members of council will be truthful and open regarding their decisions and actions and make every effort to accurately communicate information openly to the public.
- f. Responsibility – members of council are responsible for the decisions that they make and must be held accountable for their actions and outcomes. They must demonstrate awareness of their own conduct and consider how their words or actions may be perceived as offensive or demeaning.

### **General Conduct**

- Members of Council must be truthful and forthright, and not deceive or knowingly mislead Council, the CAO, or the public.

- Members of Council will respect the presiding officers, colleagues, staff and members of the public that present during the council meeting or other proceedings/meetings of the municipality.
- Members of Council will adhere to procedure and direction of presiding officers in respect to rules of procedure.
- Members of Council must conduct Council business and all of the member's duties in an open and transparent manner, other than for those matters which Council is authorized by law to deal with in private.
- Members of Council must ensure that they are not impaired by alcohol or drugs while attending any meeting of the municipality.

### **Confidential Information**

- No Member of Council will disclose or release by any means to any member of the public, any confidential information acquired by virtue of their office, in either oral or written form, except where required by policy or law or authorized by the Council to do so.
- No Member of Council will use confidential information for personal or private gain or for the gain of any other person or entity.
- Members of Council should not access or attempt to access confidential information in the custody of the municipality unless the information is necessary for the performance of their duties and its access is not prohibited by legislation or by the by-laws or policies of the Municipality.
- Members of council must not discuss any matters relating to an active investigation under this Code of Conduct with anyone other than the investigator or their own legal representative, unless required by law.

### **Gifts and Benefits**

- No Member of Council shall accept a fee, advance, cash, gift, gift certificate or personal benefit that is connected directly or indirectly with the performance of their duties of office, except for the following:
  - i. gifts or benefits that normally accompany the responsibilities of office and are received as an incident of protocol or social obligation;
  - ii. a suitable memento of a function honouring the member of Council;
  - iii. sponsorships and donations for community events organized or run by a member of Council or by a third party on behalf of a member of Council;
  - iv. compensation authorized by the municipality.

- A fee or advance paid, or a gift or benefit provided, with the Member's knowledge, to a person closely connected to a member is deemed to be a gift to the Member of Council.

### **Use of Municipal Property, Equipment and Services**

- No Member of Council shall use, or request the use of, any municipal property, including surplus material or equipment for personal convenience or profit, unless the property is:
  - i. available for such use by the public generally and the member of Council is receiving no special preference in its use; or,
  - ii. made available to the member of Council in the course of carrying out council activities and duties.
- No Member of Council shall use, or request the use of, for personal purpose any municipal property, equipment, services, supplies or other municipally-owned materials, other than for purposes connected with the discharge of municipal duties.
- No Member of Council shall obtain, or attempt to obtain, personal financial gain from the use or sale of municipally-developed intellectual property.
- No Member of Council shall use information, or attempt to use information, gained in the execution of their duties that is not available to the general public for any purposes other than carrying out their official duties.
- No Member of Council, or person closely connected to a member, shall tender on such items such as the sale of older and extra equipment.

### **Building, Development, Planning, or Procurement Proposals before Council**

- No Members of Council shall solicit or accept support in any form from an individual, group or corporation, with any building, development, planning, or procurement proposal before Council.

### **Improper Use of Influence**

- No Member of Council shall use the influence of their office for any purpose other than for the exercise of their official duties.

### **Business Relations**

- No Member of Council shall allow the prospect of their future employment by a person or entity to affect the performance of their duties to the municipality.
- No Member of Council shall borrow money from any person who regularly does business with the municipality, unless such person is an institution or company

whose shares are publicly traded and who is regularly in the business of lending money.

- No Member of Council shall act as an agent of a person or entity before Council or a committee of Council or any agency, board or committee of the municipality.

### **Employment of Persons Closely Connected to Members of Council**

- No Member of Council shall attempt to influence any municipal employee to hire or promote a person closely connected to the member.
- No Member of Council shall make any decision or participate in the process to hire, transfer, promote, demote, discipline or terminate any person closely connected to the member.

### **Fairness**

- No Member of Council shall give special consideration, treatment or advantage to any individual or entity beyond that which is accorded to all.
- No Member of Council shall give special consideration, treatment or advantage to an organization or group due to the member or person closely connected to the member being involved with or a member of the organization or group.

### **Adherence to Policies, Procedures, Bylaws and Other Laws**

- Members of Council will adhere to the Code of Conduct.
- Members of Council will adhere to the applicable national and provincial legislation.
- Members of Council will adhere to the procedures, policies and bylaws of the municipality.
- Members of Council will adhere to the expense and hospitality policy of the municipality.

### **Respect for Council as a decision-making body**

- A Member of Council must abide by and act in accordance with any decision made by Council, whether or not the member voted in favour of the decision.
- Members of Council must not encourage non-compliance with a statute, regulation, bylaw, policy or procedure.



### **Communicating on behalf of Council**

- A Member, other than the Mayor/Warden, must not claim to speak on behalf of Council unless the member has been authorized to do so.
- The Mayor/Warden/designated individual may speak on behalf of Council and must make every effort to convey the intent of Councils' decision accurately.

### **Interactions of Council with Staff and Service Providers**

- Members of Council must respect the role of the CAO as head of the administrative branch of government of the municipality and must not involve themselves directly in the administration of the affairs of the municipality, including, without limitation, the administration of contracts.
- No Member of Council shall direct, or attempt to direct, the CAO, other than through a direction provided by the Council as a whole.
- Members of Council shall be respectful of the role of CAO and municipal employees to advise based on political neutrality and objectivity and without undue influence from any individual member or faction of the Council.
- Members of Council must not direct or influence, or attempt to direct or influence any municipal employees in the exercise of their duties or functions.
- Council cannot direct municipal employees except through the CAO.
- Members of Council are not to issue instructions to any of the contractors, tenderers, consultants or other service providers to the municipality.
- No Member of Council shall require or request that a municipal employee undertake personal chores or tasks for the Council member unrelated to municipal business.
- Members of council shall refrain from making public statements that are critical of specific and/or identifiable municipal employees and/or service providers.

### **Respectful Interactions**

- A Member of Council must not engage in discrimination or harassment on the grounds articulated in the Human Rights Act of Nova Scotia.
- A Member of Council must not sexually harass any person.
- A Member of Council must not engage in any discriminatory or harassing action or conduct, verbal or non-verbal, directed at one or more individuals or groups that creates a poisoned environment.

## **Reprisal**

- A Member must not undertake any act of reprisal or threaten reprisal against a complainant in a matter under this Code of Conduct or any person providing relevant information in relation to a matter under this Code of Conduct.

## **Appendix B: Recommended Sanctions Framework and Possible Sanctions to be imposed**

### **Sanctions Framework:**

A Council or Commission shall consider all of the following criteria prior to imposing a sanction or sanctions:

1. The nature of the code contravention;
2. The length or persistence of the code contravention;
3. If the member intentionally contravened the code of conduct;
4. Has the member taken any steps to remedy the contravention;
5. If the member previously contravened the code of conduct;
6. Any external factors that exist to the member's contravention (e.g. family situation, mental health); and
7. The resources the member will need to complete their job.

### **Sanctions:**

1. Member will receive a letter of formal reprimand or warning, as directed by council.
2. Member will issue a letter to include acknowledgement of breach of code and an apology within 15 days.
3. Require the member to attend training, appropriate to the incident, as directed by council.
4. Censure the member publicly.
5. Limit the member's access to certain local government facilities, equipment and/or property.
6. Suspending or removing the member as deputy head of council and/or the chair of a committee, if applicable.
7. Suspending or removing the member for no longer than 6 months from some or all committees and/or boards.
8. Impose a limit on the member's participation on behalf of the municipality.
9. Impose a limit on the member's travel and/or expense reimbursement on behalf of the municipality.
10. Impose a fine on the member for up to \$1,000 per occurrence, which is to be paid no later than 6 months from the decision of council and to be collected in the same manner as other taxes.
11. Impose an appropriate reduction in remuneration to the member for no longer than 6 months.
12. Make member repay any direct monetary loss realized by the municipality as a result of the member's action in any amounts determined by the investigator.
13. Make member repay any direct monetary gain they obtained from their actions in any amounts determined by the investigator.

### **Appendix C: Recommended Complaint and Investigator Process**

1. Municipality or village will appoint a person or entity other than a Council Member or an employee of the municipality to receive and investigate complaints.
  - a. The person or entity appointed must have experience in conducting investigations and in applying the principles of natural justice and procedural fairness. No conflict of interest can exist between the investigator and the parties involved.
  - b. Municipalities must include the investigator's contact information on their publicly accessible website.
2. A complaint must be submitted to the investigator no later than 6 months from discoverability.
  - a. Any complaints brought forward during the municipal election period of nomination day until ordinary polling day will not be investigated until the election has concluded.
3. When a complaint is received by the investigator, the investigator shall notify the CAO/clerk of the fact that a complaint has been received.
4. Investigator will determine if there is validity to the complaint. If no validity, then complaint can be dismissed.
5. If the investigator finds that the complaint is valid, the investigator shall notify the member who is the subject of the complaint that a complaint has been made about them, and it is proceeding to an investigation.
6. The investigator will begin their investigation and notify Council/the Commission through a confidential email or in camera of the fact that a complaint is proceeding to the investigation phase.
7. The investigator shall protect the confidentiality of the complainant, the subject(s) of the complaint, and all persons involved in the investigation, to the greatest extent possible, while still applying the principles of natural justice and ensuring procedural fairness.
8. The investigator shall present a report to Council, no later than 6 months from the time the complaint is brought forward, on the investigation and include a

recommendation regarding the validity of the complaint and, if applicable, a recommendation regarding an appropriate sanction.

- a. If complaint is brought forward during the municipal election period of nomination day until ordinary polling day it will not be investigated until the election has concluded. Investigations already in progress at the time of nomination day will continue;
  - b. Council may grant the investigator an extension on when the report can be brought to council for extenuating circumstances, including a delay during a municipal election period;
  - c. Council is able to discuss the investigators report in camera; and
  - d. The member who had the complaint lodged against them will have the opportunity to review and respond to the information in the investigator's report, and make submissions to Council, prior to the Council's vote.
9. Council determines if a breach occurred and determines the sanction(s) to impose. If a councillor is the subject of the complaint or has made the complaint under the Code the councillor shall:
- a. In the case of a closed meeting, leave the room in which the meeting is held
  - b. In the case of a public meeting, either leave the room or remain in the room in the part of the room for general public; and
  - c. Refrain from voting on any question relating to the matter
10. Any breach of the code determined by councils shall automatically retrigger the required Code of Conduct training.
11. The section under the Code of Conduct the complaint was lodged and the investigators recommendations are made public.
12. The decision or penalty of Council/Commission on a Code of Conduct matter is final and binding on all parties.