

**DIGBY TOWN COUNCIL
REGULAR MEETING
Monday October 2, 2017
COUNCIL CHAMBERS
6:00 P.M.**

MEMBERS PRESENT: Mayor Ben Cleveland
Deputy Mayor Jean Brittain
Councillor Mike Bartlett
Councillor Peter Turnbull

STAFF PRESENT: Tom Ossinger, Chief Administrative Officer
Matthew Raymond, Director of Finance
Leslie Brinton, Executive Assistant

REGRETS: Councillor Danny Harvieux

A. ROLL CALL/CALL TO ORDER

The Mayor called the meeting or order at 6:00 PM

B. PUBLIC HEARINGS

C. AGENDA

C.1 Additions/Deletions

One addition to the Agenda under New Business J.3 Boat Launch update

C.2 Approval

Motion:

Moved by Councillor Turnbull and seconded by Councillor Bartlett that the Agenda of October 2, 2017 be approved as presented with one addition under New Business J.3 Boat Launch Update.

Motion Carried.

D. DELEGATIONS & PRESENTATIONS

D.1 Christian Richard and Carys Burgess Cape Sharp Tidal

Christian and Carys are here from Cape Sharp Tidal to provide Council with an overview of the work to this point and where they are heading in the future. There was a turbine in the water for a period of 6 months this was creating power to the grid from day one during this 6 month it was a period of monitoring and testing. Once the turbine was removed work continues on the second turbine referred to as the dry turbine on efficiencies that can be made how to make improvements before the second turbine is ready for deployment which will be coming in the

months ahead. Deputy Mayor Brittain asked about talks for a repair facility for this area for maintenance she is concerned that with some of the work currently being done in St. John New Brunswick perhaps we may lose out on the opportunity for a maintenance facility in this area. The testing is only in the early stages of being conducted and what will happen for the future of maintenance facilities is yet to be determined for now the turbines are in St. John New Brunswick. Christian and Carys thanked Council for the opportunity to come and speak and if any time in the future Council would like them to provide further update they would be happy to do so.

E. MINUTES OF PREVIOUS MEETING

E.1 September 5, 2017

Motion:

Moved by Deputy Mayor Brittain and seconded by Councillor Bartlett that the Minutes of September 5, 2017 be approved as presented.

Motion Carried.

F. BUSINESS ARISING FROM THE MINUTES

F.1 None.

G. REPORTS

G.1 Chief Administrative Officer Report

The CAO discussed with Council the Human Resource Policy Manual and some work that is being done to update and implement some policies they should be ready to review the draft with the Senior Management Team in the next few months. The Asset Management workshops for staff and elected officials begins this week and will be attended by staff and Deputy Mayor Brittain. The CAO attended the Association of Municipal Administrators Conference in Truro. The CAO did a review of the Town By Laws there are some that are outdated and should be repealed and will be further discussed tonight under New Business.

G.2 Committee of the Whole Report

The Committee of the Whole report is recommending the approval of the Video Surveillance System Policy, Records Management Policy and the HR Employee Files Policy.

Motion:

Moved by Councillor Bartlett and seconded by Deputy Mayor Brittain that Council approve the Video Surveillance System Policy as presented.

Motion Carried.

Motion:

Moved by Deputy Mayor Brittain and seconded by Councillor Turnbull that Council approve the Records Management Policy as presented.

Motion Carried.

Motion:

***Moved by Councillor Turnbull and seconded by Councillor Bartlett that Council approve the Employees Files Policy as presented.
Motion Carried.***

G.3 Digby Area Recreation Commission Report

The DARC reports were distributed with the Package the ice is going in now and the exterior of the building is being painted and looks great.

G.4 Library Board Report

Deputy Mayor Brittain recently attended the Library Conference at Annapolis Basin Conference Center. The one day sessions that she attended was very interesting with a presentation from author Lance Woolaver.

H. Correspondence

H.1 Letter-Digby Area Affordable & Supportive Housing

This is a thank you letter we received from our recent grant to them for the Housing Needs Assessment.

I. NOTICE OF MOTIONS

I.1 None.

J. NEW BUSINESS

J.1 By-Law Review

There CAO reviewed the four attached by laws and after consultation with the Solicitor both conclude they should be repealed.

Motion:

***Moved by Deputy Mayor Brittain and seconded by Councillor Bartlett that Council refer the Town Property By-Law #1976-02 to the repeal process.
Motion Carried.***

Motion:

***Moved by Councillor Bartlett and seconded by Councillor Turnbull that Council refer the Town of Digby Garbage By-Law #1983-01 to the repeal process.
Motion Carried.***

Motion:

***Moved by Councillor Turnbull and seconded by Councillor Bartlett that Council refer the Retention of Records By-Law #1981-02 to the repeal process.
Motion Carried.***

Motion:

Moved by Deputy Mayor Brittain and seconded by Councillor Turnbull that Council refer the Tax Exemption Digby Water Commission By-Law #1981-01 to the repeal process.

Motion Carried.

Motion:

Moved by Deputy Mayor Brittain and seconded by Councillor Turnbull that Council refer the Town of Digby Council By-Law #2000-08 to the repeal process.

Motion Carried.

J.2 Amendments to the Act to Incorporate the Digby Water Commission

The amendments to the Act of Incorporation of the Digby Water Commission have been discussed at a previous meeting however no formal motion was brought forward in order to move this to the Legislature we need to have a formal motion of Council.

Motion:

Moved by Councillor Bartlett and seconded by Deputy Mayor Brittain that the Council of the Town of Digby move forward with amendments to the legislation respecting the Digby Water Commission to reduce the membership of the Commission from seven to five, to update language and to make other housekeeping amendments, generally as set out in the attached proposed amendments, and to authorize the Chief Administrative Officer of the Town of Digby to give instruction on the proposed amendments.

Proposed Amendments/Repeals September 2017

1. **Repeal Bill No. 181** – an Act to amend Chapter 87 of the Acts of 1948, the Digby Water Commission Act.

2. Amend Chapter 87 of the Acts of 1948, the Digby Water Commission Act as follows:
 - a. **Section 2** - In this Act, unless the context otherwise requires the Expression “Town” means the Town of Digby; and the expression “Town Council” or “Council” means the Town Council of the Town of Digby; and the expression “Board” means the Nova Scotia Utility and Review Board;

 - b. **Subsection (1) of Section 3** - There shall be a Commission (in this Act referred to as “The Commission”) of five persons, one of whom shall be the Mayor for the time being of the

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Town of Digby, one a member of Town Council of the Town of Digby, to be appointed by the Council, and the remaining three members shall be citizens of the Town, or area of the Municipality of the District of Digby that is serviced by the water utility, to be appointed by Council.

- c. **Subsection (4) of Section 3** - The four members of the Commission other than the Mayor appointed by Council, after the coming into force of this Act shall be appointed for the following terms namely; one citizen member shall hold office until the 1st day of December, 2018; two members shall hold office until the 1st day December, 2019; one Member of Town Council shall hold office until the 1st day of December, 2020; the successors of all such members shall hold office for Four (4) years.

- d. **Subsection (7) of Section 3** - The non-Council members of the Commission shall receive an annual stipend as determined by Council. All Members shall be reimbursed the amount of travelling and other expenses necessarily incurred by them in the discharge of their duties subject to the Town of Digby's Travel Expense Policy.

- e. **Subsection (1) of Section 5** - The Commission may appoint the Chief Administrative Officer (or designate) as Manager.

- f. **Subsection (3) of Section 5** - Notwithstanding anything contained in the Municipal Government Act or in this Act the Chief Administrative Officer of the Town of Digby shall as one of their duties be secretary and treasurer of The Commission and, as such secretary and treasurer shall perform such duties as may be required by The Commission to be done by the secretary and treasurer of The Commission. The Commission shall pay to the Chief Administrative Officer such salary as such secretary and treasurer, as may be agreed upon by the Council and The Commission.

- g. **Subsection (1) of Section 11** - Subject to the provisions of the Municipal Government Act the Council shall have power and it is hereby authorized whenever requested so to do by The Commission, to borrow such sum as may be authorized and approved by the Board for the purposes of The Commission, and to issue and sell bonds or debentures therefor; and such bonds or debentures when so issued shall be a charge upon all real and personal property situate within the Town.

- h. **Subsection (2) of Section 11** - The Municipal Government Act shall apply to money borrowed and debentures issued under this Act.

- i. **Section 12** – Repeal this section.

- j. **Section 16** - The Commission shall annually, following the end of its fiscal year, have prepared and submit to the Board statements of Revenue and expenses, surplus or deficit account and assets and liabilities, all drawn or prepared in accordance with the regulations of the Board, in respect to the operation of said waterworks by said Commission. Financial Statements of The Commission shall become consolidated with the audited financial statements of the Town of Digby in accordance with FRAM as required by the Department of Municipal Affairs.

- k. **Section 17** - The financial statements of The Commission shall be open to public inspection upon request and during regular business hours.

- l. **Section 19** - Subject to the provisions of the Municipal Government Act and the Public Utilities Act, the Council may from time to time sell and dispose of any of the assets of The Commission, which are in the opinion of the Council and of The Commission, unnecessary for the purposes of The Commission.

Motion Carried.

J.3 Boat Launch

Mayor Cleveland updated the Council on the boat launch he is in the process of speaking with community members as well as ACOA to move this project forward. Their maybe some ACOA funding that would contribute to the boat launch and he also spoke about was a downtown façade program. More information will be coming forward in the coming months.

K. IN CAMERA

K.1 None.

L. ADJOURNMENT

Motion:

There being no further business the meeting adjourned moved by Deputy Mayor Brittain and seconded by Councillor Turnbull at 7:08 PM

Motion Carried.

Mayor

Clerk