



AGENDA

General Government Committee Meeting

Thursday, January 16, 2020 at 5:15 p.m.

Lunenburg Town Hall, 2nd Floor, 120 Cumberland Street

1. Agenda - *motion to approve.*
2. October 30, 2019 minutes - *motion to approve.*
3. Public Presentations
4. Unfinished Business
 - a. Revised draft Council and Committee Meetings and Proceedings Policy and possible Mi'kmaq land acknowledgement at Council meetings (October 10, 2019 Council meeting referral) – *revised draft Policy incorporating some suggested additions for Committee consideration and possible notice of motion at Council for approval;*
 - b. Draft Committees of Council Policy and discussion regarding Committee structure (December 10, 2019 Council meeting referral) – *draft Policy for Committee consideration and possible notice of motion at Council for approval;*
 - c. Revised draft Council and Management Expense Policy and Personnel Policy to allow for variances to pre-set common destination kilometres – *revised draft Policies as per October 30, 2019 Committee direction for consideration and possible notice of motion at Council meeting for approval;* and
 - d. Revised Work on Private Property Policy – *staff report/revised Policy as per July 18, 2019 Committee direction for Committee consideration and possible notice of motion at Council for approval.*
5. New Business
 - a. Council remuneration and succession planning – *staff report (December 10, 2019 Council meeting referral).*

6. Next meeting date

Thursday, April 16, 2020 at 5:15 p.m.

7. Adjournment - *motion to approve.*

Agenda items awaiting staff reports, etc. for further consideration

<u>Agenda Item</u>	<u>Department</u>	<u>Meeting Assigned</u>	<u>Status</u>
Parking meter rate and Bylaw review	Corporate Services and Town Solicitor	July 18, 2019	Staff report to be prepared addressing parking rate for construction projects and Town Solicitor drafting proposed Bylaw revisions

GENERAL GOVERNMENT COMMITTEE MEETING

OCTOBER 30, 2019

RECOMMENDATION PAGE

1. To recommend to Council to amend Policy #79 “Sponsorship and Commemorative Naming of Town Facilities, Property, Programs and Events” as set out in the staff report (Schedule “C”), with a further addition to the regulated substances definition in section 4.1.j. The Deputy Mayor shall give notice of motion of same at the November 12, 2019 Council meeting.
2. To recommend to Council to approve “Option 1” contained in the staff report (Schedule “B”) by establishing a working group of elected, staff and stakeholder members to develop a Town Waste Reduction Strategy and/or action plan.

GENERAL GOVERNMENT MEETING MINUTES

WEDNESDAY, OCTOBER 30, 2019 AT 5:15 P.M.

(LUNENBURG TOWN HALL)

PRESENT: Deputy Mayor John McGee, Chair
Councillor Ronnie Bachman
Mayor Rachel Bailey
Councillor Danny Croft
Councillor Matt Risser

ALSO PRESENT: Heather McCallum, Assistant Municipal Clerk
Bea Renton, Chief Administrative Officer

ABSENT: Councillor Joseph Carnevale
Councillor Peter Mosher

The Deputy Mayor called the meeting to order at 5:18 p.m.

1. Agenda

Motion: moved and seconded to approve the agenda. Motion carried.

2. July 18, 2019 minutes

Motion: moved and seconded to approve the July 18, 2019 meeting minutes. Motion carried.

3. Public Presentations

- a. Jennifer Constable, Plastic Free Lunenburg, regarding the elimination of single use plastics and adoption of a Bylaw

Ms. Constable addressed the Committee, commenting on the Provincial passage of the Plastic Bags Reduction Act, Sobeys' announcement of their planned elimination of plastic shopping bags from all their stores, and initiatives from Ocean Friendly Nova Scotia and the Lunenburg Board of Trade. She encouraged the Town to adopt a single use plastic ban bylaw as referenced in their earlier submission (**Schedule "A"**). The staff report prepared for this meeting (**Schedule "B"**) is insufficient as it only speaks to Council's proposal for a renewed waste management and plastics reduction strategy development and does not contain targets for the elimination of single use plastics.

In response to Council questions, Ms. Constable responded in part as noted below.

- PFL still consider a Town bylaw necessary to eliminate more single-use plastics than the Provincial legislation covers which will require consumers and businesses to change their behavior.

- The Province has indicated that additional single-use plastics will be considered for elimination in future through additional Provincial legislation. PFL believes that advocacy from municipalities will be key to helping that to happen.

Committee members thanked PFL members for raising awareness about positive consumer changes that can be made to reduce the use of plastics.

b. Peter Zwicker, regarding parking enforcement suggestions

Mr. Zwicker was not in attendance and the Committee proceeded to the next agenda item.

4. Unfinished Business

a. Draft revisions to the Town Procedural Policy #79 "Sponsorship and Commemorative Naming of Town Facilities, Property, Programs and Events" relating to alcohol, tobacco and marijuana manufacturer sponsorship requests

The Assistant Municipal Clerk provided the Committee with an overview of the staff report and draft revised Policy #79 (Schedule "C").

Motion: moved and seconded that it be recommended to Council to amend Policy #79 "Sponsorship and Commemorative Naming of Town Facilities, Property, Programs and Events" as set out in the staff report (Schedule "C"), with a further addition to the regulated substances definition in section 4.1.j. The Deputy Mayor shall give notice of motion of same at the November 12, 2019 Council meeting. Motion carried.

b. Waste reduction and plastic strategy public consultation process

The Assistant Municipal Clerk summarized the key findings of the staff report for the Committee (Schedule "B").

Motion: moved and seconded to recommend to Council approval of "Option 1" contained in the staff report (Schedule "B") by establishing a working group of elected, staff and stakeholder members to develop a Town Waste Reduction Strategy and/or action plan. Motion carried. Councillor Risser voted in the negative.

c. Peter Zwicker parking enforcement suggestions

The Committee discussed Mr. Zwicker's submissions (Schedule "D").

Motion: moved and seconded that the questions raised in Mr. Zwicker's emails be addressed in a staff report regarding Bylaw #20 Parking Meters and a parking meter rate review. Motion carried.

d. Draft Council and Committee Meetings and Proceedings Policy, plus possible Mi'kmaq land acknowledgement at every Council meeting opening (October 10 Council meeting referral) and eventual repeal of Council Procedure Bylaw #5 to be replaced by the draft Policy

Councillor Risser advised that he has comments regarding the draft Policy which he will share with Committee members (**Schedule "E"**).

It was agreed that he will share this with Committee members for consideration at the next meeting.

e. Proposed Special Event Permit Application Terms and Conditions Parade Safety Requirements

The CAO provided an overview of the proposed Parade Safety Requirements (**Schedule "F"**) prepared in response to recent parade tragedies and near misses in other communities. The current and past Christmas Parade organizers in Lunenburg have both seen the draft document and are in agreement with a possible change to the age of parade participants.

The Committee agreed to utilize the Parade Safety Requirements as a best practice guide only for upcoming parade organizers.

5. New Business

a. Review of Expense Claim Policies regarding possible actual mileage reimbursement for all destinations (September 24 Council referral)

The Committee discussed the staff/LDFD Personnel Policy and Council/senior management Expense Claim Policy (**Schedule "G"**).

It was agreed that amendments to the Policies should be drafted for Committee consideration permitting variations to the pre-set travel distances for authorized variances such as a claimant picking up and/or dropping off multiple Town attendees at the same training course or conference, travel required during a multi-day course or conference event between venues.

6. Next meeting date

Thursday, January 16, 2020 at 5:15 p.m.

3. Adjournment

Motion: moved and seconded to adjourn the meeting. Motion carried.

The meeting was adjourned at 6:34 p.m.

Bea Renton, CAO

Town of Lunenburg Council and Committee Meetings and Proceedings Policy

General

1. The procedural requirements in this Policy are intended to complement and supplement, and not to replace, the requirements contained in applicable municipal legislation, including but not limited to the Municipal Government Act (“MGA”) with such amendments as may be made from time to time. This Policy also applies to Town Committee meetings with the relevant changes in wording.
2. In this Policy, unless the context otherwise requires:
 - (1) **"business day"** means a day when the Town Hall office is open for business;
 - (2) **"Chair"** means the presiding officer of the Council or Committee;
 - (3) **"Committee"** means a group of individuals appointed by the Lunenburg Town Council to serve on a body that makes recommendations by majority vote to Council. This includes sub-committees and advisory groups;
 - (4) **"Council"** means the governing Council of the Town of Lunenburg;
 - (5) **"Councillor"** includes the Mayor and all elected Councillors unless the context indicates otherwise;
 - (6) **"Legislation"** includes Policies, Bylaws and other relevant Municipal, Provincial and Federal laws or approved documents recognized by Council.
 - (7) **"Majority"** means more than one half of those present, unless the context indicates otherwise; and
 - (8) **"Motion"** a formal proposal put to a Council or Committee by a mover and seconder decided by majority vote of Council or a Committee.

Time, Place, Date and Notice of Meetings

3. Unless otherwise specified pursuant to section 4, **regular meetings** of Council shall be held:
 - (1) at the Lunenburg Town Hall;
 - (2) on the second and fourth Tuesday of every month except in the months of July, August and December when there is only one monthly meeting which shall be on the second Tuesday of those months unless notice is otherwise given; and

- (3) commencing at 5:15 p.m.
 4. Regular meetings of Council may be rescheduled, relocated or cancelled:
 - (1) by motion or consensus of Council; or
 - (2) by the Clerk on behalf of the Mayor owing to unforeseen circumstances, provided the Mayor believes that the majority of Councillors would support such a step.
 5. **Additional meetings** of Council may be convened in accordance with the MGA:
 - (1) by resolution or consensus of Council with advance notice being given;
 - (2) if the Mayor determines there is an emergency necessitating a meeting with such notice as is possible under the circumstances; or
 - (3) by the Clerk when required to do so by the Mayor or upon written request signed by a majority of Councillors.
 6. Specific **notice** to Councillors need not be provided for:
 - (1) regular Council meetings held pursuant to section 3; or
 - (2) meetings held pursuant to subsection (1) of section 4 or subsection (1) of section 5 if the date was set at a Council meeting three or more days in advance;
- but, subject to any statutory relaxation of notice requirements, two days' notice shall ordinarily be provided for other meetings to Councillors in the manner described in sections 7 and 8.
7. Subject to section 6, notice of meetings shall be provided verbally in person or by telephone or telephone message or by writing or by email to each Councillor. A Councillor may waive any deficiency in the notice provided to him or her for a Council meeting which he or she attends, and shall be deemed to waive any deficiency in notice to him or her for such meetings unless expressly objecting to the adequacy of the notice at such meeting.
 8. Within thirty days following the first meeting of Council after a municipal election or by-election, each elected Councillor shall provide to the Clerk:
 - (1) a telephone number at which the Councillor ordinarily may be reached, with voice messaging capability with adequate capacity at all times to receive messages of one minute in length regarding Council meetings and Town business, and which the Councillor will **regularly** check for Town messages; and
 - (2) shall sign any documents required by the Clerk to use an email address on the Town's email system which the Councillor will regularly check.

The Councillor shall be deemed to have received any notice within one business day of it being distributed pursuant to this section.

9. Notice to the public is not required for regular meetings held under section 3, but subject to any statutory relaxation of notice requirements, two days' notice to the public should be provided for other Council meetings, except meetings considered to be urgent or emergencies, by the following options: posting at the Lunenburg Town Hall; social media; internet; print advertisement; signage; or such other means as determined by Council from time to time noting the time, date and place of the meeting.

Conduct of Meetings: General

10. The Mayor shall serve as the **Chair** of Council meetings. For Committee meetings, the Chair shall be determined in advance by Council when Committee appointments are made. It shall be the duty of the **Chair** or alternate as set out herein to:
- (1) open the meeting of Council by taking the chair and calling the Councillors to order if a **quorum** is present;
 - (2) declare a meeting dissolved if no quorum has been achieved within fifteen minutes of the scheduled meeting time;
 - (3) if the Mayor does not attend within fifteen minutes after the time appointed, the **Deputy Mayor** shall call the Councillors to order and if a quorum is present, shall preside over the meeting or until the arrival of the Mayor;
 - (4) in case neither the Mayor nor the Deputy Mayor (or Committee Chair as applicable) is in attendance within fifteen minutes of the appointed time, the Clerk shall call the Councillors (or Committee members as applicable) to order if a quorum be present, and the Councillors shall choose a Chair who shall preside over the meeting or until the arrival of the Mayor or the Deputy Mayor;
 - (5) if there is no quorum present within fifteen minutes after the time appointed for the meeting or a quorum is lost during a meeting, the Clerk shall take down the names of the Councillors then present and the Council meeting shall stand adjourned until the next regular Council meeting;
 - (6) determine whether a quorum can still be achieved to conduct Council business if an interest is declared by a Council member(s) with reference to the **Municipal Conflict of Interest Act**;
 - (7) receive and submit to Council **motions** properly presented by a Councillor;
 - (8) put to a **vote** a question which is regularly moved and seconded or necessarily arising in the course of the proceedings and to announce the result of the vote;
 - (9) decline to put to a vote, a motion which infringes upon the rules of procedure or Federal, Provincial or Town legislation;
 - (10) preside over Councillors, when engaged in debate, within the rules of conduct of debate;

- (11) enforce on all occasions, the observance of order and decorum;
- (12) call by name any Councillor persisting in a breach of the rules of order of Council thereby ordering him or her to vacate the Council Chambers;
- (13) inform the Council when necessary, or when referred to, on a point of order;
- (14) permit the Chief Administrative Officer to speak on any point upon request pursuant to the MGA;
- (15) permit relevant questions to be asked through the Chair of any official or employee of the Town, or any member of the public in attendance, to provide information to assist any Council debate; and
- (16) adjourn the meeting when the business is concluded or, when an adjournment time has been set and approved by majority vote or consensus, when the adjournment time has been reached, except when it is extended by unanimous consent. Meetings should not exceed a maximum duration of three hours or 10:00 p.m. whichever occurs first,
- (17) at which time they will be adjourned until the next meeting of Council.

11. At Council meetings, unless a majority consents to a different order for that meeting, **Council shall conduct business in the following order:**

- (1) call to order;
- (2) acknowledgement of Mi'kma'ki, the ancestral and unceded territory of the Mi'kmaq People;
- (3) approval of agenda, including additions or deletions;
- (4) approval of minutes from the previous meeting;
- (5) public hearings, presentations and questions;
- (6) consideration of correspondence, petitions and proclamations;
- (7) business arising from the minutes;
- (8) consideration of committee recommendations, minutes, reports and notices of motions;
- (9) new business;
- (10) in camera business;
- (11) in camera notices of motion and recommendations; and
- (12) adjournment.

12. Five business days before a Council meeting, a Councillor or member of the public may request of the Mayor and Clerk to **add a Council agenda** item with relevant and sufficient particulars and supporting documentation which the Mayor shall in consultation with the Clerk determine to which Council or Committee meeting the agenda the item shall be added.
13. (1) Alternatively, a Councillor may give **notice of motion to add an agenda item** at a Council meeting which shall be:
- (a) be in writing;
 - (b) include the name of the mover;
 - (c) be received by the Clerk at a regular meeting of the Council; and
 - (d) be printed in full in the agenda for the next regular meeting and each successive meeting of the Council until considered or otherwise disposed of.
- (2) When a Councillor's motion has been called at two successive meetings of the Council and not proceeded with, it shall be deemed to have been withdrawn and be removed from the agenda unless the Council otherwise decides.
- (3) The mover may withdraw a notice of motion at any time prior to the commencement of debate thereon.
- (4) Council may waive notice of motion on a two-thirds vote of the Council members present and voting except for Policy and Bylaw matters.
- (5) A point of order or personal privilege may be introduced without written notice and without leave.
- (6) The following motions may be introduced without notice and without leave:
- (a) a motion to adjourn;
 - (b) a motion to call for the question
 - (c) a motion to refer;
 - (d) a motion to table or to defer to a day certain;
 - (e) an amendment to a motion;
 - (f) a motion to suspend a rule of procedure;
 - (g) a motion to convene in camera; or
 - (h) any other procedural motion.

14. The Mayor and Clerk shall confer on the Council **agenda content and format** before it is circulated a minimum two business days before the meeting if possible. The agenda will be accompanied with an **agenda package** containing meeting materials in the agenda sequence.
15. The Chair shall decide all questions of order or procedure subject to an **appeal** to the Council.
16. Every Councillor, prior to **speaking on any question or motion**, shall raise a hand and wait to be recognized by the Chair. When two or more Councillors raise their hands to speak, the Chair shall designate the Councillor who has the floor who, in the opinion of the Chair, first raised their hand.
17. No Councillor shall speak more than twice, without the leave of Chair, on any motion except to explain a misconception of their remarks, but the mover of a motion shall have the right to reply and sum up in closing the debate.
18. No Councillor shall speak more than ten minutes upon any matter at one time, without the leave of the Chair.
19. During a meeting Council may **recess** for short periods or move to another place, without ending the meeting.
20. At regular meetings of Council, except when Council resolves to defer approval of minutes for a maximum of one additional meeting, the **minutes** of the last preceding regular meeting and subsequent special meetings shall be reviewed and after all necessary corrections and amendments have been made and the minutes approved, the approved minutes shall be entered in the minute book of the proceedings of Council and such entry shall conclusively constitute the minutes of Council.
21. The minutes shall be kept by the Clerk and shall:
 - (1) record the time when any Councillor joins or leaves a meeting which is in progress;
 - (2) contain all resolutions, decisions by consensus and motions, with the name of the movers and seconders except Committee meetings, and shall record the outcome of each vote; and
 - (3) mention reports, petitions and other papers submitted to Council only by their respective titles, or a brief description of their contents, which may be attached in full to the minutes as determined relevant by the Clerk.

Conduct of Meetings: Motions and Voting

22. The Chair shall state every **question** properly presented to Council and before putting it to a vote, shall ask "Is Council ready for the question" and if no Councillor offers to speak, the Chair shall put the question, after which no Councillor shall be permitted to speak upon it.

23. The usual form of **voting** on any question shall be by the Chair calling for "yeas" and "nays", but any Councillor, before or after a voice vote can call for, and obtain through the Chair, a show of hands, and any two Councillors can call for, and obtain through the Chair, a recorded vote with each Councillor's vote entered into the minutes.
24. The Mayor and every Councillor who is present when a motion is put, **shall vote** thereon unless the Councillor has **declared an interest** in the motion. A failure to expressly signal a "yea" or "nay" or raise one's hand shall be deemed to be a "nay" vote. A tie vote results in the motion being defeated.
25. A **motion** must be seconded and then repeated by the Chair or read aloud by the Clerk before it is debated. The Chair may direct that the motion be put in writing.
26. After reading of a motion by the Chair or Clerk, it shall be open for discussion. The motion is deemed to be in the possession of Council at this time.
27. A motion which has been seconded and stated by the Chair may at any time before the Council has voted on it be **withdrawn** by the mover with the unanimous consent of Council.
28. When any question is before the Council, the only motions in order shall be:
- (1) a motion to amend the original motion;
 - (2) a motion to refer the question, including the motion and amendment if one is moved, to any Committee;
 - (3) a motion to defer the consideration of the question either indefinitely or to a specified time;
 - (4) a motion to close the debate at a specified time;
 - (5) a motion that the question be put to a vote; and
29. A motion
- (1) that the debate be closed at a specified time; or
 - (2) that the question be put to a vote,
- shall be put to a vote without further amendment or debate, but a motion that the question be put to a vote shall not be in order until every Councillor who has not spoken on the question and claims a right to speak has been heard.
30. A motion that the question be put to a vote shall preclude all amendment to the main question until the motion is decided, and shall be put to a vote, without debate. If this motion is resolved in the affirmative, the original question shall be put to a vote immediately, without any amendment or debate.

31. When the question before Council contains **two or more distinct propositions** upon request of any Councillor a vote upon each proposition may be taken separately in such order as determined by the Chair.
32. After a question is finally put by the Chair, no Councillor shall speak to the question nor shall any other motion be made until after the result of the vote has been declared.
33. Whenever the Chair is of the opinion that a motion is out of order, or contrary to legislation, the Chair shall immediately advise the Councillors thereof. If there is no appeal to Council, or if the Chair is sustained on an appeal, the question shall not be put.
34. A motion to adjourn shall always be in order except in the following cases:
- (1) when a Councillor is in possession of the floor;
 - (2) when the "yeas" and "nays" are being called for a vote;
 - (3) while Councillors are voting; or
 - (4) when the adjournment was the last preceding motion.
35. The following questions shall be decided without debate:
- (1) all motions as to priority of business or as to the suspension of the order of the day;
 - (2) an application to speak more than the prescribed number of times;
 - (3) a motion to allow any person other than Councillors to address Council;
 - (4) a motion to postpone to a specified time or day;
 - (5) a motion to lay on the table (suspend consideration of a pending motion); and
 - (6) a motion to adjourn.
36. Only one amendment to the main motion may be pending at one time. This first degree amendment may have only one amendment known as the second degree amendment pending at one time. As each amendment is voted on, subsequent amendments may be offered and voted on in succession.
37. (1) A motion to **rescind** shall not be made at the same meeting when the matter is decided, but may be put once at any subsequent meeting by giving prior notice of motion to rescind if the action or direction of Council has not already been completed.
- (2) A motion to rescind may be put by any Councillor regardless of how they voted on the original matter.

- (3) At a subsequent meeting of Council, the giver of such notice, or in that Councillor's absence any other Councillor on the Councillor's behalf, may put forward the motion of rescission.
 - (4) A motion to rescind must be seconded.
 - (5) A motion to rescind is debatable as to the merits of the question which is proposed to be rescinded.
 - (6) A motion to rescind is amendable.
 - (7) A motion to rescind shall be passed by a majority of the Councillors present and voting.
38. After any question or motion has been decided, either in the affirmative or negative, a Councillor who voted on the prevailing side may, after the decision has been announced by the Chair, but before adjournment of the meeting, give notice of an intention to move **reconsideration** of the motion approved at the same or next Council meeting. The giving of such a notice operates as a stay or suspension of Council's decision, except in matters where there is great time sensitivity. Council then vote on whether the motion will be reconsidered at the current or next meeting. If the motion to reconsider is adopted, Council will reconsider and then re-vote on the original motion, possibly with a different outcome.
39. If a vote to reconsider is deferred to the next meeting and no action is taken, the stay or suspension of the original motion is dissolved and the motion may be acted upon or implemented. Council may still reconsider the motion at a later time if the motion was not acted upon or implemented.
40. The following matters are not eligible for reconsideration:
- (1) a motion approving the first or second reading of a By-Law enactment, amendment or repeal;
 - (2) a motion to decide upon a matter which was the subject of a statutory hearing by Council;
 - (3) a matter that has already been reconsidered; and
 - (4) a vote to reconsider.
42. Any **notice of motion** given by a Councillor for a subsequent meeting may, in the absence of the Councillor giving such notice, be taken up by any other Councillor.
43. All motions called in pursuance of the general order of the day and not disposed of shall be the first business proceeded with and disposed of at the next meeting of Council.

Conduct of Meetings: Points of Order

44. It shall be the duty of the Chair, and the privilege of any Councillor, to call any Councillor to order, who violates any established rule or order. A **point of order** must be decided by the Chair before the subject under consideration is proceeded with.
45. When a Councillor is called to order, the Councillor shall remain silent until the point is determined or called upon by the Chair to be heard on the point of order.
46. A point of order is not debatable amongst other Councillors, unless the Chair invites discussion in an effort to assist in making a ruling. Where the Chair permits discussion of a point of order, no Councillor shall speak more than once without the leave of the Chair.
47. Decisions of the Chair on points of order, including an order expelling and excluding a person from the Council Chambers, are not debatable but are appealable to Council by any Councillor. When an appeal is made from the decision of the Chair, the Chair may briefly explain the basis for their ruling and shall then ask Council whether the appeal should be allowed and Council's decision with reasons given shall be final.
48. No Councillor shall use offensive or unparliamentarily language or speak disrespectfully to or about anyone while in Council, or speak outside the parameters of the question in debate.
49. If a Councillor resists the rules of Council, obstructs the business of Council or disobeys the decision of the Chair, or of Council on appeal, on any question of order or practice or upon the interpretation of the rules of Council after being called to order by the Chair, or otherwise disrupts the proceedings of Council, the Councillor may be ordered by the Chair to leave the Councillor's seat provided that a majority vote of Council shall be required to have the expulsion extended to additional meetings.
50. If the Councillor refuses to leave the Councillor's seat, the Chair may order the Councillor to be expelled from the Council Chambers. Such Councillor may, by vote of Council be permitted to resume their seat with or without conditions.
51. Persons who are not Councillors, officers or employees of the Town shall observe silence and order in the Council Chambers, unless given permission to speak by Council. Any such persons disturbing the proceedings of Council shall be called to order by the Chair and, if they fail to comply, shall be ordered, by the Chair to be expelled from the Council Chambers, provided that a majority vote of Council shall be required to have the expulsion extended to additional meetings. Such member of the public may, by vote of Council be permitted to re-enter Council Chambers with or without conditions.
52. An order of the Chair to expel a person from the Council Chambers pursuant to this part of the Policy constitutes a direction from the Town to leave the premises for purposes of the Protection of Property Act and other applicable laws.

Questions of Privilege, Parliamentary Inquiries, and Requests for Information

53. Any Councillor may raise a **question of privilege** relating to the rights of the Council as a whole or of individual Councillors, in which the former take precedence over the latter. A question of privilege must be disposed of before the matter under consideration is proceeded with.
54. Questions of privilege may relate to matters including: the comfort of Councillors with respect to heating, ventilation, lighting, noise, other disturbances, and anything which otherwise encumbers their ability to participate fully in Council proceedings; the conduct of officers, employees, and visitors; the accuracy of published reports of proceedings; or to any other such matters that may infringe upon the established rights of Council as a whole or of individual Councillors.
55. The Councillor raising a question of privilege shall either state the infringement on their privileges and request that the Chair remedy such infringement or make a motion addressing the question of privilege to the Council. The Chair will rule on whether the matter is a question of privilege to be immediately disposed of. Decisions of the Chair on questions of privilege are not debatable but are appealable to Council by any Councillor.
56. The Councillor raising a question of privilege shall either state the infringement on their privileges and request that the Chair remedy such infringement or make a motion addressing the question of privilege to the Council. The Chair will then rule on whether the matter is a question of privilege to be immediately disposed of which is debatable, but appealable to Council by any Councillor.
57. If the Chair rules in favour of a question of privilege or Council overrules a negative ruling by the Chair then the infringement will be dealt with or the motion regarding the question put before the Council for debate.
58. Once a question of privilege has been disposed of, the normal business of the Council shall be resumed at the point at which it was interrupted.
59. Any Councillor may make a parliamentary inquiry to the Chair to obtain information on a matter of parliamentary procedure or of the applicable legislation and motions bearing on the business at hand. It is the Chair's duty to answer such questions when it may assist the Councillor to make an appropriate motion, raise a proper point of order, or understand the parliamentary situation or the effect of a motion.
60. Any Councillor may make a request for information either to the Chair or through the Chair to another Councillor, employee, or other relevant person to obtain information relevant to the business at hand but not related to parliamentary procedure.
61. Any of the rules of order may be suspended in its operation by the unanimous consent of the Councillors present.

62. If any question arises that is not provided for by applicable legislation or the foregoing rules, it shall be decided by the Chair in accordance with the latest available version of Roberts Rules of Order.

63. Policy #88 Council Meeting Policy is hereby repealed.

Clerk's Annotation For Official Policy Book

Date of Notice to Council Members of Intent to Consider:

Date of Passage of Current Policy:

I certify that this Policy was adopted by Council as indicated above.

Municipal Clerk

Date

TOWN OF LUNENBURG PROCEDURAL POLICY # - COUNCIL COMMITTEES

PURPOSE

1. This Policy describes the structure, composition and role of Committees established and appointed by the Town of Lunenburg (“Town”) Council (“Council”). The Policy applies to Committees in which all or some of the voting Committee members are Council members including the Mayor and/or Councillors.

PROCEDURE

2. The following provisions shall apply to all Committees established by this Policy, except where this Policy, another Town Policy, Bylaw or the Municipal Government Act specifically provides otherwise.
3. Committee membership shall be annually reviewed by Council within three months following each municipal general election or election anniversary after seeking the advice of the Nominating Committee. Council may also replace at any time Committee members who resign or who, in Council’s opinion, are unable or unwilling to discharge their duties, or who fail to attend diligently to the Committee’s affairs or otherwise to seek a change in Committee composition. Council shall also appoint such members of external Committees and Boards as it is authorized to do under Town or Provincial legislation and inter-governmental agreements.
4. The Mayor shall be an *ex officio* member of any Town Committee to which the Mayor is not already appointed and may fully participate and vote at these meetings. Their attendance will be included in a determination if a Committee quorum has been achieved and the Committee can meet to conduct its business.
5. Council may seek unelected resident Committee members as set out in this Policy by advertising same on an annual basis or such other interval as Council determines by motion from time to time. The Town Nominating Committee will review and recommend to Council the appointment of qualified resident applicants or non-resident applicants if there are insufficient numbers. Council will select unelected Committee appointments by ballot.
6. Committee members shall be reimbursed their reasonable expenses for attending Committee meetings held outside the Town at such rate as prescribed by Town Policy #86 Council and Management Expense and Hospitality Claims.
7. Committee and external Board members are entitled to an annual honourarium set out in Town Policy #56 Council and Committee Member Honourarium.

8. Council shall appoint a Council member to serve as Chair of each Committee after seeking the advice of the Nominating Committee. The Chair shall be entitled to speak and to vote on any motion before their Committee(s). Subject to the other provisions of this Policy, the Chair shall also have the powers and responsibilities at Committee meetings that are conferred upon the Chair at Council meetings pursuant to the Town's Bylaws and Policies with any necessary modifications for context. If the Chair is absent from a meeting, the Committee members may elect a Chair pro tempore for that meeting who shall have the same authority as the Chair for the duration of this meeting only.
9. The Chief Administrative Officer or their designate shall serve as Committee Secretaries, with a voice relating to procedural matters, but no vote. The Committee Secretary shall prepare, maintain and circulate Committee agendas, minutes and other relevant records.
10. Committees shall meet at such time and place as annually determined by Council and at such other time and place as Council and/or Committees may determine to accomplish meeting objectives.
11. Subject to Council motion in consultation with the CAO should there be insufficient resources, Committees may utilize the following Town resources to accomplish their mandate:
 - (1) Town staff advice and support;
 - (2) Town's facilities and supplies for meetings, photocopying, postage and other administrative needs reasonably necessary and budgeted for to achieve the Committee's mandate;
 - (3) external services reasonably necessary and budgeted for to achieve the Committee's mandate; and
 - (4) such other resources reasonably necessary and budgeted for to achieve the Committee's mandate.
12. A Committee cannot take action on any matter which Council has not previously delegated the authority to it. A Committee may only make recommendations to Council to take action.
13. All Committee meeting minutes, and records shall be open to the public except as expressly authorized by law.
14. A quorum of the Committee shall be the same as that which applies to Council pursuant to provincial legislation, with any necessary changes for context, e.g., section 4 herein.
15. Each Committee member, including the Chair, shall have one vote and there shall be no proxy voting or alternate voting.
16. Subject to the other provisions of this Policy, the rules of procedure, conduct and debate that apply at Council meetings pursuant to Policy # __ Council and Committee Meetings Proceedings Policy and other relevant Town Policies, apply at

Committee meetings with any necessary modifications for context, except that no notices of reconsideration shall be permitted at Committee meetings.

17. In the event a Committee fails to provide a recommendation to Council within a deadline set by Council, Council may proceed with a decision regarding a matter within the Committee's mandate without awaiting the Committee's recommendation.
18. Council hereby confirms the following standing Committees and their respective responsibilities as described.

General Government Committee

19. The responsibilities of the General Government Committee are:
 - (1) Discuss, consider, advise and make recommendations to Council concerning the affairs of the Town that may come before Council, in advance of Council making decisions or taking action on such matters, except where Council determines that consideration by the Committee is unnecessary or inadvisable, and except that the following matters shall normally be dealt with by Council without having to be forwarded to the General Government Committee for its recommendations:
 - (a) correspondence;
 - (b) reports and recommendations from other committees of Council;
 - (c) planning matters;
 - (d) first or second reading of By-Law enactments, amendments or repeals; and
 - (e) matters which are the subject of a statutory hearing by Council.
 - (2) Act as the Nominating Committee making recommendations for Council Committees and external Boards;
 - (3) Oversight of the Town Bylaws and Polices review;
 - (4) Review and recommend the General Government Services budget to Council;
 - (5) Consider annual Town grant applications and recommend same to Council; and
 - (6) Take such other action not inconsistent with this Policy that the Committee reasonably deems necessary to carry out its mandate in accordance with Town Policies and Bylaws and the Municipal Government Act.
20. The Chair of the General Government Committee is the Deputy Mayor.
21. The General Government Committee consists of all Council Members, and membership on the Committee automatically extends to Council Members, without the necessity of formal appointment by Council, and automatically terminates when the person is no longer a Council Member.

Audit Committee

22. The responsibilities of the Audit Committee are:
 - (1) A detailed review of the Town financial statements with the Town Auditor;

- (2) An evaluation of Town internal control systems and management letter with the Town Auditor;
 - (3) A review of the conduct and adequacy of the audit;
 - (4) Consideration of such matters arising out of the audit as may appear to the Audit Committee to require investigation;
 - (5) Review of other matters as may be determined by Council to be the duties of the Audit Committee and any other matters; and
 - (6) Take such other action not inconsistent with this Policy that the Committee reasonably deems necessary to carry out its mandate in accordance with Town Policies and Bylaws and the Municipal Government Act.
23. The Audit Committee shall be comprised of all members of Council and a minimum of one resident at large appointment who is not a member of Council or staff. Resident appointees shall possess knowledge and understanding of financial and investment matters as evidenced in their Committee application form.
 24. Council shall advertise for resident Audit Committee applications before December 31. The resident Committee member(s) shall be annually appointed by Council no later than January 31. Resident Committee appointments shall be for a minimum of one – two year terms as determined by Council motion.
 25. The Chief Administrative Officer (CAO), Finance Director and Accountant shall be non-voting members of the Audit Committee. Through the CAO the Committee may request additional members of the Town's senior management staff to attend Committee meetings.
 26. The Audit Committee Chair shall be a member of Council annually appointed by Council no later than January 31 of each year. The Committee Chair will make periodic reports to Council on matters relating to the Committee's work progress.
 27. The Audit Committee shall meet at least twice per year as called by the Chair in consultation with voting and non-voting Committee members to receive and review the completed Town audit with the Town Auditor and carry out its additional Municipal Government Act duties.
 28. The Committee may also meet with the Town Auditors as it deems appropriate to consider any matter that the Committee members, Council or Auditors determine should be brought to the attention of Council.
 29. Committee meetings shall be held in public unless the Committee needs to meet in camera in accordance with the Municipal Government Act.

Heritage Advisory Committee

30. The Town's Heritage Property Bylaw #43. and Provincial Heritage Property Act establishes the responsibilities of the Heritage Advisory Committee as follows which are not modified by this Policy, except the extent to which the additional Committee procedural matters apply:

- (1) The Heritage Advisory Committee may advise Town Council respecting:
- (a) the inclusion of buildings, streetscapes and areas in the Town Registry of Heritage Property;
 - (b) an application for permission to alter substantially or demolish a Town Heritage Property;
 - (c) building or other regulations that affect the attainment of the intent and purpose of the Heritage Property Act;
 - (d) any other matters conducive to the effect of carrying out the intent and purpose of the Heritage Property Act.

31. The Heritage Advisory Committee is comprised of six members, all of whom shall be residents of the Town, annually appointed by Council for a one year term. Two members of the Committee shall be members of Council; two shall be members of the Lunenburg Heritage Society or individuals who have otherwise demonstrated active concern for the preservation of buildings of historic significance; and two members of the Committee shall be appointed at large.

Planning Advisory Committee

32. The Municipal Government Act provides that the responsibilities of the Planning Advisory Committee are to advise Council respecting the preparation and amendment of planning documents and general planning matters. This includes the preparation, amendment and review of the Town's Municipal Planning Strategy, Land Use By-law and Subdivision By-law and all other planning matters.
33. The Planning Advisory Committee is comprised of at least two members from the public and may include other members of Council and the public as determined by Council.
34. Members of Council shall be appointed to the Planning Advisory Committee for a one year term. Other members shall be appointed for a two year term.

Protective Services Committee

35. The Protective Services Committee responsibilities relate to fire protection including oversight of the volunteer firefighting force and their training, buildings and equipment, fire alarm systems, fire investigations and prevention, water supply and hydrants and Fire Protection Services budget matters.
36. The Protective Services Committee is comprised of four Town members including the Chair who are all Town Council members. For the purpose of fire protection matters relating to Municipality of the District of Lunenburg Fire Districts 1 and 2 Commission (Commission) only, the Commission may appoint three Commission members to be additional voting members of the Committee, so for these matters only, the total membership of the Committee may be seven.

Recreation/Lunenburg War Memorial Community Centre Committee

37. The responsibilities of the Recreation/Lunenburg War Memorial Community Centre Committee are to:
 - (1) advise Council on matters affecting the development and maintenance of Town recreational facilities, programs and services;
 - (2) encourage a healthy and active community to improve the quality of life for residents and visitors; and
 - (3) provide Council with input on the development of policies and plans related to community recreation opportunities.
38. The Recreation/Lunenburg War Memorial Community Centre Committee is comprised of four members of Council, three unelected Town residents and one Municipality of the District of Lunenburg Council member.

Public Infrastructure and Utilities (???)

Special Committees

39. Town Council may establish Special Committees at any time as deemed necessary concerning any matter which is within Council jurisdiction. Council in establishing a Special Committee shall approve the terms of reference, termination date and such other provisions as Council determines relevant to the creation, role, responsibilities and dissolution of Special Committees.
40. The general provisions of this Policy shall also apply to Special Committees.
41. A Special Committee shall consist of at least two Council members, one of whom shall be the Chair.
42. When a Special Committee has completed its work, made its report and Council has made a final decision about the report, the Special Committee shall automatically dissolve if it was not previously terminated in Section 39 herein.
43. This Policy repeals and replaces Policies #9 Appointments to Boards and Committees of the Town, #19 Composition and Duties of Planning Advisory Committee and #85 Audit Committee and Bylaw #6 Committees and Boards Bylaw.

**TOWN OF LUNENBURG PROCEDURAL POLICY #86 - COUNCIL AND
MANAGEMENT EXPENSE AND HOSPITALITY CLAIMS**

PURPOSE

1. This Policy provides a process and criteria by which Lunenburg Town Council (“Council”) and management staff expense and hospitality claims may be considered for approval. These provisions were previously included in the Town’s Personnel Policy, but are now stated in this Policy for ease of reference and inclusion of the following 2017 amendments to the Municipal Government Act (“Act”).

Section 23 (3)

(3) Each municipality shall adopt an expense policy and a hospitality policy.

(4) An expense policy must

- (a) prohibit the municipality from reimbursing expense claims for alcohol purchases by an individual;*
- (b) identify the persons who have signing authority to authorize the reimbursement of an expense;*
- (c) where applicable, set out rules respecting the use of corporate credit cards;*
- (d) apply to every reportable individual in the municipality; and*
- (e) comply with the regulations.*

(5) A hospitality policy must

- (a) establish the expenditures, including an alcohol purchase, that may be a hospitality expense;*
- (b) establish the approval process for authorizing hospitality expenses;*
- (c) establish the scope and applicability of the policy; and*
- (d) comply with the regulations.*

(6) An expense may only be reimbursed if that expense is authorized pursuant to the expense policy or the hospitality policy.

(7) By the January 31st immediately following a regular election held under the Municipal Elections Act, the council shall review the expense and hospitality policies and, following a motion by the council, either re-adopt the policies or amend one or both of the policies and adopt the policies as amended.

2. Reference should also be made to the Town’s Council Professional Development and Conference Attendance Procedural Policy for information regarding the approval

procedure for same.

3. Expenses considered under this Policy are for attendance at conferences, training, meetings or other business events (“event”) representing the Town that are in compliance with this Policy and the Act, have been pre-approved by Council in the Town’s annual budget and/or by specific request, or by the CAO or designate for management staff.

PROCEDURE

4. Expenses for attendance at approved events representing the Town will be reimbursed as follows within approved Council budget amounts.
 - (a) Transportation: the actual cost of the most economical mode of travel, typically by personal vehicle. Vehicle costs will be reimbursed at the Provincial standard rate as amended from time to time. The following are pre-determined maximum allowable travel claim distances to:

- Bridgewater	40 kilometres
- Chester	80 kilometres
- Dartmouth	220 kilometres
- Halifax Airport	250 kilometres
- Halifax	200 kilometres
- Liverpool	130 kilometres
- Mahone Bay	25 kilometres
- Sydney	1100 kilometres
- Wolfville	200 kilometres

Variances from these pre-determined maximum amounts will be considered if the expense claimant provides the actual kilometers based on their vehicle odometer reading or travel distance calculator and confirmation on the Expense Claim Form that they picked up and/or dropped off multiple Town representatives to attend the same approved event, and/or travel was required during an event to multiple event venues, or similar circumstances as approved by the CAO, Finance Director and/or Mayor as set out in Section 4 (g) herein.

If more than one Council and/or management staff member are attending the same event they are expected, when reasonable, to travel together in one vehicle.

If a Town vehicle is used, the approximate cost of fuel will be billed to the relevant Town budget account used to pay for event attendance.

Air travel reservations may be made by authorized Corporate Services staff following the Town’s Purchasing Policy and Municipal Credit Card Use Administrative Policy as applicable.

- (b) Accommodations: actual cost for the authorized Town Council or management

staff member, plus approved parking and internet fees as applicable.

Accommodation reservations and payment will be made by Corporate Services staff following the Town's Purchasing Policy and Municipal Credit Card Use Administrative Policy as applicable.

- (c) Meals: out of Town events - \$15.00 breakfast (departure from Lunenburg required before 6:30 a.m.), \$20.00 lunch (unable to return to Lunenburg before 1:00 p.m.), and \$35.00 dinner (unable to return to Lunenburg before 6:30 p.m.), to a daily maximum of \$70.00 with no receipts required. If a meal is provided as part of the event, an additional meal claim shall not be made. Reimbursement for alcohol purchases is not permitted.

A \$15.00 meal expense may also be claimed if attendance at an in-Town event occurs during these meal periods and the event does not provide a meal and it is not possible for the Council or management staff member to leave to have their regular meal. Corporate Services staff will generally make prior catering arrangements for a meal to be provided in such circumstances through the use of a Town Purchase Order. Reimbursement for alcohol purchases is also not permitted.

Council may also budget for a maximum of \$1000./year, plus HST to provide for the attendance of Council members and/or senior management staff at relevant special event dinners, e.g., Lunenburg Board of Trade AGM, Habitat for Humanity and MICA annual dinners, etc.

- (d) Registration Fees: actual cost to be paid in advance by Corporate Services staff in compliance with the Town's Purchasing Policy, Municipal Credit Card Use Administrative Policy and/or other relevant Town Procedural Policies.
- (e) Miscellaneous Expenses – Council and management staff members may also claim up to \$15.00/day for each overnight stay for an approved out of Town event to a maximum of \$75.00/week without receipts for expenses for which receipts are generally unavailable when attending same which exceed one day and require an overnight stay outside Town (other than their own residence). Miscellaneous expenses may include tips, parking meters, taxis, bridge and ferry fares, buses, etc., but cannot be used to increase meal allowances noted above or purchase alcohol. Receipts should be presented for all miscellaneous expenses whenever possible.
- (f) Hospitality Expenses - the Mayor, Chief Administrative Officer (CAO) and/or their designate(s) may use the per person meal allowances listed above in subsection (c) for hospitality purposes with visiting officials while conducting Town business.

A Town Purchase Order should be used in such instances in accordance with the Town Purchasing Policy or detailed receipts provided for subsequent reimbursement. Council must approve the reimbursement of expense claims that exceed these limits or for any alcohol purchases.

- (g) Expense Claim Form - all claimants must submit a completed Town Expense Claim Form when seeking reimbursement for expenses listed above. This shall be submitted within thirty days of expenses being incurred to the CAO and Finance Director for approval. The Town Finance Director and Mayor shall determine if expenses claimed by the CAO may be approved for payment. The CAO, Finance Director and Mayor may request of the claimant additional verification of the expense prior to approving payment.
- (h) Spousal Expenses - expenses for the spouses of Council and management staff members will not be reimbursed.
- (i) HST - all maximum expense amounts stated herein do not include HST which may be claimed as an additional expense for payment on proof of HST payment.

- 5. No reimbursement will be made for Council and/or management staff attendance at partisan political events.
- 6. No advances for expenses will be paid unless pre-approved by the CAO and Finance Director. All advances shall follow the same reporting format as outlined in this Policy and a final Expense Claim Form shall be submitted to determine if repayment of any advance is required or additional reimbursement is due.

Clerk's Annotation For Official Policy Book

Date of Notice to Council Members
of Intent to Consider (7 days minimum): May 8, 2018

Date of Passage of Current Policy: May 22, 2018

I certify that this Policy was adopted by Council as indicated above.

Municipal Clerk

Date

STAFF TRAINING AND DEVELOPMENT

I. General Statement of Policy and Objectives

It is the policy of the Town of Lunenburg to encourage employees to attend training courses, seminars, conventions and meetings ("courses, etc.") which will upgrade their qualifications and job-related skills.

The objectives of this policy are:

1. to increase employees' competence in their present jobs, thereby increasing their contribution to the Town; and
2. to provide employees with an opportunity to receive increased benefits from their work through future advancement.

Statement of Procedures

1. Each Department Head will submit estimates of expenditures for courses, etc., when preparing their budget. Council shall approve a training and development program for each department as part of the budget. Each Department Head will correspond with relevant training and educational institutions to obtain current information on available courses, etc., and keep staff informed of training and development opportunities.
2. When requesting approval to take a course, etc., with or without pay the employees must satisfactorily demonstrate that it will increase their effectiveness in their present jobs.
3. When requesting approval to take a course, etc., the employee should complete the application form (Schedule "A") and submit it to their Department Head at least thirty days before the commencement of the course, seminar or convention. Upon approval by the Department Head, the request will be forwarded to the CAO for final approval. A copy of the completed application form shall be placed on the employee's Personnel File whether it is approved or not, and a copy shall be given to the employee. If the request is one which cannot be approved within the current budget, then a special request for approval may be made by the CAO to Council.
4. If the course, etc., is not directly related to the employee's present work, on recommendation of the CAO, the CAO may decide that the Town will benefit nonetheless, and the employee may be granted a leave of absence without pay. A leave of absence without pay may also be granted for courses, etc., which cannot be covered by Council's budget. If Council feels that it can bear part of the expense, arrangements may be made for the employee to pay the balance. This clause applies only to those courses, seminars and conventions which are requested by the employee.

5. The Town of Lunenburg has a \$1,200. limit per individual for convention expenditures annually. Department Heads will identify conventions that they wish to attend in their relevant budget estimates for the upcoming fiscal year. Conventions are generally considered to be the annual general meeting of a professional type association of which the staff person is a member. All other training courses, seminars and meetings will be considered under a separate budget category for staff training. When considering an employee's application for a convention, the Department Head and CAO will bear these budgetary restraints in mind. The Town Council may approve the attendance and payment of full costs of staff at conventions over the \$1,200. limit, if, it is felt that it would be an advantage to the individual and the Town. Such a request should be made and determined by Council at the time of setting the Town's budget.
6. The Department Head and CAO shall also base their approval or disapproval of a request pursuant to this policy on other relevant factors such as the staffing needs of their department at the time the employee has requested to be absent.
7. When two employees apply for a course, etc., and only one of them can attend due to the restrictions referred to above, the Department Head should decide between them on the basis of these considerations:
 - a. which of the employees is in the greatest need of the training or education; and
 - b. which of the employees has had an opportunity to attend a similar event most recently.

If these factors do not assist in arriving at a decision, then the senior employee shall be chosen to attend the course, etc.

9. Department Heads, the CAO and/or Council may require employees to attend courses, etc., which will upgrade their qualifications and job-related skills.
10. Expenses for attendance at courses, etc., will be reimbursed as follows within approved budget levels:
 - a. Transportation: the actual cost of the most economical mode of travel. Vehicle costs will be reimbursed at the Provincial standard rate as amended from time to time. The following kilometer amounts are established for travel to the below noted places:
 - Bridgewater 40 Kilometers
 - Chester 80 Kilometers
 - Halifax Airport 250 Kilometers
 - Halifax 200 Kilometers
 - Liverpool 130 Kilometers
 - Mahone Bay 25 Kilometers
 - Dartmouth 220 Kilometers
 - Sydney 1100 Kilometers
 - Wolfville 200 Kilometers

Variances from these pre-determined maximum amounts will be considered if the expense claimant provides the actual kilometers based on their vehicle odometer reading or travel distance calculator and confirmation on the Expense Claim Form that they picked up and/or dropped off multiple Town representatives to attend the same approved event, and/or travel was required during an event to multiple event venues, or similar circumstances as approved by the CAO, Finance Director and/or Mayor.

If a Town vehicle is used, the approximate cost of fuel will be billed to the relevant Town budget account used to fund the seminar, etc.

- b. Hotel or Motel: actual cost.
- c. Meals:
 - i. courses, etc., exceeding more than one (1) day: \$30. flat maximum cost per day. 1 day course, etc.,: \$12.00 for lunch; if, however, a one (1) day course, etc., runs over two (2) meal periods, because it is not possible to return home before 6:00 p.m. or the employee must leave home prior to 6:30 a.m., an additional \$12.00 may be claimed; and, if, three (3) meals are required, the \$30.00 daily amount may be claimed. These are set rates and no receipts are required for reimbursement.
 - ii. maximum for only Council, senior management and Lunenburg and District Fire Department out of Town training, conferences or other businesses representing the Town - \$15.00 breakfast, \$20.00 lunch, and \$35.00 dinner (evening), to a daily maximum of \$70.00 (no receipts required). And further, increase to incidental allowance to \$15.00/day with a \$75.00 maximum.
- d. Registration Fees: actual cost.
- e. Miscellaneous Expenses - employees may also claim up to \$10. per day for each overnight stay to a maximum of \$30. per week without receipts for those expenses for which receipts are unavailable when attending a course, etc., that exceeds one day and requires an overnight stay outside the Town (other than their own residence). Receipts should be presented for all miscellaneous expenses whenever possible. Miscellaneous expenses may include tips, parking, taxis, buses, etc., but cannot be used to increase meal allowances.
- f. The Mayor, CAO and/or their designate(s) may use the per person expenses listed above in subsection (c) to entertain officials if it is in the interest of the Town to do so. If possible, a Town purchase order should be used in such instances. Receipts should be kept for reimbursement of these expenses. Council must approve the reimbursement of expense claims that exceed these limits.
- g. Claimants must submit an Expense Claim Form as attached hereto as Schedule "B" when seeking reimbursement for the expenses listed above and such form will be submitted within sixty (60) days of the expenses being incurred to the relevant Department Head and CAO for approval.

Original receipts should be attached to the completed claim form as required.

- h. Expenses of spouses will not be reimbursed, unless the spouse is invited by Council to attend.
11. If more than one staff member is attending the same course, etc., they are expected to travel in one vehicle, and, where reasonable, share accommodations.
 12. All accommodation and travel bookings are to be made by the Town Office secretaries to ensure utilization of government discounts and Town purchase orders.
 13. If a non-management/non-unionized employee is required and approved by their Department Head and CAO to attend a course, etc., which is partly or entirely outside their regular work hours, excluding travel time, they shall be compensated with straight hourly pay or straight time off in lieu of pay as determined by the Department Head and CAO.
 14. If a non-management/non-unionized employee personally requests to attend a course, etc., no additional remuneration will be given to them for any portion of time in attendance at or travel to and from the course, etc., outside their regular work day.
 15. Advances for expenses may be made to the employee for those expenses which are known when the employee so requests. An expense claim form (showing deductions for advance monies received) and receipts, as required, must still be completed on the employee's return from the course, etc.
 16. Upon completion of the course, etc., the employee shall forward a written report regarding the course, etc., to the relevant Committee or Council at their earliest opportunity. Progress reports and course marks for courses, etc., longer than one (1) year must be reported to the relevant Committee or Council annually. These reports shall be retained in the employee's personnel file.

MEMORANDUM

TO: GENERAL GOVERNMENT COMMITTEE

FROM: BEA RENTON, CAO

DATE: JANUARY 2, 2020

RE: TOWN OF LUNENBURG POLICY REVIEW - #6. WORK ON PRIVATE PROPERTY

1. FACTS

At the July 18, 2019 General Government meeting in response to a staff report regarding the ongoing Town Policy review, the Committee adopted the following motion:

Motion: moved and seconded that staff prepare with the assistance of the Town Solicitor as applicable for Committee review –

- *a replacement Policy for Bylaw #5 Council Procedure Bylaw which shall concurrently be repealed;*
- *Bylaw 6 Committees and Boards Bylaw be revised; and*
- ***Policy 6 Work on Private Property (Public Works and Electric Utility) be reviewed by the Public Works Department to determine what private contracting work should still be done by the Town and Electric Utility provisions removed as required.***

Motion carried.

2. ISSUES AND OPTIONS ANALYSIS

Policy 6 was reviewed by Electric Utility and Public Works management and revisions made for Council consideration in the updated draft Policy. It reflects current Electric Utility and Public Works practices which refer the majority of private property work and goods supplied to private providers. This allows Town resources to focus efforts on municipal project priorities.

A revised Policy is attached for Council consideration.

If the revised Policy is acceptable, notice of motion of its proposed adoption could be given at the next Council meeting on January 28, 2020 followed by its actual adoption by motion at the February 11, 2020 Council meeting when it would become effective.

3. FINANCIAL IMPACT

There is a cost to doing private work with Town human and equipment resources when municipal work cannot be fully accomplished. With aging municipal infrastructure, increased attention is required on maintaining Town assets. Whether it is installing a private sewer lateral, selling a yard of gravel, etc. and other private goods and services as the Town did in the past, it is not cost effective for the Town to do this. Nor should the Town be offering goods and services

for private property needs that can be more appropriately delivered by the private sector. The Policy has been revised to reflect this with allowance to do some limited private property work relating to culvert, water and sewer laterals if circumstances warrant because it is in the Town's interests to do the work. In other instances, private contractors are hired by private property owners to do the work which can be approved by the Town Engineer or designate as relevant. These changes reflect the practice over the past many years.

The current Policy allowing staff to loan Town equipment to private persons has been removed in the attached revised Policy. This change also reflects actual practice. Public Works staff have referred property owners to rental companies and private service providers who have equipment similar to the Public Works Department. Insurance, safety training and other equipment use issues are addressed by the private service provider. Town staff time can also be redirected when they do not have to document the use and return of Town equipment, train others to use it, invoice for it, etc. For these reasons the practice has been to no longer loan out Town equipment.

4. STRATEGIC PLAN RELEVANCE

By reviewing and updating Policies the Town is achieving Strategic Plan Direction: "5) Operate the Town efficiently and effectively by: B. Continually and strategically maintaining and upgrading community infrastructure; C. Developing and updating Town bylaws, policies, procedures and plans".

5. RECOMMENDATION AND DRAFT MOTION

It is recommended that a Committee member agree to give notice of motion at the January 28, 2020 Council meeting of the repeal and replacement of the proposed revised Policy #6 Work on Private Property.

The following notice of/motion(s) would be made:

(January 28, 2020 Council) Deputy Mayor or Councillor _____ gives **notice of motion** of the proposed repeal and replacement of Policy #6 Work on Private Property (Schedule "A").

(February 11, 2020 Council) **Motion:** moved by Deputy Mayor or Councillor _____, seconded by Deputy Mayor or Councillor _____ to repeal and replace Policy #6 Work on Private Property (Schedule "A").

Attachments - current Policy #6
- current Policy #22
- revised replacement Policy #6

#6. TOWN OF LUNENBURG POLICY

WORK ON PRIVATE PROPERTY

The following is an outline of the types of work which Departments of the Town of Lunenburg will carry out which is of a private nature. This work will normally be carried out at regular charge out rates unless the Town Council has directed otherwise.

ELECTRIC LIGHT DEPARTMENT

1. For use of Electric Light Department, Personnel, Truck and Materials on Private Property the established charge out rates will apply. This will include costs to maintain private street lights, post hole digging and trimming of trees, unless the trees are fouling power lines - for this work there will be no charge.
2. Hanging of Flags, Banners and other related work in support of the L.B.A. and the various Festivals will be at no charge when approved by Council.

PUBLIC WORKS DEPARTMENT

1. For use of Public Works Department, Personnel, Truck and Materials on Private Property the established charge out rates will apply.
 - a) This will include costs to repair or replace existing culverts and new culverts;
 - b) This will include the costs to install water and sewer services, and to repair sewer services on Town Property; and
 - c) The repair to a water service on Town Property will be carried out at no cost to the property owner.

NOTE: Work as listed in "a" and "b" will only be carried out if scheduling allows; otherwise an approved private contractor may carry out the work with the work being inspected by the Town and the Town Engineer approving the materials used.

2. a) No Town equipment will be rented or loaned to any property owner unless in the case of an emergency, in which instance the Town Engineer has the authority to approve the use of Town equipment with the property owner paying the established charge out rates.

b) Town materials will be sold to property owners only as time permits, if supplies are available. These supplies will include small quantities of gravel (4 yards) and sewer and water supplies.

3. Brush and limbs will not be picked up by Town Forces - will be picked up with regular garbage pick up.

Leaves will be picked up by Town Forces if they are properly bagged.

4. Maintenance of driveway and walkway entrances from the travelled portion of streets to the street line will be the responsibility of the property owner unless damage is created by street drainage.

5. No private work will be performed outside the Town limits except sewer and water connections to Town services as approved by Town Council and scheduled by the Town Engineer.

6. No plowing, sanding or salting of private roads will be carried out by Town Forces unless approved by Town Council and will be carried out at rates established by Town Council.

A Private Road will be defined as a road servicing two (2) or more dwelling units.

#22. TOWN OF LUNENBURG POLICY

WORK ORDERS AND PAYMENT FOR WORK PERFORMED BY

ELECTRIC LIGHT DEPARTMENT AND DEPARTMENT OF PUBLIC WORKS

ON BEHALF OF PRIVATE COMPANIES AND INDIVIDUALS

It is the policy of the Town of Lunenburg that the Electric Light and Public Works Departments of the Town be permitted to perform work for individuals and firms on a limited basis when and if time permits upon completion of all regular work and in accordance with the charge out rates approved by Town Council from time to time.

In order to reduce administration costs for smaller private jobs, it shall be the Town's policy that any charges for individuals totalling \$50.00 or less be pre-paid.

Any work for private companies/contractors and individuals in excess of \$50.00 may be completed on an account billing basis through the Department of Finance.

If there are any concerns in respect to providing a specific company or individual with credit (account billing) this should be discussed with the Director of Finance/Treasurer prior to granting credit.

I. Procedure for Pre-Paid Jobs (Under \$50.00/Individual)

A work report noting the services and/or goods to be supplied in duplicate will be completed and signed by the Town Engineer (Electric Light Superintendent) or Foreman with details of same. The customer will be given a copy to take to the Town Office for completion (pricing + taxes). The customer will be required to pay in full prior to goods and/or services being supplied. A receipt will be issued to the customer once the account is paid.

Upon presenting a receipt to the Town Engineer (Electric Light Superintendent) or Foreman, the customer shall receive the materials or services purchased.

II. Procedure for Jobs Invoiced (Approved Credit Companies/
Contractors/Individuals) Over \$50.

The Town Engineer (Electric Light Superintendent) or Foreman will complete a work order estimating the cost of the goods and/or services and the terms of payment. This work order must be signed by the customer. No work is to be performed or goods issued before a signed work order is completed. The original signed work order shall be forwarded to the Director of Finance/Treasurer and a copy given to the customer.

Once the work or service is completed the Town Engineer (Electric Light Superintendent) or Foreman will complete a Work Report listing the actual time, equipment and materials used. This will be forwarded to the Finance Department.

The Finance Department will then calculate the total amount of the work order (including all applicable taxes) and forward an invoice to the customer for payment within thirty days.

If there is a discrepancy between the estimate and the actual price, upon request, an explanation for same will be provided to the customer.

Exception - Turning Water On/Off

If the service to be performed is turning water on/off, the customer will be billed pursuant to the Town's water billing system.

TOWN OF LUNENBURG PROCEDURAL POLICY #6 - WORK ON PRIVATE PROPERTY

PURPOSE

1. The Policy outlines the limited private property work Town of Lunenburg ("Town") staff may do and cost for same.

ELECTRIC UTILITY

2. The Town's Electric Utility provides private street light maintenance in accordance with Policy #10 Private Street and Yard Lights.
3. The Town's Electric Utility will only provide such other private property work as is permitted by the Town's Electric Utility Regulations and its Nova Scotia Power service arrangement.

PUBLIC WORKS DEPARTMENT

4. The Town's Public Works Department will only provide, install, repair or replace new and existing culverts to access private property in accordance with Policies #48. Ditch and/or Culvert Systems and #78. Driveway Access if work scheduling allows. Such work will be charged at the applicable Town charge out rates for supplies, equipment and services as set out in sections 10 and 11 herein. Otherwise the Town Engineer or designate shall advise the private property owner that they must select a private contractor to perform the work whom the Town Engineer or designate will approve in advance of the work. The Town Engineer or designate will inspect the work the authorized private contractor has done to determine if it is satisfactory or it shall be redone to meet their approval at the private property owner's expense.
5. Installation, repair or replacement of new and existing water and sewer laterals work shall be done in accordance with Policy #3. Installation/Repairs to Sanitary Sewer, Storm Sewer and Water Laterals which shall be done at the Town's cost. The private property owner is responsible for arranging and private contractors authorized by the Town Engineer or designate to do water lateral work from their building to the street right of way and sewer laterals from their building to the sewer main. The Town Engineer or designate will inspect the work the authorized private contractor has done to determine if it is satisfactory or it will be redone to meet their approval at the private property owner's expense. The Town is responsible for the remainder portions of these laterals.
6. No additional private work will be performed inside or outside Town limits except as approved by Town Council, Town Engineer or designate and Town insurer in advance of such work being done at the applicable Town charge out rates.

7. No plowing, sanding or salting of private roads will be done by the Town unless approved in advance by Town Council, Town Engineer or designate and charged out at the applicable rates established by Town Council.
8. No Town equipment including but not limited to motor vehicles, backhoe, plumbing supplies, pumps, etc. and supplies, e.g., gravel, salt, etc. will be rented, loaned or sold to any private property owner. These items are for Town use or authorized Town personnel only in accordance with this Policy, Policy #91 Town Equipment Loan and Use and the Town Personnel Policy.
9. The maintenance of driveway and walkway entrances from the travelled portion of streets to the street line will be the responsibility of adjacent private property owners unless damage is created by street drainage or snow and ice removal by the Town which shall be repaired by the Town at its cost.
10. To reduce administration costs for smaller private jobs, any charges for private property owners totalling \$200 or less, plus HST, must be pre-paid. A Town Work Order describing the work to be performed will be completed in duplicate and signed by the Town Engineer or designate. The private property owner will be given a copy to deliver to the Corporate Services Department where the private property owner will be required to pay in full prior to any work being performed. A receipt will be issued to the private property owner when the amount is paid for presentation to the Town Engineer or designate to schedule a time when the private property work can be performed.
11. Any private work in excess of \$200, plus HST, may be completed on an account billing basis through the Corporate Services Department. The Town Engineer or designate will complete a Town Work Order estimating the cost of the work to be performed and terms of payment for which a 50% deposit is required by the Finance Director or designate. No work is to be performed before a signed Work Order is completed, signed by the private property owner and the 50% deposit paid. When the work is completed the Town Engineer or designate will complete the Town Work Order listing the actual time, equipment and materials used and forward it to the Finance Director who will calculate the final invoice providing the private property owner thirty days in which to pay it in full.
12. This Policy repeals and replaces Policy #6. Work on Private Property and Policy #22. Work Orders and Payment for Work Performed by Electric Light Department and Department of Public Works on Behalf of Private Companies and Individuals.