

Municipality of the District of Lunenburg
Minutes of a Meeting of the Policy & Strategy Committee
Held in Council Chamber, 10 Allée Champlain Drive, Cookville, N.S.
Tuesday, November 19, 2024 – 9:00 a.m.

Attendance

Deputy Mayor Chasidy Veinotte, District 10, Chair
Councillor Alison Smith, District 6, Vice Chair
Mayor Elspeth McLean-Wile
Councillor Morgen Reinhardt, District 1
Councillor Martin Bell, District 2
Councillor Wendy Oickle, District 3
Councillor Pam Hubley, District 4
Councillor Cathy Moore, District 5
Councillor Edgar Burns, District 7
Councillor Kacy DeLong, District 8
Councillor Ben Brooks, District 9

Staff

Tom MacEwan, Chief Administrative Officer
Alex Dumaresq, Deputy Chief Administrative Officer
April Lohnes-Whynot, Municipal Clerk
Joanne Powers, Executive Assistant

1. Call to Order

Deputy Mayor Veinotte called the meeting to order at 9:03 a.m. and began by acknowledging that the meeting was held in Mi'kma'ki, the traditional territory of the Mi'kmaq people.

2. Nomination and Election by Ballot for Vice Chair

Deputy Mayor Veinotte, called for nominations, by ballot, for the position of Vice Chair. Those nominated were: Councillors Oickle, DeLong, Smith, and Burns. Councillor Burns withdrew his name from the ballot. Councillors Oickle, DeLong and Smith's names remained, and Councillor DeLong's name was dropped from the first ballot. On the second ballot Councillor Smith was elected as Vice Chair.

Moved by Councillor Hubley, seconded by Councillor Burns that the ballots be destroyed.
Carried unanimously.

3. Announcement, Acknowledgements, Recognition

4. Public Input

5. Changes/Approval of Agenda (as circulated)

Mr. MacEwan indicated that Item 11.1 Reinstate Park View Bus Stop on Upper Branch Road, was removed from the agenda.

Moved by Councillor Hubley, seconded by Councillor Oickle that the November 19, 2024, Policy & Strategy Committee agenda be approved as amended. Carried unanimously.

6. Approval of Minutes – September 17, 2024

Moved by Councillor Moore, seconded by Councillor DeLong that the Minutes of September 17, 2024, be approved as circulated. Carried unanimously.

7. Business Arising from Minutes – Nil

8. Presentations/Scheduled Times – Nil

9. Referral from Council – Nil

10. Staff Reports

10.1 Administration Department

10.1.1 Amendments to MODL Policy 037 and MODL Policy 004

Alex Dumaresq, Deputy CAO, reviewed the report entitled, “MDL-37 Policy Respecting a Code of Conduct and MODL Policy 004 Non Council Appointments & Honorariums” (included in the agenda package) and the presentation entitled, “Code of Conduct Revisions” (attached to the minutes). He explained that the Department of Municipal Affairs and Housing provided a model code of conduct and advised that this new legislation be adopted by all municipalities within 60 days of the October 2024 municipal election.

Mr. Dumaresq’s presentation included the following:

- New Regulatory Requirements
- Guiding Principles
- Code of Conduct – General
- Confidential Information
- No Gifts/Benefits, Except
- Use of Municipal Services & Property
- Developer/Contractor Support
- Misuse of Influence
- Fairness
- Adherence to Legislation/Policy
- Council as a Whole
- Council Staff Relationship
- Respectful Interaction

- No Reprisal
- Investigation Process
- Investigating a Complain with Merit
- Factors to Consider for Sanctions
- Sanctions
- Analysis: Benefits of New Code
- Potential Issues
- Application to Others

There were concerns expressed about the six-month time frame for investigations being conducted, non-binding decision of external investigator, staff political neutrality, as well as items not included in the new policy from the old policy, (written reports from staff, interaction with staff).

Moved by Councillor Oickle seconded by Councillor Hubley that the Policy & Strategy Committee direct staff to conduct further analysis of the professional conduct standards under the old MODL Policy 037 and determine if any provisions should be incorporated into other municipal policies and report back to the Committee. Carried unanimously.

Moved by Councillor Bell, seconded by Councillor DeLong that the Policy & Strategy Committee recommends to Council that Municipal Council repeal Policy 037 Respecting a Code of Conduct and replace it with new Policy 037 Code of Conduct for Elected Officials, and further, gives 7 days' notice of Council's intention to adopt the new Policy at the November 26, 2024 Council meeting. Carried unanimously.

A question was raised about calling for the question after a motion was moved and seconded. Mr. Dumaresq advised that he would get clarification.

Moved by Councillor Burns, seconded by Councillor Moore that the Policy & Strategy Committee recommends to Council that Councillors will complete mandatory training on the Code of Conduct within 30 days of the Province providing the training, notwithstanding Section 21(1) of Policy 037 Code of Conduct for Elected Officials. Carried unanimously.

Moved by Councillor DeLong, seconded by Councillor Bell that the Policy & Strategy Committee recommends to Council that Municipal Council approve the amendments to Policy 004 Non-Appointments and Honorariums to include that Committee Members are subject the same code of conduct as Council members, and gives 7 days' notice of its intention to adopt at the November 26, 2024 Council meeting. Carried unanimously.

The Committee recessed at 10:14 a.m. and resumed at 10:28 a.m.

10.2 Finance Department

10.2.1 Tax Relief – Damaged Property AAN 04635191

Elana Wentzell, Director of Finance, reviewed the report “Tax Relief – Damaged Property” (included in the agenda package).

Ms. Wentzell reviewed the procedure for reassessing tax relief for damaged property.

Moved by Councillor Oickle, seconded by Councillor Brooks that the Policy & Strategy Committee recommends to Council that Municipal Council approve tax relief in the amount of \$734.21 for the property located at 88 Lakeview Haven Drive, Hebbville, AAN 04635191 as per Policy 012 Tax Exemption/Reduction Policy. Carried unanimously.

10.2.2 Tax Relief – Damaged Property AAN 03339793

Elana Wentzell, Director of Finance, reviewed the report “Tax Relief – Damaged Property” (included in the agenda package).

Moved by Councillor Moore, seconded by Councillor DeLong that the Policy & Strategy Committee recommends to Council that Municipal Council approve tax relief in the amount of \$786.11 for the property located at 25 Barss Corner Road, New Germany AAN 03339793 and as per Policy 012 Tax Exemption/Reduction Policy. Carried unanimously.

Moved by Mayor McLean-Wile, seconded by Councillor DeLong that the Policy & Strategy Committee direct staff to review MODL Policy 012 Tax Exemption/Reduction and bring back a report with recommendations on the threshold for the Treasurer to authorize. Carried unanimously.

10.2.3 2025 Tax Sale

Elana Wentzell, Director of Finance, discussed the report entitled “2025 Tax Sale” (included in the agenda package). She explained that because they have been successful with the tender tax sale process over the past 4 years, staff was recommending that the upcoming tax sale in March 2025 proceed in the same manner.

Moved by Councillor Smith, seconded by Councillor Moore that the Policy & Strategy Committee recommends to Council that Municipal Council authorize the Treasurer to proceed with a tender call for the March 3, 2025, Tax Sale, and further, that all future tax sales be conducted using a tender call process. Opposed: Councillor Burns. Motion carried.

The meeting recessed at 11:10 a.m. and resumed at 11:21 a.m.

10.3 Planning & Development Services

10.3.1 Housing Market Data to Support Affordable Housing Development

Reid Shepherd, Deputy Director of Planning & Development Services, reviewed the report entitled “Housing Market Data to Support Affordable Housing Development” (circulated in the agenda package). He requested that staff be directed to prepare a Request for Proposal (RFP) to hire a consultant to collect additional housing market information, as there is an urgent need to support both private and non-profit sectors locally, specifically to provide affordable housing.

Moved by Councillor Brooks, seconded by Councillor Bell that the Policy & Strategy Committee recommends to Council that Municipal Council direct staff to prepare a Request for Proposals for a study to provide updated housing market information and address known data gaps that will support affordable housing initiatives within the region, and further, that Council send a formal request to neighbouring municipalities within Lunenburg County to participate in the study. Carried unanimously.

10.3.2 Improving Energy Efficiency in Homes

Abhi Jain, Climate Change & Sustainability Manager, reviewed the presentation entitled, “Improving Energy Efficiency in Homes – Challenges and Best Approaches” (included in the agenda package). The presentation included the following:

- Background
- Community Climate Action

The meeting recessed at 12:00 p.m. and resumed at 12:16 p.m.

Mr. Jain’s presentation continued:

- Role of Government
- Clean Energy Financing (CEF) Program
- Program Eligible Upgrades
- Program Financing Terms
- Program Eligibility Requirements
- Current Program Statistics
- Comparison with Clean Foundation Partner Municipalities
- Summer Research and Stakeholder Engagements
- Challenges and Best Approaches
- Current Terms of the Clean Energy Financing Program
- Best Approaches for Challenge 1
- Financing Constraints
- Best Approaches for Challenge 2
- Data Inaccessibility
- Best Approaches for Challenge 3
- Inadequate Incentives & Awareness
- Best Approaches for Challenge 4
- User Navigation
- Best Approaches for Challenge 5

- Maintaining Energy Efficient Homes in the Long-term
- Best Approaches for Challenge 6
- Conclusion: Overview of Best Approaches

The Committee had comments such as stacking of programs, barriers to programs, private lender partnerships, program navigator, loans through operating reserve, calculation of household emissions, evaluation of programs and achieving goals, and accurate data from all sources.

11. Mayor's/Deputy Mayor's/Councillors' Matters

11.2 Councillor Attendance at FCM Sustainable Communities Conference

Councillor Oickle stated that there are several Councillors interested in attending the FCM Sustainable Communities Conference being offered in Fredericton, NB, February 10 to 13, 2025. It being out of province it requires approval to attend.

Moved by Councillor Oickle, seconded by Councillor DeLong that the Policy & Strategy Committee recommends to Council that Municipal Council authorize the attendance of Councillor(s) Oickle, DeLong, and Smith to attend the FCM Sustainable Communities Conference to be held in Fredericton, New Brunswick on February 10 to 13, 2025.

There was discussion around the funds available for Councillors in professional development.

Motion to Amend:

Moved by Councillor Smith, seconded by Mayor McLean-Wile that Councillor Smith's name be removed from the motion. Carried unanimously.

Amended Motion:

Moved by Councillor Oickle, seconded by Councillor DeLong that the Policy & Strategy Committee recommends to Council that Municipal Council authorize the attendance of Councillors Oickle and DeLong, to attend the FCM Sustainable Communities Conference to be held in Fredericton, New Brunswick on February 10 to 13, 2025. Carried unanimously.

12. Added Items – Nil

13. In Camera – Nil

14. Adjournment

There being no further business, the meeting adjourned at 1:07 p.m.

Code of Conduct Revisions



Policy & Strategy Committee
November 2024

1

BACKGROUND



2

Code of Conduct

- Council must repeal and replace existing code
- Sets standard of behaviour
- Process for having concern addressed



3

New Regulatory Requirements

- Adopt code
 - must be adopted in 2024
- Appoint investigator
 - Posted, independent investigator*
 - Provincially coordinated procurement underway
- Complete mandatory training
 - within 30 days of entering office*
 - Province/NSFM still working on training



4

CODE CONTENTS



5

Guiding Principles

- Collegiality
- Respect
- Integrity
- Professionalism
- Transparency
- Responsibility



6

Code of Conduct - General

- Truthful & Forthright
- Respect for colleagues staff and public
- Adhere to procedure and direction of chair
- Open and transparent conduct of business
- No substance use during meetings



7

Confidential Information

- No sharing (verbal or written) of confidential info
- No use of confidential info for personal gain
- No attempt to gain confidential info unnecessary for council business
- No discussion of ongoing conduct investigations



8

No Gifts/Benefits, Except

- As received as part of protocol or social obligation
- A memento for serving on Council
- Where you are collecting sponsorships/donations for a community event
- Council compensation/ benefits



9

Use of Municipal Services & Property

- No request for or use of municipal goods or services unless:
 - It is also available to the public; or
 - Intended for councillors to carry out council business
- No financial gain from the use of municipal services or property
- No purchase of surplus equipment



10

Developer/Contractor Support

- Councillors shall not accept or request any form of support from an individual or organization seeking permits or contracts w/ the municipality



11

Misuse of Influence

- Members will not use their position as a means to influence others, except for official duties
- No attempt to influence the hire or promotion of a person connected to the Councillor
- No participation in any personnel decision of a person connected to the council member



12

Fairness

- No special consideration or advantage to an individual or organization
 - Especially for groups or people closely connected to a council member



13

Adherence to Leg./Policy

- Council members will follow all
 - Fed & Prov legislation
 - Bylaws, policies and procedures of the Municipality
 - The code of conduct
 - Hospitality and expense policies



14

Council as a Whole

- Act in accordance with majority vote
- Will not encourage non-compliance with any leg/policy
- Not communicate on behalf of Council unless authorized to do so
- Convey council decisions accurately when authorized to speak for council



15

Council Staff Relationship

- Respect role of CAO, no involvement in the direct administration of the municipality
 - No direction of staff, except through CAO
- No direction or influence on staff other than via council as a whole
- Respect the role of staff to provide politically neutral advice
- No direction to contractors
- No direction of staff to complete personal chores
- No public statements critical of identifiable specific staff or contractors



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Respectful interaction

- No discrimination as set out in the human rights act
- No sexual harassment
- No harassing or discriminatory action that that will create a poisoned environment



17

No reprisal

- A member will not threaten or commit an act of reprisal for submitting a complaint under the code



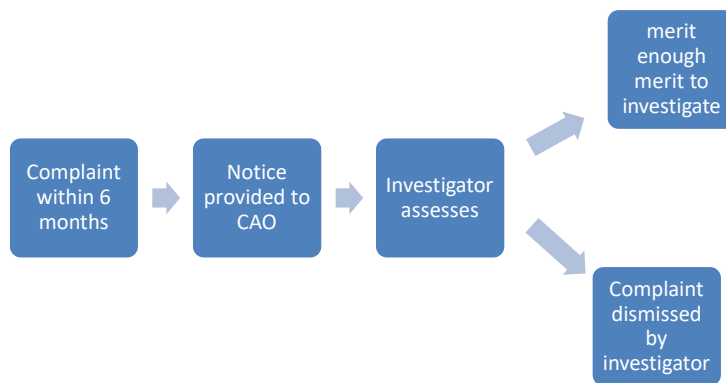
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INVESTIGATION & SANCTIONS



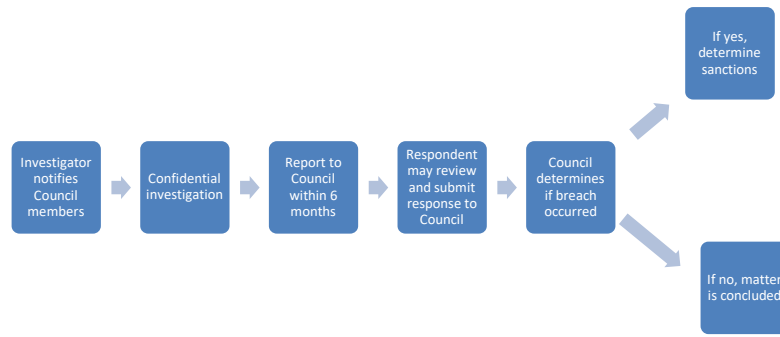
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Investigation Process



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Investigating a Complaint with Merit



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Factors to Consider for Sanctions

- Nature of the violation
- Length of violation
- The intention of the councillor
- Any steps taken to remedy the violation
- External factors impacting the member
- Resources a member needs to complete their work



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Sanctions

- Training
 - Re-training on code of conduct (Mandatory)
 - Appropriate training
- communications
 - A written reprimand
 - Requirement for apology
 - Public censure
- Limit access
 - to municipal properties/facilities/equipment
 - Suspend or remove from appointments
 - Limit on travel claims/expenses
- Financial
 - Fine up to \$1,000 per occurrence
 - Reduce pay for up to 6 months
 - Repayment of direct monetary loss/gain



23

DISCUSSION & RECOMMENDATIONS



24

Analysis: Benefits of new Code

- Consistency across NS
- Dismissal of complaints without merit before investigation
- Independent investigation
- Framework and criteria for sanctions



25

Potential Issues

- Code must balance the need for debate and disagreement with collegiality and respect
- Code must balance transparency with privacy
- Province will be monitoring how code is used and may make modifications
 - Review scheduled for 3 years from adoption



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Application to Others

- Non-Council members of committees
 - Revise Policy MODL 004 - Non-Council Appointments and Honorariums
 - Extends application of the code to all committee members
training on the Code of Conduct within 30 days of the Province providing the training”.
- Staff
 - investigation and enforcement of conduct governed by personnel policy
 - Operational procedure required to apply conduct provisions of the code to staff



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Motions

- “that the Policy & Strategy Committee recommends to Council that Municipal Council repeal Policy 037 Respecting a Code of Conduct and replace it with new Policy 037 Code of Conduct for Elected Officials, and further, gives 7 days’ notice of Council’s intention to adopt the new Policy at the November 26, 2024 Council meeting.”



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