

Special Municipal Council Meeting Agenda

Tuesday, May 31, 2022 – 8:30 a.m.

MODL Council Chambers – 10 Allée Champlain Drive, Cookville

Via Video/Audio Conferencing

1. Call to Order

1.1 Mi'kma'ki Territorial Acknowledgement

2. Approval of Agenda (as circulated)

3. Staff Reports

3.1 Administration Department

3.1.1 Nova Scotia Federation of Municipalities Membership Survey 1-6

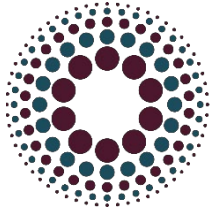
4. Added Items

5. In Camera

5.1 Contract Negotiations re NSFMs under Section 22(2)(e) of the MGA

5.2 Potential Litigation under Section 22(2)(f) of the MGA

6. Adjournment



Membership Survey to Support the Service Exchange Renegotiation and MGA Review Committee

Purpose of this survey:

As Nova Scotia municipalities head into the renegotiation of the Service Exchange Agreement, it is important to take stock of their needs and aspirations to better serve their constituents. The Province is also reviewing the Municipal Government Act (MGA) and Halifax Regional Municipality Charter (HRMC) and it is important for NSFM to collectively envision an MGA/HRMC that helps municipalities confront modern challenges. This survey will help to develop an in-depth understanding of the problems and opportunities that should be addressed in these two importance processes.

This survey includes 20 questions and is organized into four sections. The first section focuses on service exchange, the second section focuses on the MGA/HRMC, the third section focuses on municipal revenue. The survey ends with questions about special considerations that your municipal unit requires and final comments.

Please note, this information is collected for internal use only. Survey responses will only be reported in aggregate form. Information that identifies specific municipalities will not be released.

If you have any questions, please contact info@nsfm.ca.

Q1: What is the name of your municipality?

(Dropdown menu)

Questions related to the Service Exchange Agreement Renegotiation

In 1994, the Provincial-Municipal Service Exchange Agreement reallocated responsibilities and restructured the fiscal framework. The objectives of the Service Exchange Agreement were 1) to create strong, financially viable local governments, 2) to develop a clearer, fairer, provincial-municipal partnership, and 3) to rationalize service provision.

Information for Q2 and Q3:

Under the Service Exchange Agreement, the provincial government took responsibility for:

- Social Services and Child Welfare
- Public Health and Long-term Care

This PDF copy of the survey is for review purposes only.

Responses must be submitted using the online platform:

<https://form.surveypal.net/Service-Exchange-Renegotiation-and-MGA-Review-Survey>

- Administration of Justice
- Environment (regulatory aspects of sanitation and health standards)
- Highway Police Patrols and central police services

The provincial government also continued to hold a range of responsibilities, such as those pertaining to healthcare, education, housing, and provincial roads.

Municipalities took responsibility for:

- Making mandatory contributions to correctional services
- Policing
- Local Roads
- Sidewalks
- Public Transit
- Land-use Planning
- Building Inspection
- Recreation
- Control of Invasive Weed Species

Municipalities continued to be responsible for water and wastewater, management of solid waste, public libraries, and mandatory contributions to education and regional housing authority net operating losses.

Some municipalities also pay a per kilometre service exchange balancing fee (initially \$3500 per/km pegged to CPI) in lieu of accepting the transfer of local roads under the Provincial-Municipal Service Exchange.

Q2: Considering the responsibilities listed above, which responsibilities does your council believe municipalities should maintain or assume and why?

(Open Response Box)

Q3: Considering the responsibilities listed above, which responsibilities does your council believe the Province should maintain or assume and why?

(Open Response Box)

Information for Q4: Municipalities often respond to challenges and opportunities in their jurisdictions at their own discretion.

Many municipalities continue to make significant expenditures in the areas of Public Health, Environmental Health Services, Long-Term Care Facilities, Housing, Public Safety, Physician Recruitment, Economic Development, and Arts and Culture.

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Q4: What discretionary expenditures by your municipality does your council believe should be better supported by the Province?

(Open Response Box)

Q5: To provide a sense of priorities, state the top three municipal expenditure responsibilities that your municipal council believes should be reviewed and why?

(Open Response Box)

Q6: What new service responsibilities would your municipality find unacceptable?

(Open Response Box)

Questions related to the Municipal Government Act Review

Since the last MGA Review in 2015, several changes have been made to the MGA. These changes have granted municipal authority to take actions that were previously prohibited. These changes allow municipalities to invest and make decisions in new aspects of the communities that they govern.

Q7: The following question provides a list of recent changes to the MGA that have implications for the abilities and responsibilities of municipalities. Using the checklist below, please indicate the discretionary abilities that your council believes are useful for your municipality.

(Checklist Response List)

- Expanded power to expend
- Mandate to establish a Municipal Code of Conduct
- Ability to finance developments that increase accessibility
- Ability to enable municipalities to sell land below market price in some cases
- Ability to engage in negotiation for the purpose of increasing affordable housing units
- Ability to create commercial development districts
- Others? Please add.

Q8: What discretionary abilities conferred by the MGA does your municipal council believe are not useful and why?

(Open Response Box)

Q9: What additional discretionary abilities does your municipal council believe should be granted by changes to the MGA?

(Open Response Box)

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Information for Q10: A number of other federal and provincial statutes and regulations have implications for municipal budgets as non-discretionary expenses.

Q10: Using the checklist below, please indicate which regulations or responsibilities your municipal council finds to be causing considerable pressure on your budget and capacity to accomplish core goals?

(Checklist Response List)

- Surplus Schools
- Property Valuation Assessment Services
- Federal Wastewater Systems Effluent Regulations
- Cost of Police Evidentiary Lab Analysis Services
- Minimum Planning Requirements (Coastal Protection Act)
- (Upcoming) Worker Compensation Board Premiums for Volunteer Fire Fighters

Q11: Are there any other responsibilities brought about by statutes or regulations not mentioned above that add significant pressure on your budget?

(Open Response Box)

Q12: If your county or district municipality elects a warden, please indicate whether, in the opinion of your municipal council, the warden system should be replaced by the mayoral system.

(Open Response Box)

Q13: Village governance is established in Part XVII of the MGA. In the view of your municipality, should villages be consolidated with districts and counties? Please explain why or why not.

(Open Response Box)

[This survey continues on the next page]

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Information for Q14: Municipal mergers can help municipalities cooperate rather than engage in competition with each other. Consolidation is a new approach to municipal mergers that is more collaborative for the municipal partners than dissolution or amalgamation. Below is a chart that describes the difference between consolidation and amalgamation.

	Consolidation	Amalgamation
Examples	Windsor West Hants	Halifax Regional Municipality Cape Breton Regional Municipality
Overview	Municipal Leadership "Bottom Up" Process	Provincial Leadership "Top Down" Process
Legislation	Special Legislation for each merger Joint Councils make the merger decision Councils request special legislation	Municipal Government Act, Part XVII NSUARB Reviews Municipal proposals Cabinet issues merger order
Structure	Joint Transition Committee Joint Committee recommends Coordinator Joint Committee develops organization Staffed with municipal staff, consultants Joint Committee hires first CAO Boundaries reviewed by NSUARB Joint Committee organizes first election	Independent Coordinator Cabinet Chooses Coordinator Coordinator develops organization Staffed by experts, consultants Coordinator hires first CAO Boundaries reviewed by NSUARB Coordinator organizes first election

Source: Antigonish Fact Sheet "Consolidation or Amalgamation? What is the Difference?",
<https://antigonish.ca/>

Q14: Under what conditions does your council believe municipal consolidation is advisable? Reasons could include fiscal insolvency, limited access to qualified personnel, infrequency of competitive elections, or an effort to decrease costs.

(Open Response Box)

Q15: What incentives could be put in place to make amalgamation a viable option?

(Open Response Box)

Questions related to municipal revenue

Q16: Municipalities can be supported in fulfilling all responsibilities with new or expanded sources of revenue. What new or expanded revenue sources or tools does your municipal council believe to be most viable?

(Open Response Box)

[This survey continues on the next page]

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Information for Q17 and Q18:

Municipalities benefit from a range of grants including grants-in-lieu of taxes, the Municipal Financial Capacity Grant, and the Towns Foundation Grant.

Grants-in-lieu of Taxes include Farmland Grant, Nova Scotia Power Grants-in-lieu of Taxes, and Provincial or Federal grants-in-lieu of Taxes.

Other Grant Programs include a) Emergency Services Provider Fund, b) Municipal Innovation Program, c) Provincial Capital Assistance Program, d) Flood Risk Infrastructure, e) Investment Program, f) Fire Protection Grant, g) Municipal Flood Line Mapping Program, h) Beautification and Streetscaping Program, i) Community Works Program, j) Canadian Community Building Fund (formerly the Gas Tax), k) 911 grant.

Q17: What grants has your municipality received for operational expenses and how could these grants be improved?

(Open Response Box)

Q18: What grants has your municipality received for capital expenses and how could these grants be improved?

(Open Response Box)

Special considerations and other comments

Q19: Is there anything about your municipality that your council believes deserves special consideration in terms of expenditure responsibilities, legislation, or financial support?

(Open Response Box)

Q20: Is there anything else that your municipal council would like to share?

(Open Response Box)