

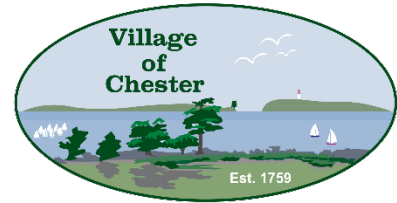
Minutes DRAFT

Village Commission Monthly Meeting Wednesday, November 27, 2024 – 6:00 pm

In-Person & Virtual Meeting

27 Pleasant Street, Chester

Video Archive <https://www.youtube.com/@villageofchesterns>



Present: Geraldine Pauley, Chair; Randall O'Malley, Vice-chair; Laura Mulrooney, Commissioner; Tom Mulrooney, Commissioner; Gloria Nauss, Commissioner

Staff: Heather McCallum, Clerk/Treasurer; Maxine Veinot, Recording Secretary

Guests: Andrea Hyslop, Municipal Advisor

1.0 Call to Order

Chair Pauley called the November 27, 2024 Regular Monthly Meeting of the Village of Chester Commission to order at 6:01 pm.

Chair Pauley stated the Land Acknowledgement:

As we meet today, we acknowledge that we live in Mi'kma'ki, the traditional and ancestral territory of the Mi'kmaq people. We are all treaty people with a responsibility to each other and to this land.

2.0 Public Forum

Ms. Hyslop, the Village's Municipal Advisor from the Department of Municipal Affairs, was introduced. She attended to observe the meeting.

3.0 Approval of Agenda/Additions to Agenda

Motion #24-081: Commissioner Nauss moved; Commissioner O'Malley seconded: That the Agenda of the November 27, 2024 Regular Monthly Meeting be approved as presented.

Motion carried unanimously.

4.0 Review/Approval of Minutes

4.1 Monthly Commission Meeting: October 16, 2024

Motion #24-082: Commissioner T Mulrooney moved; Commissioner O'Malley seconded: That the Minutes of the October 16, 2024 Monthly Commission Meeting be approved as presented.

Motion carried unanimously.

5.0 Business Arising

5.1 Lido/Washroom Accessibility Project

Clerk/Treasurer McCallum presented her assessment and recommendation in response to Atlantic Accessibility's report and Class D estimates (*Schedule 5.1*).

Motion #24-083: Chair Pauley moved; Commissioner O'Malley seconded: That the Village Commission proceed with issuing RFPs for public washroom upgrades, a pool lift/ramp, and pool accessibility accessories. Quotations to be brought back to the Commission for decisions; and, that the Chester Village Commission authorizes the submission of an application to the Growth and Renewal for Infrastructure Development Program for Lido Pool accessibility retrofitting. Further, the Commission asks that Chester Municipal Council pass a motion supporting the Village's application.

Discussion was held on the project and recommendations.

Amendment:

Motion #24-084: Chair Pauley moved; Commissioner Nauss seconded: To separate motion #24-083 and into two motions.
Motion carried unanimously.

Amended motion:

Motion #24-083: Chair Pauley moved; Commissioner O'Malley seconded: That the Village Commission proceed with issuing RFPs for the public washroom upgrades, a pool lift/ramp and pool accessibility accessories. Quotations to be brought back to the Commission for decisions.
Motion carried unanimously.

Motion #24-085: Chair Pauley moved; Commissioner O'Malley seconded: That the Chester Village Commission authorizes the submission of an application to the Growth and Renewal for Infrastructure Development Program for Lido Pool accessibility retrofitting. Further, the Commission asks that Chester Municipal Council pass a motion supporting the Village's application.
Motion carried unanimously.

5.2 Chester Fire Services Committee Appointment

Clerk/Treasurer McCallum presented a Request for Decision on filling the vacancy on the CFSC (*Schedule 5.2*).

Motion #24-086: Chair Pauley moved; Commissioner Nauss seconded: That the Village of Chester Commission appoint Wilson Fitt to the Chester Fire Services Committee to serve out the remainder of the vacant term to October 16, 2026.

Discussion was held.

Amendment motion:

Motion #24-087: Chair Pauley moved; Commission L Mulrooney seconded:
That the Village of Chester Commission amend the motion by adding '***pending no other applications are received prior to the close of business on November 28, 2024.***'

Motion carried unanimously.

Amended

Motion #24-086: Chair Pauley moved; Commissioner Nauss seconded:
That the Village of Chester Commission appoint Wilson Fitt to the Chester Fire Services Committee to serve out the remainder of the vacant term to October 16, 2026, pending no other applications are received prior to the close of business on November 28, 2024.

Motion carried unanimously.

6.0 Correspondence – Nil

7.0 Reports

7.1 Clerk/Treasurer

The Clerk/Treasurer presented her monthly activity report (*Schedule 7.1*).

7.2 Financial

The Clerk/Treasurer presented the monthly financial overview report (*Schedule 7.2*).

In the report, the challenges with getting payments to our suppliers during the Canada Post strike were reviewed.

Motion #24-088: Commissioner O'Malley moved; Commissioner Nauss seconded:
That the Village Commission authorize the addition of Scotiabank electronic fund transfer (EFT) capability to its accounts payable methods, with EFT individual authorization designated to the Chair and the Clerk/Treasurer only; and, that electronic funds transfer (EFT) only be used while the Canada Post strike is on and in extraordinary circumstances.

Motion carried unanimously

7.3 Chester Fire Services Committee (CFSC)

The Committee's approved minutes of October 9, 2024 were shared for information (*Schedule 7.3*).

More on the Committee can be found on its new website:
www.chesterfirecommittee.ca

7.4 Lunenburg County Accessibility Advisory Committee (LCAAC)

The Committee is on hiatus until January.

7.5 MODC Village Planning Advisory Committee (VPAC)

There was a VPAC meeting on November 12, 2024 but Commissioner O'Malley was unable to attend.

8.0 New/Other Business

8.1 Code of Conduct – Motion to Adopt

The Minister of Municipal Affairs has ordered that all municipalities and villages in the province pass a motion adopting the new Code of Conduct for Elected Officials on or before December 19, 2024 and report back (*Schedule 8.1*).

Motion #24-089: Chair Pauley moved; Commissioner O'Malley seconded:

WHEREAS, the Minister of Municipal Affairs and Housing for the Province of Nova Scotia has made the Code of Conduct for Municipal Elected Officials Regulations, N.S. Reg. 220/2024 ("the Regulations"); and,

WHEREAS, municipalities are required to adopt the model code of conduct prescribed by the Regulations on or before December 19, 2024, pursuant to section 4(1) of the Regulations and section 408(AB) of the Municipal Government Act;

THEREFORE, be it resolved that the Commission of the Village of Chester hereby adopt the model code of conduct as set forth in Schedule "A" to the Regulations, which shall be titled the "Code of Conduct for Elected Officials of the Village of Chester".

Motion carried unanimously

The Clerk/Treasurer noted that mandatory online training for all elected officials will be rolled out in the New Year, and there is a schedule attached to Schedule 8.1 of in-person training being offered should any Commissioners wish to attend.

8.3 Holiday Logistics

- Commission Meeting Date

Motion #24-090: Chair Pauley moved; Commissioner Nauss seconded:

That the Village Commission's December Monthly Meeting currently scheduled for December 18, 2024 be rescheduled to December 11, 2024.

Motion carried unanimously.

- Office Closings

Motion #24-091: Chair Pauley moved; Commissioner Nauss seconded:

That the Village Commission office be closed on Dec 27, 30 and 31, 2024 in addition to the statutory holidays on Dec 25-26, 2024 and Jan 1, 2025.

Motion carried unanimously.

The office will close at 12:00 pm on December 24th.

9.0 Commissioner Roundtable - Nil

10.0 In camera – per Section 408B (2) of the Municipal Government Act

Motion #24-092: Chair Pauley moved; Commissioner L Mulrooney seconded:

That the Commission move in camera at 7:06 pm as per Section 408B (2) of the Municipal Government Act to discuss the potential acquisition, sale, lease, and security of municipal property.

Motion carried unanimously

The Commission recessed at 7:07 pm.

11.0 Resumption of Public Meeting – report in public session per Section 408B (3) of the Municipal Government Act.

The Commission resumed the public meeting at 7:14 pm.

11.1 Fire Rescue Boat Sale

Motion #24-093: Vice-chair O'Malley moved; Commissioner L. Mulrooney

seconded: That the Village of Chester Commission declare the 1986 Boston Whaler rescue boat surplus and that it be put up for sale, with proceeds going to the Chester Fire Services Committee's Apparatus Reserve.

Motion carried unanimously.

14.0 Adjournment

There being no further business, the meeting was adjourned at 7:14 pm.

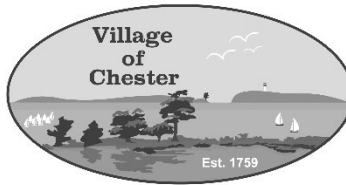
Next meeting(s):

- Regular Monthly Meeting on December 11, 2024 at 6:00 pm
- Regular Monthly Meeting on January 15, 2025 at 6:00 pm

Commission Chair
Geraldine Pauley

Clerk/Treasurer
Heather McCallum

Schedule 7.1



**Village of Chester Commission
Request for Decision**

Topic: Lido/Washroom Accessibility Upgrades: Recommendation Report	Date: November 27, 2024 Proposed By: Heather McCallum Clerk/Treasurer
Issue Summary: The Village received a grant last fiscal from the federal Enabling Accessibility Fund (EAF) in the amount of \$100,000 and deferred it to 2024/25, with an additional \$65,105 budgeted from the Lido Reserve for a total of \$165,105. The Class D estimates received from Atlantic Accessibility totals \$823,000, so clearly some choices have to be made for this fiscal and in general. Requests for Proposals have not been issued at this time.	
Background: The Enabling Accessibility Fund summarized what it provided as follows: Project Description: The proposed project consists of building an accessible ramp and purchasing an accessible aquatic chair lift. Budget Breakdown (as per the flat rate calculator) Accessible Ramp: Total Eligible Cost: \$133,398.72 Accessible Aquatic Chair Lift: Total Eligible Cost: \$24,596.21 Total Eligible Cost for Both Activities: \$157,994.93 (excluding taxes and minus the rebate) As discussed previously, the total allowable funding amount for this call for proposal is \$100,000.00, and the required additional funding from other sources was \$65,104.70.	

However, Accessibility Atlantic's report projects a cost of \$350,000 to take out the far side of the tiered rock wall and install a concrete switchback ramp OR \$60-100,000 for a stair lift *plus* the cost of replacing the existing staircase with one able to accommodate a lift (see photo at right).

Further, the report projects a cost of \$175,000 to install a concrete ramp into the pool itself, further seating, and purchase two pool wheelchairs.

This would seem to render the specific project as outlined to the Enabling Accessibility Fund impossible. I've done some further preliminary costing on these two areas to investigate alternatives, see Attach A.



Proposed Solution

Items 1 and 3 below are feasible with our current budget parameters; item 2 is not and would require more funding and/or postponement to another fiscal year.

1. Upgrade to the Washroom – focus on getting into the building and the universal washroom:
 - a. Add a designated accessible parking space to the parking lot (paved pad?)
 - b. Create an accessible path to the washroom door
 - c. Install a wider entry door with auto-open button
 - d. Improve interior signage (main door, hallway, universal washroom door)
 - e. Upgrades to the universal washroom (mirror, handrails, etc. per the report)

Note: I have sent an inquiry to our Enabling Accessibility Fund contact to ask about shifting focus of the project to the public washroom. They are open to considering it, pending receipt of an updated project budget. I can assemble this once we have a plan.

2. Access from street level to the Lido pool deck – switch from tiered area to washroom entrance side
 - a. Install a vertical lift off the washroom door landing (preferred but requires validation from a contractor) or a folding chair lift and track down the staircase
 - b. Site modification is to be determined

There is a provincial grant with a deadline coming up next month: the Growth and Renewal for Infrastructure Development (GRID) Program can be used for infrastructure projects that build more accessible communities and may fund up to 50% of eligible costs and is stackable with other funding. I propose that the Village apply for this grant.

3. Access to the pool itself

- a. Install a portable lift or ramp from the deck into the water
- b. Purchase one aquatic wheelchair and one aquatic walker
- c. Other accessibility pool accessories costed by Jeff Conrad for the 2022 grant application

While this may seem counter-intuitive without item 2, having these items available could still benefit guests with limited-but-some mobility who may be able to get down to the pool or have some difficulty in the water.

See attachments, particularly the “Suggested Approach Cost Breakdown” for a preliminary new cost breakdown. Note that RFP quotes from suppliers are needed to refine any further.

Considerations:

Financial Impacts

As of Nov 1, 2024 the Lido Reserve fund contained \$162,245. The 2024/25 Budget also contains a \$30,000 deposit to the Lido reserve investment account, normally made in Q4.

Subtracting the number committed to the EAF project will leave \$127,140 in the reserve at the end of this fiscal (excluding any interest accrued).

Policy Impacts

The project agreement with Employment and Social Development Canada specifies that the project period ends Jan 7, 2026. The project report is due within 30 days of that date.

Other Impacts

The Accessibility Act requires public sector bodies to adhere to Accessible Built Environment Standards for new builds and asks that retrofitting be done if at all possible. The Lunenburg County Accessibility Advisory Committee refers to accessibility as a human right.

Options:

1. Issue RFPs to proceed with the washroom upgrades part of the project (item 1 on p.2). Seek other funding for Lido retrofit (items 2-3 on p. 3).
2. Issue RFPs to proceed with the washroom upgrades and access to the pool itself (items 1 & 3). Seek other funding for exterior access to pool deck (item 2).
3. Some other combination of options.
4. Cancel the project and return the grant to the federal government.

Recommendation:

Staff recommend option 2. A further round of decisions will be needed when costs come in.

Draft Motion(s):

That the Village Commission proceed with issuing RFPs for public washroom upgrades, a pool lift/ramp, and pool accessibility accessories. Quotations to be brought back to the Commission for decisions.

That the Chester Village Commission authorizes the submission of an application to the Growth and Renewal for Infrastructure Development Program for Lido Pool accessibility retrofitting. Further, the Commission asks that Chester Municipal Council pass a motion supporting the Village's application.

Attach:

- Accessibility Project – Suggested Approach Estimate
- Atlantic Accessibility Class D Report with Heather's Notes
- Atlantic Accessibility Class D Washroom Breakdown with Heather's Notes

Lido Pool/Public Washroom Accessibility Retrofits - Suggested Approach Estimate

Report - Class D Sections	Suggested Approach	Class D	Alternatives	Notes
1 Parking Lot (\$65,000)	Pave 1 accessible parking space? Install a vertical accessible parking sign	\$10,000 \$5,000		2022 costing 2022 costing
2 Exterior Pathways (\$95,000)	Construct an accessible sidewalk Install a new sign to identify pool/washroom from road	\$30,000	\$10-20K	Portion of Atlantic Accessibility Cost share with Tourism budget?
3 Entrances (\$50,000)	Demolish tile landing Install a bench? Replace the entry door and install power opener	\$50,000		Atlantic Accessibility
4 Washrooms (\$60,000)	Signs on outer door, wayfinding in hall, universal door Replacements/upgrades to universal washroom	\$6,000 \$11,000		Guesstimate; Gippy or contractors to mount Atlantic Accessibility
5 Emergency Systems (\$2,000)	Evacuation maps, eye wash stations	\$2,000 \$114,000		Atlantic Accessibility
6 Exterior Stairs/Ramp to Pool Deck (\$350,000)	Dismantle half of rock wall; install switchback ramp Alternatives (not incl shipping & installation): a) Vertical lift - from washroom landing? OR 14ft housing b) Stair lift curved - from washroom landing? Track Site adaptations?	\$0	\$11,613 \$56,000 \$19,600 TBD TBD \$68K-TBD	Contractor would be needed for site adaption & install Need to verify location is possible Biggest unknown item without quotes!
7 Pool (\$175,000)	Install concrete pool ramp, rest areas, 2 wheelchairs Alternatives (not incl shipping & installation): a) Pool lift (portable) OR b) Pool ramp (portable) Aquatic PVC wheelchair Aquatic PVC walker	\$0	\$16,161 \$23,744 \$2,150 \$1,200 \$19.5K-\$27.1K	Cost based on Jun 2024 purchase in Barrington US supplier Canadian supplier Canadian supplier
8 Accessibility Accessories	Pricing for EAF application Aqua ring, head float, quad float system, water walking float, stair rails, storage shed		\$5,400	2022 pricing

Chester Lido Pool

Accessibility Upgrades

Parking:

- Pave the parking lot at the Chester Lido Pool to include roughly 10 parking spaces including one accessible parking space with an adjacent access aisle. The accessible parking space should be designed to meet the requirements in CSA B651:23 Clause 9.4 “Designated accessible parking.”
- Paint 10 parking spaces on the newly paved parking lot including an accessible parking space with horizontal signage on the space and an adjacent access aisle with zebra style painted lines.
- Install a vertical accessible parking sign at the accessible parking space to meet the requirements in CSA B651:23 Clause 9.4.4 “Signage for designated accessible parking.” ✓

Reference Cost: \$ 65,000.00

Exterior Pathways:

- Construct an accessible sidewalk from the parking lot to the public washrooms and to the top of the central stairs down to the pool deck to meet the requirements in CSA B651:23 Clause 8.2 “Accessible routes.” ✓
- Install a new sign at the parking lot to identify the usage of the lot and to help users identify the pool and public washrooms from the road. Tourism?
- Install three rest areas along the exterior pathway where users can rest before and after navigating the hill. All rest areas should be level and should include a bench with adjacent clear space. All rest areas should be an asphalt/concrete surface. Rest areas should meet the requirements in CSA B651:23 Clause 8.6.3 “Rest areas.”

Reference Cost: \$ 95,000.00

Entrances:

- Demolish the existing tile landing at the entrance to the public washrooms and install a concrete landing. ✓
- Install a new bench on the new concrete landing at the entrance to the public washrooms.
- Replace the entry door to the public washrooms with a 36" door and install a power door operator at the entrance to the public washrooms. ✓

Reference Cost: \$ 50,000.00

Washrooms: [See attached Washroom Upgrades Breakdown](#)

- Install a new identification sign with braille and tactile markings for the public washrooms on the latch side of the new entrance door to meet the requirements in CSA B651:23 Clause 4.6.6 "Tactile signs."
- Replace the wayfinding signage in the hallway to include the international symbol of access on the universal washroom sign.
- Replace the identification sign for the universal washroom and install two new identification signs for the men's and women's washrooms including braille and tactile characters and located at accessible heights to meet the requirements in CSA B651:23 Clause 4.6.6 "Tactile signs."
- Replace the door hardware for the universal washroom entry door to provide accessible hardware that is easy to operate to meet the requirements in CSA B651:23 Clause 5.2.7 "Door hardware."
- Install a new deadbolt locking mechanism on the universal washroom entry door to meet the requirements in CSA B651:23 Clause 5.2.7 "Door hardware."
- Paint the universal washroom entry door so that it is colour contrasted with adjacent surfaces.

Continued...

- Install protective plumbing insulation on the sinks throughout the public washrooms including in all three washrooms.
- Install a new angled mirror in the universal washroom to provide a mirror at an accessible height to meet the requirements in CSA B651:23 Clause 6.2.6.4 "Mirrors."
- Relocate the coat hook in the universal washroom to a more obvious location at an accessible height to meet the requirements in CSA B651:23 Clause 6.3.3 "Washroom accessories."
- Remove the rear grab bar in the universal washroom and reinstall it at an accessible height and location to meet the requirements in CSA B651:23 Clause 6.2.6.4 "Grab bars."
- Remove the side wall grab bar in the universal washroom and replace it with an L-shaped grab bar installed at an accessible height and location to meet the requirements in CSA B651:23 Clause 6.2.6.4 "Grab bars."
- Remove the closed roll toilet paper dispenser in the universal washroom and replace it with an open roll style dispenser located to meet the requirements in CSA B651:23 Clause 6.2.6.5 "Toilet paper dispensers."

Reference Cost: \$ 60,000.00

Emergency Systems:

- Install an evacuation plan in the public washrooms and in the lifeguard office at an accessible height to meet the requirements in CSA B651:23 Clause 5.7.3 "Evacuation plans."
- Reinstall first aid equipment including first aid kits, eye wash stations, and AEDs at accessible heights and locations in the lifeguard office to meet the requirements in CSA B651:23 Clause 4.3 "Operating controls."

Reference Cost: \$ 2,000.00



Exterior Stairs & Ramp to Pool Deck (Central):

- Demolish the existing exterior stairs and tiered seating area on the far side of the stairs (from the pool building).
- Install new concrete stairs down to the pool deck including metal handrails to meet the requirements in CSA B651:23 Clause 8.2.8 "Exterior stairs."
- Install a new concrete switchback ramp down to the pool deck including metal handrails to meet the requirements in CSA B651:23 Clause 8.2.7 "Exterior ramps."

Reference Cost: \$ 350,000.00

Pool:

- Install rest areas with stable and firm ground surfaces at the top of the tiered seating area including benches and clear space for people using wheeled mobility devices, strollers, and service animals to meet the requirements in CSA B651:23 Clause 8.6.3 "Rest areas."
- Install a new concrete pool ramp from the pool deck to the floor of the pool to create an accessible path of travel into the pool, including handrails to meet the requirements of CSA B651:23 Clause 8.2.7 "Exterior ramps."
- Paint the nosings of the pool stairs to provide a colour contrast strip.
- Purchase 2 pool wheelchairs to be available at the pool.

Reference Cost: \$ 175,000.00



Class D Estimate
Prepared By:
Atlantic Accessibility Consulting

Confidential
Printed: 2024-06-21

Administration & Other Project Costs:

- Administration costs include permit applications, engineering fees, site preparation, dump runs, disposal bins, site cleanup, and project management.

Reference Cost: \$ 26,000.00

Total Estimated Price: \$ 823,000.00 plus HST

Note, the provided estimated price is based on the scope of work as described throughout this Class D estimate. This scope does not include all recommendations provided in the associated accessibility assessment report. However, this estimate focuses on the high priority items in the accessibility assessment report with the intention of providing accessible parking, an accessible path of travel from the parking lot to the public washrooms and pool deck, accessibility upgrades to the public washrooms, and providing an accessible path of travel into the pool.

If the proposed work above or a portion there of cannot be completed due to budget restrictions, there may be ways to involve community members and organizations in some aspects of this project.

> RFP Signage production - fairly confident we can get much cheaper and have upgrade supplier install - front door, hall, universal door, evacuation signs only

> RFP Universal Washroom upgrades - estimated at \$10,647.50

> RFP Parking lot/Washroom entrance - estimated at approx \$95,000



Class D Estimate

Confidential
Printed: 2024-08-23

Prepared By:
Atlantic Accessibility Consulting

Chester Lido Pool

Washroom Accessibility Upgrades Breakdown

Washrooms:

Signage

Install a new identification sign with braille and tactile markings for the public washrooms on the latch side of the new entrance door to meet the requirements in CSA B651:23 Clause 4.6.6 "Tactile signs."

Reference Cost: \$ 14,850.00

Replace the wayfinding signage in the hallway to include the international symbol of access on the universal washroom sign. ✓

Reference Cost: \$ 9,450.00

Replace the identification sign for the universal washroom and install two new identification signs for the men's and women's washrooms including braille and tactile characters and located at accessible heights to meet the requirements in CSA B651:23 Clause 4.6.6 "Tactile signs." ✓

Reference Cost: \$ 21,650.00

Note, class D estimates for signage items include design, fabrication, delivery, and installation of custom signage that is designed to meet CSA B651:23 standards.

Upgrades

Replace the door hardware for the universal washroom entry door to provide accessible hardware that is easy to operate to meet the requirements in CSA B651:23 Clause 5.2.7 "Door hardware." ✓

Reference Cost: \$ 1,445.00

Install a new deadbolt locking mechanism on the universal washroom entry door to meet the requirements in CSA B651:23 Clause 5.2.7 "Door hardware." ✓

Reference Cost: \$ 1,307.50



Class D Estimate

Confidential
Printed: 2024-08-23

Prepared By:
Atlantic Accessibility Consulting

Paint the universal washroom entry door so that it is colour contrasted with adjacent surfaces.

Gippy

Reference Cost: \$ 1,850.00

Install protective plumbing insulation on the sinks throughout the public washrooms including in all three washrooms.

Gippy?

Reference Cost: \$ 1,552.50

Install a new angled mirror in the universal washroom to provide a mirror at an accessible height to meet the requirements in CSA B651:23 Clause 6.2.6.4 "Mirrors."

✓

Reference Cost: \$ 1,580.00

Relocate the coat hook in the universal washroom to a more obvious location at an accessible height to meet the requirements in CSA B651:23 Clause 6.3.3 "Washroom accessories."

✓

Reference Cost: \$ 1,105.00

Remove the rear grab bar in the universal washroom and reinstall it at an accessible height and location to meet the requirements in CSA B651:23 Clause 6.2.6.4 "Grab bars."

✓

Reference Cost: \$ 1,245.00

Remove the side wall grab bar in the universal washroom and replace it with an L-shaped grab bar installed at an accessible height and location to meet the requirements in CSA B651:23 Clause 6.2.6.4 "Grab bars."

✓

Reference Cost: \$ 1,982.50

Remove the closed roll toilet paper dispenser in the universal washroom and replace it with an open roll style dispenser located to meet the requirements in CSA B651:23 Clause 6.2.6.5 "Toilet paper dispensers."

✓

Reference Cost: \$ 1,982.50



Class D Estimate
Prepared By:
Atlantic Accessibility Consulting

Confidential
Printed: 2024-08-23

Total Estimated Price: \$ 60,000.00 plus HST

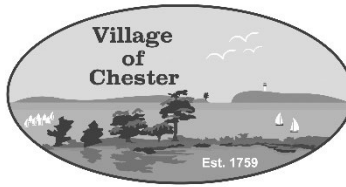
Note, the provided estimated price is based on the scope of work as described throughout this Class D estimate. This scope does not include all recommendations provided in the associated accessibility assessment report. However, this estimate focuses on the high priority items in the accessibility assessment report with the intention of providing accessible parking, an accessible path of travel from the parking lot to the public washrooms and pool deck, accessibility upgrades to the public washrooms, and providing an accessible path of travel into the pool.

If the proposed work above or a portion there of cannot be completed due to budget restrictions, there may be ways to involve community members and organizations in some aspects of this project.

> RFP Signage production - fairly confident we can get much cheaper and have upgrade supplier install - front door, hall, universal door, evacuation signs only

> RFP Universal Washroom upgrades - estimated at \$10,647.50

Schedule 5.2



**Village of Chester Commission
Request for Decision**

Topic: Chester Fire Services Committee (CFSC): Village Appointee	Date: November 27, 2024 Proposed By: Heather McCallum Clerk/Treasurer
Issue Summary: A Village appointee to the CFSC is needed to replace Jim Barkhouse. The remainder of the term is to October 17, 2026.	
Background: As we know, the CFSC is made up of three citizen appointees from the Village and three from the Municipality “outside area” that make up the Chester Volunteer Fire Department’s service area. A call for volunteers went out publicly on November 6, 2024 with an application deadline of November 28. While today’s meeting is a day prior to that, to date one application has been received. The candidate, Wilson Fitt, is highly qualified and has the support of CFSC members. Attached is the ad, the Committee’s terms of reference (a section of the Intermunicipal Fire Agreement that formed it), a list of the current members and officers for reference, and Mr. Fitt’s application. The next CFSC monthly meeting is scheduled for December 4, 2024.	
Options: 1. Appoint Mr. Fitt to the Chester Fire Services Committee this evening. Should another qualified applicant appear between this evening and tomorrow’s deadline a Special Meeting of the Village Commission could be called. 2. Decline to make an appointment this evening and schedule a Special Meeting in the days following the deadline to do so. 3. Extend the deadline and re-advertise to seek further applicants.	

Considerations:

Financial Impacts

If re-advertising is required, the cost of a newspaper ad is approx. \$225.

Policy Impacts

The Village should endeavour to avoid vacancies on the Committee so that the balance of 3-3 Village/Municipality members is maintained.

Recommendation:

Staff recommend option 1 for maximum efficiency in filling the vacancy.

Draft Motion:

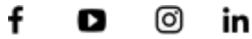
[That the Village of Chester Commission appoint Wilson Fitt to the Chester Fire Services Committee to serve out the remainder of the vacant term to October 16, 2026.](#)

Attach:

- Call for Volunteers
- CFSC Terms of Reference (excerpt from the Intermunicipal Fire Service Agreement 2022)
- Current CFSC Members
- Committee Volunteer Application: Wilson Fitt

Village of Chester, Nova Scotia

Village News



Call for Volunteers: Chester Fire Services Committee

Published: November 06 2024 12:04

The Village of Chester requests applications from interested citizens to serve on the Chester Fire Services Committee. There is one (1) vacancy for a Village appointee to serve out the remainder of a term expiring Oct 16, 2026.

The Committee is a partnership between the Village of Chester and the Municipality of the District of Chester to provide fire and emergency services to Municipal Districts 3, 7 and part of 1 via the Chester Volunteer Fire Department.

The Committee meets the first Wednesday of the month from 5:00-6:00 pm at the Village Commission office. Occasional special meetings may also be required. Its current responsibilities are the Fire Dept. budgets and the design/build of a new Chester Fire Station to be located at 4070 Highway 3.

The [application form](#) (117 KB) and [terms of reference](#) (262 KB) are available for download or you can pick up a hard copy from the Village Commission office at 27 Pleasant Street.

Please return your completed application form by **Thursday, Nov 28 at 4:00pmAT** either to the Village office or to heather.mccallum@villageofchesterns.ca.

For more information on the CFSC, visit www.chesterfirecommittee.ca .

Contact Us

General Inquiries

Phone: 902-275-4482

Email: office@villageofchesterns.ca

Regular office hours: Mon – Fri, 9:00 am – 1:00 pm

Mailing Address

PO Box 620

27 Pleasant Street

Chester, NS B0J 1J0

EXCERPT re: Chester Fire Services Committee (CFSC) Terms of Reference

Committee

- 3) The Parties agree to establish a joint advisory committee (the "Chester Fire Services Committee", hereinafter the "Committee") to advice, assist and make recommendations to the parties, as required, on governance and budget.
- 4) The Municipality and the Village exercise their authority to provide Emergency Services to Fire District within the boundary lines as per Schedule "A" attached and forming part of this agreement through the Fire Service Committee and the Fire Department.
- 5) The committee, in consultation with the Fire Department, is responsible for preparing and recommending and implementing an annual operating budget to the parties. The committee has the responsibility to oversee and implement all purchases that are approved within the annual operating and capital budget.
- 6) The committee, in consultation with the Fire Department, is responsible for preparing, recommending and implementing a 5-year capital budget to the parties each year and developing a 20-year capital replacement plan.

Term

- 7) This Agreement shall come into effect upon signing by the parties and shall remain in force for a period of twenty (20) years, unless terminated pursuant to Section 10.
- 8) If the Fire Department should for any reason become unable to continue to provide the Service to the Fire District and has provided notice to that effect, then it shall be entitled to provide notice of same to both the Village and the Municipality. The Municipality and the Village shall proceed jointly to provide an alternate method of providing the Service to the Fire Service Area.
- 9) If either the Village or the Municipality or both should become dissolved or amalgamated by operation of Law or by Statute, then the assets belonging to them in connection with the Fire Service shall be, if possible, transferred by the parties to the Municipal body then responsible for the provision of the Service to the Fire District and if that is not possible or feasible, the assets shall be sold and the net proceeds realized from the sale of the assets used for the benefit of the residents of the Fire District in the same proportion as each of the parties contributed to acquiring those assets based on a trailing 5 year average of uniform assessment.
- 10) The Village and the Municipality acknowledge that this Agreement may only be terminated either by mutual consent or for cause. Amendments to the Agreement may

be made by mutual consent.

- a) If either party should allege cause due to a default or failure on the part of the other, then it shall first give not less than one years written notice to the other to correct that default or failure.
- b) The party receiving notice will have three months from the date notice is received to initiate the mediation and arbitration process per Section 41, otherwise if the default or failure is not corrected within the time allowed to the satisfaction of the objecting party, then the parties agree that they shall then commence the process of dissolving this Agreement in a timely manner but with the object that under no circumstances shall there be any disruption or discontinuance of the Service to the Fire District.

Committee Structure

- 11) The Committee shall be composed of six (6) voting members. The Chief, or their designate, shall serve as an ex-officio member of the committee with no voting rights.
- 12) The Municipality shall appoint three members, and the Village shall appoint three members. No more than 1 of the appointments from each party may be an elected official.
- 13) Subject to Sections 14 and 15, any elector of the Fire District is eligible to be a member of the Committee.
- 14) Staff of the Village Commission and Municipality are not eligible for membership on the Committee.
- 15) No active member of the Chester Volunteer Fire Department is eligible to be a member of the Committee.

Annual Meeting

- 16) An annual meeting of the electors shall be held by the Committee before February 15 each year.
- 17) The Committee shall ensure that the date, time, and location of annual meeting is duly advertised through such means as websites, social media, public notices, or other means, at least two weeks prior to the date of the annual meeting.
- 18) The Committee members shall, at the annual meeting of electors, present a report of the proceedings of the preceding fiscal year, the proposed operating and capital budgets. A poll of the electors, which may be taken by secret ballot, may be taken at the annual meeting to

determine the level of support for the proposed area fire rate(s).

Committee Roles and Terms

- 19) The Municipality and the Village will each appoint two committee members for an initial term of three years, and one committee member for a term of two years. Following the initial term of committee members, the term shall be three years.
- 20) A committee member may be reappointed.
- 21) The Committee shall, at their first meeting after the annual general meeting of the electors, elect from their number a Chair, Vice-chair.
- 22) The Committee shall engage a Secretary who shall give or cause to be given all notices required to members of the Committee and shall attend all meetings of the Committee and enter or cause to be entered in books kept for that purpose minutes of all proceedings at such meetings and be the custodian of all books, papers, records, and documents belonging to the Committee and perform and do such other duties as may from time to time be prescribed by the Committee.
- 23) The Municipality and the Village shall maintain a common Operating Account and Capital Account from which the funds collected through the area rate shall be deposited to fund the service. The committee will be delegated the responsibility of managing the accounts in accordance with the approved Operating and Capital budget in accordance with such procedures and policies adopted from time-to-time by the Municipality and the Village.
- 24) The committee will appoint or engage a Treasurer to keep full and accurate books of account. The Treasurer will keep record of all receipts and disbursements and under the direction of the Committee and shall deposit all monies with respect to the operation of the Department in the common bank accounts designated for that purpose.
- 25) The Treasurer will provide the committee with at least quarterly accounts of all transactions and of the financial position of the Fire Department. This section shall not be interpreted to include the activities, expenditures, or revenues of the Chester Volunteer Fire Department, a body corporate under the Societies Act.
- 26) The Committee shall ensure that adequate financial auditing for the Service is performed annually and that copies of the annual audited financial statements and copies of the audit report are submitted to each of the parties to this Agreement.

Committee Meetings

- 27) The Committee shall ensure that all meetings are convened and continued only when a quorum

50% plus one of the voting members are present. For a committee of six (6) members at least four (4) members must be present for quorum.

- 28) Special meetings of the electors may be called by the committee members from time to time, but no business shall be transacted at a special meeting, except such as is contained in the notice thereof.

Budget

- 29) The Committee, in consultation with the Fire Department, is responsible for budgeting in such a manner as to provide adequate facilities and equipment for the operation of the Fire Department. The Operating budget, Capital Budget, and 20-year capital plan shall be developed in consultation with the Fire Department.

NOT A LEGAL DOCUMENT



Directors and Officers

The **Chester Fire Services Committee** is a body corporate under the *Municipal Government Act*, and is jointly owned by the Village of Chester (VOC) and Municipality of the District of Chester (MODC), Nova Scotia.

A. Directors

Voting Committee members appointed by motion of the VOC Commission and MODC Council on Jul 13 and Jun 30, 2022, respectively. Upon legal advice, the start date on all appointments was subsequently re-set to the date of incorporation **Oct 17, 2023**, for two- and three-year terms by motions of Commission and Council.

Name	Appointed by	Term	Civic Address
<i>Vacant</i>	VOC	2023-2026	
Kirk Collicutt	MODC	2023-2026	Pig Loop Road, Chester
Norm Countway	MODC	2023-2026	Marriotts Cove Road, Chester Basin
Nancy Hatch	VOC	2023-2025	Central Street, Chester
Colin MacDonald	VOC	2023-2026	Victoria Street, Chester
James Robert	MODC	2023-2025	NS Trunk 3, Chester Basin

B. Officers

Elected by Committee Members on Oct 4, 2023, and re-affirmed (after passage of By-laws) on Jan 3, 2024.

Colin MacDonald	Chair/President
Norm Countway	Vice-Chair
Kirk Collicutt	Treasurer
Kirk Collicutt	Secretary



Committee Volunteer Application

Chester Fire Services Committee

There is currently **one (1) vacancy** on the Chester Fire Services Committee: an appointee of the Village of Chester to serve out the remainder of a term ending October 16, 2026. Please submit your application by **Thursday, Nov 28, 2024 at 4:00pmAT**.

Name	Wilson Fitt
Are you a resident of the Village of Chester?	yes
Civic address	██████████ Regent Street
Email	██
Phone	Home Work Cell
Why are you interested in serving on the Chester Fire Services Committee? <i>(Attach a separate page if you prefer.)</i>	The CFSC is about to start detailed planning and construction of a new fire hall. I recognize the importance of the fire service and have been asked to put my name forward as a person with significant professional and volunteer experience in managing construction projects.
Background information, i.e., education, skills, work or volunteer experience, and/or interests relevant to your application. <i>(Attach a separate page if you prefer.)</i>	See attached resume
Voluntary disclosure of any accessibility needs that require accommodation.	none

Date: _____

Signature: _____

Wilson Fitt

Digitally signed by Wilson Fitt
Date: 2024.11.06 14:37:51 -04'00'

Wilson Fitt, BSc, LLB, MPA
Partner

Wilson Fitt provides project planning, analysis and management services to a wide range of public, private and non-profit organizations. He has extensive experience in business administration, management of large development projects and consulting for the public and private sectors.

In the past 35 years he has managed new construction and redevelopment projects that total well in excess of \$300 million. He has extensive experience within the design and construction industry in Nova Scotia and is well versed in all aspects of the construction cycle from feasibility studies to master planning, budgeting, scheduling, tendering, and site management.

In recent years Mr. Fitt has been engaged by Nova Scotia government departments and agencies because of his proven ability to deal with unusual or complex projects that are facing significant budget and schedule challenges.

QUALIFICATIONS

- Master of Public Administration, Dalhousie University, 1984
- Bachelor of Law, Dalhousie University, 1979
- Bachelor of Science, University of Kings College, 1975
- Retired Member, Nova Scotia Barristers' Society

PROJECT MANAGEMENT EXPERIENCE

Chester Playhouse: Mr. Fitt was volunteer project manager during planning, initial renovations and, after a fire during construction, complete rebuilding of this historic building in the Village of Chester.

Our Health Centre, Chester Nova Scotia: Our Health Centre is a collaborative health centre built in Chester using funds raised from the community. Mr. Fitt volunteered his services as project manager from initial concept development through to completion and occupancy. He continues to provide building management advice.

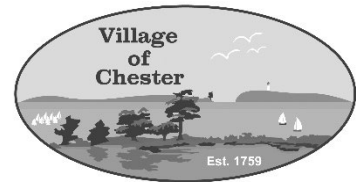
Main Street Centre: Mr. Fitt is a volunteer advisor to Affirmative Ventures Society, a not-for-profit organization working in the mental health field. The society is building a 45 unit affordable housing project on Main Street in Dartmouth NS.

Waterfront Development Corporation: Mr. Fitt was engaged on various occasions to provide strategic development advice for parcels of land on the Halifax Waterfront.

Nova Scotia Community College: In 2002 the Nova Scotia Community College embarked on a major expansion and upgrading initiative for its campuses across the province. Costello Fitt in association with Fairwyn Developments Limited provided development consulting services including the preparation of a comprehensive \$129M capital redevelopment and expansion program. In early 2003 the Costello Fitt/Fairwyn mandate was extended to include project management services for the program, including construction of a \$51M new campus on the Halifax Harbour waterfront, completed in 2007. Phase 2, the \$30M Centre for the Built Environment, was completed in 2011.

Schedule 7.1

Village of Chester Commission Clerk/Treasurer Activity Report November 27, 2024



- **Lido Pool:**
 - The exterior wall repair work has been completed.
 - The interior repairs (pilaster crack, filler valve, wall sanding) will take place in the spring.

- **Beautification:**
 - The Jib Lot fence repairs to the wooden pickets have been completed.
 - The flower baskets were all taken down in September, and the holiday wreaths went up last week.
 - The street décor survey has been parked until after the postal strike.

- **Follow-up from October 16, 2024 meeting:**
 - The letter from the Village Commission to the Fire Services Committee regarding the decision and notification process was sent and acknowledged. The reply to Mr. Cambria is pending.
 - The fire station antenna is confirmed to be in use for firefighter communications. The Fire Chief is unaware of any structural concerns with it at this time.

- **Accessibility and Equity:**
 - Orientation has begun for the NS Accessibility Advisory Board's Information & Communication Standard Development Committee, of which I am a member. The timeframe is 18 months.
 - AMANS held a two-day Municipal Equity & Anti-Racism Symposium last week in Wolfville – I was able to listen in to some of the livestream. I have a meeting with the Municipality next week to discuss the Village's participation in the Lunenburg County plan development which I presume will follow the same pattern as the Accessibility plan work.

Report completed by:
Heather McCallum, Clerk/Treasurer

Pending items for future consideration:

<i>Meeting Assigned</i>	<i>Item</i>	<i>Delivery</i>
<i>N/a</i>	<i>Purchasing Policy draft amendments</i>	<i>TBD</i>

Schedule 7.2

Village of Chester Commission Clerk/Treasurer Financial Report November 27, 2024



- **Scotiabank:**

- The October 2024 bank statements have been reconciled.
- Account balances as of Oct 31, 2024 were:

Banking Accounts	
• Daily Operations account	\$ 531,498
Investment Accounts	
• Operating reserve	\$ 82,709
• Lido Pool reserve	\$ 162,245
• Utilities reserve	\$ 39,740
• EMC Building reserve	\$ 16,683

- **EFT capability:**

- Given the current Canada Post strike, we're having to make extra efforts to get our suppliers paid, including physical drop-offs (thank you Maxine), use of the corporate Visa where possible, and courier.
- Electronic fund transfer (EFT) – i.e., online banking – could be useful in these circumstances. Scotiabank reports that this is possible to set up on the Village daily banking account with two signers (myself and one other designate), or additional signers can be added at a cost of \$10/month. Service fees are \$1.10 per transfer.
- Does the Commission wish to add this capability to our accounts? If so, the Signing Authority Policy and Purchasing Policy should be updated.

- **Grants:**

- The Canada Summer Jobs Grant for our two full-time lifeguards was received in the amount of \$4,256.
- The Village's Canada Summer Jobs Grant application for 2025 was submitted on Nov 21.

- **Follow-up from October 16, 2024 meeting:**

- The Municipality of Chester's Finance Department reports that at 50% through the fiscal year, there is \$1,437.67 in low-income and not-for-profit exemptions.

Report completed by:

Heather McCallum, Clerk/Treasurer

Schedule 7.3



Minutes

Wednesday, Oct 9, 2024 at 5:00 pm

Village Commission Boardroom (27 Pleasant Street, Chester)

*To access attachments, download the full minutes package here: <https://www.chesterfirecommittee.ca/agenda-minutes>

Present Norm Countway, Vice-chair; Kirk Collicutt, Treasurer-Secretary; James Robert

Other Cody Stevens, Fire Chief, CVFD; Greg Conron, Deputy Fire Chief, CVFD; Heather McCallum, Recording Secretary (Clerk/Treasurer, VOC)

Regrets Colin MacDonald, Chair; Nancy Hatch

#	Item
1.	Call to Order The meeting was called to order by the Vice-chair at 5:02 pm. The Vice-chair announced that Jim Barkhouse has resigned from the Committee due to health considerations. Mr. Barkhouse was a Village appointee. With three of six-five possible members present, quorum was technically met but not the four required by the Intermunicipal Agreement. The Committee members in attendance decided to continue with the meeting but not make decisions requiring a motion.
2.	Approval of Agenda The meeting agenda of Oct 9, 2024 were approved as presented by consensus.
3.	Approval of Minutes: Sep 11, 2024 The meeting minutes of the Sep 11, 2024 Monthly CFSC meeting were approved as presented by consensus.
4.	Guest Presentation: Nova Scotia Guard Nick Barr and Andrea Hyslop, Municipal Affairs (via Zoom) Mr. Barr and Ms. Hyslop reviewed a presentation about the NS Guard for information (Schedule A) and answered questions from the Committee.

	<p>Chief Stevens commented that the Province relies too heavily on volunteers for emergency response.</p>
5.	<p>Business Arising</p> <p>5.1 Fundraising Sub-committee Establishment</p> <p>Ms. Hatch, as she is unable to be here tonight, sent ahead a letter (<i>Schedule B</i>) on the topic of use of the fire station building.</p> <p>Chief Stevens commented that he remains concerned about the logistics of a warming station and noted that having the public in the building during an emergency activation is not safe/ideal. He commented that providing space for aligned responders such as Natural Resources they could consider.</p> <p><i>ACTION: A Fundraising Sub-committee will be struck. Chair MacDonald will chair. External member(s) will be sourced to provide expertise and collation of information.</i></p>
6.	<p>Chester Volunteer Fire Dept: Activity Report</p> <p>Chief Stevens presented his monthly report (<i>Schedule C</i>).</p> <p>He also noted that the CVFD needs direction on what to do with the old fire boat in the coming weeks. It is currently wrapped, and they would like to strip out the two Honda engines and electronics before winter.</p> <p><i>ACTION: Provide direction on old fire boat as noted above.</i></p>
7.	<p>Reports</p>
	<p>7.1 Secretary-Treasurer</p> <p>Mr. Collicutt presented a financial update (<i>Schedule D</i>).</p>
	<p>7.2 Fire Station Conceptual Design Project</p> <ul style="list-style-type: none"> Revised building program/floorplan and exterior design concept <p>Mr. Robert noted that a formal motion to approve the program and design concept is needed. This will appear in “Business Arising” at the next meeting.</p>

	<p>The Public Information Meeting has been scheduled for November 13, 2024.</p> <p>ACTION: Sample public questions will be brought to the next meeting to assist in preparing for the PIM.</p>
	<p>7.3 Communications Sub-Committee</p> <p>Vice-chair Countway reported on the analytics of the social media campaign for September: 5,760 people viewed the posts in the month of September, which is down from the first month but still very good for a new account.</p> <p>He also noted that an advertisement for a new Committee member to replace Mr. Barkhouse should be prepared. Members will also consider residents of the Village to suggest for application.</p> <p>ACTION: The Clerk/Treasurer will prepare a draft advertisement for a Village nominee for appointment to the Committee.</p>
	<p>7.4 Fire Boat Report for Council</p> <p>The Vice-chair reported that Chair MacDonald has asked to defer sending the Rescue Boat Report to Chester Municipal Council until the next phase of the building project is underway.</p> <p>ACTION: The report will be deferred for further discussion on timing.</p>
<p>8.</p>	<p>New Business</p> <p>8.1 Reserve Funds & Investment Policy DRAFT</p> <p>C/T McCallum presented a report and draft policy for the handling of CFSC reserve investments (<i>Schedule E</i>).</p> <p>ACTION: The draft policy will be brought forward to the next monthly meeting for approval.</p>

	<p>8.2 Correspondence</p> <p>A letter from a Village resident, Ray Cambria, to the Village Commission questioning the decision to not include the Village office in the new fire station plan was included for Information (<i>Schedule F</i>). It will be addressed by the Village Commission at their Oct 16th Monthly Meeting.</p>
9.	In Camera – Nil
10.	Resumption of Public Meeting – Nil
11.	Other Business – Nil
12.	<p>Adjournment</p> <p>The meeting was adjourned at 6:15 pm.</p>

Next Meeting(s):

- **Monthly:** Nov 6, 2024 at 5:00 pm; Village Commission Boardroom, 27 Pleasant Street
- **Public Information Meeting:** Nov 13, 2024 at 6:30 pm; St. Stephen’s Community Centre

 CFSC Secretary
 Kirk Collicutt

 VOC Clerk/Treasurer
 Heather McCallum

Schedule 8.1

Heather McCallum

From: AMANS List Serve <amans@lists.gov.ns.ca>
Sent: October 23, 2024 4:20 PM
To: AMA Maritime List Serve
Subject: Code of Conduct

CAUTION: This email originated from an external sender.

Hello Municipal Partners,

Happy post election time!

As you are all aware, the Province published the Code of Conduct Regulations and now councils are required to adopt the model code as prescribed. This must be done on or before December 19, 2024.

The code can be adopted through resolution, policy or by-law. The easiest method to do so is through resolution. In this regard, we have put together some draft language you could use, should you wish to accomplish adopting the code via resolution.

Whereas the Minister of Municipal Affairs and Housing for the Province of Nova Scotia has made the Code of Conduct for Municipal Elected Officials Regulations, N.S. Reg. 220/2024 (“the Regulations”); and,

Whereas municipalities are required to adopt the model code of conduct prescribed by the Regulations on or before December 19, 2024, pursuant to section 4(1) of the Regulations and section 23A of the Municipal Government Act;

Therefore be it resolved that the Council of the Municipality of [MUNICIPALITY] hereby adopt the model code of conduct as set forth in Schedule “A” to the Regulations, which shall be titled the “Code of Conduct for Elected Officials of [NAME OF MUNICIPALITY]”.

*NOTE: If with HRM, you would have to change references from MGA to HRMC, and the section of 23A to 20A.

The regulations can be found here: [MGA](#) and [HRMC](#). You may have noticed that the MGA and HRMC have slightly lagged in being updated, but you can expect to see the versions online updated soon.

Your council will be required to secure, appoint, and have on retainer, and investigator. Once the code has been adopted, please send an email to the Minister – consider copying your municipal advisor as back up – confirming you have adopted the code. We would suggest sending in a scan of the draft minutes as well.

As always please reach out to your advisor if there are any questions.

Sincerely,
Your Governance & Advisory Services Team

You are currently subscribed to amans as: Heather.McCallum@villageofchesterns.ca
To unsubscribe send a blank email to leave-764382-8037884.f83cf38c2d5d45aeaa385fef882233b4@lists.gov.ns.ca

N.S. Reg. 220/2024

FILED

Date: October 15, 2024

**Jane Newton
Registrar of Regulations
Province of Nova Scotia**

**In the matter of subsection 520(1) of Chapter 18 of the Acts of 1998,
the *Municipal Government Act***

-and-

**In the matter of regulations respecting a code of conduct
for elected officials of villages**

Order

I, John Lohr, Minister of Municipal Affairs and Housing for the Province of Nova Scotia, pursuant to subsection 520(1) of Chapter 18 of the Acts of 1998, the *Municipal Government Act*, hereby make regulations respecting a code of conduct for elected officials of villages in the form set forth in the attached Schedule "A".

This order is effective on and after October 20, 2024.

Dated and made October 15, 2024, at Halifax Regional Municipality, Province of Nova Scotia.



Honourable John Lohr
Minister of Municipal Affairs and Housing

Schedule “A”

Regulations Respecting a Code of Conduct for Village Elected Officials made under Section 520 of Chapter 18 of the Acts of 1998, the *Municipal Government Act*

Interpretation

Citation

- 1 These regulations may be cited as the *Code of Conduct for Village Elected Officials Regulations*.

Definitions

- 2 In these regulations,

“Act” means the *Municipal Government Act*;

“complaint” means a complaint regarding an alleged breach of the code of conduct;

“elected official” means a village commissioner;

“investigator” means a person or entity appointed by a village under subsection 408AD(1) of the Act to receive and investigate complaints;

“model code of conduct” means the model code of conduct prescribed in Schedule “A”.

Code of Conduct

Application

- 3 (1) The code of conduct referred to in these regulations is a code of conduct established under Section 408AB of the Act.
- (2) The code of conduct applies to elected officials at all times and in all locations.

Adoption of code of conduct and notice to Minister

- 4 (1) A village must adopt the model code of conduct on or before December 19, 2024.
- (2) A village must report to the Minister and provide a notice confirming adoption of the model code of conduct on or before December 19, 2024.

When code of conduct applies

- 5 (1) The code of conduct applies to each village commissioner from the time that they are declared elected until the earliest of the following:
 - (a) the date of their resignation;
 - (b) the date they are disqualified from office;
 - (c) the date their successor is sworn into office, or the date of the meeting at which a successor would have been sworn into office if there is no successor.
- (2) The code of conduct does not apply to action or conduct that occurred before the earlier of the following dates:
 - (a) date that the code is adopted by a village;
 - (b) December 19, 2024.

Complaint and Investigation Process

Appointment of investigator by village

- 6 (1) An investigator must have experience conducting investigations and applying the principles of natural justice and procedural fairness.
- (2) A village must include an investigator’s contact information on its publicly accessible website or by posting notices in conspicuous places in the village.
- (3) A village must ensure that no conflict of interest exists between the investigator and the parties involved in a complaint.

Timeline for complaints

- 7 (1) A complaint must be made to an investigator no later than 6 months after the date that the complaint is discovered.
- (2) For the purposes of this Section, a complaint is discovered on the following applicable date:
 - (a) the date that the complainant first knew or ought reasonably to have

known that the village commissioner's conduct or action was potentially in breach of the code of conduct;

- (b) for conduct or an action that is continuous, the date that the village commissioner's action or conduct ceases;
- (c) for conduct or a series of actions that is repeated, the date that the village commissioner's last act or conduct in the series occurs.

Complaints during elections

- 8**
- (1) A complaint brought forward between nomination day, if a village has a nomination bylaw under Section 410 of the Act, and election day must not be investigated until the election is concluded.
 - (2) An investigation in progress on an election's nomination day, if a village has a nomination bylaw under Section 410 of the Act, must continue, but may be paused between nomination day and election day.
 - (3) An investigation in progress for a complaint made about the conduct of an elected official will not continue if the official is not re-elected.

Initial complaint process

- 9**
- (1) An investigator must notify the clerk whenever a complaint is received.
 - (2) An investigator must determine if there is merit to a complaint and then take 1 of the following actions:
 - (a) notify the clerk that it is dismissed in accordance with subsection 23C(3) of the Act;
 - (b) if the investigator finds that the complaint has merit, the investigator must
 - (ii) notify the village commissioner who is the subject of the complaint that a complaint has been made about them, and that it is proceeding to an investigation, and
 - (iii) begin their investigation and notify the commission in camera of the fact that a complaint is proceeding to the investigation phase.

Confidentiality

- 10**
- An investigator must protect the confidentiality of all of the following to the greatest extent possible, while still applying the principles of natural justice and ensuring procedural fairness:
- (a) the complainant;

- (b) all persons who are the subject of the complaint;
- (c) all persons involved in the investigation,

Reporting on investigation

- 11** (1) Except as provided in subsection (2), the report on the investigation required by subsection 408AD(2) of the Act to be presented to the commission must be presented no later than 6 months after a complaint is made.
- (2) The commission may grant an investigator additional time to present a report in exceptional circumstances, including a delay caused by a village election period.
- (3) A village commissioner who is the subject of a complaint must be given an opportunity to review and respond to the information in an investigator's report, and to make submissions to the commission before the commission determines whether there was a breach of the code of conduct.

Investigator report on failing to comply with sanction

- 12** Despite Sections 9, 10 and 11, if a village commissioner fails to comply with a sanction as required by the code of conduct, the investigator is not required to conduct an investigation but must present a report to the commission with a recommendation on an appropriate sanction.

Determinations

- 13** After receiving the investigator's report and hearing any submissions from any village commissioner who is the subject of the complaint, the commission must determine if a breach occurred any appropriate sanctions to impose in accordance with Sections 17 and 18.

Conflict of interest—village commissioner present at meeting

- 14** If a village commissioner who is the subject of a complaint or who has made a complaint under the code of conduct is present at a commission meeting at which the complaint is discussed, the commissioner must
- (a) withdraw from their place as a village commissioner and take 1 of the following applicable actions while the complaint is being considered:
 - (i) for a closed meeting, leave the room where the meeting is held,
 - (ii) for a meeting that is open to the public, either
 - (A) leave the room where the meeting is held, or
 - (B) attend only in part of the room set aside for the general

public; and

- (b) not vote on any issue related to the complaint.

Public record

15 After a commission's determination of a complaint, the commission must make a record that is open to the public outlining all of the following:

- (a) the section of the code of conduct under which the complaint was made;
- (b) the investigator's recommendations;
- (c) the commission's determination and any sanction imposed

The commission determination final

16 A commission's determination regarding a complaint is final and binding on all parties.

Sanctions and Sanction Framework

Sanctions framework

17 A commission must consider all of the following criteria before imposing a sanction on a village commissioner for a contravention of the code of conduct:

- (a) the nature of the contravention;
- (b) the length or persistence of the contravention;
- (c) whether the village commissioner's contravention was intentional;
- (d) whether the village commissioner has taken any steps to remedy the contravention;
- (e) whether the village commissioner has previously contravened the code of conduct;
- (f) any external factors that are relevant to the village commissioner's contravention, including personal issues and health issues;
- (g) the resources necessary to fulfilling the village commissioner's responsibilities as a village commissioner.

Sanctions for contravention of code of conduct

18 (1) The sanctions to be imposed by the commission under 408E of the Act may include 1 or more of the following prescribed sanctions:

- (a) a letter of formal reprimand or warning;
 - (b) a requirement that the village commissioner provide a letter acknowledging their contravention and an apology no later than 15 days after the date the commission imposes the sanction;
 - (c) a requirement that the village commissioner attend training that is appropriate to address the action or conduct that contravened the code of conduct;
 - (d) a public censure;
 - (e) limiting the village commissioner's access to certain local government facilities, equipment or property;
 - (f) suspending or removing the village commissioner as chair or vice-chair of the commission or the chair of any committee;
 - (g) suspending or removing the village commissioner, for a period no longer than 6 months, from some or all village committees or boards;
 - (h) limiting the village commissioner's participation on behalf of a village;
 - (i) limiting the village commissioner's travel or expense reimbursement on behalf of a village;
 - (j) a fine of up to \$1000 per contravention of the code of conduct, that must be paid no later than 6 months after the date that the commission imposes the sanction;
 - (k) reducing the village commissioner's remuneration, for a period no longer than 6 months;
 - (l) requiring the village commissioner to repay any direct monetary loss realized by a village as a result of the village commissioner's contravention, in an amount determined by the investigator;
 - (m) requiring the village commissioner to repay any direct monetary gain they obtained as a result of their contravention, in an amount determined by the investigator.
- (2) A village commissioner who is determined by the commission to have contravened the code of conduct must complete additional code of conduct training.

**Schedule “A”—Model Code of Conduct for Municipalities
prescribed by the Minister under subsection 520(1) of Chapter 18 of the Acts of 1998,
the *Municipal Government Act***

Title

1 The title of this code of conduct is the *Code of Conduct for Elected officials of the [insert name of village]*.

Definitions

2 In this Code, the following definitions apply:

“Act” means the *Municipal Government Act*;

“clerk” means the clerk of the village;

“closely connected” to a village commissioner, means any of the following:

- (i) a family member of the village commissioner,
- (ii) an agent of the village commissioner,
- (iii) a business partner of the village commissioner,
- (iv) an employer of the village commissioner;

“Code” means the *Code of Conduct for Elected officials of the [insert name of village, as in title]*;

“commission” means the commission of the village;

“complaint” means a complaint regarding an alleged breach of the Code;

“confidential information” includes any information in the possession of the village that the village is prohibited from disclosing pursuant to legislation, court order or by contract, or is required to refuse to disclose under Part XX of the Act or other legislation, or that pertains to the business of the village and is generally considered to be of a confidential nature, including information about any of the following:

- (i) the security of the village’s property,
- (ii) a proposed or pending acquisition or disposition of land or other property,

- (iii) a tender that has or will be issued but that has not been awarded,
- (iv) contract negotiations,
- (v) employment and labour relations,
- (vi) draft documents and legal instruments, including reports, policies, bylaws and resolutions, that have not been deliberated in a meeting open to the public,
- (vii) law enforcement matters,
- (viii) litigation or potential litigation, including matters before administrative tribunals,
- (xi) advice that solicitor-client privileged;

“discrimination” has the same meaning as in the *Human Rights Act*;

“elected official” means a village commissioner;

“family member” means in relation to a person, any of the following, and includes a step-family member:

- (i) spouse,
- (ii) parent or guardian,
- (iii) child,
- (iv) sibling,
- (v) sibling of a parent,
- (vi) child of a sibling,
- (vii) grandchild,
- (viii) grandparent,
- (ix) parent-in-law,
- (x) sibling-in-law,
- (xi) spouse of a child;

“harass” has the same meaning as in the *Human Rights Act*;

“investigator” means a person or entity appointed by a village under subsection 408AD(1) of the Act to receive and investigate complaints;

“poisoned environment” means an environment where harassing or discriminatory conduct causes significant and unreasonable interference with a person’s work environment;

“sexual harassment” has the same meaning as in the *Human Rights Act*.

General purpose

- 3** (1) The purpose of this Code is to set out the expectations for the behaviour of village commissioners in carrying out their functions and making decisions that benefit the constituents in their village.
- (2) Nothing in this Code is intended to prevent elected officials from sharing or expressing dissenting opinions.

Interaction with laws and policies

- 4** (1) This Code is intended to operate together with, and as a supplement to, the applicable common law, the *Criminal Code* of Canada, the Act, the *Municipal Conflict of Interest Act* and any other applicable legislation.
- (2) This Code is intended to operate together with, and as a supplement to, the other by-laws and policies of a village.
- (3) This Code prevails in any conflict between the Code and any village resolution, policy or bylaw.

Guiding principles

- 5** All of the following are the guiding principles for village commissioners’ conduct:

Collegiality: village commissioners must work together to further the best interests of the village in an honest and honourable way.

Respect: village commissioners must demonstrate respect towards one another, the democratic decision-making process and the role of staff. Village commissioners must not act in a manner that negatively impacts the village or tarnishes the village’s reputation.

Integrity: village commissioners must act lawfully and adhere to strong ethical principles by prioritizing the village’s interests over individual interests.

Professionalism: village commissioners must create and maintain an environment that is respectful and free from all forms of discrimination and harassment, including sexual harassment. Village commissioners must show consideration for every person's values, beliefs and contributions, and support and encourage others to participate in commission activities.

Transparency: village commissioners must be truthful and open about their decisions and actions and make every effort to accurately communicate information openly to the public.

Responsibility: village commissioners are responsible for the decisions that they make and must be held accountable for their actions and outcomes. Village commissioners must demonstrate awareness of their own conduct and consider how their words or actions may be perceived as offensive or demeaning.

General conduct

- 6
- (1) A village commissioner must be truthful and forthright and not deceive or knowingly mislead the commission, the clerk and treasurer, staff or the public.
 - (2) A village commissioner must show respect for chairs of commission meetings, chairs of committee meetings, colleagues, staff and members of the public that present during commission meetings or other meetings of the village.
 - (3) A village commissioner must adhere to the direction of the chairs of meetings with respect to rules of procedure.
 - (4) A village commissioner must conduct commission business and all duties in an open and transparent manner, other than for those matters that the commission is authorized by law to carry out in private.
 - (5) A village commissioner must not be impaired by alcohol or drugs while attending any commission meeting or other meeting of the village.
 - (6) A village commissioner must comply with any sanction imposed under this Code, and failing to comply with a sanction imposed is considered a breach of the Code.

Confidential information

- 7
- (1) A village commissioner must not disclose or release any confidential information to the public in oral, written or any other form, other than when required by policy or law or authorized by the commission to do so.
 - (2) A village commissioner must not use confidential information for personal or private gain or for the private gain of any other person or entity.
 - (3) A village commissioner must not access or attempt to access confidential

information in the custody of the village unless the information is necessary for the performance of their duties and its access is not prohibited by legislation or by the by-laws or policies of the village.

- (4) A village commissioner must not discuss any matters relating to an active investigation under the Code with anyone other than the investigator or their own legal counsel, unless required by law.

Gifts and benefits

- 8 (1) A village commissioner must not accept a fee, advance, cash, gift, gift certificate or personal benefit that is connected directly or indirectly with the performance of their duties of office, other than the following exceptions:
 - (a) gifts or benefits that normally accompany the responsibilities of office and are received as an incident of protocol or social obligation;
 - (b) a suitable memento of a function honouring the village commissioner;
 - (c) sponsorships and donations for community events organized or run by a village commissioner or by a third party on behalf of a village commissioner;
 - (d) compensation authorized by the village.
- (2) A fee, advance, cash, gift, gift certificate or personal benefit paid or provided to a person closely connected to a village commissioner, with the village commissioner's knowledge, is deemed to be a gift to the village commissioner.

Use of village property, equipment and services

- 9 (1) A village commissioner must not use, or request the use of, any village property, including surplus material or equipment, for personal convenience or profit, unless the property meets 1 of the following:
 - (a) it is generally available for use by the public and the village commissioner is receiving no special preference in its use;
 - (b) it is made available to the village commissioner in the course of carrying out commission activities and duties, and is used for purposes connected with the discharge of commission duties.
- (2) A village commissioner must not obtain, or attempt to obtain, personal financial gain from the use or sale of intellectual property developed by the village.
- (3) A village commissioner must not use information, or attempt to use information, gained in the course of their duties that is not available to the general public for

any purposes other than carrying out their official duties.

- (4) A village commissioner, or a person closely connected to a village commissioner, must not tender on the sale of surplus village property, including old or extra equipment.

Building, development, planning, or procurement proposals before commission

- 10 A village commissioner must not solicit or accept support in any form from an individual, group or corporation with any building, development, planning or procurement proposal before the commission.

Improper use of influence

- 11 A village commissioner must not use the influence of their office for any purpose other than for the exercise of their official duties.

Business relations

- 12 (1) A village commissioner must not allow any prospect of their future employment by a person or entity to affect the performance of their duties to the village.
- (2) A village commissioner must not borrow money from any person who regularly does business with the village, unless the person is an institution or company whose shares are publicly traded and who is regularly in the business of lending money.
- (3) A village commissioner must not act as an agent of a person or entity before the commission or a committee of the commission or any agency, board or committee of the village.

Employment of persons closely connected to village commissioners

- 13 (1) A village commissioner must not attempt to influence any village employee to hire or promote a person closely connected to the commissioner.
- (2) A village commissioner must not make any decision or participate in the process to hire, transfer, promote, demote, discipline or terminate any person closely connected to the commissioner.

Fairness

- 14 (1) A village commissioner must not give special consideration, treatment or advantage to any individual or entity beyond that which is given to all.
- (2) A village commissioner must not give special consideration, treatment or advantage to an organization or group because the village commissioner, or a person closely connected to the member, is involved with the organization or group.

Adherence to policies, procedures, bylaws and other laws

- 15 (1) Village commissioners must adhere to all applicable federal and provincial legislation.
- (2) Village commissioners must adhere to the procedures, resolutions, policies and bylaws of the village.
- (3) Village commissioners must adhere to the expense and hospitality policy of the village.

Respect for commission as a decision-making body

- 16 (1) A village commissioner must abide by, and act in accordance with, any decision made by the commission, whether or not the commissioner voted in favour of the decision.
- (2) A village commissioner must not encourage non-compliance with any legislation, regulation, bylaw, resolution, policy or procedure.

Communicating on behalf of commission

- 17 (1) A village commissioner, other than the chair, must not claim to speak on behalf of the commission unless the commissioner is authorized to do so.
- (2) The chair or an individual designated by the commission may speak on behalf of the commission and must make every effort to convey the intent of the commission's decision accurately.

Interactions of commission with staff and service providers

- 18 (1) A village commissioner must not direct, or attempt to direct, the clerk and treasurer or staff other than through a direction provided by the commission as a whole.
- (2) A village commissioner must be respectful of the role of the clerk and treasurer and staff to advise based on political neutrality and objectivity and without undue influence from any individual commissioner or group of the commission.
- (3) A village commissioner must not issue instructions to any of the contractors, tenderers, consultants or other service providers to the village unless the commission as a whole has provided direction regarding same.
- (4) A village commissioner must not require or request that a village employee undertake personal chores or tasks for the member that are unrelated to village business.
- (5) A village commissioner must not make public statements that are critical of specific or identifiable village employees or service providers.

Respectful interactions

- 19** (1) A village commissioner must not engage in discrimination or harassment as prohibited by the *Human Rights Act*.
- (2) A village commissioner must not sexually harass any person.
- (3) A village commissioner must not engage in any discriminatory or harassing action or conduct, verbal or non-verbal, directed at 1 or more individuals or groups that creates a poisoned environment.

Reprisals

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

Municipal Code of Conduct In-Person Training Sessions - Nova Scotia Federation of Municipalities

Registration is now open for the Municipal Code of Conduct In-Person Training Sessions.

NSFM encourages all municipal elected officials to attend the in-person Code of Conduct training sessions scheduled for January 2025. **These sessions offer valuable supplementary information on the Code of Conduct.**

Please note that a **mandatory online training module** will be available in early 2025. Additional details on the online module will be provided in the coming weeks.

Please refer to the schedule below and to check your electoral region [click here](#).

In-Person Training Sessions Schedule: (These sessions are for municipal elected officials and village commissioners)

CB Straight/CBRM

Date: Friday, January 17th, 2025

Time: 9:00 a.m. – 11:00 a.m.

Location: Civic Centre, Port Hawkesbury

[REGISTER HERE](#) – Registration Deadline January 10th, 2025

Valley Region

Date: Monday, January 20th, 2025

Time: 9:00 a.m. – 11:00 a.m.

Location: Old Orchard Inn, Wolfville

[REGISTER HERE](#) – Registration Deadline January 13th, 2025

Southwestern Shore Region

Date: Wednesday, January 22nd, 2025

Time: 9:00 a.m. – 11:00 a.m.

Location: Rodd Grand Hotel, Yarmouth

[REGISTER HERE](#) – Registration deadline January 15th, 2025

Colchester/Cumberland/Pictou/East Hants/HRM

Date: Monday, January 27th, 2025

Time: 9:00 a.m. – 11:00 a.m.

Location: Inn on Prince, Truro

[REGISTER HERE](#) – Registration deadline January 20th, 2025

South Shore Region

Date: Thursday, January 30th, 2025

Time: 1:00 p.m. – 3:00 p.m.

Location: Best Western Plus Bridgewater, Bridgewater

[REGISTER HERE](#) – Registration deadline January 23rd, 2025