



BY-LAW / POLICY COMMITTEE MEETING

Monday, June 10th, 2024, 6:00 p.m.
Council Chambers

AGENDA

1. Call to Order
2. Approval of Agenda
3. Review of Minutes
 - a) May 27th, 2024
4. By-Law / Policy, Re:
 - a) Capital Improvement and Development Policy, 4th Draft
 - b) Committees Policy, 4th Draft
 - c) Low Income Tax Exemption Policy, 1st Draft
5. By-Law/Policy Priority List
6. Recommendations to Council (if required)
7. Adjournment



By-Law/Policy Committee Meeting

May 27th, 2024 – 6:00 p.m.

Location: Council Chambers

Present: Warden Amanda Mombourquette, Deputy Warden Shawn Samson, Councillor Michael Diggdon, Councillor Brent Sampson, Councillor Melanie Sampson, Troy MacCulloch, Chief Administrative Officer, Shelley David, Municipal Clerk

Regrets: Stacey Morrison, Appointed Member, Chris Boudreau, Director of Public Works, Jason Martell, Chief Financial Officer, Shannon Mury, Director of Community Development and Recreation

Call to Order

Warden Amanda Mombourquette called the meeting to order at 6:04 p.m.

Approval of Agenda

Moved by Councillor Brent Sampson, seconded by Councillor Melanie Sampson that the agenda be approved.

Motion carried.

Review of Minutes re: April 8th, 2024

Moved by Councillor Michael Diggdon, seconded by Deputy Warden Shawn Samson that the minutes of the April 8th, 2024, meeting be approved as corrected.

Motion carried.

Review of Policies/ By-Laws

a) Capital Improvement and Development Policy, Draft

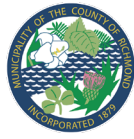
It was the consensus of the Committee to have staff amend the draft with the recommended changes as discussed.

b) Committees Policy, Draft

It was the consensus of the Committee to have staff amend the draft policy and committee matrix (appendix a) with the recommended changes as discussed.

c) Low Income Tax Exemption Program Policy

It was the consensus of the Committee to further review the draft policy at the next scheduled meeting.



By-Law / Policy Working List

For information only.

Recommend to Council

n/a

Adjournment

There being no further business, the chair adjourned at 6:58 p.m.

Municipal Clerk

Chairperson

DRAFT



Title **Capital Improvement and Development**

Approved by Council

Date:

Policy Review Notification

Date:

Policy Review

Date:

I certify this to be a true copy of the **Capital Improvement and Development Policy** as adopted by the Municipal Council of Richmond County at a Public Meeting held

_____.

Shelley David
Municipal Clerk

1. **Purpose**

The purpose of this policy is to establish a framework for evaluating and awarding third-party requests for municipal funding for physical infrastructure projects, providing guidance for Council, municipal staff, and the public.

2. **Scope**

This policy applies to all requests for municipal funding for physical infrastructure projects that fall outside the parameters of other funding policies.

3. **Roles & Responsibilities**

3.1. Municipal Council will be responsible to:

- a) review, amend and adopt the Capital Improvement and Development policy;
- b) support the Chief Administrative Officer (CAO) and staff, in implementation of the policy; and
- c) review and maintain the Special Purpose Fund through annual contributions in amounts to be determined by Council.

3.2. The CAO will be responsible to:

- a) implement the Capital Improvement and Development policy;
- b) work with Municipal Council to review and award third-party requests for municipal funding for physical infrastructure projects.

- 3.3. The Department Heads will be responsible to:
- a) provide important information and advice to the CAO and Council regarding the review of submissions.

Policy

4. Policy Statement

This policy is established in accordance with section 65 of the Municipal Government Act (MGA), granting Council authority to allocate funds for physical infrastructure within the Municipality. Council affirms its support for the development of physical infrastructure to enhance the well-being of inhabitants and communities and recognizes the importance of evaluating reasonable infrastructure projects for municipal funding support in a thorough and consistent manner.

5. Policy Principles

The following principles will guide the process by which requests for Municipal funding for physical infrastructure projects as defined in this policy will be evaluated.

5.1. Infrastructure Projects

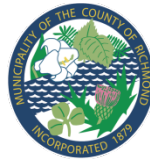
- a) For the purposes of this policy, "infrastructure project(s)": means the construction, installation, or expansion of physical infrastructure within the Municipality and comprising components of a water or sewer system, three phase power system, streets, sidewalks, gutters;
- b) but does not include the repair of existing physical infrastructure nor the construction, erection, renovation, or expansion of buildings.

5.2. Eligible Costs

- a) For the purposes of this policy, "eligible costs" shall refer to capital costs expressly identified as eligible costs in the funding contract between the Municipality and the proponent.

5.3. Municipal Funding

- a) Municipal funding from various sources, approved pursuant to this policy, shall not exceed 33% of the total eligible costs of the infrastructure project as determined by Council.



- b) All provincial and federal funding opportunities are explored and exhausted.

5.4. Special Purpose Fund

- a) Council shall establish a fund for use in providing Municipal funding to approved infrastructure projects under this policy.
- b) The fund shall be maintained through annual contributions in amounts to be determined by Council from time to time in consultation with the Chief Financial Officer.

6. Process

A typical submission period for when projects can request funding will be January and February. Projects arising outside of that submission window will be considered on a case-by-case basis and will be automatically added to the next fiscal year's list if supporting it in the current fiscal year isn't possible. The following process shall apply with respect to requests for Municipal funding for infrastructure projects, subject to:

6.1. Initial Presentation

- a) The proponent seeking funding shall present to Council, in writing and, if requested orally, a description of the project including but not limited to the following:
 - i. Objective;
 - ii. geographical location;
 - iii. project background / history and any obstacles physical components;
 - iv. budget and cost projections projected schedule;
 - v. sources of funding (in addition to Municipal funds being sought), both applied for and/or confirmed;
 - vi. participants (including confirmation of good standing of all corporate; participants), and
 - vii. identified benefit to community or inhabitants.

6.2. First Stage Decision

- a) If Council decides the project will not be considered for funding purposes, the proponent shall be advised and his/ her presentation materials returned.

- b) If Council decides the project should be evaluated further for funding purposes, Council shall refer the presentation to Municipal staff, together with such additional or particular issues or questions as may be identified by Council, for investigation.

6.3. Staff Investigation

- a) Municipal staff shall review the project description/ materials and report on, among other things:
 - i. eligibility for funding under this or any other funding policy;
 - ii. whether the project is objectively reasonable and sound;
 - iii. whether there are any problems with the proponent's data;
 - iv. whether any concerns are identified;
 - v. overall cost-benefit analysis insofar as possible;
 - vi. any collateral information relevant to the project and funding request.
- b) In preparing a Report on the project proposal and funding request, staff may request additional information and particulars from the proponent, with such requests and response to be provided in writing.
- c) Before the Report is finalized, it shall be reviewed by the Director of Public Works and Chief Financial Officer and such other department heads as they consider may have relevant input.
- d) The Report may include recommendations to Council.
- e) The CAO will review the Report prior to presenting the same to Council.

6.4. Presentation of Staff Report

- a) The Staff Report will be presented to Council in Committee of the Whole meeting by the CAO.
- b) The presentation of the Staff Report may include in camera discussion with respect to potential contract issues.
- c) Council may refer the Report back to staff with additional direction for further analysis or comment.



6.5. Second Stage Decision

- a) If Council decides not to fund the project, it shall direct the CAO to notify the proponent in writing that funding is denied. This notice may, in the discretion of Council, include reasons for the denial of funding.
- b) If Council determines that additional information is required from the proponent, Council shall direct the CAO to contact the proponent to request such information and arranging a further presentation. In the event of a further presentation, the additional information shall be referred to staff for further investigation and supplemental report.
- c) If Council decides, based on all available information, to consider funding for the project, Council shall direct the CAO to contact the proponent with a written Expression of Interest.

6.6. Expression of Interest

- a) The Expression of Interest shall be made without prejudice and shall set out, including but not limited to, the following:
 - i. the basis for Council's interest, confirming the materials and information provided by the proponent;
 - ii. the necessary pre-conditions for Municipal funding;
 - iii. the funding limits which will apply;
 - iv. the definition of eligible costs for calculation of Municipal funding;
 - v. the documentation required from the proponent including granting Municipal staff access to design and other documents from sub-contractors and consultants;
 - vi. notice that any Municipal funding shall be conditional on the execution between the parties of a written contract and that only eligible and approved costs shall be funded.
- b) The proponent shall be required to return a signed and dated copy of the Expression of Interest, confirming their intention and willingness to enter into a contract with the Municipality for purposes of funding.



6.7. Third Stage Decision – Funding Contract

- a) Where the proponent has signed and returned a copy of the Expression of Interest, the negotiation of the funding contract can take place.
- b) Council shall refer the negotiation and drafting of the terms of the contract to staff, including consultation with the Municipal Solicitors.
- c) Negotiations shall be conducted on a “without prejudice” basis pending conclusion and execution of a complete written agreement.
- d) No one shall make any commitment to any funding on behalf of the Municipality until the agreement has been approved by majority vote of Municipal Council and fully executed in writing as authorized.

Policy Review/Amendment Schedule

Date of Review	Formally Advertised and Amended by Council
March 11, 2024, April 8, 2024, May 27, 2024	



Title: Committees Policy

Approved by Council

Date:

Policy Review Notification

Date:

Policy Review

Date:

I certify this to be a true copy of the **Committees Policy** as adopted by the Municipal Council of Richmond County at a Public Meeting held _____.

Shelley David

Municipal Clerk

1. Purpose

The purpose of this policy is to identify a process for establishing Committees of Council, define requirements for maintaining and supporting their work, coordinate the appointments, and outline the process for requests for appointments to external bodies and local boards not established by Council.

2. Scope

This policy applies to Council and municipal staff who are involved in the review, creation, amendment, and dissolving process of all committees of the council and any board, committee, commission, or corporation of the municipality, including appointments to external bodies and local boards not established by Council. It excludes internal working groups of an administrative nature.

3. Definitions

In this Policy:

- a) **“ABCCs”** means Agencies, Boards, Commissions and Committees. This acronym may also be used throughout this document to interchangeably mean boards of municipally owned corporations, ABCCs established by bylaw,

advisory committees, task forces, working groups and other bodies. At times, a distinction is made to note Council-established ABCCs, i.e. those created by Council, to differentiate them from those to which are not under the Municipality's control.

- b) **“CAO”** means the Chief Administrative Officer for the Municipality.
- c) **“Clerk”** means the Municipal Clerk for the Municipality.
- d) **“MGA”** means the Municipal Government Act (Nova Scotia).
- e) **“MOCR”** means the Municipality of the County of Richmond.
- f) **“Municipality”** means Municipality of the County of Richmond.
- g) **“Terms of Reference (TOR)”** means a document that provides guidelines and clear direction to appointed members to help manage expectations and to provide accountability for the activities of an **ABCC**.

4. Roles and Responsibilities

4.1. Municipal Council will be responsible to:

- a) review, amend and adopt the Committees policy;
- b) review all internal and external ABCCs at the beginning of a new term of Council and when necessary, throughout the term of Council.

4.2. The CAO will be responsible to:

- a) implement the Committees policy, and
- b) work with Municipal Council to review all ABCCs.

4.3. Municipal staff will be responsible to:

- a) follow the policy statements within this document.

5. Policy Statement

This policy is made pursuant to section 24 of the Municipal Government Act (MGA), which empowers Council to establish committees, and Section 23(1)(c) of the MGA, which empowers Council to make policies providing for committees and conferring powers and duties upon them.

6. Agencies, Boards, Commissions, Committees

6.1. Agencies, Boards, Commissions, Committees (ABCCs):

- a) **Standing**, a committee of indefinite duration established by Council which may include council members and citizens appointed by Council.
- b) **Statutory**, a board, commission, or committee established by Council pursuant to a specific enabling statute or agreement and may be of indefinite duration may include council members and citizens appointed by Council.
- c) **Advisory**, a committee with citizens and member of council appointees. These committees offer recommendations and insights to Council, helping shape policies, projects, and decisions that impact the Municipality.
- d) **Ad-hoc / Special Project**, a short-term committee established by Council to inquire into or deal with a specific issue which may include council members and citizens appointed by Council.
- e) **Inter-Agency**, an external committee comprised of representatives appointed by multiple agencies which may include multiple municipalities (and other departments/agencies) and have Terms of Reference agreed upon by all parties, including an endorsement by the Municipality(ies).
- f) **Inter-Municipal**, an external committee with other municipal partners via request or through Intermunicipal Service Agreements which would include members of Council appointed by their respective municipalities.
- g) **External Community**, an external organization, or group that was created and is managed by an entity that is not the Municipality. Requests for Council appointments are reviewed and considered, see procedure, section 9.
- h) **Citizen Advisory and Community Committees**, as per Sections 26 and 27 of the MGA, Council may establish, by policy, citizen advisory and community committees which shall advise Council, as directed by Council.

7. Review

- 7.1. At the beginning of a new term of Council, Council shall review all ABCCs (Appendix A) and, by resolution, approve the list of ABCCs and available appointments of members of Council, staff, and citizens. The CAO and Clerk will assist Council by providing any information available such as current membership and, through Terms of Reference (template in Appendix B), mandates, goals, and objectives of each ABCC, and may recommend future priorities and direction in keeping with any policies of the municipality. At the end of the first half of a term of Council, committee membership will be reviewed and new Council member appointments may be made.
- 7.2. For ABCCs under Council direction, Council may create, amend an existing or dissolve ABCCs by resolution at the time of review or as necessary throughout the term of office where permitted by legislation.
- 7.3. All approved ABCCs will be listed in the MOCR Committee Matrix, Appendix A.
- 7.4. Council may appoint persons who are not members of Council to ABCCs.
- 7.5. Except for ABCCs established by policy [Section (6)(h)], all ABCC appointments shall be made by Council resolution, membership shall be in accordance with terms of reference, by-laws, statutes, or other written agreement.

8. Creation, Amendment or Dissolve

8.1. Creation

The creation of a new ABCC requires the approval of the Council and may be initiated by several factors. These factors include the Municipality strategic plan, significant public issues or trends where public input is deemed desirable, legislated requirements (Federal/Provincial/Municipal By-Law), and staff requests. The following shall guide in the process:

- a) On Council's direction, the appropriate department shall prepare a staff report which shall include the following:

- i. Public and financial considerations;
 - ii. Impact on other departments and users;
 - iii. Consideration of the Municipality Strategic Plan and departmental goals and objectives;
 - iv. Proposed Terms of Reference using the Council approved template (Appendix B)
 - v. Recommended appointment of appropriate Council and staff resources taking into consideration human resource constraints.
- b) After approval, the Clerk on behalf of Council will facilitate the appointment process, in accordance with this policy, based on the Terms of Reference and place the ABCC on the Committee Matrix list, Appendix A.
- c) The establishment of a corporate board for an entity wholly owned by the municipality requires an instrument of incorporation and the creation of by-laws. Both the instrument of incorporation and the by-laws require a council resolution, review by the solicitor, and submission to Nova Scotia Municipal Affairs for ministerial approval.

8.2. Amendment

- a) Changes to Terms of Reference that amend an ABCCs function, member structure, or mandate require council approval and may be initiated by several factors:
- i. Council's review of all ABCCs.
 - ii. A recommendation and report by the ABCC.
 - iii. A recommendation and report by Staff.
 - iv. Changes to legislation
- b) A staff report addressing the proposed changes will be prepared by the relevant department and presented to Council. The report will be analytical in nature and include such items as, but not limited to:
- i. Indication of which factor led to the proposed amendment.
 - ii. Supporting information, including cause/effect analysis, cost analysis, and required resources.
 - iii. Impact on Terms of Reference

- c) For municipal corporations, a list of amendments to by-laws. These will require approval of the corporation board and council by resolution; the amendments are to be filed with the Province.

8.3. Dissolve

- a) All ABCCs created by Council will formally be dissolved by Council resolution. The reasoning may be initiated by one of the following:
 - i. Completion of task or mandate
 - ii. Resolution of issues
 - iii. Legislative requirement no longer exists
 - iv. Merger with another committee
 - v. Recommendation of a Council review process
 - vi. Recommendation by Committee by resolution
 - vii. Recommendation by Staff in Staff Report
- b) A report prepared by support staff, addressing the request to dissolve an ABCC, will be presented to Council. The report will include a summary of the reasons supported by background information.
- c) After a committee is dissolved, the office of the CAO will:
 - i. inform staff members;
 - ii. Remove the ABCC from the Committee Matrix list; and
 - iii. Send thank-you letters, on behalf of Council, to committee members.
- d) Dissolving a board of a Municipally owned corporation requires guidance from the Municipal solicitor.

9. Request for Council Appointment from External Community Board or Committee

- 9.1.** Council supports the efforts of community-based organizations within the Municipality and acknowledges the exemplary service they provide to the community.
 - a) Requests for council appointed members should be made in writing, addressed to the Warden and Council and include the terms of reference and or by-laws.

- b) Council may approve appointments to serve on external community boards and committees only where all of the following criteria are met:
- i. The board or committee has a particular goal or objective that aligns with the Municipality's role in the community (Strategic Plan & Council priorities);
 - ii. are community wide in scope;
 - iii. affect or may affect a municipal interest;
 - iv. are community organizations with a mandate to provide an alternative service delivery in respect of municipal property on behalf of the Municipality, and to which the Municipality is the primary funder;
 - v. Meets on a regular basis;
 - vi. Has an approved terms of reference or similar governing documents; and
 - vii. Provides proof of insurance to the satisfaction of the Municipality.
- c) In considering a request, Council shall consider the commitment in terms of time and duties, and whether the member of Council or staff member can reasonably take that time and perform those duties in conjunction with their regular municipal duties, and if a citizen appointment would be best suited [see Section 10 (2)].
- d) Where all of the criteria listed in Section 9.1 (b) are not met, or human resource considerations outlined in Section 9.1 (c) are constrained, the Municipality shall not appoint a member of Council, staff or a citizen appointment to the community ABCC.
- e) Approved community ABCC will be listed on the Committee Matrix followed by the appointment process.



10. Appointments

Appointments to ABCCs are as follows.

10.1. Members of Council Appointments

- a) Members of Council are not entitled to additional remuneration by the Municipality for serving on ABCCs established by Council, however, they may be reimbursed for expenses incurred as committee members. Procedure and claim forms can be found in the MOCR Travel and Expense Policy.
- b) Any member of Council not appointed to a committee may attend committee meetings as an observer, and at the discretion of the chair may participate in the discussion, but is not entitled to vote.
- c) The Warden is an ex-officio member of all ABCCs, as per **MOCR** Council Procedural Policy.

10.2. Citizen Appointments

- a) A person must meet all the following requirements to be eligible to apply for an appointment by Council to ABCCs:
 - i. Have the best interests of the ABCC and the municipality at heart and be prepared to actively contribute to the ABCC's goals,
 - ii. Be at least 18 years of age (exceptions may be made by Council for committees specifically related to youth or requiring a youth member);
 - iii. Be a resident of the Municipality for at least the last six (6) months before making an application and must continue to be a resident of the Municipality throughout the term of the appointment;
 - iv. If/where required by law for a specific appointment, the resident must also be a Canadian citizen; and
 - v. Each ABCC may require additional qualifications for an appointment.
- b) Citizen appointments are entitled to an honorarium, as per Section 24 (6) (a) of the MGA, the amount determined by Council is \$75 per meeting, paid quarterly based on attendance.

- c) Expenses incurred as committee members may be reimbursed. The procedure and claim forms can be found in the MOCR Travel and Expense Policy.

10.3. Staff Member Appointment

- a) Municipal staff person(s) holding the position(s) specified in the Terms of Reference on a permanent or acting basis will be considered members of the ABCC; if the specified staff person is unavailable to attend a meeting the CAO may send a designate.
- b) Municipal Staff are always non-voting members and they do not count towards quorum.
- c) Pursuant to section 31 (2) (a) of the MGA, the CAO is a non-voting member of all meetings of the council and any board, committee, commission, or corporation of the municipality. The CAO is empowered to make observations and suggestions on any subject under discussion but is not obligated to attend meetings and is not counted in determining if a quorum is present.

10.4. Municipal Liaison

- a) Members of Council or Municipal Staff may be designated as a liaison for independent external community groups which are deemed to be of strategic importance to the business of Council for the purposes of maintaining consistent connection/communication.

10.5. Provincial Appointments

- a) Provincial appointments are conducted through an application process facilitated by the province. Specific deadlines for applications are announced in the spring and fall of each year. Applicants can apply directly on the province's website at https://novascotia.ca/exec_council/abc/.

11. Terms of Appointment

- 11.1. Council appointments shall be from the beginning of their term for up to two years, and renewable for an additional two years following a review of ABCCs by Council.

- 11.2. Citizen appointments to committees shall be for four years with the first year beginning one year after the municipal election cycle to ensure continuity for the ABCCs.
- a) Unless the ABCC policies/bylaws state otherwise, such members may serve no more than eight consecutive years (two terms) but are eligible for reappointment after an absence of at least one year.
 - b) If Council determines a member of a committee has expertise relating to the work of the committee for which the Municipality would otherwise be required to pay, there may be no set limit to the number of consecutive terms that person may be appointed to the committee.
 - c) Council reserves the right to reappoint a citizen appointee who has completed their second term of office in the event the Municipality has not received any suitable applications for the vacancy.
- 11.3. Statutory ABCC appointments shall be as provided in the applicable enabling statute, agreement or bylaws. Where the enabling statute, agreement or bylaws do not provide for the term of appointment, the provisions of this Policy will apply.
- 11.4. Ad Hoc / Special ABCCs appointments are concurrent with the time frame provided to complete its work, after which the members' terms expire unless extended by Council resolution.
- 11.5. Inter-Agency and Inter-Municipal appointment(s) shall be subject to this policy unless determined within their own policy/bylaw guidelines.
- 11.6. Approved External Community ABCCs appointments shall be subject to this policy unless determined within their own policy/bylaw guidelines.
- 11.7. Citizen Advisory and Community Committees appointments shall be subject to this policy or determined within their own policy guidelines, as per section 26 and 27 of the MGA.

12. Appointment Process and Advertising

- 12.1.** After Council review of ABCCs, or upon early vacancy of an appointment by a citizen, Council shall identify:

- a) Citizen vacancies (current and upcoming);
- b) Any skills, assets and/or qualifications for the particular appointment; and
- c) The deadline to submit applications for the appointment.

12.2. The appointment shall be advertised as per the Strategic Communications Plan. The advertisement must contain the following information:

- a) mandate/role and responsibilities of the ABCC;
- b) the skills, assets and/or qualifications for the appointment as set out in the resolution of Council pursuant to Section 11.
- c) the deadline for submitting applications; and
- d) how to submit the application.

12.3. Once the applications have been received by staff, the applications will be presented to Council. Council will meet in camera (personnel), to review and consider applicant(s) for ABCC membership. In considering citizen appointments, Council will take into account a variety of factors including:

- a) Lived and professional experience and background of the applicants in a field related to the work of the committee;
- a) Applicants' education in a field related to the work of the committee;
- a) Experience of the applicants in serving on committees and boards;
- a) Ensuring that committee membership is inclusive and diverse and representative of the community;
- a) Recommendations made by the applicable committee, if applicable.

12.4. Following a resolution of Council confirming the appointment, the Office of the Chief Administrative Officer will:

- a) Provide the Appointee with a letter that includes:
 - i. a copy of the resolution of Council appointing the Appointee;
 - ii. the date of the appointment;
 - iii. related documents;
 - iv. a date for an orientation session;
 - v. confirmation that the Appointee shall hold the appointment at the pleasure of Council; and
 - vi. a request that the Appointee confirm acceptance of the appointment.

- a) Upon confirmation of acceptance of the appointment by the Appointee, the Office of the Chief Administrative Officer must:
 - i. make a record of the appointment, including the resolution of Council where the appointment was made;
 - ii. update the website as per the Strategic Communications Plan, and
 - iii. notify the Chairperson of the ABCC of the appointment and provide the Appointee's contact information.

12.5. Provincial appointments are conducted through an application process facilitated by the province. The office of the CAO will share the advertisement to promote the opportunity to encourage applicants as needed. Once the appointment is confirmed, the office of the CAO will provide Council with an update.

13. Vacancy/Resignation/Dismissal

13.1. Members wishing to resign their appointment shall submit a letter of resignation to be forwarded as soon as possible to the ABCC Chair.

13.2. The Chair will inform the ABCC of any vacancies due to resignation, severe illness or death.

13.3. A motion from the ABCC is required to recommend to Council to initiate the appointment process to fill the vacancy.

13.4. The office of the CAO will initiate the appointment process to fill the vacancy as per Section 12. Appointments will only be made for the remainder of the term.

13.5. Any member who is absent from three consecutive committee meetings without leave of absence by resolution from the ABCC will cease to be a member of the ABCC, and the CAO shall advise Council of the vacancy.

13.6. At the request of the ABCC or on its own initiative, Council may remove or request the resignation of any of its member appointees, whether a citizen member or Council member, for malfeasance or any other good and sufficient cause.

14. Municipal Staff Support

14.1. Municipal staff will coordinate and or conduct orientation sessions for ABCC appointees including returning appointees at the beginning of each Council term.

- a) Further sessions may be conducted for appointees during the Council term, as required. Orientation packages will be distributed to all members for reference purposes.
- a) Each package will include, but not be limited to, the following information:
 - i. Establishing Statute/Policy/By-Law/Terms of Reference
 - ii. MOCR Committees Policy
 - iii. MOCR Council Procedural Policy
 - iv. Any related approved plans/studies
 - v. Member and Council Contact Information

14.2. Departments may provide research support and professional advice to ABCCs as directed by the CAO. As necessary, the Office of the CAO will communicate and engage with other levels of government to ensure legislative compliance.

14.3. The Municipal Clerk or designate will be present to take minutes at all ABCCs. The Municipal Clerk or designate is not a member of the ABCC and therefore is not entitled to vote. The responsibilities of the Municipal Clerk or designate will include, but not be limited to, the following:

- a) Supporting the Chair in developing agendas, arranging meetings, and promoting effective committee functioning,
- b) Ensuring the preparation of draft minutes,
- c) Preparing presentations for the committee that may also be shared with the general public,
- d) Providing an orientation to the work of the committee when required,
- e) Any other projects or tasks approved by the CAO.

14.4. The Municipality will maintain all official records pertaining to Council-established ABCCs in accordance with the MOCR Records Management Policy.

15. Terms of Reference

15.1. Council-established ABCCs shall have a Terms of Reference (TOR), approved by Council and be in the same format as the MOCR TOR Template, Appendix B.

15.2. ABCCs not established by Council will provide a copy of their TOR or other establishing documents to the Office of the CAO.

16. Meeting Procedure, Agenda and Minute Formats

Meeting procedure, agenda, and minute formats for Council-established ABCCs shall adhere to the same guidelines outlined in the MOCR Council Procedural Policy. In cases where TOR/policies/by-laws, including the corporate by-laws of an ABCC, do not specify, this policy and the MOCR Council Procedural Policy shall apply.

17. Authority

17.1. ABCCs do not have the authority to communicate with other levels of government on behalf of MOCR. ABCCs not established by Council may do so on behalf of their respective organization.

17.2. ABCCs do not have the authority to pledge the credit of the Municipality or authorize expenditures to be charged against the Municipality unless approved by Council by resolution.

17.3. ABCCs shall not utilize external services or otherwise commit the MOCR to money expenditures except by requesting funds from Council.



18. Reporting and Communicating

18.1. At least quarterly, ABCC progress reports shall be presented to Council at Committee of the Whole meetings by a designated ABCC member (member of Council, staff and/or citizen appointee). **The timing of the quarterly reports will be influenced as appropriate by the meeting frequency/activity of the ABCC.**

18.2. Actions recommended by ABCCs requiring Council approval shall be communicated to Council by a designated ABCC member (member of Council, staff and/or citizen appointee) at the Regular Council (or Special) meeting immediately following the ABCC meeting where the recommendations were made.

18.3. In the event an ABCC fails to provide a report or recommendation to Council within any deadline set by Council, Council may proceed with a decision regarding a matter within the ABCC's mandate, without awaiting the ABCC report or recommendation.

18.4. Approved Council-established ABCC meeting agendas, minutes and other relevant documentation will be collected/disseminated according to the Strategic Communications Plan Policy.

Related Documents

[Municipal Government Act](#)

[Municipal Housing Corporation Act](#)

[Municipal Conflict of Interest Act](#)

MOCR Council Procedural Policy

Code of Conduct for Elected Municipal Officials

Policy on Confidentiality and Non-Disclosure

MOCR Strategic Plan

Strategic Communications Plan

Robert's Rules of Order

Appendix

Appendix A – MOCR Committee Matrix

Appendix B – MOCR Terms of Reference Template



Policy Review/Amendment Schedule

Date of Review	Formally advertised and amended by Council
March 11, 2024, April 8, 2024, May 27, 2024	

DRAFT



Title **Low Income Tax Exemption Program Policy**

Approved by Council

Date:

Policy Review Notification

Date:

Policy Review

Date:

I certify this to be a true copy of the **Low Income Tax Exemption Program Policy** as adopted by the Municipal Council of Richmond County at a Public Meeting held

_____.

Shelley David
Municipal Clerk

1. Purpose

The purpose of the policy is to provide Council, municipal staff and the public with a framework by which low-income household exemptions will be applied for, reviewed and awarded.

2. Scope

This policy shall apply to all Municipal Staff involved in the processing of applications for the Low Income Tax Exemption Program. The exemption applies to residential property taxes only and does not include any other rates or charges.

3. Roles & Responsibilities

3.1 Municipal Council will be responsible to:

- a) review, amend and adopt the Low Income Tax Exemption Program policy; and
- b) maintain the allocation of funds for the Low Income Tax Exemption Program through annual contributions in amounts to be determined by Council;
- c) support the Chief Administrative Officer (CAO) and staff, in implementation of policy.



- 3.2** The CAO will be responsible to:
- a) implement the Low Income Tax Exemption Program policy; and
 - b) provide oversight to ensure policy.
- 3.3** The Department of Finance will be responsible to:
- a) ensure policy content is relevant and accurate, providing CAO and Council with updates as necessary; and
 - b) be able to interpret and explain policy content; and
 - c) process applications in a timely manner.

Policy

4. Policy Statement

- 4.1** Council will provide a general tax exemption amount in accordance with section 69 of the Municipal Government Act (MGA).
- 4.2** This exemption applies to taxpayers in the Municipality whose household taxable income does not exceed the limits set by Council (See Table A, Appendix B). Household taxable income is defined as the total taxable income of all individuals living in the home who are 18 years or older but does not include an allowance paid pursuant to the War Veterans Allowance Act (Canada) or pension paid pursuant to the Pension Act (Canada) as per section 69 (1) of the MGA.
- 4.3** Taxable income is reported on Line 26000 of the Canada Revenue Agency (CRA) Notice of Assessment (received after annual income taxes have been filed).

5. Guidelines

- 5.1** Eligible low-income property owners can apply for a low-income tax exemption by completing the Low Income Tax Exemption Application form, Appendix A. Along with this form, applicants must submit proof of household taxable income. This proof can be provided in the form of either the CRA Notice of Assessment or the CRA Proof of Income



Statement. It's important to note that the names of CRA forms may change periodically. Additionally, proof of income must be provided for all individuals aged 18 or older residing in the home.

- 5.2 Information collected is utilized for the intended purpose and is safeguarded in accordance with the Freedom of Information and Protection of Privacy Act and the Municipal Government Act.
- 5.3 Qualified applicants will receive a credit applied directly to their tax account of up to \$ enter amount here .
- 5.4 Notwithstanding any other provision of this policy, no exemption shall exceed 50% of the taxes payable on any property. (Inverness)
- 5.5 The deadline for submissions is enter date here.
- 5.6 An application form must be completed and processed for each year and applications will not be applied retroactively for prior years.

6. Eligibility Criteria

- 6.1 To be eligible, applicants must meet the following criteria:
 - a) Be a permanent resident of the Municipality of the County of Richmond and hold legal title to the property.
 - b) The property must serve as their primary residence.
 - c) The property must be assessed in the applicant's name.
 - d) There should be no arrears balance on the applicant's tax account.
 - e) The household taxable income must not exceed the total household limits, see Table A, Appendix B.

7. Program Conditions

- 7.1 Properties indebted to the Municipality for outstanding liens as a result of a tax sale, proceedings, or remedies for dangerous and unsightly premises on the property are not eligible.
- 7.2 Properties that are a seasonal residence, vacation property, or income property are not eligible.
- 7.3 Residents who are eligible to receive rebate from other governing bodies will not be eligible for this exemption. (Inverness)



8. Application Process

- 8.1 Applicants will use the Low Income Tax Exemption Application form, Appendix A.
- 8.2 Completed applications can be sent by mail, email, fax, or submitted in person at the Municipal Administration Building.
- 8.3 All applications received by the deadline will be reviewed, approved if conditions are met, and applied as tax credits to the applicable property tax account. Every effort is made to process approved applications prior to issuance of the final tax bill.
- 8.4 Applicants will receive notice within 4-6 weeks.

Appendix

- Appendix A – Low Income Tax Exemption Application Form
- Appendix B - Table A – Household Taxable Income Levels

This policy will be reviewed annually.

Date of review	Approved/Amended by Council