

MUNICIPALITY OF THE COUNTY OF
ANTIGONISH

COMMITTEE OF THE WHOLE AGENDA

Tuesday, March 7th, 2017 @ 5:30 pm

Municipal Administration Centre

- 1) Call to Order – Chairman, Warden Russell Boucher
- 2) Approval of Agenda
- 3) Approval of February 21, 2017 Committee of the Whole Minutes
- 4) Business Arising from the Minutes
- 5) Antigonish Farmers Market Presentation
- 6) Update on Canada 150 Celebrations
- 7) Further Consideration of Capital Improvements
- 8) Staff Reports
- 9) In-Camera: Acquisition, sale, lease and security of municipal property (County Court House)
- 10) In-Camera: Acquisition, sale, lease and security of municipal property (Exhibition Grounds)
- 11) In-Camera: Contract Negotiations (Cellular Service)
- 12) Adjournment

TO: COMMITTEE MEMBERS
FROM: STAFF
SUBJECT: ***COMMITTEE OF THE WHOLE MEMO***
DATE: MARCH 7TH, 2017

ANTIGONISH FARMERS MARKET PRESENTATION (*For Information*)

Representatives from the Antigonish Farmer's Market will provide the Committee with an overview of preliminary plans for a new building to house the Market at the Antigonish Exhibition Grounds. A front elevation drawing and site plan have been included for your reference in this package, with additional plans to be provided at the meeting.

UPDATE ON CANADA 150 CELEBRATIONS (*For Information*)

For the past 20 years, the Municipality of the County of Antigonish has planned and hosted Canada Day celebrations for the residents. For the upcoming 150th Canada Day celebrations, the Municipality is looking to provide a much larger experience for community members. The celebration will represent the culture and heritage of our community, and will showcase the musical and creative talents of the community with a strong focus on our youth and diverse communities. The Municipality also plans to provide several interactive artistic experiences for families, youth and community members to learn and enjoy various mixed media presentations from cultural representatives throughout the County.

In order to implement this larger event, the Recreation Department has expanded the size of its Canada Day committee, which is composed of Municipal staff as well as various community organization partners. Committee members are working with Antigonish Culture Alive to help bring forth a strong representation of cultures within our community, and are working with the Antigonish Art Fair to help bring some new local talent to the entertainment stage.

Another potential component of the Municipality's Canada Day Celebrations is the concept of providing a Canada 150 legacy piece to the community: a Multi-Purpose Outdoor Space. Additional information had been gathered about this concept since it was last discussed by Council and will be presented at the March 7th Committee of the Whole meeting by the Director of Recreation.

FURTHER CONSIDERATION OF CAPITAL IMPROVEMENTS (*For Decision*)

Draft letters to the property owners on Somers Rd and Hwy 245, North Grant, are included in this package for your reference. These letters are the means by which the Municipality will be soliciting support for the proposed water main extensions in those areas. Staff will also provide further information to address the Committee's questions raised at the last meeting, and provide an updated summary of best practices from other rural municipalities.

STAFF REPORTS (*For Information*)

Work Planning – First drafts of Departmental Work Plans have been provided to the Clerk's office by each Department Head. Final drafts are due in the coming weeks. Work plans will be provide to Municipal Council once complete and will inform the operating budget as it is prepared for Council's consideration.

Tax Sale – The Municipality's 2017 Tax Sale was held on Wednesday, February 22. Below are some figures Council may be interested in:

- 209 – "14 Day Notices" were mailed on September 09, 2016 (approximate value of \$355,000)
- By February 27, 2017, full payment was received on 91 accounts;

- 4 properties were sold at Tax Sale (\$33,078.75 surplus collected);
- Partial payment (with ongoing payments) received from 80 accounts;
- No payment received from 35 accounts:
 - 4 are accounts in bankruptcy;
 - 8 accounts considered unsellable due to title issues or location investigations by PVSC;
 - Several letters (approx. 8-10) returned due to “incorrect address” or “moved”.
- A total of \$211,442.93 was collected through the tax sale process as of February 27, 2017.

Overall, the sale and process are considered a great success and contribute significantly to the Municipality’s very high rate of collections. Special thanks and recognition is due to Vera Rhynold, who coordinates our Tax Sales.

Town Water Rate Application – Municipal Staff have submitted approximately a dozen questions for clarification to the Town concerning its water rate application. A number were addressed through formal information requests (IRs) made by the Utility and Review Board. Staff is expecting responses to the remaining questions in the next week.

In response to a question raised by the Committee at a previous meeting, staff reviewed all municipal applications for adjustments to water rates in the province for the past five years. In all instances where outside consultants were hired to represent a municipality, Mr. Isenor & Mr. Rooney were the consultants. In the few instances where a municipality intervened in another municipality’s rate application, its own staff represented the municipality (ex: Town of Antigonish & West Hants).

ACQUISITION, SALE, LEASE AND SECURITY OF MUNICIPAL PROPERTY – COUNTY COURT HOUSE (In-Camera)

This subject matter falls within Section 22(2) of the Municipal Government Act as a matter that a committee may discuss in a closed session. It is recommended a motion be made to initiate an in-camera session. Materials will follow.

ACQUISITION, SALE, LEASE AND SECURITY OF MUNICIPAL PROPERTY – EXHIBITION GROUNDS (In-Camera)

This subject matter falls within Section 22(2) of the Municipal Government Act as a matter that a committee may discuss in a closed session. It is recommended a motion be made to initiate an in-camera session. Materials will follow.

CONTRACT NEGOTIATIONS – CELLULAR SERVICE (In-Camera)

This subject matter falls within Section 22(2) of the Municipal Government Act as a matter that a committee may discuss in a closed session. It is recommended a motion be made to initiate an in-camera session. Materials will follow.

MUNICIPALITY OF THE COUNTY OF
ANTIGONISH

COMMITTEE OF THE WHOLE MEETING MINUTES

A Committee of the Whole Meeting was held Tuesday, February 21st, 2017 at 5:30pm in the Council Chambers of the Municipal Administrative Centre, 285 Beech Hill Road, Antigonish NS.

Present were: Warden Russell Boucher, Chair
 Deputy Warden Owen McCarron
 Councillor Mary MacLellan
 Councillor Donnie MacDonald
 Councillor Vaughan Chisholm
 Councillor Rémi Deveau
 Councillor John Dunbar
 Councillor Gary Mattie
 Councillor Bill MacFarlane
 Glenn Horne, Municipal Clerk/Treasurer
 Beth Schumacher, Deputy Municipal Clerk
 Allison Duggan, Director of Finance

Regrets: Councillor Hughie Stewart

Gallery: Lucille Harper, Antigonish Women's Resource Centre
 Susan Ross, Antigonish Women's Resource Centre
 Sarah O'Toole, Antigonish Women's Resource Centre

The meeting of the Committee of the Whole was called to order by the Chair, Warden Boucher, at 5:33pm.

APPROVAL OF AGENDA

Moved by Councillor MacDonald and seconded by Deputy Warden McCarron that the agenda be approved. Motion carried.

APPROVAL OF MINUTES

Moved by Councillor MacLellan and seconded by Councillor Deveau that the Committee of the Whole minutes of February 2, 2017 be approved as presented. Motion carried.

APPROVAL OF MINUTES

Moved by Deputy Warden McCarron and seconded by Councillor Chisholm that the Committee of the Whole minutes of February 7, 2017 be approved as presented. Motion carried.

BUSINESS ARISING FROM THE MINUTES

There was no business arising from the minutes.

ANTIGONISH WOMEN'S RESOURCE CENTRE PRESENTATION

Ms. O'Toole provided the members of the Committee with a brief overview of the scope of the Centre's work, providing a handout with a summary of highlights, projects and initiatives that have come out of the Centre. The Women's Resource Centre has been in operation for 35 years, and is a registered

charity operating using a rural hub model. The Centre will be applying for grant funding for two specific programs that they offer: Healthy Relationships for Youth, and Inspire. Questions that followed included queries regarding the nature of the services provided, as well as volumes and types of community members that utilize the resources available through the Centre. There were also questions asked about the nature of the school-focused programming, including the measurable outcomes of those programs. The representatives of the Antigonish Resource Centre were thanked for their presentation by the members of the Committee.

FURTHER CONSIDERATION OF CAPITAL IMPROVEMENTS PLAN

Mrs. Duggan provided the Committee with follow-up figures and options as per the discussion and direction provided at the February 2nd Committee of the Whole meeting. Questions followed with respect to the options for term lengths, UARB involvement, and which of the proposals would be the Committee's preferred course of action. There was also some discussion about the impact of imposing an interest rate on capital improvements charges, and what that might mean for any proposed term lengths. Staff will return with additional information for the Committee's consideration.

SPECIAL DISTRICT GRANT BALANCES

In accordance with the requirements of Policy 34 (Council Special District Grant Policy), an update on the balances and distribution of the Council Special District Grants is being provided for the Committee's information for the second time during this fiscal year. A question was asked regarding roll-over restrictions; Mr. Horne noted that this had been placed in the policy during its last review, can be reviewed.

PRE-APPROVAL TO PURCHASE A GARBAGE TRUCK

Mr. Horne noted that Public Works is looking to begin the process to replace the oldest garbage truck in its fleet, and will come back to Council following thorough product/brand research and a tendering process with a recommendation. Members of the Committee strongly encouraged staff to look into options for the use of smaller trucks and/or trailers, to reduce wear larger trucks and roads.

CAPE GEORGE LIGHTHOUSE POLICY 35 REQUEST

Councillor MacLellan provided the group with a brief background of the efforts made by the North Shore Development Association to purchase, designate, and preserve the Cape George Lighthouse following the Federal Government's declaration of the lighthouse being surplus. Now that the property is in private ownership, it has been assessed as taxable resource, despite it generating no income. The North Shore Development Association has requested that the property be added to the list of properties provided with a tax exemption, under Policy 35.

Moved by Councillor MacLellan and seconded by Councillor MacDonald that the Committee recommends that Municipal Council approve the addition of the Cape George Lighthouse (AAN 03377865) to the list of properties provided with tax exemption under Policy 35 (Tax Exemption for Non-Profit Organizations). Motion carried.

CHEDABUCTO LIFESTYLE COMPLEX

Mr. Horne reviewed a letter received from the Municipality of the District of Guysborough requesting Council's consideration of making a contribution to the proposed Chedabucto Lifestyle Complex in Guysborough. Following some discussion, the Committee decided to defer consideration of this request to the regular budget process.

STAFF REPORTS

Mr. Horne noted that Mrs. Duggan would be participating in a presentation as part of the Deputy's Briefing on Municipal Finance on February 23rd in Halifax.

PERSONNEL MATTERS (IN-CAMERA)

This subject matter falls within Section 22(2) of the Municipal Government Act as a matter that a committee may discuss in a closed session. It is recommended a motion be made to initiate an in-camera session.

Moved by Councillor MacLellan and seconded by Deputy Warden McCarron that the Committee of the Whole Meeting be adjourned to an In-Camera Session to discuss personnel matters at 6:48pm. Motion carried.

Moved by Councillor MacDonald and seconded by Councillor Deveau that the Committee recommend that Municipal Council offer Shane Benoit the position of Collection Vehicle Operator. Motion carried.

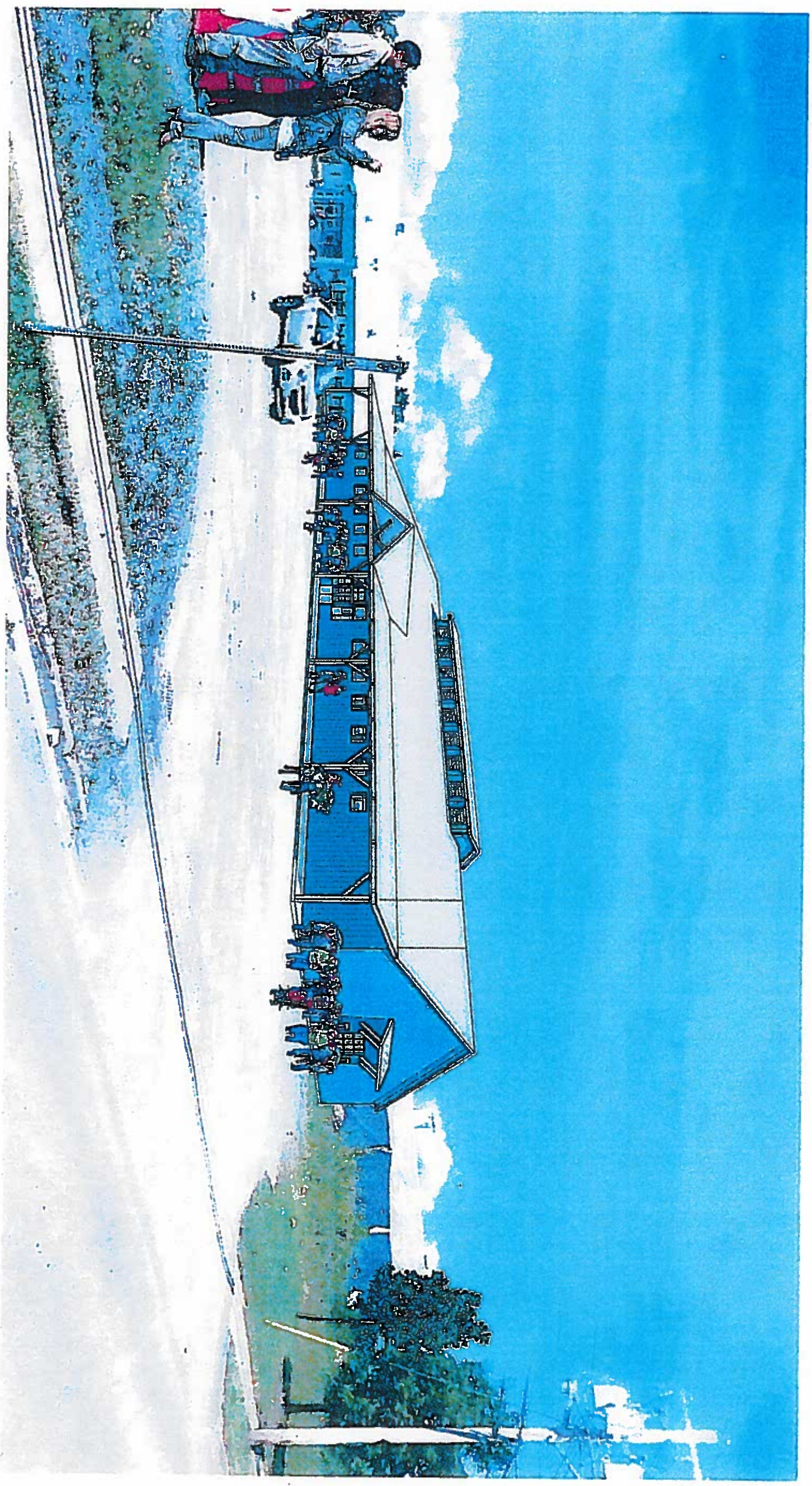
Moved by Deputy Warden McCarron and seconded by Councillor Deveau that the In-Camera session be adjourned at 6:54pm. Motion carried.

ADJOURNMENT

Moved by Councillor Chisholm and seconded by Councillor Dunbar that the Committee of the Whole meeting be adjourned at 6:55pm. Motion carried.

Warden Russell Boucher

Glenn Horne, Municipal Clerk/Treasurer



archibald & fraser
architects ltd.



P.O. BOX 1358 • ANTIGONISH LANDING, N.S. • B2G 2L7 • 853-0956 • FAX 853-0970

ANTIGONISH FARMERS' MARKET

Dec. 16.16

CE
14
18
98

PID.01220979
LANDS OF
ITCHIA HOUSING COOP LTD
Book 183 Page 427

PID.01221837
LANDS OF
DINO ENTERPRISES LTD
Book 107 Page 834

LOT 1B
PID.01221845
LANDS OF
ASSET MANAGEMENT LIMITED
Book 270 Page 190

LOT 2A
PID.01264647
LANDS OF
MUNICIPALITY OF THE COUNTY
OF ANTIGONISH &
TOWN OF ANTIGONISH
Book 264 Page 341
AREA=11850.4 Sq. M.
(2.93 Acres)

FAIRVIEW STREET

JAMES STREET

ANTIGONISH
FARMERS'
MARKET
ANTIGONISH NS

SITE PLAN

SCALE 1" = 40'-0"	DATE DEC 10/6
DESIGN CLC	REVISED
REVL	

archibald & ross
architects ltd
P.O. BOX 300, ANTIGONISH, NS B0N 0T0

NOTE:
SITE DIMENSIONS NOTED ARE GIVEN IN
FEET/IN

1	DESIGN FOR REVIEW	DATE DEC 10/6
2	REVISION	DATE

CONSULTANT'S NO.	DRAWING NO.
PROJECT NO.	A1
1612	



1 SITE PLAN
SCALE: 1" = 40'-0"

3 March 2017

Address

RE: Assessment Account #_____ - Extension of Municipal Water on Somers Road

Dear _____:

In response to a request by property owners, the Municipality has agreed to carry out a local improvement for the extension of a municipal water main on your street. The Municipality has received an estimate of probable cost for this capital project in the amount of \$695,000 plus HST. I wish to stress that this is an estimate.

In accordance with the provisions of the *"By-Law Respecting Charges for Local Improvements,"* where a local improvement is to be carried out by the Municipality, a tax is levied upon every owner of real property situated in whole or part within the identified area. A copy of the By-Law is available on our website at www.antigonishcounty.ns.ca under the tab entitled "Government."

For the local improvement requested on Somers Road, the property owners are required to contribute up to 20% of the project cost with the balance to be paid by the Municipality. Based on this division, the property owners' share would be approximately **\$4,765.00** per assessment account. If provincial and/or federal funding is secured for this project the residents share of the project costs will be lowered to a minimum of 12%.

This amount may be paid in equal annual installments over 10 years. In the event of default on any payment the whole balance will become due and payable. Please note that a charge imposed pursuant to this By-Law constitutes a first lien on the property in the same manner and with the same effect as rates and taxes under the Assessment Act. The charge for local improvements would appear as a line item on your annual tax bill.

In order for this work to proceed, the Municipality requires an affirmative response from the property owners of the impacted area. Please sign and return the enclosed letter indicating your support no later than April 7, 2017. If a letter is not returned, the Municipality will assume a negative response.

If 34% or more of the residents are not in favor of this proposal, the work will not proceed. If work proceeds, all residents of the impacted area share the costs regardless of their support for the project.

If you have any questions on this matter, please do not hesitate to contact the Municipal Office.

Regards,

Glenn Horne
Municipal Clerk Treasurer

RE: Assessment Account #_____ - Extension of Municipal Water on Somers Road

DATE: _____

NAME OF PROPERTY OWNER(S): _____

I/We the undersigned are aware of the proposed municipal water main extension proposed for Somers Road, Antigonish County.

I/We have reviewed and understand the costs associated with this project.

I/We understand that the costs of this project will be allocated according to assessment account number and agree to pay our share as per the formula set out in "A By-Law Respecting Charges for Local Improvements" over a period of 10 years.

I/We understand as well that should an installment be missed, then the remaining outstanding balance becomes due and payable.

I/We understand that a charge imposed pursuant to this By-Law constitutes a first lien on the property in the same manner and with the same effect as rates and taxes under the Assessment Act.

SIGNED:

3 March 2017

Address

RE: Assessment Account #_____ - Extension of Municipal Water on Hwy 245, North Grant

Dear _____:

In response to a request by property owners, the Municipality has agreed to carry out a local improvement for the extension of a municipal water main on your street. The Municipality has received an estimate of probable cost for this capital project in the amount of \$1,450,000 plus HST. I wish to stress that this is an estimate.

In accordance with the provisions of the *"By-Law Respecting Charges for Local Improvements,"* where a local improvement is to be carried out by the Municipality, a tax is levied upon every owner of real property situated in whole or part within the identified area. A copy of the By-Law is available on our website at www.antigonishcounty.ns.ca under the tab entitled "Government."

For the local improvement requested on Hwy 245, North Grant, the property owners are required to contribute up to 20% of the project cost with the balance to be paid by the Municipality. Based on this division, the property owners' share would be approximately **\$9,165.00** per assessment account. If provincial and/or federal funding is secured for this project the residents share of the project costs will be lowered to a minimum of 12%.

This amount may be paid in equal annual installments over 10 years. In the event of default on any payment the whole balance will become due and payable. Please note that a charge imposed pursuant to this By-Law constitutes a first lien on the property in the same manner and with the same effect as rates and taxes under the Assessment Act. The charge for local improvements would appear as a line item on your annual tax bill.

In order for this work to proceed, the Municipality requires an affirmative response from the residents of the impacted area. Please sign and return the enclosed letter indicating your support no later than April 7, 2017. If a letter is not returned, the Municipality will assume a negative response.

If 34% or more of the residents are not in favor of this proposal, the work will not proceed. If work proceeds, all residents of the impacted area share the costs regardless of their support for the project.

If you have any questions on this matter, please do not hesitate to contact the Municipal Office.

Regards,

Glenn Horne
Municipal Clerk Treasurer

RE: Assessment Account #_____ - Extension of Municipal Water on Hwy 245, North Grant

DATE: _____

NAME OF PROPERTY OWNER(S): _____

I/We the undersigned are aware of the proposed municipal water main extension proposed for Hwy 245, North Grant, Antigonish County.

I/We have reviewed and understand the costs associated with this project.

I/We understand that the costs of this project will be allocated according to assessment account number and agree to pay our share as per the formula set out in "A By-Law Respecting Charges for Local Improvements" over a period of 10 years.

I/We understand as well that should an installment be missed, then the remaining outstanding balance becomes due and payable.

I/We understand that a charge imposed pursuant to this By-Law constitutes a first lien on the property in the same manner and with the same effect as rates and taxes under the Assessment Act.

SIGNED:

Capital Improvement Survey Responses

	Cumberland	Inverness	Kings	Pictou
Financial				
Do you apply capital improvement charges to all new water and sewer extensions?	Yes	No	<p>Yes. In our case, each extension had its own economic model based on cost of project, available external funding etc. We currently use a “user pay” model where the residents at least pay a part of the upfront costs. Council to date has allowed some external funding to offset those costs.</p> <p>For water projects, the UARB expects new water customers to contribute to the capital cost. The level of contribution is usually left up to the project sponsors. The Board does not permit existing customers to contribute to expansion projects, only renewals or upgrades that they directly benefit from. For example, we built a second transmission main for Greenwood Water that in part address some pressure and fire protection concerns within the existing system as well as facilitate future expansions. The Board did allow the existing customers to contribute since we had the engineering report that could demonstrate that they derived some direct benefit from that project.</p>	Yes
What percentage of the overall project cost is passed on to the land owner? Does is vary by project?	Varies	11% - 16%	Our practice is that the percentage varies by project. There are a number of variable both on funding and expense sides that will dictate that. In our process, we prepare a proposed project budget	Wastewater = \$2500 Water = \$1500
Over how many years do you permit payment?	Varies	Full payment in one year or ten annual payments.	We currently allow then to pay over a maximum 10 year period.	Wastewater = 3 Years Water = Prior to Connection
Do you apply interest to balances not paid after the first year? How much?	15%	5%	We do apply interested based on our prevailing lending rate it at the time.	12%
Have you make exceptions for low income, inability to pay, etc...?	No	No	At the moment we have not.	Yes – see attached policy.

Capital Improvement Survey Responses

	Cumberland	Inverness	Kings	Pictou
Logistical				
Did these capital improvements move into areas with existing development (homes & businesses)?	Yes	Yes	All of the projects undertaken to date have been into area with existing development. Usually, it's residential developers that will do any extensions into undeveloped area, which we will take over as part of the development approval process.	Primarily
In these instances did the property owners request the improvement?	Yes	In some circumstances they requested it, in others they did not.	Yes, all of these extensions resulted from a resident request or petition.	Most areas where extensions have been installed have been at the request of residents.
Was there much resistance to paying a local improvement charge?	Some	Some	Very much so. It has been, at times, a very divisive issue in the community.	It varies project by project. In most instances we hold public meetings prior to commencement of a project and explain all charges. On the last major projects we have polled the residents to ensure that they understand the charges and are in favour of the project proceeding. We have an unwritten rule that we require at least 60 percent to be in favour of the project.
What challenges, if any, have you experienced with residents in allocating / enforcing capital improvement charges?	We struggled with determining a fair way to levy the charges i.e. by lot, by lot size, number of dwellings on the lot, how many bathrooms, etc.	Difficult collecting on old accounts (10-20 years)		Some people are not happy with the charges however, we try our best to explain them, we bill them over a three year period. At the end of the day, they are a lien on the property and we can collect through tax sale. Our bylaw requires anyone within 200 feet of the system to connect. We do not enforce the connection, although if you are supposed to be connected and choose not to, we do levy the annual maintenance charge against the property, in addition to the capital charge.
Are there any specific learnings you care to share relating to the levying of capital improvement charges?	Make sure you have a bylaw in place and follow it.	A number of accounting practices were shared. Also, when the bills were sent out, an information sheet with a detachable portion where they chose the payment option was included.		The best lesson is get out and explain the project and the costs associated with it. We have had areas within the project scope pulled because a particular road does not want it. Our explanation to residents at the meeting is, if you want it, we will provide it; however, if you turn it down it could be many years before it is looked at again and you will pay whatever the going rate is at that time. In some cases they say we do not want the project to proceed, and we alter the scope.

Summary Comparison of Municipal Capital Charge Bylaws

Municipality	Connection Fees	Capital Charge Bylaw (s)	Method of Contribution	Initiation of a Project	Projects Completed
Antigonish County	Municipal connection Water - \$200 Sewer - \$200	Local Improvements Bylaw (2013) for wastewater facilities, stormwater systems, water systems, transportation facilities or other anticipated capital requirement.	(a) a uniform amount for each lot or parcel of land in existence or subsequently created by subdivision; (b) the frontage of the lot on any street; (c) the use of the lot; (d) the area of the lot; (e) the assessed value of property; (f) any combination of two or more such methods of calculating the tax; or (g) such other method as Council deems fit.	Council may proceed with a Local Improvement in response to a petition from property owners or in response to a staff recommendation which shows the necessity of the project for improved public health and safety; or that the project is critical to the controlled management of residential or commercial/industrial growth and development or for other such compelling reason as determined by Council. Where a local improvement is approved by Council without a petition, Council shall, by policy, determine a suitable method for advising residents affected by decision taken under this By-Law	Alex Terrace Paving (2015)
		Street Improvements Bylaw (REPEALED in 2013)	2/3 resident, 1/3 Municipality	Petition or Municipal Council resolution.	Crockett Court, Breirdon Court, Townsend Street, Brierly Way (1998-2006) Somers Rd (2001) Pine Ridge (2003) Village Lane (2003) Brookside Way (2004) Annie's Bluff (2004) Vincent's Way (2005/08) Elliot Lane (2006) Beaton Court (2007) Celtic Drive (2009) Keating Court (2009) Whisper Ave (2010)

Summary Comparison of Municipal Capital Charge Bylaws

Municipality	Connection Fees	Capital Charge Bylaw (s)	Method of Contribution	Initiation of a Project	Projects Completed
Annapolis County	Private connection with municipal inspection Water - \$50 Sewer \$75	Sewer Charges Bylaw (2002)	A capital replacement cost up to 0.9% of the estimated replacement cost of the physical plant, including pumping stations, treatment plants, collector and trunk sewers, force mains and outfalls is included in the annual sewer fees. Any capital costs incurred for replacement of any component of a sewer system shall be paid for out of the accumulated sewer capital replacement reserve fund for the sewer system.	Municipal Council resolution.	Not available.
		Brooklyn Sewer and Water Connection Charges Bylaw (2010)	Sewer connection charge of \$5000 Water connection charge of \$5000	NA	Brooklyn Sewer and Water Project (2010)
Cumberland County	Sewer Connection - \$2000 - \$5000	Local Improvement Bylaw (2013) for wastewater collection and treatment facilities, water systems, and roads and sidewalks and associated infrastructure installed, improved, constructed or extended by, or on behalf of, the Municipality.	(a) a uniform amount for each lot or parcel of land in existence or subsequently created by subdivision; (b) the frontage of the lot on any street; (c) the use of the lot; (d) the area of the lot; (e) the assessed value of property; (f) any combination of two or more such methods of calculating the tax; or (g) such other method as Council deems fit. No portion of capital construction of any new system or extension will be funded by existing system reserves. Any portion not funded by other governments, general operating or other funding agency will be charged to the new system users.	Council may proceed with a Local Improvement at its own discretion or in response to a petition that receives majority approval. Council may direct Municipal staff to initiate the petition process with or without a request from property owners that would be affected by a proposed local improvement.	MacCann Water Main Extension (2014)

Summary Comparison of Municipal Capital Charge Bylaws

Municipality	Connection Fees	Capital Charge Bylaw (s)	Method of Contribution	Initiation of a Project	Projects Completed
		Upper Nappan Water Supply By-Law (1998)	<p>Capital Contributions paid by a property owner for the privilege of making a connection to the Upper Nappan Water System, which is intended to allow the Municipality to recover approximately 75% of the capital costs incurred.</p> <p>The Owner shall pay to the Municipality a lump sum in the amount of \$3,500.00 prior to the connection being made.</p> <p>A property owner desiring to connect to the System with a connection larger than a Standard Connection shall pay an increased Capital Contribution directly proportional to the increased cross sectional area of the connection.</p>		
District of East Hants	Water connection - \$65 Sewer connection - \$500	Local Improvement Bylaw (2011) for water, waste water, storm water, streets, curbs, sidewalks, gutters, bridges, culverts, retaining walls, major tree removal, underground electrical distribution systems.	(a) a uniform amount for each lot or parcel of land in existence or subsequently created by subdivision; (b) the frontage of the lot on any street; (c) the use of the lot; (d) the area of the lot; (e) the assessed value of property; (f) any combination of two or more such methods of calculating the tax; or (g) such other method as Council deems fit.	Council may proceed with a Local Improvement at its own discretion or in response to a petition which receives Majority Approval. However, where a petition has been conducted, and does not receive Majority Approval, Council will not proceed with a Local Improvement at its own discretion for a minimum of five years.	Park Road upgrade and extension. Park Road Sewer Extension Paving of Cody’s Lane and Rhonda’s Lane Extension of Sewer and Water Services Highway #214 Extension of Sewer and Water Services Station Road – Enfield Paving of Morning Breeze Drive, Mount Uniacke

Summary Comparison of Municipal Capital Charge Bylaws

Municipality	Connection Fees	Capital Charge Bylaw (s)	Method of Contribution	Initiation of a Project	Projects Completed
Inverness County	None	Capital Cost of Sewer & Water Construction Bylaw	<p>\$25 from each petitioner at the time of filing the petition to be applied to the respective frontage charges.</p> <p>Each owner fronting either side of the street shall pay \$30 / lineal foot of frontage. Remaining expense paid by the Municipality.</p> <p>Additional "Special Trunk Tax" on every unit capable of being serviced by sewer or water of no more than \$3000.</p>	<p>Council may order the construction of a public sewer or water system or drain when a petition is received from the majority of property owners.</p> <p>Notwithstanding, Council may deem it necessary that a sewer or water system be constructed repaired or improved without petition and discharge fees to proprety owners.</p>	<p>Port Hood Water & Sewer Systems</p> <p>Inverness Sewer System</p> <p>Cheticamp Sewer System</p> <p>Mabou Sewer System</p> <p>Judique Sewer System</p> <p>Whycocomagh Sewer System</p> <p>Davis Drive / Hilltop Estates Subdivision</p> <p>Port Hastings Water & Sewer System</p>
		Improvement Bylaw for curb, gutter, sidewalk or pavement.	One half of the cost is paid by the Municipality; one half of the cost is paid by property owners in proportion to the length of frontage.	Municipal Council resolution.	Not available.
Kings County	<p>Sewer Connections - \$4000 - \$5000</p> <p>Water connection - Capital charge + \$120</p>	Water Capital Recovery Bylaw (2013) for installing, extending or improving a public Water System	<p>(a) a uniform amount for each Lot or parcel of land in existence at the time of application or subsequently created by subdivision;</p> <p>(b) the frontage of each Lot on any street;</p> <p>(c) the existing or proposed use of each Lot;</p> <p>(d) the assessment classification of each Lot;</p> <p>(e) the area of each Lot;</p> <p>(f) the flow capacity or diameter of individual lateral connections of each Lot;</p> <p>(g) any combination or two or more such methods of calculating the Capital Charge; or</p> <p>(h) such other method as Council deems appropriate.</p> <p>The Capital Charge is due upon application for a service connection.</p>		<p>Greenwich (\$3,125 / lot)</p> <p>North Greenwood (\$3,500 / lot)</p> <p>North Alton & Prospect Road (\$9,729)</p> <p>Kingsport, Habitant and Longspell Road (\$6,504 / lot)</p> <p>Tremont Mountain Road / Meadowvale Road (\$3000 / lot)</p> <p>Whittington Road (\$3000 / lot)</p>

Summary Comparison of Municipal Capital Charge Bylaws

Municipality	Connection Fees	Capital Charge Bylaw (s)	Method of Contribution	Initiation of a Project	Projects Completed
		Street Improvement Bylaw (2003) for laying out, opening, constructing, repairing, improving, and maintaining streets, curbs, sidewalks, gutters, bridges, culverts and retaining walls.	Up to 100% of the improvement cost paid by property owners in proportion to the length of frontage.	By petition representing ownership of 2/3 of the frontage on any street.	Not available.
District of Lunenburg	Sewer Connection - \$100 + \$20 / meter of frontage. Water Connection = Capital Charge.	Capital Cost Recovery Charges for Water Systems Bylaw (2004) for the installation, improvement or extention of a public water system	(a) a uniform amount for each Lot or parcel of land in existence at the time of application or subsequently created by subdivision; (b) the frontage of each Lot on any street; (c) the existing or proposed use of each Lot; (d) the assessment classification of each Lot; (e) the area of each Lot; (f) the flow capacity or diameter of individual lateral connections of each Lot; (g) any combination or two or more such methods of calculating the Capital Charge; or (h) such other method as Council deems appropriate. The Capital Charge is due upon application for a service connection.	Municipal Council resolution.	MacCulloch Road Water Line i) \$7,589 per 1 inch lateral connection ii) \$15,178 per 2 inch lateral connection iii) \$22,767 per 3 inch lateral connection
		Street Improvement Bylaw (2015) for upgrading, laying out, opening and construction of streets.	The Municipality may recover all of the cost of such improvement by levying a special tax from each owner by the Municipality by a per lot basis. The total amount of the special tax levied by the Municipality shall not exceed the cost of the street improvements to the Municipality and an administration charge of ten percent.	Where two-thirds (66 2/3%) of the owners of land in a Defined Area, petition the Municipality for an improvement to a street, the Municipality may make such improvement.	Not available.

Summary Comparison of Municipal Capital Charge Bylaws

Municipality	Connection Fees	Capital Charge Bylaw (s)	Method of Contribution	Initiation of a Project	Projects Completed
Pictou County		Municipal Roads Area Rate Bylaw (2012) for construction, alteration, paving, resurfacing and repair of the road, or of any sidewalk or curb and gutter.	Charge to the property owners equal to fifty per cent of the cost to the Municipality of the capital improvements plus fifty percent of the financing and administrative costs associated with the capital improvements. The charge shall be based upon an annual uniform per lot charge and shall be applied to all properties including residential, resource, or commercial lots that have frontage on the road. Where a property subject to a local improvement charge is subdivided, the lots created shall be charged an amount equal to the uniform charge that would have been calculated on all lots subject to the charges if the subdivision had occurred just immediately to the charge become effective.	Municipal Council resolution.	Not available.
		Sewer Charges Bylaw (2012)	Sewer capital charge of \$2,500 for 1 equivalent user unit; \$250 for each additional unit.	Petition or Municipal Council resolution.	Not available.
District of West Hants	Water connection - \$50	Street Improvements Bylaw (1995) for driveways, curbs, sidewalks, gutters, bridges, culverts, landscaping and streetlights.	Amount of contribution not to exceed the total cost of the improvement. Division among land owners based on frontage, equal division or area rate.	Petition	Not available.
		Sewer Bylaw (2007)	Capital replacement costs included in the annual sewer fee. Developers and owners of two lots or more wishing to extend a sewer line complete such work at their cost.	Municipal Council resolution.	

<p>MUNICIPALITY OF THE COUNTY OF PICTOU LOW INCOME CAPITAL CHARGES TAX EXEMPTION POLICY</p>

In accordance with the provisions of Section 69 of the Municipal Government Act, being Chapter 18 of the Statutes of Nova Scotia, 1998, the Municipal Council for the Municipality of the County of Pictou hereby enacts the following policy respecting capital charges tax exemption:

1. In this policy "income" shall be defined in Section 69 (1) of the Municipal Government Act and means a person's total income from all sources for the calendar year preceding the fiscal year of the Municipality, and includes the income of all other members of the same family residing in the household but does not include an allowance paid pursuant to the *War Veterans Allowance (Canada)* or pension paid pursuant to the *Pension Act (Canada)*.
2. An exemption from the payment of capital charges shall be determined in the following manner:

	<u>INCOME</u>	<u>CAPITAL CHARGE</u>
(a)	\$ 0 - \$14,000	100%
(b)	\$14,001 - \$16,000	80%
(c)	\$16,001 - \$18,000	60%
(d)	\$18,001 - \$20,000	40%
(e)	\$20,001 - \$22,000	20%
(f)	\$22,001+	0%

3. The exemption extends only to the property occupied by the applicant as his/her principal residence.
4. A person applying for an exemption shall make an affidavit confirming the person's income and shall supply the Municipality with their Revenue Canada Notice of Assessment for the same period.
5. The deadline for an exemption under this policy shall be one year after the capital charges are levied against the property.

6. An applicant shall only be granted an exemption once pursuant to this policy.
7. This policy only applies to dwellings that are in existence as of the date of substantial completion of the wastewater system.
8. This policy shall be reviewed by Council on an annual basis.

REPEAL

All former policies and/or practices heretofore enacted with respect to low income capital charges tax exemptions are hereby repealed.



MUNICIPALITY OF THE COUNTY OF KINGS

Infrastructure Extension Policy

Creation Date: November 18, 2014

Approval Date: November 18, 2014

Revision Date:

Policy Category: Engineering & Public Works

Next Review Date: May 2016

Replaces: EPW-04-006 Extension of Central Water Distribution Systems; EPW-04-008 Sewer Service

1. Objective:

To provide guidelines for reviewing and approving requests to extend municipal infrastructure to areas not normally serviced.

2. Applicability:

This Policy only applies to requests for central water, wastewater, and storm drainage infrastructure outside of Growth Centres.

3. Definitions:

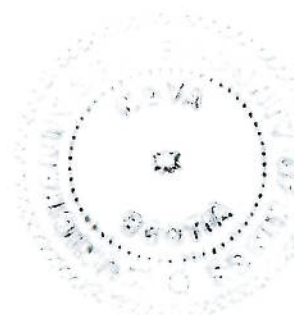
- 3.1 "Application" means a written request from resident(s) or a District Councillor on behalf of resident(s) to initiate a project to provide water, wastewater and/or storm drainage service to an unserved area of the County.
- 3.2 "EPW" means the Engineering and Public Works section of the Municipality of the County of Kings.
- 3.3 "Review Panel" means the committee in charge of evaluating Applications for infrastructure extension under this Policy.

4. Responsibilities:

4.1 Council will:

- a. Ensure that the Municipality of the County of Kings has in place an Infrastructure Extension Policy.
- b. By motion, will decide whether to proceed with the following tasks for an Application per this Policy:
 - o Interim Feasibility Study.
 - o Detailed project design and cost estimate and final Feasibility Study report.
 - o Public Consultation and petition.

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- o If there is sufficient property owner support, Council may issue the tender and award the construction contract.
 - c. The District Councillor for the district where the project is proposed shall participate in all public information sessions.
 - d. Adopt a Capital Recovery Charge for all projects that Council has authorized construction contracts per Subsection 6.3.
- 4.2 The **Chief Administrative Officer** will:
- a. Appoint additional Staff or technical support persons to Review Panel as needed.
- 4.3 **Manager of EPW** will:
- a. Administer and implement this Policy.
 - b. Act as the Chair of the Review Panel.
 - c. Ensure that Review Panel Members and EPW staff is advised of this Policy.

5. General Provisions

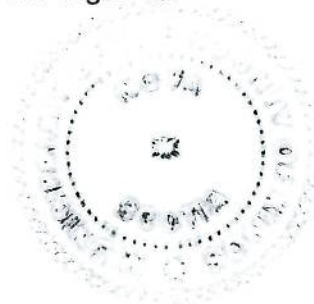
5.1. All new services provided under this Policy shall be provided on a "User Pay" basis.

5.2. Petition Requirements

- i) Petitions to determine property owner support under Subsection 6.3 shall be conducted using Consent Forms per Subsection 5.4.
- ii) A petition may only be considered by Council if seventy-five (75) percent or greater of the Consent Forms received, representing a majority of property owners in the defined project area, consent to the project and the levying of a Capital Charge. Otherwise, Council shall reject the Application.
- iii) Property owners may indicate whether or not they give their consent by one of the following methods:
 - (1) Signed Consent Forms that is either hand delivered or is received via mail or fax.
 - (2) Electronic scan of signed Consent Form in pdf format.
 - (3) The property owner may provide consent via email provided the email contains the same identifying information as the Consent Form and the email is sent in the manner described on the Consent Form.

5.3. The Municipality shall hold information gathered from individual property owners per this Policy in confidence unless compelled to disclose such information via legal or

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regulatory obligations or with the consent of the property owner. Only aggregated information that does not readily identify individuals will be presented publically.

5.4. Consent Form

- i) Consent Forms shall be prepared and issued to every property owner in the defined project area; and signed Consent Forms collected by EPW staff.
- ii) A Consent Form shall, at a minimum, contain the following:
 - (1) Statement indicating the estimated Capital Charge and available payment options if the project proceeds.
 - (2) Statement indicating to the property owner what their obligations are once they provide their consent to proceed with a project, expected next tasks and timelines.
 - (3) Signature block for the property owner to indicate that they have read the information package.
 - (4) Signature block for property owner to indicate whether or not they provide their consent to the project.
 - (5) Requirements for submitting their preference via email.
 - (6) Other information recommended by the Review Panel.

6. Procedures

6.1. Step 1 - Resident Application

- i) Resident(s) submit a written request to Manager EPW, either directly or through the District Councillor, identifying the type of service(s) requested and area to be serviced.
- ii) EPW will review the Application and submit a report to Council for its consideration with the following information:
 - (1) Map of area to be potentially serviced
 - (2) Preliminary technical review to identify potential issues that may impact the ability to provide the requested service(s)
 - (3) Regulatory Overview
 - (4) Identify whether a third party utility is needed to provide the service(s)
 - (5) Policy/Zoning Overview
 - (6) Conceptual cost estimate
 - (7) Other information relevant to Council's deliberations
- iii) Upon receipt of the report, Council will decide whether to allow the Application to proceed to Step 2 - Feasibility Study or to reject the Application. If the approval of a

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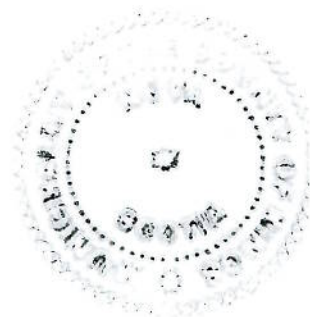
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third party utility is required, Council may allow the Application to proceed to Step 2 - Feasibility Study contingent upon receipt of written approval of the utility.

6.2. Step 2 - Feasibility Study

- i) EPW will conduct a survey of affected property owners to determine the extent of any health or environmental threat to the area:
 - (1) Is there a serious health concern or environmental threat to the area?
 - (2) To what extent are property owners able to physically correct the problem individually?
 - (3) Existing lot sizes and soil conditions
 - (4) Information on any existing services in the affected area such as size and type of pipe and equipment
 - (5) Performance of any existing services in the affected area
 - (6) Well water sampling and dye testing as needed
- ii) Upon completion of the survey, the Manager of EPW will convene a Review Panel consisting of:
 - (1) Manager of EPW (Panel Chair)
 - (2) Manager of Finance or designee
 - (3) Manager of Planning or designee
 - (4) Supervisor of Engineering Services
 - (5) Operations Supervisor (on as needed basis)
 - (6) In-House Legal Counsel or Municipal Solicitor
 - (7) Other Staff or technical support persons as approved by the CAO
- iii) The Review Panel will review the Application based on the following factors.
 - (1) Results of the survey undertaken per Subsection 6.2(i)
 - (2) Financial Considerations
 - (i) Estimated project cost (capital and operating)
 - (ii) Number of property owners affected
 - (iii) Availability of external funding for project
 - (iv) Probable funding model(s) available
 - (3) Compatibility with existing land use bylaw and policies
 - (4) Identify potential technical options
 - (5) Regulatory and third party utility approvals required for the project
 - (6) Other information relevant to Council's deliberations
- iv) The Review Panel will submit a report outlining its interim findings and recommendation to Council for consideration.

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- v) Council will either decide to proceed with a detailed project design and cost estimates, refer the Application back to the Review Panel for additional information, or to reject the Application.
- vi) If Council decides to proceed with the detailed project design:
 - (1) EPW will conduct the project design through its normal processes.
 - (2) The Review Panel will submit its final findings and recommendation to Council for consideration upon review of the detailed design information.
 - (3) Council will decide whether to allow the Application to proceed to Step 3 - Resident Support or to reject the Application.

6.3. Step 3 - Resident Support

- i) EPW will prepare and distribute an information package to property owners in the defined project area, at their registered address, for their consideration. At a minimum, the information package shall contain the following information:
 - (1) Map of project area and layout of proposed infrastructure
 - (2) Consent Form
 - (3) Summary of this Policy and the applicable By-Law
 - (4) A summary of the project funding model
 - (5) Potential timeline from petition stage to completion of construction
 - (6) Background information on the utility provider's rules and regulations
 - (7) Financial obligations and costs to property owner
 - (8) Other information relevant to resident deliberations
- ii) A public information session will be conducted by EPW with the District Councillor a minimum of 10 business days after the information package has been sent out. No Consent Forms shall be accepted at this session. EPW shall publish a public notice at least ten (10) business days prior to the scheduled date of the information session.
- iii) Property owners shall have fifteen (15) business days from the date of the public information session to submit their Consent Forms to the Municipality.
- iv) EPW will advise Council the results of the Petition. Council may proceed to tender, via the Procurement Policy, if seventy-five (75) percent or greater of Consent Forms received, representing not less than a majority of property owners in the project area, consent to the project and the levying of a Capital Charge. Otherwise, Council shall reject the Application.
- v) If Council decides to proceed to tender, then the Municipality shall recover all or part of the cost of the improvement by levying a Capital Charge upon all of the properties within the project area.

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- vi) Council may award the construction contract and proceed with the project if the tender cost is no greater than 110% of the project estimate or less.
- vii) If tender cost is greater than 110% of the project estimate, all property owners shall be notified and a new Petition issued to see if they will still consent to the project proceeding. Council may award the construction contract and proceed with the project if seventy-five (75) percent or greater of Consent Forms received, representing a majority of property owners in the project area, consent to the revised project cost and the levying of a Capital Charge. Otherwise, Council shall reject the Application and cancel the tender.

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