

AGENDA

Regular Council Meeting – Rural Municipality of North Shore

7:00 pm Wednesday, Jan 9th, 2020

- 1. CALL TO ORDER**
- 2. APPROVAL OF THE AGENDA**
 - 2.1 Disclosure of Pecuniary or other Conflicts of Interest
- 3. APPROVAL OF THE MINUTES FROM DEC 10th, 2019**
 - 3.1 Business arising from the minutes
- 4. DELEGATIONS SPECIAL SPEAKERS AND PUBLIC INPUT**
- 5. REPORTS**
 - 5.1. Mayor's Report
 - 5.2. CAO Report
 - 5.3. Finance and Administration- No Meeting
 - 5.4. Water and Environment- No Meeting
 - 5.5. EMO Committee- No Meeting
 - 5.6. Development Permit Report- No Permits for December
 - 5.7. Recreation and Engagement Committee- No Meeting
 - 5.8. Monthly Financial Report for December 2019
 - 5.9. Special Committee on the Official Plan Review
- 6. NEW BUSINESS (REQUESTS FOR DECISION)**
 - 6.1 Second Reading of Remuneration Bylaw
 - 6.2 First Reading of Access to Information Bylaw
 - 6.3 First Reading of Records Retention Bylaw
 - 6.4 Resident Concerns
 - 6.5 250th Celebration of Falmouth Committee
- 7. CORRESPONDENCE**
- 8. NEXT MEETING:** February 12, 2020 7:00pm Grand Tracadie School Center
- 9. ADJOURNMENT**

APPROVED MINUTES

Regular Council Meeting – Rural Municipality of North Shore

Thursday, January 9th, 2020

PRESENT:

Mayor Gerard Watts, Deputy Mayor Nancy MacKinnon, Councilors - Krista Shaw, Derek Cook, Bob Doyle, Wanson Hemphill, Peter Vriends and CAO Stephanie Moase

REGRETS:

None

1. CALL TO ORDER: 7:00 pm by Mayor Gerard Watts

2. APPROVAL OF THE AGENDA:

It was duly moved and seconded that the agenda be approved with the addition of 6.6 Appointment to Covehead and Tracadie Bays Enhancement Committee.

Moved by Councilor Bob Doyle, seconded by Councilor Derek Cook

6-0

MOTION CARRIED 2020-01-001

2.1 DISCLOSURE OF CONFLICT OF INTEREST:

Part VI, Section 96 of the *Municipalities Act*

- (1) A council member is in a conflict of interest if, in relation to a matter under consideration by the council, the member or a person closely connected to the member (a) has any pecuniary interest; (b) is a shareholder, officer, agent or director of a corporation or any other organization that has dealings or contracts with the municipality; or (c) is a party to dealings or a contract with the municipality or is a member of a partnership that has dealings or a contract with the municipality.

DECLARATIONS: There were none.

3. APPROVAL OF MINUTES

It was duly moved and seconded that the minutes of the December 11th, 2019 meeting be approved as presented

Moved by Councilor Peter Vriends, seconded by Councilor Krista Shaw

6-0

MOTION CARRIED 2020-01-002

3.1. BUSINESS ARISING FROM THE MINUTES

Councilor Krista Shaw asked if there was any information regarding the outdoor rinks. CAO Stephanie Moase said the rink liner for the NSCC Rink has been purchased and an email has gone out to some

community members who had expressed interest in helping but none have answered as of yet. Other community members names were suggested and a Facebook post to let people know we are looking for volunteers. Grand Tracadie requires plumber Joe Reardon to check pump.

Councilors mentioned their appreciation at seeing the AED's up in the cases at each community site now. Councilor Nancy MacKinnon asked what had arisen from the issues of building permits in the Grand Tracadie/Pleasant Grove area. CAO stated that any complaints received went to the Province and will be dealt with by them as they are the issuers at this point.

4. DELEGATIONS, SPECIAL SPEAKERS AND PUBLIC INPUT

5. REPORTS

5.1. Mayor's Report

Mayor Gerard Watts stated he has been attending a number of committee meetings and working with the CAO. On the Bays Committee we had a good meeting and did the Terms of Reference and had a very good presentation by Dr. Sarah Stewart Clark. Tracey Allen has gotten a new position with Municipal Affairs so has decided to resign from the committee.

5.2. CAO Report

CAO's REPORT December 2019

-
- Christmas Party was a success, Mike Pendergast was great with the children. Was a little less than what had been planned for and will try to ensure it does not conflict with the FireHall dinner next year.
 - Hope Parnham and the Special Committee for Update of the North Shore Official Plan and Bylaw will be meeting Jan 7 to review the Second Draft of the Official Plan . Public meeting to be end of January or First of February. Hope and I are working closely on the Administrative section of the Official Plan and revamping the Current Applications to reflect the new Plan
 - Bylaw Enforcement Officer has completed her 3 month contract with the Municipality. We will review what we want for the Spring as currently there are few building projects and we are looking into new Bylaws to add to the Enforcement
 - Continue to develop Bylaws and Policies for Committees and Council to Review, Procurement Policy, Shared Services Bylaw and new Remuneration Bylaw, Access to Information Bylaw, Records Retention Bylaw.
 - Have been making progress in updating the Website, still lots to do!
 - Continuing to work with the Province on Financials for Grand Tracadie
 - With Patsy, gathering files to prepare PSB and MCEG Claims
 - New light to be installed at Stanhope and AED's have been installed for Stanhope and Grand Tracadie Facilities.
 - Completed floor re-finishing for North Shore
 - Thank-you to Council for allowing staff the Christmas break to re-group, ready to tackle issues in the New Year!
 - New light is installed at NSCC and AED's will be arriving for Stanhope and Grand Tracadie Facilities.

5.3. Finance and Administration Committee

No Meeting this month.

5.4. Water and Environment Committee

No Meeting this month.

5.5. EMO Committee

There was no regular meeting. Chair, Councilor Derek Cook and Stephanie Moase will attend an Emergency Management Plan meeting in Kinkora on Feb 5th, anyone is welcome to attend.

5.6. Development Permit Report

There were no development permits approved for December.

5.7. Recreation and Engagement Committee

No Meeting this month. Councilor Nancy MacKinnon updated on the Community School, we were very pleased with 30 people registered.

5.8. Monthly Financial Report for December 2019

Mayor Gerard Watts referred Council to the December Financial Report. Council noticed a decrease in Heating costs with using the heat pumps. (Appendix B) Council noticed that numbers budgeted for the bar was very low, will need to be reviewed. Councilor Nancy MacKinnon mentioned that when booking the Fireworks ensure that they remember we have a credit. Councilor Krista Shaw asked about the wages for Development Officer. CAO Stephanie Moase stated he only submits an invoice quarterly.

5.9. Special Committee on the Official Plan Update Report

Councilor Peter Vriends mentioned that the most recent meeting of the Special Committee had discussed the first draft of the Official Plan and are expecting it to be ready to go to Public Meeting for February 13th. They will starting work on the Landuse Bylaw at the end of February. He feels they are on track and thinks Hope is doing a great job, especially at explaining things.

It was duly moved and seconded that the reports be accepted as presented.

Moved by Councilor Peter Vriends, seconded by Councilor Nancy MacKinnon

6-0

MOTION CARRIED 2020-01-003

6. NEW BUSINESS**6.1. Second Reading of Remuneration Bylaw**

Mayor Gerard Watts referred Council to the Remuneration Bylaw in their packages

It was duly moved and seconded that the Remuneration Bylaw # 2019-08 be read a second time.

Moved by Councilor Krista Shaw, seconded by Councilor Peter Vriends

6-0

MOTION CARRIED 2020-01-004

It was duly moved and seconded that the Second Reading of the Remuneration Bylaw # 2019-08 be approved.

Moved by Councilor Derek Cook, seconded by Councilor Nancy MacKinnon

6-0

MOTION CARRIED 2020-01-005

It was duly moved and seconded that the Remuneration Bylaw # 2019-08 be adopted.

Moved by Councilor Bob Doyle, seconded by Councilor Wanson Hemphill

6-0

MOTION CARRIED 2020-01-006

6.2. First Reading of Access to Information Bylaw

Mayor Gerard Watts referred Council to the Access to Information Bylaw #2020-01 in their packages

It was duly moved and seconded that the Access to Information Bylaw # 2020-01 be read a First Time

Moved by Councilor Nancy MacKinnon, seconded by Councilor Wanson Hemphill

6-0

MOTION CARRIED 2020-01-007

It was duly moved and seconded that the First Reading of the Access to Information Bylaw # 2020-01 be approved.

Moved by Councilor Bob Doyle, seconded by Councilor Krista Shaw

6-0

MOTION CARRIED 2020-01-008

6.3. First Reading of Records Retention Bylaw

Mayor Gerard Watts referred Council to the Records Retention Bylaw #2020-02 in their packages

It was duly moved and seconded that the Records Retention Bylaw # 2020-02 be read a First Time

Moved by Councilor Wanson Hemphill, seconded by Councilor Peter Vriends

6-0

MOTION CARRIED 2020-01-009

It was duly moved and seconded that the First Reading of the Records retention Bylaw #2020-02 be approved.

Moved by Councilor Nancy MacKinnon, seconded by Councilor Krista Shaw

6-0

MOTION CARRIED 2020-01-010

6.4. Resident Concerns

Councilor Wanson Hemphill asked if we have a date of when Bell will be installing faster internet in the area. CAO Stephani Moase stated she is still awaiting a timeline schedule from the Province.

Councilor Krista Shaw has residents asking about whether fourplex units will be allowed in the new Official Plan. This will be brought to the Special Committee on the Official Plan and will be mentioned at the Public Meeting.

6.5. 250th Celebration of the Arrival of the Falmouth Committee

This is being led by the Stanhope Historical Society, Mayor Gerard Watts asked if the Council was interested in being part of it. Council is interested in being involved and providing a financial contribution and Councilor Krista Shaw has offered to be the Council contact for this.

6.6. Appointment to Covehead and Tracadie Bays Enhancement Committee

Mayor Gerard Watts had a name put forward for this committee Megan Senechal.

It was duly moved and seconded that the Megan Senechal be appointed to the Covehead and Tracadie Bays Enhancement Committee.

Moved by Councilor Peter Vriends, seconded by Councilor Nancy MacKinnon

6-0

MOTION CARRIED 2020-01-011

7. CORRESPONDENCE

There was none.

8. NEXT MEETING:

Regular Council Meeting, Wednesday, Feb 12th, 2020 at 7:00 pm – Grand Tracadie School Centre

9. ADJOURNMENT:

There being no further business, the meeting adjourned at 9:00pm.

Moved by Councilor Bob Doyle, seconded by Councilor Derek Cook

6-0

MOTION CARRIED: 2020-01-012

SIGNED: Gerard Watts, Mayor

DATE:

SIGNED: Stephanie Moase, CAO

DATE:

Community of North Shore Budget Tracking Per Month

| December 2019 | | | | | |
|--|----------------------|--------------------|------------------------------|---------------------|-----------------------------------|
| ACCOUNT | 2019/2020 BUDGET | Dec 2019 | YTD ACTUAL AS Nov. 30, 19 | BUDGET REMAINING | BUDGET REMAINING AS PERCENTAGE |
| REVENUE | | | | | |
| Property Taxes | \$ 229,461.36 | \$ - | \$ 175,712.00 | \$ 53,749.36 | 23% |
| <i>Planning & Development</i> | | | | | |
| Building Permits | \$ 10,000.00 | \$ 315.80 | \$ 4,665.06 | \$ 5,019.14 | 50% |
| Equalization Grant | \$ 4,386.00 | \$ - | \$ - | \$ 4,386.00 | 100% |
| Green Space | \$ - | \$ - | \$ 3,622.50 | -\$ 3,622.50 | 0% |
| Fines | \$ - | \$ - | \$ - | \$ - | 0% |
| Planning & Development Province 1.1 cent per hundred | \$ 21,331.42 | \$ 365.50 | \$ 2,924.00 | \$ 18,041.92 | 85% |
| <i>NS Community Centre</i> | | | | | |
| Centre Rentals | \$ 26,000.00 | \$ 835.00 | \$ 19,143.60 | \$ 6,021.40 | 23% |
| Centre Bar | \$ 10,500.00 | \$ 374.50 | \$ 15,158.30 | -\$ 5,032.80 | 0% |
| Community Events | \$ 2,000.00 | \$ - | -\$ 45.22 | \$ 2,045.22 | 102% |
| Ball Hockey & Learn to Play Ball | \$ - | \$ - | \$ 1,750.00 | -\$ 1,750.00 | 0% |
| Wage Grant (JFY/Feds) | \$ 6,000.00 | -\$ 968.24 | \$ 3,261.44 | \$ 3,706.80 | 62% |
| Miscellaneous Income | \$ 1,250.00 | \$ - | \$ 490.85 | \$ 759.15 | 61% |
| <i>Stanhope Place</i> | | | | | |
| Friends of the Bay | \$ 4,000.00 | \$ - | \$ - | \$ 4,000.00 | 100% |
| Stanhope Place Rentals | \$ 800.00 | \$ 76.00 | \$ 175.00 | \$ 549.00 | 69% |
| Stanhope Place Cards | \$ 2,000.00 | \$ 460.00 | \$ 325.00 | \$ 1,215.00 | 61% |
| Stanhope Heritage Association | \$ - | \$ - | \$ 5,880.00 | -\$ 5,880.00 | 0% |
| <i>Grand Tracadie</i> | | | | | |
| Rentals | \$ - | \$ - | \$ 50.00 | -\$ 50.00 | 0% |
| <i>Funding</i> | | | | | |
| Canada Day/OEE/Violence | \$ 4,000.00 | \$ 1,200.00 | \$ 1,800.00 | \$ 1,000.00 | 25% |
| Funding (Infrastructure/Community) | \$ - | \$ - | \$ - | \$ - | 0% |
| Grants/Government of PEI Assistance | \$ - | \$ - | \$ 2,500.00 | -\$ 2,500.00 | 0% |
| Gas Tax Funding | \$ - | \$ - | \$ - | \$ - | 0% |
| Funding for Capital Items TBD | \$ - | \$ - | \$ - | \$ - | 0% |
| Interest Income/Miscellaneous | \$ 1,500.00 | \$ - | \$ 400.00 | \$ 1,100.00 | 73% |
| TOTAL REVENUE | \$ 323,228.78 | \$ 2,658.56 | \$ 237,812.53 | \$ 82,757.69 | |

| EXPENSES | | | | | |
|---------------------------------------|----------------------|--------------------|----------------------|---------------------|------------|
| <i>Administrative/Municipal</i> | | | | | |
| Administrator's Wages inc. MERCS | \$ 56,784.00 | \$ 4,014.39 | \$ 32,601.07 | \$ 20,168.54 | 36% |
| Administrator Mileage | \$ 1,000.00 | \$ - | \$ 441.00 | \$ 559.00 | 56% |
| Health Insurance | \$ 4,750.00 | \$ - | \$ 1,097.59 | \$ 3,652.41 | 77% |
| Professional Fees/Bookkeeping/Audit | \$ 12,000.00 | \$ 3,391.66 | \$ 11,456.12 | -\$ 2,847.78 | -24% |
| Legal Services | \$ 5,000.00 | \$ - | \$ 10,012.38 | -\$ 5,012.38 | -100% |
| Website Hosting | \$ 1,500.00 | \$ - | \$ 1,039.35 | \$ 460.65 | 31% |
| Councillor Remuneration | \$ 17,000.00 | \$ - | \$ 12,750.00 | \$ 4,250.00 | 25% |
| Councillor Mileage | \$ 700.00 | \$ 80.00 | \$ 198.00 | \$ 422.00 | 60% |
| Equipment | \$ 500.00 | \$ - | \$ 514.80 | -\$ 14.80 | -3% |
| Elections | \$ - | \$ - | \$ - | \$ - | 0% |
| Conference/Dues | \$ 8,000.00 | \$ - | \$ 5,336.01 | \$ 2,663.99 | 33% |
| Insurance | \$ 16,500.00 | \$ - | \$ 17,277.00 | -\$ 777.00 | -5% |
| Advertising | \$ - | \$ - | \$ 126.50 | -\$ 126.50 | 0% |
| Public Meetings | \$ 1,000.00 | \$ - | \$ - | \$ 1,000.00 | 100% |
| Newsletter/Printing/Postage | \$ 4,000.00 | \$ 167.27 | \$ 1,256.15 | \$ 2,576.58 | 64% |
| Office Expenses | \$ 4,000.00 | \$ 39.68 | \$ 2,144.31 | \$ 1,816.01 | 45% |
| Interest and bank fees | \$ 1,500.00 | \$ 34.98 | \$ 1,034.54 | \$ 430.48 | 29% |
| Telephone/Internet | \$ 3,800.00 | \$ 61.65 | \$ 3,231.96 | \$ 506.39 | 13% |
| Donations | \$ 250.00 | \$ - | \$ - | \$ 250.00 | 100% |
| Staff Training | \$ 1,000.00 | \$ - | \$ - | \$ 1,000.00 | 100% |
| Capital Expenditures | \$ - | \$ - | \$ 2,404.60 | -\$ 2,404.60 | 0% |
| Total Administrative/Municipal | \$ 139,284.00 | \$ 7,789.63 | \$ 102,921.38 | \$ 28,572.99 | 21% |
| <i>Planning/Development</i> | | | | | |
| Planning Consulting Fees | \$ 10,000.00 | \$ - | \$ 2,791.25 | \$ 7,208.75 | 72% |
| Official Plan Admin/Enforcement | \$ 2,500.00 | \$ 480.00 | \$ 960.00 | \$ 1,060.00 | 42% |
| Planning Consultant | \$ 9,500.00 | \$ - | \$ - | \$ 9,500.00 | 100% |
| Planning Committee Costs | \$ 500.00 | \$ - | \$ - | \$ 500.00 | 100% |
| Planning Mileage | \$ 125.00 | \$ - | \$ - | \$ 125.00 | 100% |
| Total Planning/Development | \$ 22,625.00 | \$ 480.00 | \$ 3,751.25 | \$ 18,393.75 | 81% |

| | | | | | |
|--|----------------------|---------------------|---------------------|----------------------|--------------|
| Water & Wastewater Services | \$ 2,500.00 | \$ - | \$ - | \$ 2,500.00 | 100% |
| EMO - Emergency Measures Organization | \$ 2,750.00 | \$ - | \$ 301.19 | \$ 2,448.81 | 89% |
| Facilities and Public Property | | | | | |
| North Shore Community Centre | | | | | |
| Centre Wages inc. MERCS | \$ 30,016.00 | \$ 2,433.03 | \$ 14,766.72 | \$ 12,816.25 | 43% |
| Activities Supplies/Licenses/Misc. | \$ 2,500.00 | \$ - | \$ - | \$ 2,500.00 | 100% |
| Bar/Canteen (licenses & bartenders) | \$ 4,375.00 | \$ 284.88 | \$ 8,162.61 | -\$ 4,072.49 | -93% |
| Electricity | \$ 8,000.00 | \$ 732.80 | \$ 5,690.47 | \$ 1,576.73 | 20% |
| Casual/Student Wages | \$ 16,141.00 | \$ - | \$ 720.00 | \$ 15,421.00 | 96% |
| Centre Mileage | \$ 500.00 | \$ 10.00 | \$ 336.40 | \$ 153.60 | 31% |
| Repair/Maintenance | \$ 17,000.00 | \$ 214.71 | \$ 15,973.82 | \$ 811.47 | 5% |
| Snow Removal | \$ 2,985.00 | \$ - | \$ - | \$ 2,985.00 | 100% |
| Heat Oil/Utilities | \$ 6,250.00 | \$ 356.51 | \$ 2,870.03 | \$ 3,023.46 | 48% |
| Septic Fix | \$ - | \$ - | \$ - | \$ - | 0% |
| Heating Review | \$ - | \$ - | \$ - | \$ - | 0% |
| Energy Retrofits/Insulation/Misc. | \$ - | \$ - | \$ - | \$ - | 0% |
| Payment/Interest on demand loan | \$ - | \$ - | \$ - | \$ - | 0% |
| Capital Expenditures | \$ - | \$ - | \$ 7,076.29 | -\$ 7,076.29 | 0% |
| Total North Shore Community Centre | \$ 87,767.00 | \$ 4,031.93 | \$ 55,596.34 | \$ 28,138.73 | 32% |
| Stanhope Place | | | | | |
| Heat | \$ 625.00 | \$ - | \$ - | \$ 625.00 | 100% |
| Electricity | \$ 5,000.00 | \$ 546.58 | \$ 2,349.22 | \$ 2,104.20 | 42% |
| Capital Expenditures | \$ - | \$ 2,304.50 | \$ - | -\$ 2,304.50 | 0% |
| Repair/Maintenance | \$ 2,500.00 | \$ - | \$ 280.10 | \$ 2,219.90 | 89% |
| Snow Removal | \$ 800.00 | \$ - | \$ - | \$ 800.00 | 100% |
| Total Stanhope Place | \$ 8,925.00 | \$ 2,851.08 | \$ 2,629.32 | \$ 3,444.60 | 39% |
| Promenade | | | | | |
| Promenade Maintenance | \$ 5,000.00 | \$ 149.60 | \$ 3,185.26 | \$ 1,665.14 | 33% |
| Promenade Lighting | \$ 907.50 | \$ 62.41 | \$ 476.14 | \$ 368.95 | 41% |
| Total Promenade | \$ 5,907.50 | \$ 212.01 | \$ 3,661.40 | \$ 2,034.09 | 34% |
| Grand Tracadie Community Centre | | | | | |
| Electricity | \$ 8,000.00 | \$ 787.27 | \$ 2,892.20 | \$ 4,320.53 | 54% |
| Maintenance | \$ 3,200.00 | \$ - | \$ 15.11 | \$ 3,184.89 | 100% |
| Capital Expenditures | \$ - | \$ 2,304.50 | \$ 27,553.32 | -\$ 29,857.82 | 0% |
| Other | \$ - | \$ - | \$ 980.75 | -\$ 980.75 | 0% |
| Total Grand Tracadie Community Centre | \$ 11,200.00 | \$ 3,091.77 | \$ 31,441.38 | -\$ 23,333.15 | -208% |
| Total Facilities and Public Property | \$ 113,799.50 | \$ 10,186.79 | \$ 93,328.44 | \$ 10,284.27 | 9% |

| | | | | | |
|--|----------------------|-----------|-------------------|---------------------|------------|
| <i>Recreation</i> | | | | | |
| Community Grants | \$ 3,500.00 | \$ - | \$ 1,000.00 | \$ 2,500.00 | 71% |
| Friends of Covehead Bay | \$ 4,000.00 | \$ - | \$ - | \$ 4,000.00 | 100% |
| Soccer | \$ 1,000.00 | \$ - | \$ - | \$ 1,000.00 | 100% |
| Event Expenses | \$ 10,500.00 | \$ 482.79 | \$ 8,972.45 | \$ 1,044.76 | 10% |
| <i>Total Recreation</i> | \$ 19,000.00 | \$ 482.79 | \$ 9,972.45 | \$ 8,544.76 | 45% |
| TOTAL EXPENSES | \$ 299,958.50 | \$ | 229,213.92 | \$ 70,744.58 | 24% |
| SURPLUS/DEFICIT YTD | \$ 23,270 | \$ | 11,257 | | |
| CAPITAL FUND | \$ 23,270 | \$ | - | | |
| SURPLUS/DEFICIT W/ CAPITAL FUND | \$ - | \$ | 11,257 | | |

BALANCE SHEET - as at December 31, 2019

ASSET

Current Assets

| | | |
|-------------------------------------|-------------------|--------------------------|
| Bank - Community | 107,656.20 | |
| Can-PEI Infrastructure (Gas Tax) | 113,992.77 | |
| Rest Cash - Green Space/Rec - Comm | 5,840.00 | |
| Official Plan/Greenspace GIC - Comm | 19,543.74 | |
| GIC - Community | 5,399.27 | |
| GIC - Reserve Fund | <u>110,710.88</u> | |
| Total Cash | | 363,142.86 |
| GST/HST Recievable | <u>9,961.66</u> | |
| Total Receivables | | 9,961.66 |
| Inventory - Bar - NSCC | <u>921.62</u> | |
| Total Inventory | | 921.62 |
| Prepaid Expenses | | <u>8,550.78</u> |
| Total Current Assets | | <u>382,576.92</u> |

Capital Assets

| | | |
|---------------------------------|--|-----------------------------------|
| Accum Amort Computer | | -97.00 |
| Computer | | 965.03 |
| Land | | 10,000.00 |
| Building | | 915,778.85 |
| Acc Amort - Building | | -330,335.45 |
| Land Improvements | | 39,348.57 |
| Accum Amort - Land Improvements | | -6,856.00 |
| Promenade | | 799,177.88 |
| Acc Amort - Promenade | | -317,558.74 |
| Equipment | | 76,621.15 |
| Acc Amort - Equipement | | <u>-57,114.57</u> |
| Total Capital Assets | | <u>1,129,929.72</u> |
| TOTAL ASSET | | <u><u>1,512,506.64</u></u> |

LIABILITY**Current Liabilities**

| | | |
|------------------------------------|---------------|-------------------|
| Accounts payable - trade | 2,225.84 | |
| BMO Mastercard | 94.06 | |
| Accrued Liabilities - Community | -0.22 | |
| Accrued Accounting | 5,499.79 | |
| GST/HST Payable | -106.00 | |
| CPP Payable | 1,576.18 | |
| EI Payable | 721.14 | |
| Income tax payable | 2,951.75 | |
| Vacation Pay Payable | 327.30 | |
| PST Payable | <u>-66.46</u> | |
| Total Accounts payable & accruals | | 13,223.38 |
| Deferred Revenue Official Plan | | 1,022.43 |
| Deferred Revenue - Green Space/Rec | | 25,083.44 |
| Deferred Revenue - Gas Tax | | <u>188,004.00</u> |
| Total Current Liabilities | | <u>227,333.25</u> |
| TOTAL LIABILITY | | <u>227,333.25</u> |

EQUITY**Surplus**

| | | |
|-------------------------------|------------------|---------------------|
| Amalgamation Equity | 58,029.99 | |
| Operating Fund | 1,215,753.18 | |
| Current Earnings | <u>11,390.22</u> | |
| Total Operating Fund | | <u>1,285,173.39</u> |
| TOTAL EQUITY | | <u>1,285,173.39</u> |
| LIABILITIES AND EQUITY | | <u>1,512,506.64</u> |

-\$ 133.05

Rural Municipality of North Shore
A Bylaw to Regulate Remuneration of Council and Appointees
Bylaw # 2019 – 08

BE IT ENACTED by the Council of the Rural Municipality of North Shore as follows:

1. Title

- 1.1. This bylaw shall be known and cited as the “Remuneration Bylaw.”

2. Authority

- 2.1. Section 82 of the *Municipal Government Act* R.S.P.E.I. 1988, Cap. M-12.1., enables council, by bylaw, to establish the types, rates, and conditions of payments to be made to or on behalf of a member of the council, a member of a council committee or another person.

3. Application

- 3.1. This bylaw applies to all Council members. For greater certainty, this includes the Mayor, Deputy Mayor.

4. Definitions

- 4.1. “Act” means the Municipal Government Act.
- 4.2. “Chief Administrative Officer” or “CAO” means the administrative head of a municipality as appointed by council under subsection 86(2)(c) of the *Municipal Government Act*.
- 4.3. “Compensation” means a form of monetary payment for the performance of some work or service.
- 4.4. “Council” means the mayor and other members of the council of the municipality.
- 4.5. “Councillor” means a member of council other than the mayor.
- 4.6. “Commission” means the Remuneration and Allowances Commission appointed pursuant to subsection 82(3) of the Act.
- 4.7. “Remuneration” means, both monetary payment for the performance of some work or service and non-monetary payments such as medical insurance, pension schemes, retirement benefits, etc.

5. Establishing a Remuneration Bylaw

- 5.1. Council may, by bylaw, establish the level of remuneration and reimbursement available to elected officials to ensure that:

- (a) residents who have been elected to the position of Mayor, Deputy Mayor, or Council member are provided reasonable remuneration for their service to the Rural Municipality;
- (b) individuals who have been appointed by Council to municipal committees are provided reasonable remuneration for their service to the Rural Municipality;
- (c) ensure the orderly and consistent payment and reimbursement to the Mayor, Deputy Mayor, Councillors, and committee members;

6. Remuneration of Council Members

- 6.1. The Mayor shall be paid remuneration for discharge of the duties of office in the amount of \$ 4000 per year
- 6.2. The Deputy Mayor shall be paid remuneration for discharge of the duties of office in the amount of \$ 3000 per year
- 6.3. Each Councillor shall be paid remuneration for discharge of the duties of office in the amount of \$ 2000 per year
- 6.4. Full remuneration will be paid if a member of Council attends at least 10 (ten) of the 12 (twelve) regular Council meetings held yearly. In the event that a member of Council is absent from more than 2 (two) of the 12 (twelve) regular Council Meetings held yearly, the CAO shall prorate the remuneration according to the percentage of meetings attended.
- 6.5. Remuneration shall be paid quarterly each fiscal year, less any deductions required by law.

7. Allowance for Expenses

- 7.1. The Mayor, Deputy Mayor and Councillors shall be reimbursed for their legitimate expenses incurred through the execution of their duties as office holders of the municipality in accordance with Schedule A that is attached to, and forms part of, this bylaw.

8. Revisions to this Bylaw

- 8.1. Prior to making any amendments to this bylaw that alters existing types, rates and conditions of compensation, allowances or benefits to be paid to members of Council, Council shall, in accordance with section 82(3) of the Act, appoint an independent Remuneration and Allowances Commission.
- 8.2. The Commission shall be made up of 3 members, who shall not be members of council or municipal staff.
- 8.3. The Commission shall review and to make recommendations to council respecting the compensation, reimbursement or payments that should be made to members of council, giving consideration to:

- (a) compensation, reimbursement and payment rates of comparably-sized municipalities;
- (b) the budgetary impact of any changes to existing types, rates and conditions of compensation, allowances or benefits;
- (c) the impact of any changes on the ability of the municipality to ensure an active and engaged council through the recruitment of candidates for election; and
- (d) the time requirements associated with participation on council and council committees.

8.4. The Commission shall report to council within 60 days of being appointed or within another time frame identified in the resolution appointing the Commission.

9. Repeal of Existing Bylaw

9.1. On adoption, this bylaw replaces Bylaw #01-2017 Chair and Council Remuneration and Bylaw # 2019-04 Bylaw to Amend Chair and Council Remuneration Bylaw #01-2017

10. Effective Date

10.1. This Remuneration Bylaw, Bylaw# 2019-08, shall be effective on the date of approval and adoption below.

First Reading:

This Remuneration Bylaw, Bylaw# 2019-08, was read a first time at the Council meeting held on the 11th day of December, 2019.

This Remuneration Bylaw, Bylaw# 2019-08, was approved by a majority of Council members present at the Council meeting held on the 11th day of December, 2019.

Second Reading:

This Remuneration Bylaw, Bylaw# 2019-08, was read a second time at the Council meeting held on the xx day of xx, 2020.

This Remuneration Bylaw, Bylaw# 2019-08, was approved by a majority of Council members present at the Council meeting held on the xx day of xx, 2020.

Approval and Adoption by Council:

This Remuneration Bylaw, Bylaw# 2019-08, was adopted by a majority of Council members present at the Council meeting held on the xx day of xx, 2020.

11. Signatures

Mayor (signature sealed)

Chief Administrative Officer (signature sealed)

This Remuneration Bylaw adopted by the Council of the Rural Municipality of North Shore on January 8th, 2020 is certified to be a true copy.

Chief Administrative Officer Signature

Date

DRAFT

SCHEDULE A

Mileage Reimbursement

0.50 Cents per kilometer travelled

Meal Reimbursement Rates (to be supported by receipts)

Breakfast at the rate of \$10.00

Lunch at the rate of \$20.00

Dinner at the rate of \$20.00

Phone and internet Reimbursement

Council may be reimbursed for use of personal phone and internet

Phone at the rate of \$30.00 per month

Internet at the rate of \$20.00 per month

No mileage will be paid for attendance at Council meetings, Council Committee meetings or for meetings held within the Rural Municipality of North Shore.

No meal allowances will be paid for attendance at Council meetings, Council Committee meetings or for meetings held within the Rural Municipality of North Shore.

Officials may be reimbursed for other expenses, incidental and necessary to their municipal duties, as approved by the council and supported by receipts.

Rural Municipality of North Shore, PEI
A Bylaw to Regulate Access to Information and Protection of Personal Information
Bylaw # 2020-01

BE IT ENACTED by the Council of the Rural Municipality of North Shore as follows:

1. Title

- (1) This bylaw shall be known and cited as the “Access to Information and Protection of Personal Information Bylaw.”

2. Definitions

- (1) “Act” means the Municipal Government Act.
- (2) “Applicant” means a person applying for access to information under the Act or this bylaw.
- (3) “Chief Administrative Officer” or “CAO” means the administrative head of the municipality as appointed by council under subsection 86(2)(c) of the *Municipal Government Act*.
- (4) “Coordinator” means an Access to Information and Protection of Privacy Coordinator appointed by Council in accordance with the Regulations and this bylaw.
- (5) “Council” means the Mayor and Councillors for the Municipality
- (6) “Development” means development as defined in the *Planning Act* R.S.P.E.I. 1988, Cap P-8.
- (7) “Law enforcement” means
 - (a) policing, including criminal intelligence operations,
 - (b) a police, security or administrative investigation, including the complaint giving rise to the investigation, that leads or could lead to a penalty or sanction, including a penalty or sanction imposed by the body conducting the investigation or by another body to which the results of the investigation are referred, or
 - (c) proceedings that lead or could lead to a penalty or sanction, including a penalty or sanction imposed by the body conducting the proceedings, or by another body to which the results of the proceedings are referred.
- (8) “Municipality” means the Rural Municipality of North Shore.
- (9) “Personal information” means personal information as defined in clause 1(i) of the *Freedom of Information and Protection of Privacy Act* R.S.P.E.I, 1988, Cap. F-15.01, but does not include a person’s address.
- (10) “Record” means any information that a municipality is required to provide access to under subsection 147(1) of the *Municipal Government Act*.

- (11) “Regulations” mean the Access to Information and Protection of Personal Information Regulations under the Act.
- (12) “Third party” means a person, a group of persons or an organization other than an applicant or a municipality.

3. General

- (1) Records shall be available for public inspection at the office of the municipality during regular office hours.
- (2) Council shall not appoint a person to act as the Coordinator who is
 - (a) a member of Council; or
 - (b) the CAO of another municipality.
- (3) The Coordinator’s duties shall include
 - (a) accepting and processing applications for access to information;
 - (b) clarifying and responding to access to information applications, including deciding whether to grant or refuse the application for access to information;
 - (c) providing education and training to members of council and employees of the municipality with respect to the bylaw and the Act as it applies to access to information and the protection of personal information;
 - (d) assisting municipal staff in conducting searches in response to access to information applications;
 - (e) preparing fee estimates; and
 - (f) providing a written annual report to the council of the municipality which includes, at a minimum,
 - (i) the number of applications for access to information,
 - (ii) the number of applications where access to information was granted, and the number of applications where access to information was denied.

4. Application process for access to information

- (1) An application for access to information shall be made by the applicant, in writing, to the Coordinator.
- (2) An application for access to information shall
 - (a) provide sufficient detail to enable the Coordinator to identify the information sought, and
 - (b) indicate whether the applicant is requesting a photocopy of the information or to examine the information.

- (3) An application for access to information made under subsection 4(1) may be made by an application in electronic format where the Coordinator consents to receiving the application by electronic means.
- (4) Subsequent communications between an applicant and the Coordinator may be by electronic means where both the Coordinator and the applicant consent to communicate by that means.
- (5) The Coordinator may exempt an applicant from the requirement for requests to be made in writing for requests to access the records referred to in subsection 6(2) of this bylaw.

5. Entitlement to access

- (1) Subject to subsection 5(2) of this bylaw and subsection 6 (3) of the regulations, an applicant is entitled to access records and the Coordinator shall provide records that were created or collected by the municipality which, at a minimum, includes access to the types of information referred to in subsection 147(1) of the Act.
- (2) An application for access to information that contains personal information of another individual or information of a third party, or information not referred to in subsection 6(2) of this bylaw shall be made to the Coordinator in accordance with the requirements of section 4.

6. Records available for inspection

- (1) Subject to the restrictions on information set out in subsection 6(3) of the Regulations, access to information includes, but is not limited to, records in relation to the following matters:
 - (a) assessment information;
 - (b) approved financial plans;
 - (c) approved annual financial statements;
 - (d) auditor reports;
 - (e) minutes of all meetings of the council and council committees;
 - (f) bylaws or proposed bylaws which have received first reading;
 - (g) resolutions of the council and council committees passed at open meetings of the council or council committee together with any relevant information that was taken into consideration in the decision to pass the resolution;
 - (h) permits which have been issued;
 - (i) approvals which have been granted;
 - (j) all grants, contributions and donations, with the name of each recipient;
 - (k) all contracts, except a contract

- (i) in respect of which the release of information could jeopardize an individual's safety or security, or
 - (ii) the disclosure of which could reasonably be expected to harm significantly the competitive position or interfere significantly with the negotiating position of a municipality;
 - (l) all compensation, expenses and other payments made annually to each council member pursuant to section 82 of the Act;
 - (m) strategic plans;
 - (n) all policies;
 - (o) all documents that have been tabled or adopted at open meetings of the council or council committees that
 - (i) are not included in clauses (a) to (n),
 - (ii) do not fall within the scope of subsection 119(1) of the Act, and
 - (iii) are not subject to solicitor-client privilege.
- (2) The following records shall be available within two business days upon request:
- (a) current approved financial plans,
 - (b) current approved annual financial statements,
 - (c) audited financial reports,
 - (d) approved minutes of all council and council committee meetings,
 - (e) resolutions contained in the register referred to in clause 93(3)(i) of the Act
 - (f) current strategic plans,
 - (g) all policies,
 - (h) bylaws or proposed bylaws that have received first reading,
 - (i) all compensation, expenses and other payments made annually to each council member, council committee member and all members of any boards or other bodies established by council for the previous year.
- (3) For records not included in subsection 6(2) of this bylaw to which access is authorized by the Act, the bylaw or any other Act; and where the information is reasonably accessible to the municipality, the Coordinator shall, within 30 days of the application for access to information,
- (a) provide the applicant with a written estimate of any fees that may be charged for copies of the record or document containing the information; and
 - (b) subject to the payment of any fees and deposit required under section 20 of this bylaw, allow the applicant access to the information.

- (4) Where, in the opinion of the Coordinator, the requested information cannot reasonably be accessed within 30 days of the date of receipt of the application, the Coordinator
 - (a) shall inform the applicant, in writing, when the information will be accessible; and
 - (b) provide the applicant with a written estimate of any fees that will be charged for copies of the record or document containing the information.
- (5) Where the Coordinator refuses the application for access to information, the Coordinator shall provide the applicant with written notification of the reasons for the refusal and the provision of the Act or bylaw on which the refusal is based.

7. Application of bylaw

- (1) This bylaw applies to information that was created or collected on and after the coming into force of the Act by or otherwise under the control of the municipality.
- (2) This bylaw also applies to information that was created or collected prior to the coming into force of the Act by or otherwise under the control of the municipality, where that information was required to be public under previous legislation, including but not limited to:
 - (a) minutes of all meetings of council;
 - (b) audited financial statements,
 - (c) approved budgets;
 - (d) bylaws; and
 - (e) any information required to be shared publicly under section 23.1 of the *Planning Act*.

8. Inspection of records or documents

- (1) The inspection of records or documents containing the information requested by an applicant shall be made under the supervision of an employee of the municipality.
- (2) Subject to any fees that may be charged, copies of records or documents shall be provided by the municipality to an applicant on the request by the applicant as a photocopy of the record or document or by an electronic version of the record or document if available.

9. Records not available

- (1) Notwithstanding anything contained in this bylaw, no person, other than members of council or staff authorized by the CAO, shall have the right to inspect or obtain a copy of any record that:
 - (a) is subject to solicitor-client privilege;

- (b) is a record of a closed meeting of council or a council committee where the matters discussed related to:
 - (i) commercial information which, if disclosed, would likely be prejudicial to the municipality or parties involved;
 - (ii) information received in confidence which, if disclosed, would likely be prejudicial to the municipality or parties involved;
 - (iii) personal information, other than a person's address, that is protected under the Act;
 - (iv) relates to confidential human resource matters relating to specific employees;
 - (v) is a matter still under consideration, on which the council has not yet publicly announced a decision, and about which discussion in public would likely prejudice a municipality's ability to carry out its negotiations;
 - (vi) relates to the conduct of existing or anticipated legal proceedings;
 - (vii) relates to the conduct of an investigation under, or enforcement of, an Act or bylaw; or
 - (viii) is information which, if disclosed, could prejudice security and the maintenance of the law.
- (2) The minutes of a closed meeting shall be made available to the public and shall be restricted to
 - (a) the date of the meeting;
 - (b) the type of matter under subsection 119(1) of the Act that was discussed during the meeting; and
 - (c) who was present at the meeting.
- (3) The municipality shall make public, when confidentiality is no longer required, any matter which has been considered at a council or council committee meeting closed to the public pursuant to subsection 119(4) of the Act.

10. Personal information contained within records

- (1) No personal information, except a person's address, that is included in any of the types of records listed in subsection 6(2) of this bylaw shall be disclosed except
 - (a) to the person whose personal information it is;
 - (b) to a person authorized in writing by that person; or
 - (c) in accordance with this bylaw.
- (2) A person's address shall only be disclosed where the person's address is pertinent to the matter being considered by council, including matters such as:

- (a) an application made pursuant to an official plan and bylaw where the address is the subject of the application;
- (b) a matter dealing with the enforcement of a bylaw where the address is the subject of the discussion.

11. Authority to collect personal information

- (1) No personal information may be collected unless
 - (a) the collection of that information is expressly authorized by or under an enactment of Prince Edward Island or Canada or a bylaw of the municipality;
 - (b) the information relates directly to and is necessary for operating a program or activity of the municipality; or
 - (c) the information is collected for the purposes of law enforcement.

12. Manner of collection of personal information

- (1) All personal information shall be collected directly from the individual to whom it relates unless
 - (a) the information may be disclosed to the municipality under the *Freedom of Information and Protection of Privacy Act*;
 - (b) another method of collection is authorized by that individual or by an enactment or bylaw referred to in clause 12(1)(a);
 - (c) the information is necessary to determine the eligibility of an individual to participate in a program of or receive a benefit, product or service from the municipality and is collected in the course of processing an application made by or on behalf of the individual the information is about, or to verify the eligibility of an individual who is participating in a program of or receiving a benefit, product or service from the municipality and is collected for that purpose;
 - (d) the information is collected for the purpose of collecting a fine or a debt owed to the municipality;
 - (e) the information is collected for the purpose of managing or administering personnel of the municipality;
 - (f) the information concerns an individual who is designated as a person to be contacted in an emergency, or other specified circumstances;
 - (g) the information is collected for the purpose of determining suitability for an honour or award; or
 - (h) the information is collected for the purpose of law enforcement.
- (2) Where personal information is collected directly from an individual under subsections 11(1) or 12(1), the individual is to be informed of

- (a) the purpose for which the information is collected;
- (b) the specific legal authority for the collection; and
- (c) the contact information of an employee of the municipality who can answer the individual's questions about the collection.

13. Use of personal information

- (1) Where an individual's personal information is used by the municipality, the municipality shall
 - (a) make every reasonable effort to ensure that the information is accurate and complete; and
 - (b) retain the personal information in accordance with the records retention bylaw of the municipality.
- (2) For greater certainty, a reference in this section and in sections 14, 16 and 17 to the collection, use or disclosure of personal information by the municipality includes the collection, use or disclosure of the personal information by
 - (a) an employee of the municipality;
 - (b) a volunteer, including a volunteer firefighter;
 - (c) a person appointed to conduct an inquiry under subsection 217(2) of the Act;
 - (d) a supervisor appointed under subsection 219(2) of the Act; and
 - (e) an official trustee appointed under subsection 220(1) of the Act.

14. Correction to personal information

- (1) An individual has the right to request that the coordinator correct personal information where the individual believes there is an error or omission in the individual's personal information.
- (2) The coordinator is prohibited from correcting or otherwise altering an opinion included in an individual's personal information, including a professional or expert opinion.
- (3) A request for a correction to personal information shall be made in writing by the individual whose personal information it is, or by an authorized person on that individual's behalf.
- (4) A request for a correction to personal information shall provide sufficient detail to enable the coordinator to identify the personal information that is the subject of the request.
- (5) A request in writing may be satisfied by a request in electronic format where the coordinator consents to receiving the request by electronic means.

- (6) Subsequent communications between an individual making a request for correction and the coordinator may be by electronic means where both the coordinator and the individual consent to communicate by that means.
- (7) The coordinator shall make the correction requested in accordance with the procedure specified in section 15 unless prohibited by law from doing so.

15. Record of a request to correct personal information

- (1) Following a request to correct personal information
 - (a) where a correction is made in response to a request under subsection 14(1), the coordinator shall make a notation either on the record or document in question or attached to it that a correction has been requested and made; or
 - (b) where no correction is made in response to a request under subsection 14(1), or a correction is prohibited under subsection 14(2), the coordinator shall make a notation that there was a request to make a correction to the individual's personal information either on the record or document in question or attached to it.
- (2) Within 60 days after the request under subsection 14(1) is received, the coordinator shall give written notice to the individual that
 - (a) the correction has been made under clause 15(1)(a); or
 - (b) no correction has been made under clause 15(1)(b).
- (3) The coordinator shall notify any third party to whom personal information has been disclosed within the preceding year that a request to correct that personal information has been made and the decision that was made in response to the request.
- (4) Notwithstanding subsection (3), the Coordinator may dispense with notifying a third party as required in that subsection if
 - (a) in the opinion of the Coordinator, the request to correct the personal information and the decision that was made is not material; and
 - (b) the individual who requested the correction is advised and agrees in writing that notification is not necessary.
- (5) Where the personal information that is the subject of a request for correction was collected by another party or another party created the record or document containing the personal information, the coordinator may, within 30 days from receiving the request to correct the personal information under section 14, transfer the request to that party.
- (6) Where a request is transferred under subsection 15(5), the Coordinator shall notify the individual of the transfer as soon as possible.

16. Protection of personal information

- (1) The CAO shall ensure that personal information is protected by making reasonable security arrangements to prevent unauthorized access, collection, use, disclosure, disposal or destruction of personal information
- (2) In order to ensure that personal information is protected, the municipality may use personal information only:
 - (a) for the purpose for which the information was collected or compiled or for a use consistent with that purpose;
 - (b) if the individual to whom the information pertains has identified the information and consented, in writing, to the use;
 - (c) for a purpose for which that information may be disclosed by the municipality under section 17; or
 - (d) to the extent necessary to enable the municipality to carry out its purpose in a reasonable manner.

17. Disclosure of personal Information

- (1) The municipality may disclose personal information only:
 - (a) for the purpose of complying with the Act or the bylaw;
 - (b) for the purpose of complying with an enactment of Prince Edward Island or Canada;
 - (c) for the purpose for which the information was collected or compiled or for a use consistent with that purpose;
 - (d) if the individual the information is about has identified the information and consented, in writing, to the disclosure;
 - (e) for determining an individual's suitability or eligibility for a program or benefit, including determining if an individual remains eligible or suitable for a program or benefit that individual is already participating in;
 - (f) if the information is necessary for the delivery of a program or service of the municipality;
 - (g) for the purpose of managing or administering personnel of the municipality or to a representative of a bargaining agent who has been authorized, in writing, by the employee to whom the information pertains to make an inquiry; or
 - (h) to a law enforcement agency in Canada to assist in an investigation
 - (i) undertaken with a view to a law enforcement proceeding, or
 - (ii) from which a law enforcement proceeding is likely to result.
- (2) The municipality may disclose personal information about an individual
 - (a) when the information is available to the public;

- (b) if the information is of a type that is routinely disclosed in a business or professional context and the disclosure is
 - (i) limited to the individual's name and business contact information, including business title, address, telephone number, facsimile number and email address, and
 - (ii) does not reveal other personal information about the individual or personal information about another individual; or
 - (c) if the CAO believes, on reasonable grounds, that the disclosure will avert or minimize an imminent danger to the health or safety of any person.
- (3) For the purposes of sections 16 and 17, a use or disclosure of personal information is consistent with the purpose for which the personal information was collected or compiled if the use or disclosure
- (a) has a reasonable and direct connection to that purpose; and
 - (b) is necessary for performing the statutory duties of, or for operating an authorized program of, the municipality that uses or discloses the personal information.
- (4) Notwithstanding any other provision of this bylaw in relation to the protection of personal information
- (a) the municipality may disclose personal information in an individually identifiable form for a research purpose, including statistical research, only if
 - (i) the research purpose cannot reasonably be accomplished unless that information is provided in individually identifiable form,
 - (ii) the provision of information is not harmful to the individual the information is about and the benefits to be derived from the provision of information are clearly in the public interest,
 - (iii) the CAO has approved conditions relating to the following:
 - (A) security and confidentiality,
 - (B) the removal or destruction of individual identifiers at the earliest reasonable time, and
 - (C) the prohibition of any subsequent use or disclosure of the information in individually identifiable form without the express authorization of the council; and
 - (b) the person to whom the information is disclosed has signed an agreement to comply with the approved conditions, the Act, the bylaw and any other bylaws, policies and procedures of the municipality relating to the confidentiality of personal information.

- (5) The only personal information that a municipality shall disclose to an applicant in relation to a third party is information authorized to be disclosed under the Act or the bylaw made in accordance with the Regulations.
- (6) The Coordinator may refuse to disclose to an applicant
 - (a) information, including personal information about the applicant, if the disclosure could reasonably be expected to
 - (i) threaten anyone else's safety or mental or physical health, or
 - (ii) interfere with public safety;
 - (b) personal information about the applicant if, in the opinion of a physician, psychologist, psychiatrist or any other appropriate expert depending on the circumstances of the case, the disclosure could reasonably be expected to result in immediate and grave harm to the applicant's health or safety; and
 - (c) information in a record or document that reveals the identity of an individual who has provided information to the municipality in confidence about a threat to an individual's safety or mental or physical health.

18. Complaints

- (1) An individual who believes that the individual's personal information has been collected, used or disclosed, or has not been corrected, in contravention of the Act or the bylaw may, in writing, file a complaint with the council of the municipality and request that a review of the matter be conducted.

19. Adjudicator

- (1) Upon receiving a complaint and a request for a review of the matter referred to in subsection 18(1), the council of the municipality shall, by resolution and as soon as practicable, appoint an adjudicator.
- (2) The adjudicator referred to in subsection 19(1) shall be an independent third party.
- (3) All costs associated with the review of the complaint by the adjudicator, including the fees and expenses of the adjudicator, shall be the responsibility of the municipality.
- (4) The adjudicator has authority to decide all questions of fact and law arising during the course of the review.
- (5) The individual requesting the review and the municipality shall be given the opportunity to make representations to the adjudicator.
- (6) No person, other than the individual who requested the review and the municipality is entitled to be present during, to have access to or to comment on representations made to the adjudicator, except with the written consent of both parties.

- (7) The adjudicator has the authority to decide whether the representations may be made orally, in writing or both.
- (8) The individual who requested the review and the municipality may be represented by legal counsel or an agent.
- (9) The adjudicator's review shall be completed within 90 days after the council of the municipality receives the request unless the adjudicator
 - (a) notifies the individual who requested the review and the municipality that the adjudicator is extending that period; and
 - (b) provides an anticipated date for the completion of the review.
- (10) Upon completion of the review, the adjudicator shall issue a decision, in writing, including reasons for the decision, ordering one or more of the following:
 - (a) that the municipality not correct the personal information of the individual who requested the review;
 - (b) that the municipality correct the personal information of the individual who requested the review;
 - (c) that the municipality stop collecting, using or disclosing personal information in contravention of the Act or the bylaw;
 - (d) that the CAO destroy personal information collected in contravention of the Act or the bylaw;
 - (e) that the complaint be dismissed.
- (11) In addition to the order referred to in subsection 19(10), the adjudicator may make other recommendations that the adjudicator determines appropriate.
- (12) The adjudicator shall provide a copy of the decision
 - (a) to the person who requested the review;
 - (b) to the CAO of the municipality concerned; and
 - (c) to the council of the municipality concerned.
- (13) The municipality shall comply with the decision not later than 40 days after being given a copy of a decision of the adjudicator except
 - (a) the municipality shall not take any steps to comply with the decision of the adjudicator until the end of the period for bringing an application for judicial review of the decision under the *Judicial Review Act* R.S.P.E.I. 1988 Cap. J-3; and
 - (b) if an application for judicial review is made before the end of the period referred to in clause (a), the decision of the adjudicator is stayed until the application is dealt with by the court.

- (14) The adjudicator may, at any time during the review, attempt to informally resolve the complaint referred to in section 18.

20. Fees

- (1) At no time shall an applicant be charged fees that exceed the actual cost of the services and materials provided by the Municipality.
- (2) An applicant requesting a record or document shall pay to the Municipality the fees set out in Schedule 1 for the purpose of
- (a) locating, retrieving and producing the record;
 - (b) preparing the record for disclosure;
 - (c) shipping and handling the record;
 - (d) supervising the examination of records; and
 - (e) providing copies of the record.
- (f) Note: the municipality may choose to keep both, either, or neither of the following two provisions.
- (3) An applicant shall pay a deposit of 50% of the estimated fees prior to the commencement of a search for records.
- (4) All fees associated with a request shall be paid before the release of the copies of the records or documents.
- (5) Notwithstanding any other provision of this Bylaw, fees do not apply to requests for an applicant's own personal information, except for photocopying fees.
- (6) An applicant may, in writing, request that the coordinator waive all or part of the fee for a specified request, and
- (a) the Coordinator may waive all or part of the fee, if in the coordinator's opinion
 - (i) the applicant cannot afford to pay the fee or for any reason it is appropriate, or
 - (ii) the record or document containing the information relates to a matter of public interest, including public health, safety or environment

21. Effective Date

- (1) This Bylaw shall be effective as of April 1, 2020

22. Approval

First Reading:

This Access to Information and Protection of Privacy Bylaw, Bylaw# 2020-01, was read a first time at the Council meeting held on the 9th day of January, 2020.

This Access to Information and Protection of Privacy Bylaw, Bylaw# 2020-01, was approved by a majority of Council members present at the Council meeting held on the xx day of xx, 2020.

Second Reading:

This Access to Information and Protection of Privacy Bylaw, Bylaw# 2020-01, was read a second time at the Council meeting held on the xx day of xx, 2020.

This Access to Information and Protection of Privacy Bylaw, Bylaw# 2020-01, was approved by a majority of Council members present at the Council meeting held on the xx day of xx, 2020.

Adoption and Approval by Council:

This Access to Information and Protection of Privacy Bylaw, Bylaw# 2020-01, was adopted by a majority of Council members present at the Council meeting held on the xx day of xx, 2020.

This Access to Information and Protection of Privacy Bylaw, Bylaw# 2020-01, is declared to be passed on this the 12th day of February, 2020.

Mayor (signature sealed)

Chief Administrative Officer (signature sealed)

This Access to Information and Protection of Personal Information Bylaw adopted by the Council of the Rural Municipality of North Shore on the xx day of xx, 2020 is certified to be a true copy.

Chief Administrative Officer Signature

Date

Schedule 1 – Fees for accessing or copies of records

| Type of information | Timeframe | Photocopying / printing | Services/Time | Deposit |
|--|--|-------------------------|---|--------------------------------|
| Category I – available on demand (bylaw subsection 6(2)) | Office hours/as agreed to between applicant and Coordinator if no office hours | \$0.08 per page | No charge | All fees must be paid up front |
| Category II – readily available but not necessarily on hand – (bylaw subsection 6(3)) or available on demand under 6(2) but older than two years | 30 days from application to when the fee estimate and access to records or copies if requested must be provided to applicant | \$0.08 per page | <ul style="list-style-type: none"> Per hour, equivalent to hourly wage of Coordinator for all Fees related to locating, retrieving and producing the information, preparing the information for disclosure or supervising the examination of information | All fees must be paid up front |
| Category III – Information that cannot reasonably be accessed within 30 days of the application (Bylaw subsection 6(4)) | 30 days from application the estimate of time and the written estimate of fees must be provided to applicant | \$0.08 per page | <ul style="list-style-type: none"> Per hour, equivalent to hourly wage of Coordinator for all Fees related to locating, retrieving and producing the information, preparing the information for disclosure or supervising the examination of information | All fees must be paid up front |
| Category IV – applicant's own personal information (subsection 10(3) of the Regulations) | | \$0.08 per page | No charge | All fees must be paid up front |

Rural Municipality of North Shore, PEI
A Bylaw to Manage and Dispose of Records
Bylaw # 2020-02

BE IT ENACTED by the Rural Municipality of North Shore as follows:

1. Title

- (1) This bylaw shall be known and cited as the “Records Retention Bylaw.”

2. Authority

- (1) The *Municipal Government Act* R.S.P.E.I. 1988, Cap. M-12.1., and related regulations require municipalities to manage and retain municipal records.
- (2) Subsection 117(1) of the *Municipal Government Act* R.S.P.E.I. 1988, Cap. M-12.1., requires council to provide, by bylaw, a schedule for the management and disposal of all records and other documents that are required to be retained by the municipality.

3. Application

- (1) This bylaw applies to members of Council, Council Committees, and municipal staff related to the creation, retention, management and disposal of records.

4. Definitions

- (1) “Act” means the *Municipal Government Act* R.S.P.E.I. 1988, Cap. M-12.1.
- (2) “Chief Administrative Officer” or “CAO” means the administrative head of the Municipality as appointed by council under subsection 86(2)(c) of the *Municipal Government Act*.
- (3) “Council” means the Mayor and other members of the Council of the Municipality.
- (4) “Councillor” means a member of the Council other than the Mayor.
- (5) “Municipality” means the Rural Municipality of North Shore.
- (6) “Permanent record” means a record the Municipality is required to retain permanently.
- (7) “Record” means information in any form, including electronic form, but does not include a mechanism or system for generating, sending, receiving, storing, or otherwise processing information.
- (8) “Regulations” means the Records Retention Regulations pursuant to clause 261(1)(f) of the Act.
- (9) “Temporary record” means a record that the Municipality is required to maintain for a minimum period of time in accordance with the schedule in the Regulations.

5. General

- (1) The Municipality establishes under this bylaw a records retention schedule for maintenance and disposal of records as contained in Schedule 'A'
- (2) The CAO shall administer this bylaw and is responsible for ensuring that records are managed and retained in accordance with the Act and Regulations.
- (3) Schedule 'A' may be amended by resolution as permitted in clause 135(2)(c) of the Act but shall comply with all legal requirements for records retention.

6. General Retention and Disposition Requirements

- (1) Council shall ensure for each record, that
 - (a) the record is retained in accordance with the Regulations and this bylaw;
 - (b) where the record is not stored in the municipal office, the record is stored in a location and manner that is secure and will preserve the integrity of the record; and
 - (c) documentation, which provides details of the destruction of the record or its transfer to permanent storage, of the final disposition of the record is permanently maintained.

7. Temporary Records

- (1) Council shall ensure temporary records
 - (a) shall be retained in the municipal office for a minimum of two years; and
 - (b) during this two year period, shall be accessible within 24 hours.
- (2) Temporary records may be moved at the end of the retention period in 7(1)(a) to a storage facility outside the municipality for the remainder of the retention period specified in Schedule 'A' if
 - (a) the storage facility meets the requirements of 6(1)(b); and
 - (b) is accessible within three business days.

8. Destruction of Records

- (1) Council may,
 - (a) at the end of the retention period specified for a temporary record, provide for the secure destruction of the record;
 - (b) authorize the destruction of a duplicate copy of a record at any time, subject to the requirements for retention of duplicate copies in Schedule 'A.'

9. Permanent Records

- (1) Council shall ensure permanent records
 - (a) are retained in the municipal office for a minimum period of five years and, during that period, are accessible within 24 hours; and
 - (b) are not destroyed
- (2) Council shall, as soon as reasonably possible after the end of the retention period specified in 9(1)(a), move a record to which subsection (1) applies
 - (a) to permanent storage in a secure facility that will preserve the integrity of the record; and
 - (b) ensure the record is accessible within three business days.

10. Electronic and Microfilm

- (1) Council shall ensure electronic records
 - (a) are retained and retrievable for the minimum retention period; and
 - (b) in the case of permanent records, are copied to paper or microfilm for the purpose of transfer to permanent storage.
- (2) Microfilm applications of permanent records shall conform to industry-accepted technical standards and established preparation and documentation procedures.

11. Protection of Records

- (1) Council shall ensure that reasonable care is taken to protect records against damage, deterioration, unauthorized destruction, sale or other disposition or theft.

12. Schedule Adopted

- (1) The schedule to this bylaw is adopted and forms part of this bylaw.

13. Effective Date

- (1) This Records Retention Bylaw, Bylaw# 2020-02, shall be effective on April 1, 2020.

First Reading:

This Records Retention Bylaw, Bylaw# 2020-02, was read a first time at the Council meeting held on the xx day of January, 2020.

This Records Retention Bylaw, Bylaw# 2020-02, was approved by a majority of Council members present at the Council meeting held on the xx day of xx, 2020.

Second Reading:

This Records Retention Bylaw, Bylaw# 2020-02, was read a second time at the Council meeting held on the xx day of xx, 2020.

This Records Retention Bylaw, Bylaw# 2020-02, was approved by a majority of Council members present at the Council meeting held on the xx day of xx, 2020.

Approval and Adoption by Council:

This Records Retention Bylaw, Bylaw# 2020-02, was adopted by a majority of Council members present at the Council meeting held on the xx day of xx, 2020.

Signatures

Mayor (signature sealed)

Chief Administrative Officer (signature sealed)

This Records Retention Bylaw adopted by the Council of the Rural Municipality of North Shore on Xx xx, 2020 is certified to be a true copy.

Chief Administrative Officer Signature

Date

Schedule A:

RECORDS RETENTION SCHEDULE

Note: The subject matter is listed alphabetically followed by a retention period. The retention period is identified either as “PERMANENT” or expressed as a number of years. Retention periods are labelled as:

(a) CY - a retention period that concludes after the end of a calendar year (i.e. after December 31st of a given year).

(b) FY - a retention period that concludes after the end of a fiscal year as established in section 149 of the *Municipal Government Act*.

(c) closed after information is superseded (replaced or take the place of) or obsolete (no longer in use) (S/O)

In the event of a conflict between this schedule and the *Municipal Government Act* Records Retention Regulations, the Regulations shall apply.

| SUBJECT | DESCRIPTION | RETENTION PERIOD (YEARS) | ENDS |
|--------------------------|---|--------------------------|------|
| Accountants | Working Papers | 7 | FY |
| Accounts | Paid (summary sheet) | 7 | FY |
| | Payable vouchers | 7 | FY |
| | Receivable duplicate invoices | 7 | FY |
| Administration | Reports (not part of Minutes) | 7 | CY |
| Advertising | Electoral | 4 | CY |
| | Other notices- MGA, other legislation | 2 | CY |
| Agendas | Part of Minutes | PERMANENT | |
| Agreement | General | 12 | S/O |
| | Development | 12 | S/O |
| | Major legal | 12 | S/O |
| | Minor legal | 12 | S/O |
| Annexations | Correspondence | 7 | CY |
| | Final Order | PERMANENT | |
| Annual Reports | Council, Boards, Commissions | 5 | CY |
| Applications | Site plan approval | 2 | CY |
| | Subdivision (after final approval) | 3 | CY |
| | Part-time employees (after end of employment) | 1 | CY |
| Appointments | Other than those in Minutes | 3 | FY |
| Assessment | Rolls | PERMANENT | |
| | Assessment review Board (ARB) Minutes | PERMANENT | |
| | ARB work file | 5 | FY |
| | Appeals | 12 | FY |
| | ARB records | 7 | FY |
| | Duplicate roll | 7 | FY |
| | Review Court records | 7 | FY |
| Assessment Appeal | Board file | 5 | FY |
| Assets | Asset Management Inventory | 20 | S/O |
| | Records of surplus | 7 | FY |
| | Temporary files | 2 | FY |
| Bank | Deposit books | 7 | FY |
| | Deposit slips | 7 | FY |
| | Memos (credit/debit) | 7 | FY |

| | | | |
|--------------------------|---|----------------------------|-----|
| | Reconciliations | 2 | FY |
| | Statements | 7 | FY |
| Boards | Minutes | PERMANENT | S/O |
| | Authority & Structure | 5 | CY |
| | Correspondence | 5 | CY |
| Briefings/Reports | To Council | 7 | CY |
| Budgets | Operating (in minutes) | PERMANENT | |
| | Capital (in minutes) | PERMANENT | |
| | Working papers | 3 | FY |
| Bylaws | All | PERMANENT | |
| Cash | Receipts journal | 7 | FY |
| | Disbursements journal | 7 | FY |
| | Duplicate receipts | 7 | FY |
| Certificates | Of Title | PERMANENT | |
| Census | Reports | 12 | CY |
| Cheques | Cancelled (paid) | 7 | FY |
| | Register | 7 | FY |
| | Stubs | 7 | FY |
| Claims | Notice of | 12 | S/O |
| | Statements of | 12 | S/O |
| Committee | Minutes | PERMANENT | |
| Compensation | Records | 10 | FY |
| Contracts | Files (completion of) | 12 | S/O |
| | Forms | 12 | FY |
| | Major legal | 12 | S/O |
| | Minor legal | 12 | S/O |
| Council | Minutes | PERMANENT | |
| Court Cases | | 12 | S/O |
| Destroyed Records | Index | PERMANENT | |
| | Signed destroyed records statements | PERMANENT | |
| Documents | Not part of bylaws | 12 | S/O |
| | Agreements, major legal | 12 | S/O |
| | Agreements, minor legal | 12 | S/O |
| | Contracts legal | 12 | S/O |
| | Easements | 12 | S/O |
| | Leases (after expiration) | 12 | S/O |
| | Notices of change of land titles | 12 | S/O |
| Elections | All election documents other than ballot box contents | 4 | CY |
| | Ballot box contents | In accordance with the MGA | CY |
| Engineering | Drawings | PERMANENT | |

| | | | |
|-----------------------------|----------------------------------|---|-----|
| Employee Benefits | Health, Dental, WCB Claims, etc. | 5 | CY |
| Employees | Job applications (hired) | 3 | CY |
| | Job application (not hired) | 1 | CY |
| | Job descriptions | 3 (after position abolished) | CY |
| | Oaths of Office | 1 (after position vacated) | CY |
| | Personnel file | 3 (after cessation of employment) or 6 (after dismissal) | CY |
| Financial Statements | Interim | 10 | FY |
| | Working papers | 7 | FY |
| | Final | 12 | FY |
| Franchises | | PERMANENT | |
| Income Tax | Deductions | 7 | FY |
| | TD1 | 7 | FY |
| | T4 | 7 | FY |
| | T4 Summaries | 7 | FY |
| Inquiries | From the public | 3 | CY |
| Insurance | Claims | 12 (after settled) | FY |
| | Records (after expiration) | 12 | FY |
| Land | Appraisals | 1 (after sold) | |
| Leases | After expiration | 7 | S/O |
| Legal | Opinions | 12 | S/O |
| | Proceedings | 12 | S/O |
| Legislation | Acts (after superseded) | 1 | CY |
| Licenses | Applications | 3 | CY |
| | Business (after expired) | 5 | CY |
| | Literature | 2 | CY |
| Local Improvements | Records | PERMANENT | |
| Maps | Base (original) | PERMANENT | |
| | Contour | PERMANENT | |
| Maintenance Reports | | 12 | CY |
| Minutes | Council | PERMANENT | |
| | Boards | PERMANENT | |
| | Committees | PERMANENT | |
| Monthly Reports | Road | 5 | FY |
| Municipal Affairs | Annual reports | 5 | FY |
| Organization | Structure and records | 2 | S/O |
| Payroll | Garnishees | 7 (after garnish is removed) | FY |
| | Individual earning records | 7 | FY |
| | Journal | 7 | FY |
| | Time cards | 7 | FY |
| | Time sheets - daily | 7 | FY |
| | Time sheets - | 7 | FY |

| | | | |
|---|--------------------------------|-----------------------------------|-----|
| | Overtime | | |
| | Time sheets - weekly | 7 | FY |
| | Employment Insurance | 5 (after cessation of employment) | FY |
| Permits | Development | 12 | S/O |
| Petitions | | 10 | CY |
| Plans | Official | PERMANENT | |
| | Amendments | PERMANENT | |
| | Subdivision | PERMANENT | |
| Policy | After superseded | 5 | CY |
| Progress Reports | Project | 5 | CY |
| | Under contract (final payment) | 7 | S/O |
| Property Files | | Until sold +10 | FY |
| Prosecution | All | 12 | S/O |
| Publications | Local reports | 3 | CY |
| Purchase | Land | Until Sold +12 | FY |
| Receipts | Books | 7 | FY |
| | Duplicate cash | 7 | FY |
| | Registration | 7 | FY |
| Receptions & Special Events (non-historic) | | 3 | CY |
| Reports | Accident | 12 | S/O |
| | Accident statistics | 12 | S/O |
| | Field | 12 | S/O |
| Requisitions | Copies | 2 | FY |
| | Duplicate | 7 | FY |
| | Paid | 7 | FY |
| Resolutions | Minutes | PERMANENT | |
| Subdivision | After Final Approval | 12 | CY |
| Street | Sign Inventory Register | PERMANENT | |
| Tax Recovery | Records | PERMANENT | |
| Taxes | Arrears | 7 | FY |
| | Final Billing | 12 | FY |
| | Municipal Credits | 7 | FY |
| | Receipts | 7 | FY |
| | Rolls | PERMANENT | |
| | Sale Deeds | PERMANENT | |
| Termination | Employees | 7 | CY |
| Tenders | Files | 12 | FY |
| | Successful | 12 | FY |
| | Purchase Quotations | 12 | FY |
| | Unsuccessful | 10 | FY |
| Traffic | Streets | 7 | CY |

| | | | |
|---------------------------------------|--------------------|-----------|----|
| Training and Development Files | | 5 | CY |
| Trial Balances | Monthly | 5 | FY |
| | Year End | 7 | FY |
| Vendors | Acknowledgments To | 2 | FY |
| | Contracts | 12 | FY |
| | Suppliers Files | 12 | FY |
| Vouchers | Duplicate | 7 | FY |
| Weed Control Reports | Until updated | 1 | CY |
| Zoning | Bylaws | PERMANENT | |
| | Bylaw Enforcement | 5 | CY |

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