

APPROVED MINUTES
Regular Council Meeting – Rural Municipality of North Shore
Wednesday, July 11th, 2018

PRESENT:

Mayor Gordon Ellis, Deputy Mayor Peter Vriend, Councillors Charity Sheehan, Gerard Watts, Melody Gay, Jamie Rea, Connie Egan, Justin Walsh and CAO Jonathan MacLean

REGRETS:

Councillors Derek Cook, Beth Pretty and Kent MacLean

1. **CALL TO ORDER:** 7:00 pm by Mayor Ellis

2. **APPROVAL OF THE AGENDA:**

It was duly moved and seconded that the agenda be approved.

Moved by Councillor Watts, seconded by Councillor Rea
8-0

MOTION CARRIED 2018-07-67

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 June 13th 2018, meeting be approved.

Moved by Councillor Vriends, seconded by Councillor Egan

July 11, 2018 Approved Regular Meeting Minutes, Rural Municipality of North Shore

8-0

MOTION CARRIED 2018-07-68

4. BUSINESS ARISING FROM THE MINUTES/OLD BUSINESS:

4.1 Promenade Maintenance - asphalt and landscaping

CAO Jonathan MacLean reported that the province had milled the bumps on the promenade and would be back later to put any required asphalt down. The summer student will begin working on weeding the flower bed on Bayshore Road tomorrow.

5. REPORTS

5.1 Finance and Infrastructure - Councillor Watts

Councillor Watts presented the North Shore Budget tracking report and balance sheet, the budget is currently on track with an operating surplus so far this fiscal year. Appendix A

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

Moved by Councillor Watts, seconded by Councillor Vriends

8-0

MOTION CARRIED 2018-07-69

Councillor Watts presented 2017 Audited financial statements for the year end December 31, 2018. Appendix B

It was duly moved and seconded that the Audited Financials statements for the year end December 31, 2018 be approved as presented.

Moved by Councillor Vriends, seconded by Councillor Ellsworth

8-0

MOTION CARRIED 2018-07-70

Councillor Watts reported that the applications for funding of the chair lift was still being reviewed. The same is the case for the application for the infrastructure funding for the other items in the capital budget although there was a verbal that the funding will be approved.

5.2 Administrator's Report:

ADMINISTRATOR'S REPORT June 2018

- Ongoing committee meetings have been attended and recorded
- Update website, social media and send e-newsletter
- Events and Rec – Zane Nicholson – Event Bookings and organization, brochure and social media update and engagement
- All Committee Meetings need to be posted 24 hours before and are open to the public
- Amalgamation - North Shore, Grand Tracadie and Pleasant Grove - with IRAC
- Annexation of 60 acres parcel has been submitted to the Minister whom has forwarded to IRAC
- Election November 2018 - Enter into an Agreement with Elections PEI for an Electors List
- Rezoning Applications- Second Reading 2460 Rte 25
- Code of Conduct - Bylaw First reading
- Conflict of Interest Bylaw - Second Reading
- Funding application submitted to Community Revitalization Program
- Summer Student - Donavon Ching
- New Horizons stairlift funding application submitted - still pending
- Proposed Ward Boundaries for Restructured North Shore
- Elections Bylaw for Review
- Vacation - Week of July 2nd
- Water and Sewer Flyer sent with Canada Day Flyer

CAO Jonathan MacLean reported that an agreement with Elections PEI is required to receive the voters list and election supplies for the November 5th, 2018 municipal elections at a cost of \$100

It was duly moved and seconded the Rural Municipality of North Shore enter into a service agreement with Elections PEI to provide a voters list and election supplies for the November 5th, 2018 Municipal Elections.

***Moved by Councillor Vriends, seconded by Councillor Sheehan
8-0***

MOTION CARRIED 2018-07-71

5.3 EMO Committee - Councillor Rea

Councilor Rea stated that there is no report this month and NSJEMO have a meeting scheduled for September

5.4 Environmental Sustainability – Councillor Egan

Councilor Egan reported that the roadside cleanup in May went well, It was helpful to divide the community into areas so that everything was covered and to have Councillors lead in organizing volunteers for each zone. The Climate change forum held in June was interesting, there were two presentations and there is a document that the Municipal Office now has “Coastal Property Guide”. The forum highlighted that people should be concerned about erosion and flooding. There is a new 50 year map on flooding being developed.

The water and sewer education flyer went out with the Canada Day flyer and reached 1,150 addresses in the area, there will also be a direct mail to property owners that have addresses outside the municipality of 373. Reminder notices were sent to 11 residents who reported to the municipality that their septic was pumped in 2015. The Municipality has a reminder system set up to remind people who shared the information on pumping every three years. Also there are a number of people who picked up water testing kits from the Community center an estimated 150 in the past year and a half.

The committee reviewed pages 32-34 of the official plan with regards to sustainability of water and sewer in the Municipality and will review the results of the 2009 water and wastewater survey to determine what action steps are still needing attention.

The committee reviewed all of the recommendations of the Covehead Bay Review, Councilor Egan highlighted that FCBB does a great deal of educating around environmental changes to the bay and that there are already a few groups looking into sea lettuce and green crab projects.

Councilor Egan highlighted two action items in the Covehead Bay Review, the scientific study and marine use planning and hiring a consultant to complete the work.

Project Coordinator

Scientific Study – Covehead Bay & Marine Use Planning

Scientific Study – Covehead Bay

Goal: *To conduct a scientific study of Covehead Bay with the purpose of developing a plan for remediation by September 2019.*

Actions

1. Council Motion to conduct a scientific study of Covehead Bay based on partnering with FCBB, hiring a Project Coordinator and funding being obtained.
2. Create and issue RFP, review and award contract.
3. Obtain an estimate on cost to conduct a scientific study of the bays.
4. Review options for funding including DFO - Oceans Canada new fund and Rural Growth Funding.
5. Apply for funding.
6. Have scientific review conducted.

Marine Use Planning

Goal: *To invite stakeholders from industry, government and residents of the Rural Municipality of North Shore to coordinate a pilot project to develop a Marine Use Plan (zoning for multi-users) for Covehead Bay by June 2019.*

Actions

- Council motion to create a working group and establish a pilot project to develop a Marine Use Plan (multi-users) in cooperation with stakeholders.
- Create list of stakeholders and send an invitation to participate and possible MOU signing.
- Create and issue RFP, review and award contract.
- Obtain an estimate on cost to conduct a Marine Use Plan.
- Review options for funding.
- Apply for funding.
- Develop a Marine Use Plan

It was duly moved and seconded to secure the services of a consultant with an approved budget of up to \$15,000 as a Project Coordinator to conduct services and execute actions identified in the council motions for a Scientific Study – Covehead Bay and Marine Use Planning

Councilor Sheehan stated that she supports further work regarding the bay but is concerned about spending a great deal of money on one project for the municipality that could otherwise be spent on municipal staffing.

Moved by Councillor Egan, seconded by Councillor Gay

6-2

MOTION CARRIED 2018-07-72

Scientific Study – Covehead Bay

The most recent report on the water quality of the Covehead-Brackley Watershed being classified as ‘fair’ indicates that work needs to be done to improve the water quality in the area. To this end, it is recommended that the Rural Municipality of North Shore work with Friends of Covehead-Brackley Bays - (FCBB) and other key stakeholders to develop a plan of action to improve the water quality of Covehead Bay to the benefit of residents and businesses alike. A scientific study is recommended as a first step, to assess what is happening, what can be done, and the impact of those actions in the form of scenario planning. A remediation plan should be developed as part of the above process.

Goal: *To conduct a scientific study of the Covehead Bay with the purpose of developing a plan for remediation by September 2019.*

When	Who	Actions
Complete by September 2019	<ul style="list-style-type: none"> ● NSC ● FCBB ● DFO - Science Division ● PEI Province - Water Quality Division ● Parks Canada ● Industry Subject Matter Experts 	<ol style="list-style-type: none"> 1. Council Motion to conduct a scientific study of Covehead Bay based on partnering with FCBB, hiring a Project Coordinator and funding being obtained. 2. Create RFP, issue RFP, review and award contract. 3. Obtain an estimate on cost to conduct a scientific study of the bays. 4. Review options for funding including DFO - Oceans Canada new fund and Rural Growth Funding. 5. Apply for funding. 6. Have scientific review conducted.

It was duly moved and seconded To conduct a scientific study of Covehead Bay based on partnering with FCBB and other stakeholders, hiring a Project Coordinator and funding being applied for and obtained.

Moved by Councillor Egan, seconded by Councillor Vriends

8-0

MOTION CARRIED 2018-07-73

Marine Use Planning

As noted in the Marine Use Planning section of the review, similar to land use planning, marine use planning helps to reduce conflicts in use. Since there are multi-users of the Covehead Bay in addition to habitat of species at risk that need to be protected, the use of Marine Use Plan would provide the vehicle to accommodate many uses.

The Marine Use Plan should consider how different uses interact with each other and the environment and attempts to balance ecological, economic, and social objectives, ideally reducing conflicts and resulting in more sustainable use of the Covehead Bay.

Goal: To invite stakeholders from industry, government and residents of the Rural Municipality of North Shore to coordinate a pilot project to develop a Marine Use Plan (zoning for multi-users) for Covehead- Bay by June 2019.

When	Who	Actions
Start by September 2018 Complete by June 2019	<ul style="list-style-type: none"> ● NSC ● Representative Key Stakeholder Groups ● DFO ● Transport Canada ● PEI Provincial Departments 	<ol style="list-style-type: none"> 1. Council motion to create a working group and establish a pilot project to develop a Marine Use Plan (multi-users) in cooperation with stakeholders. 2. Create list of stakeholders and send an invitation to participate and possible MOU signing. 3. Create and issue RFP, review and award contract. 4. Obtain an estimate on cost to conduct a Marine Use Plan. 5. Review options for funding. 6. Apply for funding. 7. Develop a Marine Use Plan

It was duly moved and seconded To conduct a Marine Use Planning Pilot Project of Covehead Bay based on partnering with FCBB and other stakeholders, hiring a Project Coordinator and funding being applied for and obtained.

Moved by Councillor Egan, seconded by Councillor Vriends

8-0

MOTION CARRIED 2018-07-74

5.5 Planning Board:

Planning Board member Reardon presented the second reading, approval of the second reading and adoption BY-05-2018-06 to rezone a PID 1064724 from residential to Residential to Resort Commercial. Motions in Appendix C.

5.6 Recreation and Community Engagement Committee - Councillor Sheehan

Councilor Sheehan reported that the 55 plus games are scheduled for September 10th-15th and that volunteers are still required for the organizing committee. There are volunteers in place for some of the sports including Frank Morrison for golf and Derek Cook for the 5km run. Councilor Sheehan will circulate more information via email to Councillors in order to fill the volunteer positions. Councilor Gay reported that the Canada Day Event went well and wanted to mention one of the volunteers donated a bike that the Girl Guides drew for at the Canada Day event.

5.7 Mayors Report/Executive Committee - Mayor Ellis

Mayor Ellis reported that he recently attended a meeting along with the Mayor of York at the Central Development Corporation in Bedeque. The Central Development Corporation provided the funding for the promenade project a number of years ago.

Mayor Ellis asked Councilors to review the By-Laws on the agenda - Conflict of Interest - Second Reading and Code of Conduct for Council Members - First Reading.

It was duly moved and seconded that the Conflict of Interest Bylaw #2018-05 be read the a second time and second reading be approved.(Appendix D)

Moved by Councillor Watts, seconded by Councillor Gay

8-0

MOTION CARRIED 2018-07-77

It was duly moved and seconded that the Conflict of Interest Bylaw #2018-05 second reading be approved and adopted.(Appendix E)

Moved by Councillor Sheehan, seconded by Councillor Gay

8-0

MOTION CARRIED 2018-07-78

It was duly moved and seconded that the Bylaw to Provide for a Code of Conduct for Members of Council Bylaw #2018-06 be read the first time and first reading be approved.(Appendix F)

Moved by Councillor Watts, seconded by Councillor Walsh

8-0

MOTION CARRIED 2018-07-79

Adoption of Reports

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

Moved by Councillor Gay, seconded by Councillor Sheehan

8-0

MOTION CARRIED 2018-07-80

6. CORRESPONDENCE

Resident Bernard Labelle visited the municipal office and shared a copy a treatment notice (Appendix G) that he received when his neighbors were treating their lawn with cosmetic pesticides. Bernard is concerned about the health impact of the use of these products and wanted to bring it to the attention of Council.

Councilors noted that in the Covehead Bay Review their is a recommendation to have a Cosmetic Pesticide By-Law. Council will take this and the residents concerns under consideration.

7. NEW BUSINESS

8.1 Resident Inquiries to Council Members

Councilors brought up the following concerns from residents

- There are some people concerned about large dogs roaming free on Stanhope Lane. The Municipality does not have a animal by-law and suggests that residents contact the human society with their concerns.
- The remaining buildings and property of the former Stanhope Resort is under disrepair and there are concerns about wildlife taking over the buildings - It was suggested that the owners be contacted to determine their plans for the property
- There is a property on Cass's Road that has a number of old dilapidated cars and it is a concern for residents - Residents can contact the province to do an inspection under the Unsightly Properties Act

8. **NEXT MEETING:** Regular Council Meeting, Wednesday, August 8th, 2018, 7pm

9. **ADJOURNMENT:**

There being no further business, the meeting adjourned at 8:56pm.

Moved by Councillor Walsh, seconded by Councillor Gay

8-0

MOTION CARRIED: 2018-07-81

SIGNED: Gordon Ellis, Mayor

DATE:

SIGNED: Jonathan MacLean, CAO

DATE:

Appendix A

Community of North Shore Budget Tracking Per Month

June 2018				
ACCOUNT	2017 BUDGET	YTD ACTUAL AS AT Jun. 30, 18	BUDGET REMAINING	BUDGET REMAINING AS PERCENTAGE
REVENUE				
Property Taxes	\$ 228,469.61	\$ 75,310.96	\$ 153,158.65	67%
<i>Planning & Development</i>				
Building Permits	\$ 7,500.00	\$ 4,220.40	\$ 3,279.60	44%
Green Space	\$ -	\$ -	\$ -	0%
Fines	\$ -	\$ -	\$ -	0%
<i>NS Community Centre</i>				
Centre Rentals	\$ 25,000.00	\$ 12,937.00	\$ 12,063.00	48%
Centre Bar	\$ 12,500.00	\$ 3,294.98	\$ 9,205.02	74%
Community Events	\$ 3,000.00	\$ 2,093.30	\$ 906.70	30%
Wage Grant (JFY/Feds)	\$ 3,000.00	\$ -	\$ 3,000.00	100%
Miscellaneous Income	\$ 1,250.00	\$ -	\$ 1,250.00	100%
<i>Stanhope Place</i>				
Friends of the Bay	\$ 1,750.00	\$ 1,750.00	\$ -	0%
Stanhope Place Rentals	\$ 1,250.00	\$ 50.00	\$ 1,200.00	96%
Stanhope Place Cards	\$ 1,875.00	\$ 1,760.00	\$ 115.00	6%
Stanhope Heritage Association	\$ 250.00	\$ -	\$ 250.00	100%
<i>Funding</i>				
Canada Day/OEE/Violence	\$ 1,200.00	\$ 800.00	\$ 400.00	33%
Funding (Infrastructure/Community)	\$ -	\$ -	\$ -	0%
Grants/Government of PEI Assistance	\$ -	\$ 11,517.01	-\$ 11,517.01	0%
Gas Tax Funding	\$ -	\$ -	\$ -	0%
Funding for Capital Items TBD	\$ -	\$ -	\$ -	0%
Planning & Development Province 1.1 cent per	\$ 25,000.00	\$ 6,480.00	\$ 18,520.00	74%

Interest Income/Miscellaneous	\$ 1,437.50	\$ -	\$ 1,437.50	100%
TOTAL REVENUE	\$ 313,482.11	\$ 120,213.65	\$ 193,268.46	
EXPENSES				
<i>Administrative/Municipal</i>				
Administrator's Wages inc. MERCs	\$ 50,625.00	\$ 20,319.54	\$ 30,305.46	60%
Administrator Mileage	\$ 750.00	\$ 36.00	\$ 714.00	95%
Health Insurance	\$ 6,250.00	\$ 612.33	\$ 5,637.67	90%
Professional Fees/Bookkeeping/Audit	\$ 13,750.00	\$ 4,117.96	\$ 9,632.04	70%
Legal Services	\$ 6,250.00	\$ -	\$ 6,250.00	100%
Website Hosting	\$ 1,250.00	\$ -	\$ 1,250.00	100%
Councillor Remuneration	\$ 18,125.00	\$ 7,250.00	\$ 10,875.00	60%
Councillor Mileage	\$ 625.00	\$ 25.00	\$ 600.00	96%
Equipment	\$ 2,500.00	\$ -	\$ 2,500.00	100%
Elections	\$ 3,500.00	\$ -	\$ 3,500.00	100%
Conference/Dues	\$ 6,250.00	\$ 7,446.29	-\$ 1,196.29	-19%
Insurance	\$ 13,250.00	\$ -	\$ 13,250.00	100%
Advertising	\$ 1,500.00	\$ -	\$ 1,500.00	100%
Public Meetings	\$ 2,000.00	\$ 474.32	\$ 1,525.68	76%
Newsletter/Printing/Postage	\$ 3,750.00	\$ 1,955.69	\$ 1,794.31	48%
Office Expenses	\$ 6,250.00	\$ 1,687.17	\$ 4,562.83	73%
Interest and bank fees	\$ 1,250.00	\$ 463.06	\$ 786.94	63%
Telephone/Internet	\$ 3,750.00	\$ 778.11	\$ 2,971.89	79%
Donations	\$ 250.00	\$ -	\$ 250.00	100%
Capital Expenditures	\$ -	\$ 2,296.80	-\$ 2,296.80	0%
Total Administrative/Municipal	\$ 141,875.00	\$ 47,462.27	\$ 94,412.73	67%
<i>Planning/Development</i>				
Planning Consulting Fees	\$ 11,250.00	\$ -	\$ 11,250.00	100%
Official Plan Admin/Enforcement	\$ 3,125.00	\$ -	\$ 3,125.00	100%
Planning Consultant	\$ 12,500.00	\$ 12,662.56	-\$ 162.56	-1%
Planning Committee Costs	\$ 1,250.00	\$ 463.26	\$ 786.74	63%

Planning Mileage	\$ 125.00	\$ -	\$ 125.00	100%
Total Planning/Development	\$ 28,250.00	\$ 13,125.82	\$ 15,124.18	54%
Water & Wastewater Services	\$ 3,125.00	\$ -	\$ 3,125.00	100%
EMO - Emergency Measures Organization	\$ 2,750.00	\$ -	\$ 2,750.00	100%
Facilities and Public Property				
North Shore Community Centre				
Centre Wages inc. MERCS	\$ 29,375.00	\$ 11,655.23	\$ 17,719.77	60%
Activities Supplies/Licenses/Misc.	\$ 2,500.00	\$ -	\$ 2,500.00	100%
Bar/Canteen (licenses & bartenders)	\$ 4,375.00	\$ 1,282.39	\$ 3,092.61	71%
Electricity	\$ 6,250.00	\$ 3,562.41	\$ 2,687.59	43%
Casual/Student Wages	\$ 3,750.00	\$ 101.00	\$ 3,649.00	97%
Centre Mileage	\$ 500.00	\$ -	\$ 500.00	100%
Repair/Maintenance/Snow	\$ 30,000.00	\$ 10,568.63	\$ 19,431.37	65%
Heat Oil/Utilities	\$ 6,250.00	\$ 3,991.15	\$ 2,258.85	36%
Septic Fix	\$ 1,000.00	\$ 1,592.80	-\$ 592.80	-59%
Heating Review	\$ -	\$ -	\$ -	0%
Energy Retrofits/Insulation/Misc.	\$ -	\$ -	\$ -	0%
Payment/Interest on demand loan	\$ -	\$ -	\$ -	0%
Total North Shore Community Centre	\$ 84,000.00	\$ 32,753.61	\$ 51,246.39	61%
Stanhope Place				
Heat	\$ 625.00	\$ 404.31	\$ 220.69	35%
Electricity	\$ 5,000.00	\$ 3,038.35	\$ 1,961.65	39%
Capital Expenditures	\$ -	\$ -	\$ -	0%
Repair/Maintenance/Snow	\$ 3,750.00	\$ 1,543.10	\$ 2,206.90	59%
Energy Retrofits/Insulation/Misc.	\$ -	\$ -	\$ -	0%
Total Stanhope Place	\$ 9,375.00	\$ 4,985.76	\$ 4,389.24	47%
Promenade				
Promenade Maintenance	\$ 5,000.00	\$ -	\$ 5,000.00	100%
Promenade Lighting	\$ 907.50	\$ 378.32	\$ 529.18	58%
Total Promenade	\$ 5,907.50	\$ 378.32	\$ 5,529.18	94%

Total Facilities and Public Property	\$ 99,282.50	\$ 38,117.69	\$ 61,164.81	62%
Recreation				
Community Grants	\$ 3,500.00	\$ 2,600.00	\$ 900.00	26%
Friends of Covehead Bay	\$ 2,500.00	\$ -	\$ 2,500.00	100%
Soccer	\$ 1,000.00	\$ -	\$ 1,000.00	100%
Event Expenses	\$ 7,500.00	\$ 4,432.68	\$ 3,067.32	41%
Total Recreation	\$ 14,500.00	\$ 7,032.68	\$ 7,467.32	51%
TOTAL EXPENSES	\$ 289,782.50	\$ 105,738.46	\$ 184,044.04	64%
SURPLUS/DEFICIT YTD	\$ 23,700	\$ 14,475		
CAPITAL FUND	\$ 20,000	\$ -		
SURPLUS/DEFICIT W/ CAPITAL FUND	\$ 3,700	\$ 14,475		

BALANCE SHEET - as at June 30, 2018

ASSET

Current Assets

Bank - Community	48,034.02	
Can-PEI Infrastructure (Gas Tax)	44,991.19	
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>50,710.88</u>	
Total Cash		174,519.10
Accounts Receivable	12,036.45	
GST/HST Recievable	<u>2,281.93</u>	
Total Receivables		14,318.38
Inventory - Bar - NSCC	<u>921.62</u>	
Total Inventory		921.62

Prepaid Expenses	8,550.78
Total Current Assets	<u>198,309.88</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>1,328,239.60</u></u>
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LIABILITY

Current Liabilities

Accounts payable - trade	3,403.04
BMO Mastercard	-530.23
Accrued Liabilities - Community	-0.22
Accrued Accounting	5,499.79
GST/HST Payable	-105.00
CPP Payable	543.68
EI Payable	261.67
Income tax payable	1,106.60
Vacation Pay Payable	522.75

Appendix B

Community of North Shore

Financial Statements
December 31, 2017

Management's Report

The integrity, relevance, and comparability of the data in the accompanying financial statements are the responsibility of management.

The financial statements are prepared by management in accordance with Canadian public sector accounting standards established by the Public Sector Accounting Board of the Chartered Professional Accountants of Canada. A summary of the significant accounting policies is disclosed in note 1 to the financial statements. The preparation of financial statements necessarily involves the use of estimates based on management's judgment, particularly when transactions affecting the current period cannot be finalized with certainty until future periods.

To meet its responsibility, management maintains a system of internal controls designed to provide reasonable assurance that assets are safeguarded, transactions are properly authorized and recorded in compliance with legislative and regulatory requirements, and reliable financial information is available on a timely basis for preparation of the financial statements. These systems are monitored and evaluated by management.

The Council is responsible for ensuring that management fulfils its responsibilities for financial reporting and internal control, and exercises these responsibilities through the Council. The Council reviews internal financial statements on a monthly basis and external audited financial statements yearly. The Council also discusses any significant financial reporting or internal control matters prior to their approval of the financial statements.

The financial statements have been audited by ArsenaultBestCameronEllis, independent external auditors appointed by the Community. The accompanying Auditors' Report outlines their responsibilities, the scope of their examination and their opinion on the Community's financial statements.

Jonathan MacLean Administrator

Gordon Ellis, Council Chair



Member of The AC Group of Independent Accounting Firms

July 11, 2018

Independent Auditor's Report

To the Members of Community of North Shore

We have audited the accompanying financial statements of **Community of North Shore**, which comprise the statement of financial position as at December 31, 2017, and the statements of operations, accumulated surplus, changes in net debt and cash flows for the year then ended, and a summary of significant accounting policies and other explanatory information.

Management's Responsibility for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with Canadian public sector accounting standards, and for such internal control as management determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

Auditor's Responsibility

Our responsibility is to express an opinion on these financial statements based on our audit. We conducted our audit in accordance with Canadian generally accepted auditing standards. Those standards require that we comply with ethical requirements and plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained in our audit is sufficient and appropriate to provide a basis for our audit opinion.

Opinion

In our opinion, the financial statements present fairly, in all material respects, the financial position of **Community of North Shore** as at December 31, 2017 and the results of its operations, changes in net debt and its cash flows for the year then ended in accordance with Canadian public sector accounting standards.

Arsenault Best Cameron Ellis

Chartered Professional Accountants

Community of North Shore

Statement of Financial Position

As at December 31, 2017

	2017	2016
	\$	\$
Financial assets		
Cash	14,450	35,552
Guaranteed investment certificates	56,110	55,515
Accounts receivable (note 2)	29,528	26,899
Restricted cash - infrastructure funding	47,245	-
Restricted cash - green space and recreation fund	25,384	25,153
	<hr/>	<hr/>
Total financial assets	172,717	143,119
Liabilities		
Accounts payable and accrued liabilities (note 3)	8,992	15,496
Deferred revenue - green space and recreation	25,083	25,083
Deferred revenue - official plan	1,022	1,022
Deferred revenue - infrastructure funding (note 4)	60,544	26,612
	<hr/>	<hr/>
	95,641	68,213
	<hr/>	<hr/>
Net assets	77,076	74,906
Non-financial assets		
Tangible capital assets (Schedule 1)	1,129,930	1,055,809
Prepaid expenses	8,551	8,124
Inventory	922	574
	<hr/>	<hr/>
	1,139,403	1,064,507
	<hr/>	<hr/>
Accumulated surplus	1,216,479	1,139,413
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Approved by the Council

_____ Councillor

_____ Councillor

Community of North Shore

Statement of Accumulated Surplus

For the year ended December 31, 2017

	2017	2016
	\$	\$
Accumulated surplus - Beginning of year	1,139,413	1,103,406
Annual surplus for the year	77,066	36,007
Accumulated surplus - End of year	<u>1,216,479</u>	<u>1,139,413</u>

Community of North Shore

Statement of Operations

For the year ended December 31, 2017

	Budget (unaudited) 2017 \$	Actual 2017 \$	Actual 2016 \$
Revenue			
Province of P.E.I. - property tax assessments	309,558	324,522	309,652
Building permit fees and development income	6,000	6,350	6,298
Government contributions	2,000	150	1,150
Interest and miscellaneous	1,500	5,159	-
Canada Day Funding	1,300	1,200	1,200
Total revenue - Stanhope Place (Schedule 2)	4,250	3,114	4,309
Total revenue - NSCC (Schedule 3)	37,000	33,014	21,444
Total revenue	361,608	373,509	344,053
Direct expense			
North Shore Rural Community Fire Co. dues	139,262	140,664	135,051
	222,346	232,845	209,002
Expenses			
Activities supplies	-	1,352	-
Administrator (note 5)	40,540	40,734	27,478
Advertising	700	663	536
Building permit administration/mileage	13,900	9,798	7,454
Community events	9,550	729	2,911
Conferences and dues	3,500	1,353	2,950
EMO	2,000	2,000	-
Federation of Municipalities	-	4,404	-
Friends of the Bay/Watershed	1,750	1,750	1,750
Honorariums	14,000	14,500	-
Insurance	10,600	10,225	2,500
Office, interest and bank fees	6,200	2,709	4,810
Printing, postage and stationary	3,000	-	3,778
Professional fees	16,000	9,304	10,062
Promenade electricity	700	698	726
Promenade repairs and maintenance	5,500	1,816	2,879
Repairs and maintenance	1,500	1,173	4,207
Soccer	1,000	-	1,000
Telephone and internet	2,500	960	2,026
Water and wastewater management	1,000	-	660
Web administration	1,000	946	-
Total expenses - Stanhope Place (Schedule 2)	12,200	6,967	7,034
Total expenses - NSCC (Schedule 3)	67,706	62,312	64,347
Amortization	-	48,708	47,478
	214,846	223,101	194,586
	7,500	9,744	14,416
Infrastructure funding			
Stanhope Place (Schedule 2)	-	-	8,769
ACOA capital grant	2,500	46,908	3,344
Capital Investment Plan - gas tax funding	-	8,646	-
Municipal Capital Expenditure Grant	-	11,268	-
Promenade Funding	-	500	9,478
	2,500	67,322	21,591
Annual surplus for the year	10,000	77,066	36,007

Community of North Shore

Statement of Changes in Net Debt

For the year ended December 31, 2017

	2017	2016
	\$	\$
Annual surplus for the year	77,066	36,007
Amortization of tangible capital assets	48,708	47,478
Purchase of tangible capital assets	(122,829)	(13,896)
Change in prepaid expenses	(427)	-
Change in inventory	(348)	1,441
	<hr/>	<hr/>
	2,170	71,030
Net assets - Beginning of year	<hr/> 74,906	<hr/> 3,876
Net assets - End of year	<hr/> 77,076	<hr/> 74,906

Community of North Shore

Statement of Cash Flows

For the year ended December 31, 2017

	2017	2016
	\$	\$
Cash provided by (used in)		
Operating activities		
Annual surplus for the year	77,066	36,007
Item not affecting cash		
Amortization	48,708	47,478
	<u>125,774</u>	<u>83,485</u>
Net change in non-cash working capital items		
Decrease (increase) in accounts receivable	(2,629)	14,920
Decrease (increase) in inventory	(348)	1,441
Increase in prepaid expenses	(427)	-
Decrease in accounts payable and accrued liabilities	(6,504)	(17,251)
Decrease in deferred revenue - promenade	-	(9,478)
Increase in deferred revenue - infrastructure funding	33,932	26,612
	<u>24,024</u>	<u>16,244</u>
	<u>149,798</u>	<u>99,729</u>
Financing activity		
Payments on demand loan	-	(24,263)
Investing activities		
Increase in guaranteed investment certificates	(595)	(40,100)
Purchase of tangible capital assets	(122,829)	(13,896)
Increase in restricted cash - infrastructure funding	(47,245)	-
Increase in restricted cash - green space and recreation fund	(231)	-
	<u>(170,900)</u>	<u>(53,996)</u>
Increase (decrease) in cash	(21,102)	21,470
Cash - Beginning of year	<u>35,552</u>	<u>14,082</u>
Cash - End of year	<u>14,450</u>	<u>35,552</u>

Community of North Shore

Notes to Financial Statements

December 31, 2017

1 Summary of significant accounting policies

The financial statements of the Community of North Shore are prepared by management in accordance with Canadian Public Sector Accounting Standards of CPA Canada. Significant aspects of the accounting policies adopted by the Community are as follows:

Reporting entity

The financial statements reflect the assets, liabilities, revenues, expenses, changes in net debt and in the financial position of the reporting entity. The reporting entity is comprised of all organizations and committees that are accountable to the Community for administration of their financial affairs and resources, and which are owned or controlled by the Community. The operations of Stanhope Place and North Shore Community Centre are reflected in these financial statements.

Basis of accounting

The accrual basis of accounting is used for all funds. The accrual basis of accounting recognizes revenues as they are earned and measurable; expenditures are recognized as they are incurred and measurable as a result of receipt of goods and services and the creation of a legal obligation to pay.

Cash

Cash includes cash on hand and balances with banks.

Restricted cash

Cash is held in separate bank accounts to fund the green space and recreation fund and infrastructure funding.

Tangible capital assets

Tangible capital assets are recorded at cost. Amortization of capital assets is calculated using the declining balance method at the annual rate of 4% for building and promenade, 8% for land improvements and 20% for equipment.

One-half of the normal rate of amortization is recorded in the year of acquisition; no amortization is recorded in the year of disposal.

Management estimates

The presentation of financial statements in conformity with Canadian public sector accounting standards requires management to make estimates and assumptions that affect the reported amount of assets and liabilities and disclosure of contingent liabilities at the date of the financial statements and the reported amounts of revenues and expenditures during the reported period. Significant items subject to such estimates and assumptions include the valuation of accounts receivable and estimated useful life of tangible capital assets. Actual results could differ from those reported.

Community of North Shore

Notes to Financial Statements

December 31, 2017

Revenue recognition

Tax revenue consists of property tax billings which are received directly from the Province of Prince Edward Island. Taxes are billed based on the assessment rolls provided by the Province of Prince Edward Island at rates established by the Community. Taxation revenue is recorded as it is received in monthly installments from the Province of Prince Edward Island. Assessments and the related property taxes are subject to appeal to the Province of Prince Edward by residents. The Community's revenue is adjusted for any of these appeals using a yearly statement.

Other revenue is recorded when it is earned and collection is reasonably assured.

Government transfers

Revenue from governments without eligibility criteria or stipulations is recognized as revenue by the Community when the transfer is authorized. Revenue with eligibility criteria is recognized as revenue by the Community when the transfer is authorized and all eligibility criteria have been met, unless there is a stipulation that gives rise to an obligation that meets the definition of a liability. In that case, the transfer is recorded as a liability and recognized as revenue as the stipulations are met. Revenue with stipulations is recognized as revenue by the Community when the transfer is authorized and all stipulations have been met.

Transfers to other organizations are recognized as an expense when they are authorized.

Fair value of financial instruments

Financial instruments are comprised of cash, guaranteed investment certificates, accounts receivable, restricted cash - greenspace and recreation fund, restricted cash - infrastructure funding and accounts payable and accrued liabilities. Due to their short term nature, all financial instruments are carried at amounts which are considered to approximate their fair value.

2 Accounts receivable

	2017	2016
	\$	\$
Trade accounts receivable	-	3,291
Government contributions receivable	23,400	13,306
HST receivable	6,128	10,302
	<hr/>	<hr/>
	29,528	26,899
	<hr/>	<hr/>

Community of North Shore

Notes to Financial Statements

December 31, 2017

3 Accounts payable and accrued liabilities

	2017	2016
	\$	\$
Trade accounts payable	7,731	14,491
Payroll withholding taxes payable	1,261	1,005
	<hr/>	<hr/>
	8,992	15,496
	<hr/>	<hr/>

4 Deferred revenue

	2017	2016
	\$	\$
Balance - beginning of year	26,612	-
Government funding received	42,578	26,612
Eligible expenditures incurred	(8,646)	-
	<hr/>	<hr/>
Balance - End of year	60,544	26,612
	<hr/>	<hr/>

Under the Agreement on the Transfer of Federal Gas Tax Revenues through the New Deal for Cities and Communities and the Municipal Strategic Component Project, the Community has received funds which are restricted for expenditure on eligible projects. The Community will prepare, for approval by the governmental regulating body, a Capital Investment Plan which details expenditures.

5 Expenditures - Administrator

	Budget (unaudited) 2017 \$	Actual 2017 \$	Actual 2016 \$
Wages	40,040	37,616	25,145
Benefits	-	2,520	2,333
Mileage	500	598	-
	<hr/>	<hr/>	<hr/>
	40,540	40,734	27,478
	<hr/>	<hr/>	<hr/>

Community of North Shore

Schedule of Tangible Capital Assets

For the years ended December 31, 2017 and December 31, 2016

Schedule 1

	Cost 2017			Accumulated amortization 2017			Net book value \$
	Beginning \$	Additions \$	Ending \$	Beginning \$	Amortization \$	Ending \$	
Land	10,000	-	10,000	-	-	-	10,000
Building	809,710	106,069	915,779	308,151	22,184	330,335	585,444
Equipment	67,660	9,926	77,586	53,358	3,853	57,211	20,375
Promenade	795,864	3,314	799,178	297,561	19,999	317,560	481,618
Land improvements	35,829	3,520	39,349	4,184	2,672	6,856	32,493
	1,719,063	122,829	1,841,892	663,254	48,708	711,962	1,129,930

	Cost 2016			Accumulated amortization 2016			Net book value \$
	Beginning \$	Additions \$	Ending \$	Beginning \$	Amortization \$	Ending \$	
Land	10,000	-	10,000	-	-	-	10,000
Building	809,710	-	809,710	287,253	20,898	308,151	501,559
Equipment	65,543	2,117	67,660	50,047	3,311	53,358	14,302
Promenade	784,085	11,779	795,864	277,044	20,517	297,561	498,303
Land improvements	35,829	-	35,829	1,432	2,752	4,184	31,645
	1,705,167	13,896	1,719,063	615,776	47,478	663,254	1,055,809

Community of North Shore
 Schedule of Operations - Stanhope Place
 For the year ended December 31, 2017

Schedule 2

	Budget (unaudited) 2017 \$	Actual 2017 \$	Actual 2016 \$
Revenue			
Card games and rental	1,500	1,721	3,341
Rentals	1,000	1,343	968
Friends of Covehead Brackley Bay	1,750	-	-
Stanhope Historical Society	-	50	-
	4,250	3,114	4,309
Expenses			
Electricity	3,700	3,886	3,779
Fuel	500	26	486
Miscellaneous	-	-	100
Repairs and maintenance	6,500	1,850	1,475
Snow removal	1,500	1,205	1,194
	12,200	6,967	7,034
	(7,950)	(3,853)	(2,725)
Infrastructure funding			
Province of Prince Edward Island - Community Development Program	-	-	8,769
	(7,950)	(3,853)	6,044
Excess revenue (expenses) for the year			

Community of North Shore

Schedule of Operations - North Shore Community Centre

For the year ended December 31, 2017

Schedule 3

	Budget (unaudited) 2017 \$	Actual 2017 \$	Actual 2016 \$
Revenue			
Bar and canteen	13,000	7,837	8,197
Community events	-	3,092	-
Miscellaneous income	1,000	350	-
Rentals	20,000	17,742	10,175
Wage grant	3,000	3,993	3,072
	<hr/>	<hr/>	<hr/>
	37,000	33,014	21,444
	<hr/>	<hr/>	<hr/>
Expenses			
Activity supplies	1,500	3,820	4,076
Insurance	-	-	8,032
Bar and canteen	2,500	5,244	3,742
Federation of Municipalities - NSCC	-	404	-
Electricity	4,000	5,121	4,110
Fuel	5,000	4,089	3,374
Gas	406	334	282
Office, dues and miscellaneous	1,000	1,669	784
Interest on demand loan	-	-	517
Utilities	-	(25)	703
Repairs and maintenance	25,500	19,791	14,817
Telephone and internet	-	1,503	815
Wages and levies	27,800	20,362	23,095
	<hr/>	<hr/>	<hr/>
	67,706	62,312	64,347
	<hr/>	<hr/>	<hr/>
Excess expenses for the year	(30,706)	(29,298)	(42,903)

RESOLUTION FOR 2nd READING OF BY-05-2018-06

Date: July 11,2018

Moved by Councillor: Reardon

Seconded by Councillor: Gay

WHEREAS bylaw BY-05-2018-06 was read and approved for the first time on June 13th, 2018;

BE IT RESOLVED THAT Bylaw BY-05-2018-06 [Schedule A – as attached], a Bylaw to amend the Rural Municipality of North Shore 2014 Land Use Bylaw be hereby read a second time.

7-1

CARRIED 2018-07-74

Schedule A is attached

RESOLUTION FOR APPROVAL OF 2nd READING OF BY-05-2018-06

Date: July 11, 2018

Moved by Councillor: Reardon

Seconded by Councillor: Vriends

WHEREAS bylaw BY-05-2018-06 was read and approved for the first time on June 13th, 2018];

AND WHEREAS Bylaw BY-05-2018-06 [Schedule A – as attached], a Bylaw to amend the Rural Municipality of North Shore 2014 Land Use Bylaw was read a second time at this meeting;

BE IT RESOLVED THAT the second reading of Bylaw BY-05-2018-05 [Schedule B – as attached], a Bylaw to amend the Rural Municipality of North Shore 2014 Land Use Bylaw be hereby approved.

7-1

CARRIED 2018-07-75

Schedule A is attached

RESOLUTION FOR ADOPTION OF BY-05-2018-06

Date: July 11,2018

Moved by Councillor: Reardon

Seconded by Councillor: Sheehan

WHEREAS bylaw BY-05-2018-06 was read and approved for the first time on June 13, 2018;

AND WHEREAS Bylaw BY-05-2018-06 [Schedule A – as attached], a Bylaw to amend the Rural Municipality of North Shore 2014 Land Use Bylaw was read and approved a second time at this meeting;

BE IT RESOLVED THAT Bylaw BY-05-2018-06 [Schedule A – as attached], a Bylaw to amend the Rural Municipality of North Shore 2014 Land Use Bylaw be hereby adopted.

7-1

CARRIED 2018-07-76

Schedule A is attached

Rural Municipality of North Shore, PEI
A Bylaw to Provide Rules Governing Conflict of Interest for Members of Council
Bylaw # 2018-05

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 “Conflict of Interest Bylaw.”

2. Authority

2.1. Section 97 of the *Municipal Government Act* R.S.P.E.I. 1988, Cap. M-12.1., requires a Council to establish a bylaw outlining a procedure to be followed by a member of Council if the member believes or suspects that they may have a conflict of interest or if a complaint is received by council that a member has a conflict of interest.

3. Application

3.1. This bylaw applies to all members of Council.

4. Definitions

4.1. “Act” means the *Municipal Government Act*.

4.2. “Bias” means a preconceived opinion, predisposition, or prejudice that prevents a person from impartially evaluating information on an issue that has been presented for determination.

4.3. “Chief Administrative Officer” or “CAO” means the administrative head of a municipality as appointed by Council under clause 86(2)(c) of the *Municipal Government Act*.

4.4. “Councillor” means a member of Council other than the Mayor.

4.5. “Conflict of Interest” means a situation in which a member of Council 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.
- (d) a Council member is in a conflict of interest if the member makes a decision or participates in making a decision in the execution of their office while at the same time the member knows or ought reasonably to know that the member’s private interests or the private interests of a person closely connected to the member affected the member’s impartiality in the making of the decision.

4.6. “Council” means the Mayor and other members of the Council of a municipality.

- 4.7. "Family member" means, in relation to a person, a spouse, parent, child, brother, sister, aunt, uncle, grandchild, grandparent, mother-in-law, father-in-law, brother-in-law, sister-in-law, son-in-law or daughter-in-law of the person;
- 4.8. "Improper Conduct" means behaviour that a reasonable and sensible person would not do. It is behaviour that is unfitting and not suited to the character, time, and place.
- 4.9. "Pecuniary" means money or monetary matters or that which can be valued in money.
- 4.10. "Person Closely Connected", in relation to a member, means a family member, an agent, a business partner or an employer of the person.
- 4.11. "Private Interest" means a relationship, obligation, duty, responsibility or benefit unique to the member of Council or a person closely connected to the member of Council.
- 4.12. "Undue Influence" means one person taking advantage of a position of power over another person. This inequity in power between the parties can impair one party's consent as that person is unable to freely exercise independent will.

5. General

- 5.1. Pursuant to subsections 97.(1) and 97.(2) of the Act, the purpose of this bylaw is to:
- (a) set out the procedure to be followed by a member of Council if the member believes or suspects that they may have a conflict of interest; and
 - (b) set out the procedure to be followed by the Council if a complaint is received by Council that a member of Council has a conflict of interest.
- 5.2. Pursuant to Part 5, Division 2 of the *Municipal Government Act*, where there is an inconsistency between this bylaw and the *Municipal Government Act* or another enactment, this bylaw is of no force or effect to the extent of the inconsistency.

6. Procedure for Reporting Conflicts of Interest

- 6.1. Every member of Council is individually responsible for preventing potential and actual conflicts of interest as defined in the Act.
- 6.2. A member of Council must ensure that the conflict of interest is brought to the attention of Council as soon as it arises and declare their interest before any discussion of the matter during any type of meeting of Council including:
- (a) council meetings;
 - (b) council committee meetings, including Planning Board meetings
 - (c) meetings with the public for the purpose of information sharing or gathering such as town hall meetings;
 - (d) public hearings required under legislation;
 - (e) controlled corporation meetings; and

- (f) meetings where the member serves as the representative of the Council on another body;
- 6.3. There is no conflict in the decision made by Council if an interest is properly declared and the declaration:
- (a) occurs before any consideration or discussion;
 - (b) discloses the general nature of the conflict;
 - (c) includes any material details that may reasonably be seen to affect the member's impartiality; and
 - (d) involves the person making the declaration leaving the room at any time while the topic is being discussed and decisions relating to the topic are being made.
- 6.4. If a member of Council or a person closely connected to the member develops a private interest in a matter *after* it has been addressed by Council, the member of Council must disclose the conflict of interest as soon as possible thereafter.
- 6.5. A member of Council shall disclose an interest each and every time the matter in which an interest is held is brought before Council.
- 6.6. Pursuant to subsection 96.(3) *Municipal Government Act*, when a member of Council declares a conflict of interest, the Council member:
- (a) shall refrain from discussion and voting;
 - (b) must leave the room where the meeting is being held until discussion and voting has occurred;
 - (c) shall not influence discussion, voting, recommendations or other actions to be taken involving the matter, including using their office or position to influence others or the decisions of others, before, during, and after the meeting.
- 6.7. A declaration of a conflict of interest must be recorded in the meeting minutes. If a conflict of interest is declared by a member of Council, the CAO shall ensure that the following is recorded in the meeting minutes:
- (a) the declaration of a conflict of interest;
 - (b) the general nature of the conflict declared;
 - (c) the material details; and
 - (d) the abstention and withdrawal of the member.
- 6.8. The person presiding over any meeting of Council, a Council committee, a controlled corporation or other bodies of Council shall ensure that the provisions in this section are followed when a conflict of interest is declared. Discussion on the matter must be suspended until the Council, Council committee, controlled corporation, or other bodies of Council, as the case may be, can determine whether or not a conflict is present.

- 6.9. If a Council member is in doubt as to whether they are in a conflict of interest or may be in a conflict, it is the responsibility of that Council member to ensure a conflict is not present.
- 6.10. Where a member of Council has a conflict of interest, the member, as a taxpayer or voter, has a right to be heard at a meeting of Council pursuant to subsection 96(8) of the Act and as such, the member:
- (a) shall leave their place at the Council table, but is not required to leave the room;
 - (b) may exercise the right to be heard at the meeting in the same manner as a person who is not a member of Council; and
 - (c) shall leave the meeting room after having been heard until the matter has been dealt with by the Council, or the meeting has progressed to the next item on the agenda.
- 6.11. During any public consultation, hearing, or other format used by the municipality for seeking feedback from the public or receiving information from an applicant, a member of Council may exercise the right to be heard as a taxpayer or voter. However, the member must declare the conflict of interest to those present before speaking.

7. Procedure for Handling Conflict of Interest Complaints Against a Member of Council

- 7.1. A complaint that a member of Council is in a conflict of interest may be made to Council pursuant to section 97 of the Act:
- (a) by a member of Council; or
 - (b) in writing, by an elector.
- 7.2. After a complaint has made against a member of Council, the Mayor shall ensure that the complaint comes before Council to be addressed as follows:
- (a) Where a member of Council has made a complaint against another member of Council, the complainant will address Council with respect to the nature of the complaint.
 - (b) Where an elector has made a complaint against a member of Council, the complaint will be tabled in writing and the elector will be given the opportunity to speak.
- 7.3. At the conclusion of either event (a) or (b) in section 7.2, the Council member against whom the complaint is made must be given an opportunity to respond to the complaint.
- 7.4. The complaint must be recorded in the minutes of the meeting.
- 7.5. In the event that the Mayor is the subject of the complaint, the Deputy Mayor will bring the matter before Council.
- 7.6. After the member of Council against whom the complaint has been made has addressed Council, the member of Council must excuse themselves from the room for the duration of the discussion regarding the complaint.

- 7.7. Council may seek an opinion from legal counsel for the municipality when determining whether or not a conflict exists.
- 7.8. The member of Council may seek an opinion from independent legal counsel.
- 7.9. The member of Council against whom a complaint has been made must be absent from any discussion in advance of a vote and shall not vote in any way or attempt to influence the discussion of or voting on the matter at issue until the complaint has been resolved and it has been determined by Council that the member is not in a conflict.
- 7.10. Council will consider all relevant information and will determine, by vote, if a conflict of interest exists. The Council must declare that:
- (a) the member is in a conflict of interest; or
 - (b) the member is not in a conflict of interest.
- 7.11. The disclosure and decision as to whether a conflict of interest exists must be recorded in the minutes of the Council meeting.
- 7.12. If Council determines a conflict of interest exists, Council will require the member of council to:
- (a) remove himself or herself from the Council meeting and any other meeting when the matter is discussed;
 - (b) abstain from the discussion and voting on the matter; and
 - (c) not attempt in any way, before, during or after a meeting, to influence the discussion or voting on any question, decision, recommendation or other action to be taken involving a matter in which the member has a conflict of interest.

8. Disqualification for Failing to Disclose a Conflict of Interest

- 8.1. Pursuant to subsection 96(4) of the *Municipal Government Act*, a member of Council is disqualified from serving on Council if they:
- (a) fails to declare their interest in the matter before the Council;
 - (b) fails to remove themselves from the Council meeting and any other meeting when the matter is discussed;
 - (c) fails to abstain from the discussion and voting on the matter; and
 - (d) attempts in any way, before, during or after a meeting, to influence the discussion or voting on any question, decision, recommendation or other action to be taken involving a matter in which the member has a conflict of interest.
- 8.2. Pursuant to subsection 96(6) of the Act, a member of Council who fails to comply or contravenes section 8(1) of this bylaw may be pardoned by a resolution of Council, if Council is satisfied that the member's action was inadvertent or due to a genuine error in judgment.

8.3. Council shall not pardon a member of Council who fails to comply or contravenes section 8.1 where that member should reasonably have known that they were acting in a conflict.

8.4. Where a member is disqualified, Division 5 of Part 4 of the Act applies.

9. Effective Date

9.1. This Conflict of Interest Bylaw, Bylaw# 2018-05, shall be effective on the date of approval and adoption below.

10. First Reading:

This Conflict of Interest Bylaw, Bylaw# 2018-05, was read a first time at the Council meeting held on the 13th day of June, 2018.

This Conflict of Interest Bylaw, Bylaw# 2018-05, was approved by a majority of Council members present at the Council meeting held on the 13th day of June , 2018.

11. Second Reading:

This Conflict of Interest Bylaw, Bylaw# 2018-05, was read a second time at the Council meeting held on the 11th day of July, 2018.

This Conflict of Interest Bylaw, Bylaw# 2018-05, was approved by a majority of Council members present at the Council meeting held on the 11th day of July, 2018.

12. Approval and Adoption by Council:

This Conflict of Interest Bylaw, Bylaw# 2018-05, was adopted by a majority of Council members present at the Council meeting held on the 11th day of July, 2018.

13. Signatures

Mayor
Gordon Ellis

Chief Administrative Officer
Jonathan MacLean

Rural Municipality of North Shore, PEI
A Bylaw to Provide for a Code of Conduct for Members of Council
Bylaw # 2018-0+6

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

PART I – INTERPRETATION AND APPLICATION

1. **Title**

2. This bylaw shall be known and cited as the “Code of Conduct Bylaw.”

3. **Purpose**

4. The purpose of this bylaw is to set minimum expectations for the behaviour of members of Council in carrying out their functions and making decisions that benefit the Rural Municipality of North Shore.

5. **Authority**

6. Section 107 of the *Municipal Government Act* R.S.P.E.I. 1988, Cap. M-12.1., provides that a Council must establish a Code of Conduct bylaw to govern the conduct of members of Council.

7. **Application**

8. This bylaw applies to the Mayor and all members of Council. It operates together with, and as a supplement to, the applicable common law and the following statutes, any regulations or other delegated legislation made pursuant to them:

9. the *Municipal Government Act*

10. the *Criminal Code of Canada*

11. This Code of Conduct is to operate in addition to other bylaws, policies and administrative directives as may be determined by Council.

12. **Definitions**

13. In this bylaw, any word and term that is defined in the *Municipal Government Act* has the same meaning as in that Act.

14. In this bylaw,

15. “Act” means the *Municipal Government Act*.

16. “Chief Administrative Officer” or “CAO” means the administrative head of a municipality as appointed by Council under clause 86(2)(c) of the *Municipal Government Act*.

17. “Confidential Information” means information that could reasonably harm the interests of individuals or organizations, including the municipality if disclosed to persons who are not

authorized to access the information. This type of information includes, but is not limited to, privileged information, personal information, third party information, technical, financial or scientific information and any other information collected, obtained or derived for or from municipal records that must or may be kept confidential.

18. "Council" means the Mayor and other members of the Council of a municipality.
19. "Councillor" means a member of Council other than the Mayor.
20. "Family Member" means in relation to a person, a spouse, parent, child, brother, sister, aunt, uncle, grandchild, grandparent, mother-in-law, father-in-law, brother-in-law, sister-in-law, son-in-law or daughter-in-law of the person;
21. "Person Closely Connected" means "person closely connected", in relation to a member, means a family member, an agent, a business partner or an employer of the member;
22. "Staff" includes the Chief Administrative Officer (CAO) and all staff of the municipality, whether full-time, part-time, contract, seasonal or volunteers.
23. **Interpretation**
24. This bylaw is to be given a broad, liberal interpretation in accordance with applicable legislation and the definitions set out in it.
25. **Periodic Review**
26. The Code of Conduct will be brought forward for review at the end of each term of Council or when relevant legislation is amended, and at other times when appropriate to ensure that it remains current and continues to be a useful guide to Members of Council.

PART II – PRINCIPLES

27. Guiding Principles

28. Members of Council are keepers of the public trust and must uphold the highest standards of ethical behaviour.
29. Members of Council are expected to act lawfully. They are expected to be free from undue influence and not act, or appear to act, in order to gain financial or other benefits for themselves, family, friends or business interests as a result of the member holding municipal office.
30. Members of Council have a duty to make decisions based on the best interests of the municipality as a whole.
31. Members of Council are responsible for the decisions that they make. This responsibility includes acts of commission and acts of omission. In turn, decision-making processes must be transparent and subject to public scrutiny.
32. Members of Council must act responsibly within the law and within the authority of the Act. All members of Council must observe the Code of Conduct. This means disclosing actual or potential conflict of interest relating to their public duties and taking steps to resolve the conflict for the protection of the public interest.

33. Members of Council must demonstrate and promote the principles of the Code of Conduct through their decisions, actions and behaviour. Their behaviour must build and inspire the public's trust and confidence in municipal government.
34. Members of Council must conduct public business efficiently and with decorum. They must treat each other and others with respect at all times. This means not using derogatory language towards others, respecting the rights of other people, treating people with courtesy and recognizing the different roles others play in municipal government decision making.
35. Members of Council have a duty to be as open as possible about their decisions and actions. This means communicating appropriate information openly to the public about decision-making processes and issues being considered, encouraging appropriate public participation, communicating clearly and providing appropriate means for recourse and feedback.

PART III – CONDUCT OF COUNCIL

36. General Conduct

37. Members of Council must adhere to the following principles and provisions:
38. members of Council must serve, and be seen to serve, their constituents in a conscientious and diligent manner;
39. members of Council must be committed to performing their functions with integrity and to avoiding conflicts of interest and the improper use of the influence of their office;
40. members of Council must not extend, in the discharge of their official duties, preferential treatment to persons closely connected to the member or organizations and groups in which the member or persons closely connected to the member have a direct or indirect pecuniary interest;
41. members of Council are expected to perform their duties in office and arrange their private affairs in a manner that promotes public confidence and will bear close public scrutiny;
42. members of Council must seek to serve the public interest by upholding both the letter of the law and the spirit of applicable federal, provincial and municipal laws;
43. members of Council are obliged to question any request to act or make a decision that they think may be unethical or unlawful;
44. members of Council must avoid behaviour that could constitute an act of disorder or misbehaviour. Specifically, Council officials, staff and advisory body members must avoid conduct that is an abuse of power or otherwise amounts to discrimination, intimidation, harassment, verbal abuse, or the adverse treatment of others; and
45. members of Council will respect the role of staff in the administration of the business affairs of the municipality.

46. Confidential Information

47. Members of Council must respect rules regarding confidentiality, disclosure and access to all personal information in the control of the Rural Municipality of North Shore.

48. No Member of Council will disclose or release by any means to any member of the public, any confidential information acquired by virtue of their office, in either oral or written form, except where required by policy or law or authorized by the Council to do so.
49. No Member of Council will use confidential information for personal or private gain or for the gain any other person or entity.
50. Members of Council should not access or attempt to gain access to confidential information in the custody of the municipality unless it is necessary for the performance of their duties and is not prohibited by legislation, regulations and Council policy.
51. Council shall keep confidential information that falls into the following or similar categories:
 52. commercial information which, if disclosed, would likely be prejudicial to the municipality or parties involved;
 53. information received in confidence which, if disclosed, would likely be prejudicial to the municipality or parties involved;
 54. personal information, other than a person's address, that is protected under the *Municipal Government Act*; and
 55. human resource matters.

56. Public Disclosure Statements

57. Each member of Council is required to file a Disclosure Statement with the CAO within thirty (30) days of being elected (See Appendix A).
58. The Disclosure Statement will identify:
 59. the name and nature of employment;
 60. financial interests;
 61. other involvement that may be seen to affect fairness in making a municipal decision.
62. Public Disclosure Statement will not include specific details about a member of Council's personal financial matters such as salary, the value of holdings or other specific personal financial information.
63. Each Council member is required to declare any subsequent changes to employment, financial interests or other involvements. The CAO shall make amendments to the Council member's Disclosure Statement, including a notation stating the date on which the statement is amended.

64. Gifts and Benefits

65. No member of Council shall accept a fee, advance, cash, gift, gift certificate or personal benefit that is connected directly or indirectly with the performance of their duties of office, except for the following:
 66. compensation authorized under the Council and Remuneration and Compensation Bylaw;

67. gifts or benefits that normally accompany the responsibilities of office and are received as an incident of protocol or social obligation;
68. a suitable memento of a function honouring the member of Council;
69. food, lodging, transportation and entertainment provided by another government or by a conference, seminar or event organizer where the member of Council is either speaking or attending in an official capacity at an official event;
70. food and beverages consumed at banquets, receptions or similar events;
71. communication to the offices of a member of Council, including subscriptions to newspapers, and periodicals; and
72. sponsorships and donations for community events organized or run by a member of Council or by a third party on behalf of a member of Council.

73. Use of Municipal Property, Equipment and Services

74. No member of Council shall use, or request the use of, any municipal property, including surplus material or equipment for personal convenience or profit, unless the property is:
 75. available for such use by the public generally and the member of Council is receiving no special preference in its use; or,
 76. made available to the member of Council in the course of carrying out council activities and duties.
77. No Member of Council shall use, or request the use of, for personal purpose any municipal staff services, property, equipment, services, supplies or other municipally-owned materials, other than for purposes connected with the discharge of municipal duties.
78. No Member of Council shall obtain, or attempt to obtain, personal financial gain from the use or sale of municipally-developed intellectual property.
79. No Member of Council shall use information, or attempt to use information, gained in the execution of their duties that is not available to the general public for any purposes other than carrying out their official duties.
80. No Member of Council shall obtain, or attempt to obtain, personal financial gain from the use or sale of personal property to the municipality, except in compliance with the Act and the Conflict of Interest Bylaw.

81. Reimbursable Expenses

82. Members of Council may claim reimbursement by the municipality for the following expenses:
 83. expenses incurred by Members of Council for an official duty or function that are modest and represent the prudent use of public funds and do not involve the purchase of alcoholic beverages; and
 84. hospitality expenses incurred by Members of Council for meetings that include:

85. engaging representatives of other levels of government, international delegations or visitors, the broader public sector, business contacts and other third parties in discussions on official matters;
86. providing persons from national, international and charitable organizations with an understanding and appreciation of the municipality or the workings of its municipal government;
87. honouring persons from the municipality in recognition of exceptional public service and staff appreciation events;
88. recognition events for various agencies, boards and commissions of the municipality; or
89. other community groups or associations

90. Support for Charities

91. Members of Council may lend their support to and encourage community donations to registered charitable, not-for-profit and other community-based groups; however, all amounts raised through fundraising efforts shall go directly to the groups or volunteers or chapters acting as local organizers of the group.
92. No Member of Council shall directly or indirectly manage or control any monies received relating to fundraising for registered charitable, not-for-profit and other community-based groups.

93. Election Campaigns

94. No Member of Council shall use supplies, services, staff, municipal logo or other resources of the municipality for any election campaign or campaign-related activities.
95. A member of Council may only utilize a municipal facility or access equipment in the same manner as any other candidate for an election campaign purpose.
96. All members of Council shall be respectful of the role of the CAO and municipal electoral officer (MEO) in managing the municipal election process and shall not interfere with how the CAO and MEO carries out their duties.
97. No Member of Council shall use the services of persons for campaign-related activities during hours in which those persons receive any compensation from the municipality.

98. Planning or Procurement Proposals before Council

99. No members of Council shall solicit or accept support in any form from an individual, group or corporation, with any planning or procurement proposal before Council.

100. Improper Use of Influence

101. No Member of Council shall use the influence of their office for any purpose other than for the exercise of their official duties.
102. When a matter pertaining to the municipality is before any tribunal, members of Council shall not contact any tribunal members.

103. In matters relating to municipal administration, direction shall be given to the CAO by Council as a whole rather than by individual members of Council.
104. **Business Relations**
105. No Member of Council shall allow the prospect of their future employment by a person or entity to affect the performance of their duties to the municipality.
106. No Member of Council shall borrow money from any person who regularly does business with the municipality, unless such person is an institution or company whose shares are publicly traded and who is regularly in the business of lending money.
107. No Member of Council shall act as a paid agent before Council or a committee of Council or any agency, board or committee of the municipality.
108. No Member of Council shall refer a third party to a person, partnership or corporation in exchange for payment or other personal benefit.
109. **Conduct at Council Meetings**
110. Members of Council shall conduct themselves with decorum at Council meetings in accordance with the provisions of the Procedural Bylaw.
111. **Respectful Workplace**
112. Members of Council shall encourage public respect for the municipality and its bylaws. All Members of Council have a duty to treat members of the public, one another and staff appropriately and without abuse, bullying or intimidation, and to ensure that their work environment is free from discrimination and harassment.
113. **Interactions of Council with Staff and Service Providers**
114. Council has the responsibility to govern in accordance with the Act and regulations.
115. Council officials must act in accordance with Council's Procedural Bylaw and the conduct guidelines outlined in this Code of Conduct Bylaw.
116. Members of Council shall be respectful of the role of staff to advise based on political neutrality and objectivity and without undue influence from any individual member or faction of the Council.
117. Members of Council must not direct or influence, or attempt to direct or influence any municipal staff in the exercise of their duties or functions.
118. Pursuant to subsection 93.(6) of the MGA, members of Council are to direct any inquiries to the CAO rather than access staff directly. No Council member or member of a Council committee shall publicly or privately instruct or direct an employee of the municipality except through the CAO. Members of Council are not to contact or issue instructions to any of the contractors, tenderers, consultants or other service providers to the municipality.

119. Members of Council must not make public statements attacking or reflecting negatively on the Rural Municipality of North Shore staff or invoke staff matters for political purposes.

120. Employment of Persons Closely Connected to Members of Council

121. No member of Council shall attempt to influence any municipal employee to hire or promote a person closely connected to the member.

122. No member of Council shall make any decision or participate in the process to hire, transfer, promote, demote, discipline or terminate any person closely connected to the member.

123. No member of Council shall attempt to use a family relationship for their personal benefit or gain.

PART IV – COMPLAINTS

124. Breaches, Complaint Handling and Internal Resolution

125. Members of Council are to abide by the requirements of this Code of Conduct, and shall endeavour to resolve interpersonal disputes in good faith.

126. Before commencing the formal internal resolution procedure specified below, the member or members of Council who are a party or parties to an alleged contravention of this Code of Conduct will endeavour to resolve the matter informally in a courteous and respectful manner, recognizing that they have been elected to represent the best interests of the municipality.

127. Alleged breaches of this Code of Conduct by a member of Council shall be submitted in a written complaint addressed to the Mayor and/or the CAO within three (3) months of the last alleged breach.

128. In the event that the Mayor is the subject of, or is implicated in a complaint, the complaint shall be addressed to the Deputy Mayor.

129. If the alleged contravention cannot be informally resolved, the Mayor will facilitate discussion between the parties.

130. If the matter is not satisfactorily resolved after mayoral facilitation, the Mayor, with the assistance of the CAO will commence the formal internal resolution process by appointing an independent third party investigator who has the necessary professional skills, knowledge and experience to carry out the role and investigate the complaint in a fair and objective manner.

131. If the Mayor is involved in the alleged contravention of the Code of Conduct, the Deputy Mayor shall assume the role of the Mayor in the facilitation process and the appointment of any third party investigator. All deliberations regarding alleged contraventions of the Code should be conducted in confidence.

132. If a third party investigator is appointed, the parties:

133. Shall provide reasonable assistance to the investigator if requested; and

134. Must participate in good faith in the investigation.

135. The role of the investigator is to:
136. Consider the alleged contravention of the Code of Conduct;
137. Ensure that the parties involved are given an opportunity to be heard by the arbiter;
138. Explore if the alleged contravention can be resolved between the parties without making any findings; and
139. Failing resolution between the parties, the third party investigator will provide an investigation update within ninety (90) days of their appointment to the Mayor or Deputy Mayor, as applicable, and to the complainant and the respondent.
140. The third party investigator will provide a written, confidential report of the findings of the investigation, including findings as to whether there has been a breach of this Code of Conduct, to the Mayor or Deputy Mayor, as applicable, and to the complainant and the respondent. The CAO will receive and retain all reports prepared in relation to breaches of the Code of Conduct.
141. Based on the findings in the report of the third party investigator, the Council, Mayor or Deputy Mayor will determine the most appropriate action to resolve the matter.
142. Council may, in accordance with section 107(3) of the Act:
143. Dismiss the complaint;
144. Require the member of Council to remove themselves from the meeting if conduct is deemed to be inappropriate;
145. Reprimand the member of Council for a breach of this Code of Conduct Bylaw;
146. Suspend the remuneration paid to the member in respect of their services as a member of Council for a period of up to 90 days;
147. Request for an apology to Council, the complainant, or both;
148. Impose a fine of not more than \$500; or
149. Impose any other sanction that is deemed appropriate in the professional judgment of the third party investigator, where so enabled in the Act.
150. The principles of natural justice must be observed during the arbitration of an alleged contravention of this Code of Conduct. There is a right to a fair hearing before an independent investigator. The member of Council who is the subject of an alleged contravention must be given all relevant information in regard to the allegation and an opportunity to respond and be supported if the member so desires. Any member of Council who alleges a contravention of the Code of Conduct must not be disadvantaged because of such action.
151. The Code of Conduct does not override, prevail over, or amend legislation applicable to the roles, responsibilities, and duties of members of Council.
152. Members of Council are individually responsible for seeking relevant advice from the CAO as to the application of the Code of Conduct.

153. **Effective Date**

154. This Code of Conduct Bylaw, Bylaw# 2018-06, shall be effective on the date of approval and adoption below.

First Reading:

This Code of Conduct Bylaw, Bylaw# 2018-06, was read a first time at the Council meeting held on the 11th day of July, 2018.

This Code of Conduct Bylaw, Bylaw# 2018-06, was approved by a majority of Council members present at the Council meeting held on the 11th day of July, 2018.

Second Reading:

This Code of Conduct Bylaw, Bylaw# 2018-06, was read a second time at the Council meeting held on the _____ day of _____, 2018.

This Code of Conduct Bylaw, Bylaw# 2018-06, was approved by a majority of Council members present at the Council meeting held on the _____ day of _____, 2018.

Approval and Adoption by Council:

This Code of Conduct Bylaw, Bylaw# 2018-06, was adopted by a majority of Council members present at the Council meeting held on the _____ day of _____, 2018.

Signatures

Mayor (signature sealed)

Chief Administrative Officer (signature sealed)

This Code of Conduct for Council Member Bylaw adopted by the Council of the Rural Municipality of North Shore on (date) is certified to be a true copy.

Chief Administrative Officer Signature

Date

APPENDIX A
RURAL MUNICIPALITY OF NORTH SHORE

Note: A Sample Disclosure Statement will be developed in a form approved by the Minister.



**Atlantic Graduate
Lawn Care / Pest Control**

TREATMENT NOTICE

Time and Date
Notice Issued: June 21 @ 1pm

NOTICE:

Atlantic Graduate would like to take this time to inform you, that an application of insect control or weed control will be applied to your neighbours property. If you have any questions or concerns, please do not hesitate to call.

We assure you that all of our products are of the highest quality and are applied in the most effective and safest manner. We have been serving Islanders since 1993. We offer Pest Control and Lawn Care for commercial, residential and industrial.

Professional Services: Weed Control – Fertilizing – Earwig Control – Chinch Bug Control – Lawn Aeration – Dethatching – Ant Control – Flea Control – Wasps – Hornets – Rodent Control – Wildlife Removal – Monthly Pest Preventative Services – ETC.....

Treating Area For: Weeds

Area to Be Treated: Lawn of 2433 Covehead Rd

Proposed Treatment Date: June 22 @ 1pm

Active Ingredients: Mecoprop and Dimethylamine

Chemical Name: Mecoprop – P and MCPA

PCP#: 27891 and 9516

Please Note: We do not treat on rainy days or days where wind speeds exceed 20 kmh

Please stay off treated area for 24 hours

P.O. Box 1934, Charlottetown, PE, C1A 7N5
Tel: 902-628-2133 Fax: 902 628-1219 robgal@pei.aibn.com