

**Cape Breton Regional Municipality**

**Special Council Meeting**

**AGENDA**

**TUESDAY, FEBRUARY 18, 2025**

**9:30 A.M.**

Council Chambers  
2<sup>nd</sup> Floor, City Hall  
320 Esplanade, Sydney, NS

# Cape Breton Regional Municipality

## Special Council Meeting

Tuesday, February 18, 2025  
9:30 a.m.

Council Chambers – City Hall

## **AGENDA ITEMS**

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### Land Acknowledgement

### Roll Call

1. **APPROVAL OF AGENDA:** (Motion Required)

2. **IN CAMERA:**

2.1 **Approval of Minutes** (Previously Circulated)

- In Camera Council Minutes – March 7, 2023
- In Camera Council Minutes – March 28, 2023
- In Camera Council Minutes – May 23, 2023
- In Camera Council Minutes – June 13, 2023
- In Camera Council Minutes – October 3, 2023
- In Camera Council Minutes – December 12, 2023
- In Camera Council Minutes – January 23, 2024
- In Camera Council Minutes – March 26, 2024
- In Camera Council Minutes – May 14, 2024
- In Camera Council Minutes – August 20, 2024
- In Camera Council Minutes – November 12, 2024
- In Camera Council Minutes – December 3, 2024
- In Camera Council Minutes – January 21, 2025

2.2 **Wellness Survey:** Deanna Evely, Director of Human Resources

Information to be circulated prior to the meeting.

*[In accordance with Sections 22(2)(c) of the Municipal Government Act]*

**...Continued**

**Special Council Meeting Agenda  
February 18, 2025 (Cont'd)**

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**IN CAMERA (Cont'd):**

**2.3     Legal Advice:** Robert Sampson, K.C., Solicitor

*[In accordance with Sections 22(2)(g) of the *Municipal Government Act*]*

**2.4     Modernization Plan:** Demetri Kachafanas, Interim Chief Administrative Officer

Information to be circulated prior to the meeting.

*[In accordance with Sections 22(2)(c) of the *Municipal Government Act*]*

**2.5     Provincial Discussions and Negotiations:** Mayor Cecil P. Clarke

*[In accordance with Sections 22(2)(e) of the *Municipal Government Act*]*

**3.     911/311 Service Overview:** Alex MacAulay, Manager of 911/311

Information to be circulated prior to the meeting.

**4.     Update to Emergency Coordination Centre (ECC) Plan:** Bruce MacDonald, Manager of Emergency Management and Chief Mark Bettens, Director of Fire and Emergency Services

Information to be circulated prior to the meeting.

**5.     CBRM Policies:** Christa Dicks, Municipal Clerk (See page 4)

**6.     Records Management:** Christa Dicks, Municipal Clerk (See page 6)

**7.     Communications and Municipal Events Policy:** Christa Dicks, Municipal Clerk and Kirk Durning, Director of Recreation, Parks and Ground and Buildings and Facilities (See page 11)

**8.     Expression of Interest – Physical Space:** Demetri Kachafanas, Interim Chief Administrative Officer (See page 13)

**ADJOURNMENT**



**Cape Breton Regional Municipality**  
**320 Esplanade**  
**Sydney, NS B1P 7B9**

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**To:** Mayor Clarke and Council  
**Submitted by:** Demetri Kachafanas, K.C., Interim CAO  
**Date:** February 18<sup>th</sup>, 2025  
**Subject:** CBRM Policies

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**Origin**

Staff initiated.

**Legislation and Related Policies**

*Municipal Government Act*, Sections 47 and 49(1)

**Recommendation**

It is recommended that CBRM Council direct staff to initiate a review of all CBRM policies; and to develop a policy framework for Council's consideration.

**Background**

In December 2024, several Council related policies were brought forward for review. The Clerk's Office began the review and update of several identified policies. Sequentially, additional policies requiring legislated reviews were provided for Council's approval.

During this process, it was identified that there were inconsistencies in the approach to policy development and renewals as noted in the discussion section below.

**Discussion**

The federal government refers to policy as a set of statements of principles, values and intent that outline expectations and provides a basis for consistent decision making and resource allocation in respect to a specific issue and that policies are one of the chief tools of governance for an institution. In addition, within the *Municipal Government Act* policy is recognized as a resolution of the Council that is required, pursuant to this Act, to be recorded in the by-law records of a municipality, except where the context otherwise requires.

The policy environment of municipal governments is complex, often spanning multiple departments, areas of service delivery and operational settings. Areas of the organization have policies in place but overall support, monitoring and/or tracking of specific policies is inconsistent. Effective policy coordination ensures compliance with overarching legislation and reduces organizational risk. Therefore, developing better policy coherence is a strategic opportunity for the municipality. The idea behind policy coherence is to ensure that policies are well planned, aligned, and coordinated to meet the needs of citizens and achieve their proper outcomes.

Further to this, classification and naming conventions of policy best practices ensure better quality management, and controlled documents. According to international standards, controlled documents should meet seven controls:

1. Be approved by a relevant team before initial issue to ensure the document is accurate
2. Reviewed, updated, and re-approved on a declared timeline
3. Note the revision number and status, as identification of what changes were made in the last revision

4. Current versions should be accessible, and users should be notified of updates
5. Should be legible and readily identifiable, including a reference code or numbering system and a standard document format
6. Documents of external origin should be similarly identified, managed and controlled
7. Obsolete documents should be removed from access and easily identifiable as different from the current approved versions

As part of the process to improve and achieve policy congruence, a policy framework outlining the creation, classification and maintenance will serve as a starting point to the amendments and readoption of existing policies, as well as the development of new policies. This policy on policies provides the context for which policies are established.

A broadening of scope to review all policies (from the previous Council policies only) is required to perform a full review and the following workplan is suggested for consideration:

1. Development and approval of a policy framework to provide overarching guidelines for development.
2. Development of a draft policy framework package which can be used as a resource guide for staff who develop policy in CBRM to include: standardized templates, policy development guidelines, and process maps.
3. Review of existing policies to identify those requiring updates, and renewals
4. Refinement of tools, structures, and governance required for organization-wide implementation of the framework including updating the inventory of existing CBRM policies, guidelines, and procedures to identify policy gaps, and new policies requiring development, overlaps in existing policies, and better ways to organize and access internal policies.
5. Report to Council of changes made e.g. naming conventions, existing policies requiring review, and identification of policy gaps requiring new policies.

The outcome of adopting a framework, creating and updating a comprehensive inventory of policies will increase accountability and transparency by ensuring all policies are properly developed, organized, documented, and understood. In addition, gaps and overlaps in existing policies will be minimized and required review and/or amendments of policies will occur more regularly and strategically.

#### **Financial Implications**

The policy project and coordination function is being undertaken using existing resources.

#### **Options**

1. CBRM Council may adopt the recommendation with modifications. This may require a supplementary staff report.
2. CBRM Council may refuse the recommendation in part or in whole.

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A copy of this report can be obtained online at [www.cbrm.ns.ca](http://www.cbrm.ns.ca) or by contacting the Office of the Municipal Clerk at 902-563-5010.

Report Prepared by: Christa Dicks, Municipal Clerk 902-563-5021.

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Cape Breton Regional Municipality  
320 Esplanade  
Sydney, NS B1P 7B9

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**To:** Mayor Clarke and Council  
**Submitted by:** Demetri Kachafanas, Interim CAO  
**Date:** February 18<sup>th</sup>, 2025  
**Subject:** Records and Information Management

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### **Origin**

Staff initiated review of CBRM Process.

### **Legislation and Related Policies**

*Municipal Government Act* Section 34(1)(2)(3)(4) and Section 35  
*CBRM Resolution RA6 Destruction of Documents*

### **Recommendation**

That Council direct staff to coordinate and draft a Records and Information Management Policy to address the maintenance and destruction of CBRM controlled records; and

To direct staff to issue an Expression of Interest for work related to the transition of digital documents to a centralized repository including design and build of the repository and tagging for documents.

### **Background**

In 1995 and 2005, Council reviewed and approved **Resolution RA6 Destruction of Documents** which outlined that a document destruction schedule is essential to a records management system and that clauses 34(1)(2)(3)(4) and Section 35 (excerpt attached) of the *Municipal Government Act* be adopted as the guidelines for the municipality.

The sections of the Act also provide Council the ability to adopt a policy and outline specific records which must be maintained in perpetuity.

### **Discussion**

The municipality is not in compliance with required legal and regulatory frameworks for information management. The adoption of this policy and its related implementation efforts will put the municipality in alignment with federal and provincial legislations ensuring compliance. Effective information management ensures compliance with laws such as access to information, privacy legislation, and records retention requirements.

Additionally, information management needs have changed dramatically over past years with the advancements of technology. Considerations for information management are critical as it underpins efficient operations, transparency, and accountability. A Records and Information Management policy will support:

- Properly managed records providing evidence of decisions, actions, and expenditures, which can be audited or reviewed to ensure accountability.
- Organized information allowing the municipality to function smoothly with accurate information and data supports decision making and resource allocation, reducing redundancies and delays.
- Effective records management preserving important documents, maps, meeting minutes, and bylaws for the future, further supporting historical research.
- Quality information management increasing efficiencies such as reductions in lost or duplicated data, and reduced storage costs. Streamlining processes reduce storage expenses and frees those resources for other priorities.
- Managed information reducing risks particularly when considering data breaches, legal challenges, and loss of public trust. A defined schedule minimizes these risks by safeguarding sensitive and confidential data with consistency.
- Giving users direction for creating, capturing and managing information assets (records, information, and data) and assigns responsibilities across the organization.

The policy will consider principles and practices from other municipalities, the Association of Municipal Administrators Nova Scotia, and recognized standards such as those outlined by the Association of Records Managers and Administrators.

Implementation of a new records and information management policy is a critical step toward ensuring that CBRM's documents are properly classified, easily retrievable, and compliant with regulatory standards. However, the process of moving and tagging large volumes of digital records can be highly complex, time-consuming, and create unintended risks. By exploring specialized service providers, CBRM can understand the full scope of the requirements, including budgetary implications which will be provided in a supplementary report to Council.

### **Alternatives**

1. Council may adopt the recommendation subject to modification. This may require a supplementary staff report.
2. Council may refuse the recommendation.
3. Council may refuse to direct staff to issue an Expression of Interest for work related to the transition of documents to a centralized repository including design and build of the repository and tagging for documents.

**Attachments****Appendix A – Resolution RA6 Destruction of Documents****Appendix B - Excerpt Municipal Government Act Sections 34 and 35**

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Report Prepared by: Christa Dicks, Municipal Clerk 902-563-5010.

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## **Appendix A - Resolution**

### **CAPE BRETON REGIONAL MUNICIPALITY**

#### **Resolution RA6**

#### **DESTRUCTION OF DOCUMENTS**

**WHEREAS** the identification of a document destruction schedule is essential to a records management system;

**AND WHEREAS** Cape Breton Regional Municipality will have to get early control over the thousands of files that exist.

**Moved and seconded that the clauses in Section 34 (1), (2), (3), (4) and Section 35 of the *Municipal Government Act*, dealing with destruction of documents be adopted as the guidelines for the Cape Breton Regional Municipality. Motion Carried.**

**Approved by Council: August 1, 1995**

**Amended by Council: March 18, 2005**

## **Appendix B – Excerpt Municipal Government Act**

### **Policy for records management and destruction**

**34** (1) The council may adopt a policy for the management and destruction of records.

(2) Records that are required by an enactment to be kept and minutes, by-laws, policies and resolutions of the council shall not be destroyed.

(3) The council may, by policy, specify further classes of records that are not to be destroyed or that are to be kept for specified time periods.

(4) Where

(a) a municipal record is destroyed; or

(b) an original municipal record is not produced in court,

and

(c) the clerk certifies that a reproduction is part of the records of the municipality and is a true reproduction of the original municipal record,

a photographic, photostatic or electronic reproduction of the record is admissible in evidence to the same extent as the original municipal record and is, in the absence of proof to the contrary, proof of the record. 1998, c. 18, s. 34.

### **Sufficient proof in action or proceeding**

**35** Where, in an action or proceeding it is necessary to prove the authority of an employee of a municipality, a certificate under the hand of the clerk and the seal of the municipality stating that the employee has the authority is sufficient proof, without proof of the signature of the clerk or of the seal. 1998, c. 18, s. 35.



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**To:** Mayor Clarke and Council  
**Submitted by:** Demetri Kachafanas, K.C., Interim CAO  
**Date:** February 18<sup>th</sup>, 2025  
**Subject:** Communications and Municipal Events

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**Origin**

Staff initiated review of policies.

**Legislation and Related Policies**

*Municipal Government Act*

Code of Conduct for Elected Officials of the Cape Breton Regional Municipality

**Recommendation**

It is recommended that CBRM Council direct staff to coordinate and draft a policy on public communications, and municipal events.

**Background**

There is an imperative to maintain a consistent and coordinated approach to the municipality's representation during official and ceremonial events as well as in public communications. These events and communications are not merely routine; they are pivotal in reinforcing municipal pride and unity of CBRM's community. They also play a significant role in maintaining formal relations with other government entities and dignitaries.

**Discussion**

Attending municipal events being publicly available in CBRM serves to build connections and trust in the public. By standardizing how events and communications are conducted, the CBRM projects a well-organized and professional image that can significantly bolster its reputation among residents, visitors, and dignitaries. The policy will also clarify the expectations for everyone involved, reducing the risk of miscommunication and ensuring that events proceed smoothly without disruption.

Further, the policy will consider speaking order, roles of council and staff before and during events and publicly issued communications, ensuring political and administrative officials are appropriately represented. The policy will be intended for communications with various forms of media, as well as CBRM hosted events, also serving as a guideline for non-CBRM hosted events, ensuring consistency across different platforms and venues.

The proposed policy will be a cornerstone document that ensures that every event, as well as public communications involving the CBRM continue to be respectful, resident-focused and carried out with the highest standards of governmental etiquette and decorum.

**Financial Implications**

The policy and coordinative functions will be undertaken using existing resources.

**Options**

Council may

1. Recommend the CBRM Council adopt the recommendation subject to modification. This may require a supplementary staff report.
2. Recommend that CBRM Council refuse the recommendation.

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Report Prepared by: Christa Dicks, Municipal Clerk and Kirk Durning, Director Parks, Recreation, Buildings & Facilities.

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**To:** Mayor Clarke and Council  
**Submitted by:** Demetri Kachafanas, Interim Chief Administrative Officer  
**Date:** February 18<sup>th</sup>, 2025  
**Subject:** Expression of Interest – Physical Space

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### **Recommendation**

It is recommended that Council direct staff to issue an Expression of Interest for physical space for a variety of municipal purposes.

### **Background**

The Cape Breton Regional Municipality (CBRM) has witnessed significant operational evolution and community growth over recent years. This development has precipitated a pressing need for additional physical space to accommodate expanding municipal services efficiently and effectively. As the responsibilities and functions of the CBRM have expanded, so too has the requirement for spaces that not only serve general office needs but also address specific, sensitive needs such as police operations and archival records management.

### **Discussion**

General office space is fundamentally essential for the day-to-day administrative functions of the municipality. However, the unique demands of police operations require secure, accessible, and strategically located facilities that are equipped to handle sensitive materials and activities crucial for maintaining public safety and law enforcement integrity. Likewise, archival spaces must be designed to preserve historical documents and records that are not only vital for ongoing governmental operations but also for maintaining the cultural heritage of the region. These facilities need to meet standards to ensure the longevity and safety of stored materials.

Given the multifaceted space requirements of these essential services, it is proposed that the CBRM issues an Expression of Interest (EOI) to identify potential properties that could serve these diverse needs. This approach allows the municipality to explore various options, from leasing to purchasing, or even new construction, providing flexibility in addressing the space challenges faced by the municipality.

The EOI process is envisioned as a strategic step to gauge the market for available properties that meet the specific criteria set forth by the municipality. It will enable the CBRM to make informed decisions based on the responses received, ensuring that any investment in physical space is both economically prudent and tailored to the long-term needs of the community. This proactive measure is critical to sustain the municipality's growth and enhance its capacity to serve its citizens effectively, thereby supporting the continuous improvement of municipal services in response to evolving community needs.

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Report Prepared by: Demetri Kachafanas, Interim CAO

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