

CAPE BRETON REGIONAL MUNICIPALITY
Council Meeting – Minutes

**Tuesday,
October 25, 2022
9:32 a.m.
Council Chambers
2nd Floor, City Hall
320 Esplanade, Sydney, NS**

Mayor Amanda M. McDougall called the meeting to order.

Council: Mayor Amanda M. McDougall
Councillor Gordon MacDonald
Deputy Mayor Earlene MacMullin
Councillor Steve Gillespie
Councillor Eldon MacDonald
Councillor Glenn Paruch
Councillor Steve Parsons
Councillor James Edwards
Councillor Ken Tracey
Councillor Darren Bruckschwaiger
Councillor Darren O'Quinn
Councillor Lorne Green

Staff: Marie Walsh, Chief Administrative Officer
Jennifer Campbell, Chief Financial Officer
Deborah Campbell Ryan, Municipal Clerk
Demetri Kachafanas, KC, Regional Solicitor
Wayne MacDonald, Director of Engineering & Public Works
Michael Ruus, Director of Planning & Development
Greg Campbell, Manager of Technical Support Services, Water Utility
Sharon MacSween, Senior Administrative Assistant
Tanya Nicholson, Recording Secretary

Absent: Councillor Cyril MacDonald (Regrets)

The Council met In Camera on October 18, 2022 in accordance to Section 22 (2) (d) of the *Municipal Government Act*.

Summary of Decisions

Land Acknowledgement

Roll Call

O' Canada

1. APPROVAL OF AGENDA:

Motion to approve the October 25, 2022, Council Agenda as circulated. **Carried.**

2. APPROVAL OF MINUTES:

Motion to approve minutes from:

- **Council – September 13, 2022**

Carried.

3. PROCLAMATIONS:

3.1 Pancreatic Cancer Awareness Month:

Motion that CBRM Mayor Amanda M. McDougall and Council proclaim November as National Pancreatic Cancer Awareness Month and November 17th, 2022, as World Pancreatic Cancer Day in the Cape Breton Regional Municipality. **Carried.**

3.2 International Intersex Awareness Day:

Motion that CBRM Mayor Amanda M. McDougall and Council proclaim October 26th, 2022, as International Intersex Awareness Day in the Cape Breton Regional Municipality. **Carried.**

3.3 Dyslexia Awareness Month:

Motion that Mayor Amanda M. McDougall and Council proclaim October 2022 as Dyslexia Awareness Month in the Cape Breton Regional Municipality. **Carried.**

Continued...

Summary of Decisions (Cont'd)

PROCLAMATIONS (Cont'd):

3.4 Lung Cancer Awareness Month:

Motion that Mayor Amanda M. McDougall and Council proclaim November 2022 as Lung Cancer Awareness Month in the Cape Breton Regional Municipality and recognize the need for research in lung cancer affecting women and lung cancer health disparities and encourage all citizens to learn about lung cancer and early detection through lung cancer screening. **Carried.**

4. PUBLIC SERVICES ISSUE:

4.1 CBRM Water Utility Water Rate Study:

Motion that the Cape Breton Regional Municipality apply to the Nova Scotia Utility and Review Board for changes in its rates for water and water service, fire protection to the Cape Breton Regional Municipality and changes to its Rules and Regulations for customers served by the Cape Breton Regional Municipality Water Utility, as set out in the Water Rate Study prepared by G.A. Isenor Consulting Limited in association with Blaine S. Rooney Consulting Limited. **Carried.**

5. BUSINESS ARISING:

5.1 Audit Committee Meeting – October 18, 2022:

a) Draft Audited Financial Statements for Year Ended March 31, 2022):

Motion to approve and release the:

- CBRM Consolidated Financial Statements for the Year Ended March 31, 2022
- CBRM Water Utility Financial Statements for the Year Ended March 31, 2022
- Audit Findings Report for the Year Ended March 31, 2022

Carried.

6. CORPORATE SERVICES ISSUES:

6.1 Borrowing Resolution, Lease Facility:

Motion to approve the renewal of a Lease Facility with a limit of \$2,000,000 with the Bank of Montreal for the 2022/2023 fiscal year to allow CBRM departments to opt to finance equipment purchases through a capital lease agreement. **Carried.**

Continued...

Summary of Decisions (Cont'd)

CORPORATE SERVICES ISSUES (Cont'd):

6.2 Borrowing Resolution, Operating Line of Credit:

Motion to approve the renewal of the Borrowing Resolution for the Operating Line of Credit in the amount of \$44,000,000 with the Bank of Montreal (BMO) for the 2022/2023 fiscal year to finance short term operations and bridge financing for capital projects. **Carried.**

6.3 Seaview Manor Resolution – Board Member Appointment:

Motion to approve the Resolution appointing Bill Morrison of Port Caledonia to the Board of Directors at Seaview Manor as presented in the October 19, 2022, Memo. **Carried.**

7. FINANCIAL STATEMENTS:

7.1 CBRM to August 31, 2022:

For Information Only.

7.2 Port of Sydney Development Corporation to August 31, 2022:

For Information Only.

8. Review of Action Items from this Meeting:

Mayor McDougall reviewed the action item from this meeting.

ADJOURNMENT

The Council met In Camera on October 18, 2022 in accordance to Section 22 (2) (d) of the *Municipal Government Act*.

Land Acknowledgement

Roll Call

O' Canada

1. APPROVAL OF AGENDA:

Motion:

Moved by Councillor Green, seconded by Councillor O'Quinn, to approve the October 25, 2022, Council agenda as circulated.

Motion Carried.

2. APPROVAL OF MINUTES:

Motion:

Moved by Deputy Mayor MacMullin, seconded by Councillor Parsons, approval of the Minutes from:

- **Council Meeting – September 13, 2022**

Motion Carried.

3. PROCLAMATIONS:

3.1 Pancreatic Cancer Awareness Month:

Motion:

Moved by Deputy Mayor MacMullin, seconded by Councillor Gordon MacDonald, that CBRM Mayor Amanda M. McDougall and Council proclaim November as National Pancreatic Cancer Awareness Month and November 17th, 2022, as World Pancreatic Cancer Day in the Cape Breton Regional Municipality.

Motion Carried.

3.2 International Intersex Awareness Day:

Motion:

Moved by Councillor Green, seconded by Councillor O'Quinn, that CBRM Mayor Amanda M. McDougall and Council proclaim October 26th, 2022, as International Intersex Awareness Day in the Cape Breton Regional Municipality.

Motion Carried.

Continued...

PROCLAMATIONS (Cont'd):

3.3 Dyslexia Awareness Month:

Motion:

Moved by Councillor O'Quinn, seconded by Councillor Paruch, that Mayor Amanda M. McDougall and Council proclaim October 2022 as Dyslexia Awareness Month in the Cape Breton Regional Municipality.

Motion Carried.

3.4 Lung Cancer Awareness Month:

Motion:

Moved by Councillor Parsons, seconded by Deputy Mayor MacMullin, that Mayor Amanda M. McDougall and Council proclaim November 2022 as Lung Cancer Awareness Month in the Cape Breton Regional Municipality and recognize the need for research in lung cancer affecting women and lung cancer health disparities and encourage all citizens to learn about lung cancer and early detection through lung cancer screening.

Motion Carried.

4. PUBLIC SERVICES ISSUE:

4.1 CBRM Water Utility Water Rate Study:

Greg Campbell, Water Utility Manager of Technical Support Services, introduced the Water Rate Study that will be sent to the NSUARB for implementation on April 1, 2023. He welcomed Gerry Isenor and Blaine Rooney who prepared the Study and will be providing the presentation.

Mr. Gerry Isenor, G.A. Isenor Consulting Limited, provided a presentation on the Water Rate Study. He advised the purpose of the Study is to review the rates charged for the service delivered, noting that the last Rate Study was 2016/2017 and the last rate change was 2019. He noted that the Water Utility is doing quite well, however in 2017 there was a deficit. Presently there is a 2-block rate structure where water is sold at a discount, but the recommendation is for that to change. The current residential water rates will not change.

Mr. Isenor reviewed points in the Note to Worksheets and Supplemental Notes to Worksheets and highlighted the following:

- Operating and Non-Operating Revenues
- Operating Expenditures
- Accumulated Surplus (Deficit)
- Comparative Statement of Operations
- Statement of Operating Expenditures and Revenue Requirements

Continued...

PUBLIC SERVICES ISSUE - CBRM Water Utility Water Rate Study (Cont'd):

- Proposed Wastewater and Water Utility merger
- Use of Depreciation funds
- Billing for fire protection general service
- Loss of water customers
- High usage customers and potential interveners at the Nova Scotia Utility and Review Board (NSUARB) Hearing: Nova Scotia Power, Cape Breton Regional Hospital and Marine Atlantic
- Rules and Regulations
- Water bills, collectables and water shut offs
- New definitions for AMI and ERT for encoders and receivers for automated metering and software
- Leak detection, meter costs and meter pits and their locations
- Under the *Public Utilities Act*, a utility cannot be expanded for new customers if it creates a negative impact on existing customers
- End of life infrastructure that must be replaced

The following motion was then put forward:

Motion:

Moved by Councillor Eldon MacDonald, seconded by Councillor Parsons, that the Cape Breton Regional Municipality apply to the Nova Scotia Utility and Review Board for changes in its rates for water and water service, fire protection to the Cape Breton Regional Municipality and changes to its Rules and Regulations for customers served by the Cape Breton Regional Municipality Water Utility, as set out in the Water Rate Study prepared by G.A. Isenor Consulting Limited in association with Blaine S. Rooney Consulting Limited.

Motion Carried.

In terms of next steps, Mr. Isnor advised that documents have to be executed and filed with NSUARB and then they will take control of the process. Mr. Isnor and Mr. Rooney will act as the CBRM representatives.

Following further discussion on process, the Mayor thanked Mr. Isenor for his presentation.

Continued...

5. BUSINESS ARISING:

5.1 Audit Committee Meeting – October 18, 2022:

a) Draft Audited Financial Statements for Year Ended March 31, 2022:

Jennifer Campbell, Chief Financial Officer, advised that the Audit Committee received the details of the financial results for the fiscal year ending March 31, 2022, as well as the MNP's Audit Findings Report, and there were no areas of concern. She noted because of Hurricane Fiona and the postponement of the Audit Committee meeting, the required year end reports and documents could not be submitted by the September 30th deadline.

Motion:

Moved by Deputy Mayor MacMullin, seconded by Councillor Paruch, to approve and release the:

- CBRM Consolidated Financial Statements for the Year Ended March 31, 2022
- CBRM Water Utility Financial Statements for the Year Ended March 31, 2022
- Audit Findings Report for the Year Ended March 31, 2022

Motion Carried.

Mayor McDougall thanked the Audit Committee and the Chief Financial Officer for their work.

6. CORPORATE SERVICES ISSUES:

6.1 Borrowing Resolution, Lease Facility:

Jennifer Campbell, Chief Financial Officer, provided background information on the issue and advised that CBRM has in place a lease facility that carries a limit of \$2,000,000. CBRM's financial institution, the Bank of Montreal, requires CBRM to renew this lease facility annually. The Bank of Montreal requires a motion from Council to renew this lease facility for the 2022/2023 fiscal year.

Motion:

Moved by Councillor Parsons, seconded by Councillor Edwards, to approve the renewal of a Lease Facility with a limit of \$2,000,000 with the Bank of Montreal for the 2022/2023 fiscal year to allow CBRM departments to opt to finance equipment purchases through a capital lease agreement.

Motion Carried.

Continued...

CORPORATE SERVICES ISSUES (Cont'd):

6.2 Borrowing Resolution, Operating Line of Credit:

Jennifer Campbell, Chief Financial Officer, provided background information on the issue and advised that CBRM has in place a borrowing resolution for a \$44,000,000 line of credit and CBRM's financial institution, the Bank of Montreal, requires CBRM to renew this operating line of credit annually.

Motion:

Moved by Councillor Green, seconded by Councillor O'Quinn, to approve the renewal of the Borrowing Resolution for the Operating Line of Credit in the amount of \$44,000,000 with the Bank of Montreal (BMO) for the 2022/2023 fiscal year to finance short term operations and bridge financing for capital projects.

Motion Carried.

6.3 Seaview Manor Resolution – Board Member Appointment:

Mr. Demetri Kachafanas, Regional Solicitor, provided background information on this issue and recommended Council to approve the Seaview Manor Resolution appointing Bill Morrison of Port Caledonia to the Board of Directors at Seaview Manor.

Motion:

Moved by Councillor Tracey, seconded by Councillor Edwards, to approve the Resolution appointing Bill Morrison of Port Caledonia to the Board of Directors at Seaview Manor as presented in the October 19, 2022 Memo.

Motion Carried.

7. FINANCIAL STATEMENTS:

7.1 CBRM to August 31, 2022:

Jennifer Campbell, Chief Financial Officer, advised she will bring a mid-year budget review to December 13th, 2022, Council meeting.

For Information Only.

7.2 Port of Sydney Development Corporation to August 31, 2022:

Councillor Steve Gillespie requested that someone from the Port of Sydney Development Corporation be in attendance at the December 13th, 2022, meeting of Council to answer questions on the Port financial statements.

For Information Only.

8. Review of Action Items from this Meeting:

Mayor Amanda M. McDougall noted that Jennifer Campbell, Chief Financial Officer, will provide a mid-year budget review at the December 13, 2022, meeting of Council.

Meeting adjourned at 11:20 a.m.

Mayor Amanda M. McDougall

/tcn

Deborah Campbell Ryan
Municipal Clerk