



Town of Amherst
Special Council Meeting
Agenda

Date: **Wednesday, July 5, 2023**
Time: **12:00 pm**
Location: **Council Chambers, Town Hall**

Pages

1. CALL TO ORDER

1.1 TERRITORIAL ACKNOWLEDGMENT

“I would like to acknowledge that our gathering today is taking place in (MEEG-MA-GEE), the traditional, unceded and ancestral territory of the Mi’kmaw people. I would also like to acknowledge that Nova Scotia has another unique people. These are the Indigenous Blacks of Nova Scotia whose legacy and contributions date back over 400 years predating confederation of this land. We are all treaty people.”

2. REQUEST FOR DECISION

- | | | |
|------------|---|----------------|
| 2.1 | Robbs Complex Lighting - Chambers | 1 - 7 |
| 2.2 | Cumberland YMCA Funding Request - Fawthrop | 8 - 13 |
| 2.3 | Cumberland Business Connector Agreement - Landry | 14 - 25 |
| 2.4 | Afghanistan Memorial Donation - Emery | 26 - 29 |

3. ADJOURNMENT

SYNOPSIS

Robbs Baseball Complex Lighting Award of Contract

A request for proposals was issued for the replacement of the lights at both the Dwight Jones and Cecil Small baseball fields, and to install new lights at Robbs 3 baseball field. One bid was received and was substantially over budget. The CAO subsequently tried to negotiate a lower price but was unsuccessful in gaining meaningful price reductions.

Once the RFP was cancelled the CAO reached out to Nichent Energy, a provider of field lighting solutions based in Burnside. After a site visit and some negotiation, Nichent Energy submitted a proposal of \$425,150 net of a \$65,250 Efficiency Nova Scotia Rebate which they will guarantee.

The approved 2022/23 capital budget includes \$200,000 for this project. The additional \$225,150 will be funded from the Capital Reserve (CJSMA Sale Proceeds).

This project will ensure that 'night games' can continue on both the Dwight Jones and Cecil Small baseball fields and will also allow them for the first time on Robbs 3 field. This project is a continuation of recent investments and upgrades made by the Town in this regionally significant baseball complex which recently included the installation of grass infields and a new twin batting cage. Such investments result in physical activity and socialization opportunities for all ages, increased economic activity and improved community pride.

MOTION:

That Council award the contract to replace the lights at both the Dwight Jones and Cecil Small baseball fields, and to install new lights at Robbs 3 baseball field, to Nichent Energy at their total bid price of \$425,150 net of a guaranteed \$65,250 Efficiency Nova Scotia Rebate, with funding of \$200,000 from the current Capital Budget (Operating Reserve) and \$225,150 from the Capital Reserve (CJSMA Sale proceeds).



AMHERST TOWN COUNCIL

RFD# 2023105

Date: July 05, 2023

TO: Mayor Kogon and Members of Council

SUBMITTED BY: Jason MacDonald, CAO

DATE: July 5, 2023

SUBJECT: Award of Contract for Robbs Baseball Complex Lighting

ORIGIN: 2022/23 Capital Budget.

LEGISLATIVE AUTHORITY: 31700-01 Procurement Policy

RECOMMENDATION: That Council award the contract to replace the lights at both the Dwight Jones and Cecil Small baseball fields, and to install new lights at Robbs 3 baseball field, to Nichent Energy at their total bid price of \$425,150 net of a guaranteed \$65,250 Efficiency Nova Scotia Rebate, with funding of \$200,000 from the current Capital Budget (Operating Reserve) and \$225,150 from the Capital Reserve (CJSMA proceeds).

BACKGROUND: A request for proposals was issued for the replacement of the lights at both the Dwight Jones and Cecil Small baseball fields, and to install new lights at Robbs 3 baseball field. One bid was received in the amount of \$698,980. The CAO subsequently tried to negotiate a lower price but was unsuccessful in gaining meaningful reductions.

DISCUSSION: Once the RFP was cancelled the CAO reached out to Nichent Energy, on a recommendation from a colleague. After a site visit and some negotiation, Nichent Energy submitted a proposal of \$425,150 net of a \$65,250 Efficiency Nova Scotia Rebate which they will guarantee.

FINANCIAL IMPLICATIONS: The approved 2022/23 capital budget includes \$200,000 for this project. The additional \$225,150 will be funded from the Capital Reserve (CJSMA Proceeds). The Town will pay the total cost of the project, and will receive a subsequent \$65,250 Efficiency Nova Scotia Rebate. There is no net HST cost for this project.

COMMUNITY ENGAGEMENT: The Town issued a request for proposals as per our Procurement Policy. A media release will be issued pending Council approval.

ENVIRONMENTAL IMPLICATIONS: The new lights will use approximately 50% of the energy used by the current lights, thus reducing our overall greenhouse gas emissions.

SOCIAL JUSTICE IMPLICATIONS: There are no social justice implications to the award of this contract.



ALTERNATIVES: 1. Do not award the contract. 2. Award the contract for only 1 or 2 fields (thus losing the \$24,000 discount offered by the Nichent Energy for all three fields.

ATTACHMENTS: Nichent Energy Proposal.



**Robb's Centennial Complex
53 LaPlanche Street
Amherst Nova Scotia**



Nichent Energy has broken down our proposal into two phases, The first phase will include replacing the existing lights, phase two will show new installation of lights, pole and service for the large center field.

Phase 1:
Cecil Small & Dwight Jones Fields

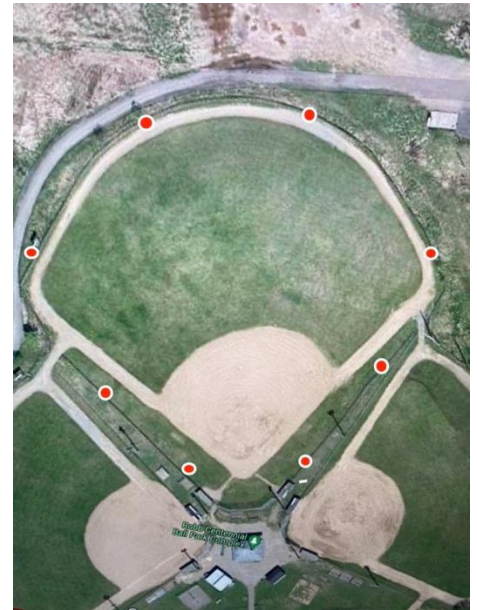
Nichent will replacing each existing light with a new 600 watt Reno LED stadium lighting. Our team will use the existing electrical infrastructure and mounting hardware, this will greatly reduce an interruption to the field operation. We can switch lights during the day and baseball can still be played in the evening if need be. Our turnkey proposal includes new led lights, labour, recycling, lift equipment, commissioning and efficiency NS paperwork for rebate incentive.

	Number Of Lights	Cost
Cecil Small Field	34 Lights	\$85000
Dwight Jones Field	36 Lights	\$90000
Mobilization Discount		\$-10000
Subtotal		\$165000
Tax		\$24750
Total		\$189750
Efficiency NS Rebate	70 Lights X \$450 per Light	-\$31500
Total		\$158250



Phase 2- Field 3 Installation of New lights

The new field lighting plan will be designed to include new installation of electrical services, wooden poles, wiring infrastructure, trenching and new LED 600 watt Reno Stadium Lighting. Our proposed plan is to install 8 new 70 foot poles with 6-10 lights per pole depending on location. These poles will sit roughly 63 feet out of the ground because 10% of the pole must be buried to support the pole. The bracket will have to levels of lights in the outfield to properly support the high number of lights needed in the outfield as seen in the picture below.



A 400 amp service will be required to power this lighting system, Nichent has placed a line item for a new service but with the help of the town electrical team, it might be possible to rearrange the current electrical system to allow power from existing electrical service. More investigation is needed to confirm.

The new poles will require equipment and machinery to disturb the edges of the baseball field, Nichent has allowed for reinstatement

Design	\$9000
75 Stadium Lights	\$187500
Poles	\$75000
Lifting Equipment	\$6000
Brackets	\$9000
Wire	\$14500
Trenching	\$17400
Electrical Service	\$15000
Commissioning	\$2200
Underground Location	\$1600
NSP Permits	\$2200
Mobilization Discount	\$-14000
Subtotal	\$325400
Tax	\$48810
Total	\$374210
Efficiency NS Rebate	-\$33750
Total after rebate	\$340460

SYNOPSIS

Cumberland YMCA Funding Request

The YMCA Community Development Office-Homelessness Prevention and Housing program provides housing support, institutional diversion support, and trusteeship through the Department of Community Services (DCS). These vital programs in our community have served over 200 clients. The success of these programs is due to the continued work of the staff, the support from other departments within the YMCA and the core funding from DCS.

Since April 2022, the Trusteeship program has grown from 6 clients to 21. The housing support team added over 40 people into HIFIS (Homeless Individual and Family Information System) last year, in addition to daily calls and visits they receive to system navigate. Due to the space limitations and nature of the work the current location at the YMCA is no longer viable. Continuous efforts over the last several months to move the program out of the YMCA have been made but rental space is limited in the downtown core and/or unaffordable from a budgetary perspective. A suitable location has now been found and funding is requested to assist for the first 6 months.

MOTION:

That Council approve funding up to the amount of \$12,750 from the Social Equity Fund Reserve (in the Operating Reserve) to the YMCA Homelessness Prevention and Housing program.



AMHERST TOWN COUNCIL

RFD# 2023104

Date: July 5, 2023

TO: Mayor Kogon and Members of Amherst Town Council

SUBMITTED BY: Sharon Bristol, Director Community Living

DATE: July 5, 2023

SUBJECT: YMCA Community Development Homelessness Support Program

ORIGIN: 2023-24 Operating Budget

LEGISLATIVE AUTHORITY: MGA 65 Power to expend money. Community Support Grants Policy.

RECOMMENDATION: That Council approve funding up to the amount of \$12,750 from the Social Equity Fund Reserve (in the Operating Reserve) to the YMCA Homelessness Prevention and Housing program.

BACKGROUND: The YMCA Community Development Office-Homelessness Prevention and Housing program provides housing support, institutional diversion support, and trusteeship through the Department of Community Services (DCS). These vital programs in our community have served over 200 clients. The success of these programs is due to the continued work of the staff, the support from other departments within the YMCA and the core funding from DCS.

DISCUSSION: Since April 2022, the Trusteeship program has grown from 6 clients to 21. The housing support team added over 40 people into HIFIS (Homeless Individual and Family Information System) last year, in addition to daily calls and visits they receive to system navigate. Due to the space limitations and nature of the work the current location at the YMCA is no longer viable. Continuous efforts over the last several months to move the program out of the YMCA have been made but rental space is limited in the downtown core and/or unaffordable from a budgetary perspective. A suitable location has now been found and funding is requested to assist for the first 6 months.

FINANCIAL IMPLICATIONS: An allowance remains in the budget to address these requests:

Social Equity Reserve balance at March 31, 2023 - \$180,153

2023/24 budget – Social Equity - remaining \$4,386.31

2023/24 budget – Grants - remaining \$15,815.00

COMMUNITY ENGAGEMENT: The Community Living department has worked very closely with the YMCA, Cornerstone and other organizations who work with marginalized populations. The need is ongoing to support programs like this to help alleviate the barriers to housing faced by the homeless population and to keep people from living rough.



SOCIAL JUSTICE IMPLICATIONS: When citizens of our community have safe, affordable housing they are able to face other challenges in their lives. This is the first step to ensuring people have the basic needs of survival and should be supported unconditionally.

ENVIRONMENTAL IMPLICATIONS: There are no environmental implications to this decision.

ALTERNATIVES:

1. Approve the funding allocation
2. Do not approve the funding allocation

ATTACHMENTS: YMCA Proposal

Report Prepared by: Sharon Bristol, Director, Community Living



Community Development Office
Homelessness Prevention and Housing Support

22 June 2023

Mayor Kogan and Council,

I am writing to you to share why our office, being located within the YMCA of Cumberland, is experiencing some challenges. Not only have our programs outgrown the space physically, but also working within the YMCA has become a barrier to our clients. The YMCA of Cumberland has been committed to the work and to growing the program to the size that it is, with important resources like access to the kitchen for our food programs, employee supports, back office administrative support, as well as providing the physical office space. What has become apparent in the last year are the limitations of our office working out of the YMCA of Cumberland building that primarily operates childcare and health, fitness and aquatics programs.

Background

Firstly, I'd like to outline the growth of our programs. We are funded to provide housing support, institutional diversion support, and trusteeship through the Department of Community Services (DCS). These vital programs in our community have served over 200 clients. The success of these programs is due to the continued work of the staff, the support from other departments within the YMCA and the core funding from DCS.

Since April 2022, the Trusteeship program has grown from 6 clients to 21. Our housing support team added over 40 people into HIFIS (Homeless Individual and Family Information System) last year, not to mention the daily calls we receive to system navigate. My role as Manager of the department is dual in that I also am launching the Coordinated Access system in conjunction with two other counties. Coordinated Access in rural Nova Scotia will be structured differently than in urban settings and this all connects our clients to housing resources. This work is funded through the Affordable Housing Association of Nova Scotia.



Barriers

The limitations of our office located within the YMCA of Cumberland are highlighted in a few ways. We have had to place 8 Protection of Property Act orders with our clients, which means they can no longer come to our office for service. We continue to offer services and meet clients outside the YMCA, but often clients do not continue service.

We recognize that the safety of all people using the YMCA is important, including our clients. We also do not have adequate space to have confidential conversations with people coming in to seek service. This has always been the case with our office in the YMCA. Other clients have communicated that being in the lobby with many other YMCA members using the pool and fitness facilities can be overwhelming.

Request

We are requesting consideration by the Town of Amherst Council via the Poverty Reduction Action Committee to fund the first six months of rent for the YMCA of Cumberland Community Development department so that our office can move off site. The six months of rent will cost \$12,750, inclusive. The YMCA of Cumberland Community Development office has a plan and sufficient means from other funding streams to continue paying the rent going forward after the first 6 months but would very much benefit from having this initial support. This will continue to allow us to provide our services to the community and re-engage clients that are not able to be on site at the YMCA. The YMCA of Cumberland will assume the costs for rent for the remainder of our lease agreement.

In the new space, our office would be able to host drop-in programming, have confidential conversations, provide hot meals, host partnership meetings and events, and lower barriers to service delivery.



YMCA of Cumberland
ymcaofcumberland.com

92 Church St, P.O. Box 552
Amherst, Nova Scotia
Phone: 902-667-9112 Fax: 902-661-4692
Charitable Registration # 119307007RR0001

The YMCA of Cumberland, especially the office of Community Development, are very grateful to the Town of Amherst for their continued support of our programs that help the most vulnerable people in our community and hope you will consider this request for the benefit to not only our clients but to all members of our community and users of our YMCA in all program offerings.

Should you wish to discuss this request in person at a future meeting I, along with our CEO, Trina Clarke, would be pleased to attend and present this request in person.

Sincerely,

A handwritten signature in black ink, appearing to read 'Aiden Kivisto'.

Aiden Kivisto
Manager of Community Development

Building healthy communities

MEMORANDUM

To: Mayor Kogon and Members of Amherst Town Council
From: Jason MacDonald, CAO
Date: July 5, 2023
Subject: Cumberland Business Connector Agreement

At a previous meeting of Amherst Town Council, the following motion was passed:

Cumberland Business Connector Agreement

Moved By Councillor Davidson Seconded By Deputy Mayor Landry

That staff be directed to not sign the MOU with the Cumberland Business Connector at this time; and further, through the Mayor and CAO, meet with the Cumberland Business Connector Board to articulate the issues discussed at this meeting.

MOTION CARRIED

Mayor Kogon and CAO MacDonald met with members of the Connector Board. We discussed the issues regarding communication, meetings, and branding. We all agreed that communication could be improved all around. To this end we will pre-schedule all meetings for the upcoming year to ensure that they take place. Furthermore, the Connector has agreed to include the 'Amherst Brand' more often and when appropriate in their marketing efforts.

Staff are seeking direction to sign the MOU that was previously approved by Council.

INTERMUNICIPAL AGREEMENT

This Agreement, sets for a framework for the funding, and funding conditions, for an economic development society, dated this ____ day of _____, 2023, among:

The **Town of Amherst**, a municipal body corporate pursuant to Section 8 of the *Municipal Government Act (the “MGA”)*;

AND

The **Municipality of the County of Cumberland**, a municipal body corporate pursuant to Section 8 of the *MGA*;

(Collectively, the “Municipalities”)

AND

Cumberland Business Connector a society registered under the *Societies Act*

(Hereinafter called the “Society”)

WHEREAS the Municipalities are partners in regional economic development in Cumberland County;

AND WHEREAS the Municipalities wish to partner to ensure regional economic development strategies that consider assets, business community, sector strengths and regional opportunities and challenges, and that take into account provincial and regional priorities;

AND WHEREAS Section 57 of the *MGA* provides authority for municipalities pay grants to a body corporate for the purpose of promoting the municipality or any part of the municipality and the surrounding areas as a location for institutions, industries and businesses;

AND WHEREAS economic development is a service which municipalities in Nova Scotia are empowered to provide under the *MGA*;

AND WHEREAS the Municipalities have agreed to support the creation of the Society as a body corporate, that will take on responsibility for guiding some aspects of economic development in Cumberland County;

AND WHEREAS the Municipalities wish to set out the terms and conditions for their funding of the Society, and for certain matters related thereto;

NOW THIS AGREEMENT WITNESSETH that in consideration of the mutual covenants herein contained for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Municipalities and the Society agree as follows:

1. Definitions

In this Agreement:

- a) "Audit Committee" means the Audit Committee for the Society, as appointed by the Liaison and Oversight Committee hereunder;
- b) "Auditor" means a certified accountant who is appointed by the Audit Committee to audit the financial affairs of the Society;
- c) "Board of Directors" means the Board of Directors of the Society;
- d) "Federal Government" means her Majesty the Queen in right of Canada, as represented by various federal ministries and governmental agencies;
- e) "Fiscal year" means the Society's fiscal year, which shall be a twelve (12) month period commencing on April 1 of every year and ending on March 31 of every subsequent year;
- f) "GAAP" means Canadian generally accepted accounting principals, as established from time to time by the Canadian Institute of Chartered Accountants or the Public Sector Accounting Board, or any successor institutes, applicable as at the relevant date, and applied on a consistent basis;
- g) "Liaison and Oversight Committee" means the Liaison and Oversight Committee of the Society, as established hereunder;
- h) "Operating Costs" means the costs associated with operating and administering the Society;

- i) “Province” means His Majesty the King in right of the Province of Nova Scotia, as represented by various provincial ministries and governmental agencies, including the Ministry of Municipal Affairs and Housing;
- j) “Recruitment and Nominating requirements” means the Recruitment and Nominating process of the Society;
- k) “Uniform Assessment” has the same meaning as in the *Municipal Grants Act*, R.S.N.S. 1989, c. 302, as amended from time to time.

2. Establishment of the Cumberland Business Connector Society

- a. The Municipalities hereby agree to support the formation of a body corporate, known as the Cumberland Business Connector Society (the “Society”), upon terms and conditions set out in this Agreement.
- b. The Society will be incorporated pursuant to the *Societies Act*. R.S., c. 435.

3. Core Activities

The Core activities of the Society are to:

- Develop, implement, and monitor a regional economic development strategy that is reflective of provincial and regional economic development priorities. The strategy should consider assets, business community, sector strengths, and regional challenges and opportunities. The strategy should also attempt to align with provincial priorities in order to maximize the Society’s leverage of programs, policies and services.
- Cultivate close working relationships with the business community and work with key partners to support the development and attraction of new businesses and retain and expand existing businesses. The Society will support local businesses in navigating, and making referrals to, programs and services.
- Inform partners and stakeholders about local business climate conditions as well as regional challenges and opportunities. The Society will work with partners and stakeholders to provide investment readiness and labour market information.

4. Powers

It is recognized that as a Society registered under the laws of Nova Scotia, the Society shall have all the powers set out in section 10 of the *Societies Act*.

5. Funding

- a) The Municipalities agree to fund the Society's operations based on an annual budget contribution towards operating costs of \$170,000. This annual amount shall increase by the Consumer Price Index annually throughout the term of this Agreement unless the Municipalities and the Society agree otherwise in writing, or this Agreement is terminated. The annual budget shall divide among the Municipalities as follows:
 - i. In 2022-23, the budget amount of \$170,000 will be divided between the Town of Amherst and the Municipality of the County of Cumberland based on a weighted average basis with 50% of the weight being assigned to commercial assessment and 50% of the weight being assigned to population.
 - ii. The Town of Amherst will provide office space (Community Credit Union Business Innovation Centre) and accounting support in addition to the direct financial contribution. This in-kind contribution is valued at \$20,000 annually and its valuation will increase in line with the Consumer Price Index each year.
 - iii. Unless otherwise agreed upon by the parties in writing, it is understood and agreed that the Society will not now or at any time in the future hire existing or former staff of any of the Municipalities and that the Municipalities will not now or in the future hire any staff that the Society may employ or has employed.
 - iv. This agreement shall be for 3 years. Discussion with respect to the renewal of this agreement or future agreements shall commence at least 18 months prior to the expiry of this agreement.
 - v. This Agreement will remain binding and in force until receipt of formal written notice by either of the Municipality or the Society. Notice to terminate the agreement will be given at least 12 months in advance.

6. Budget and Revenue

For all fiscal years after the initial year:

- a) The Liaison and Oversight Committee created pursuant to part 7 of this Agreement shall confirm to the Society the amount of revenue that will be received by the Society for the coming fiscal year by January 31st.
- b) On or before March 1st, the Board of Directors of the Society (the “Board”) shall approve a budget and business plan for the Society for the coming fiscal year. The budget and business plan shall be submitted to the Liaison and Oversight Committee for their information.
- c) The budget shall include the anticipated Operating Costs, revenues, funding contributions from each of the Municipalities and all other sources, any deficit or surplus from the preceding fiscal year, and such other information as may be required from time to time.
- d) The budget shall be prepared in accordance with GAAP and FRAM, funding contracts and the Society’s own financial policies.

7. Liaison and Oversight Committee

- The Municipalities shall create and appoint members to a Liaison and Oversight Committee which shall consist of the Chief Administrative Officer of each of the Municipalities, or their designate and the Mayor of each municipality. One person shall be appointed by the Nova Scotia Department of Municipal Affairs, as a voting member; and one person appointed by the Nova Scotia Department of Labour and Advanced Education, as a non-voting member.”
- a) The main functions of the Liaison and Oversight Committee shall be:
 - i. Strategic input to the Board – Providing advice and input to the Board to assist with its regional economic development strategy;

In January of each year a Strategic Planning Session will be held to review the Joint CED Strategy as well as emerging economic issues. This session will identify key priorities for each Municipality, and for the Connector, to work on in the subsequent year. Attendees will include:

 - Liaison and Oversight Committee Members
 - Additional councillor from each municipality
 - Executive Board Members of the Cumberland Business Connector
 - Municipal Business Development Officers

- Connector CEO and Business Development Officer
- ii. Accountability for outcomes – Ensuring that the Board achieves the goals it establishes in its regional economic development strategy;
 - iii. Financial Accountability – Ensuring that the Society has excellent financial management;
 - iv. Self-Governance – Ensuring that the Society follows and publishes its own rules of governance;
 - v. Communication – Ensuring excellent communication, feedback and strong linkages between the Board, the Municipalities and the general public;
 - vi. Reviewing and recommending to the Municipalities the regional economic development strategy of the Society;
 - vii. Monitoring and evaluating the implementation of the regional economic development strategy; and
 - viii. Informing the Municipalities as to the outcomes of the recruitment and nominating process and the names of the new board members when changes occur.
- b) Members of the Liaison and Oversight Committee are responsible for:
 - i. Reporting on the Society’s progress to their respective Councils;
 - ii. Communicating their respective Councils’ thoughts on the Society’s progress to the Board;
 - iii. Communicating their respective Councils’ annual priorities to the Society annually for their planning process;
 - iv. Soliciting the approval of their respective Councils for continuation of funding to the Society.
 - c) The Liaison and Oversight Committee shall meet at-least twice a year with the Society Board on matters of governance.
 - d) The Liaison and Oversight Committee shall meet with the CAO of the Society at least 4 times per year on matters related to operations.
 - e) Decisions of the Liaison and Oversight Committee shall be made by consensus.

- f) All meetings of the Liaison and Oversight Committee require a quorum consisting of three quarters (75%) of its total membership. If a quorum is not present, no business may be transacted at a meeting of the Liaison and Oversight Committee.
- g) Expenses of the Liaison and Oversight Committee shall be provided by the Society as approved within the budget.

8. Communication with Municipalities

In addition to the communication responsibilities of the Liaison and Oversight Committee set out in Section 7, the Cumberland Business Connector Society shall:

- a. Provide in-person updates to municipal Councils three times per year. This will focus on progress being made on the objectives listed in the regional Joint Community Economic Development Strategy. These will take place in April, October, and January. At least two of these updates will be presentations to the Joint Councils. One update will be presented to each council individually.
- b. Monthly written reports to be provided to the Councils.
- c. A digital or printed copy of the Annual Report will be provided to each of the municipal councillors in June. Municipal councils are also invited to the Annual General Meeting in June.
- d. In order to ensure alignment of economic development work, the CEO will meet at least quarterly with:
 - i. Senior management and Economic Development staff at the Municipality of the County of Cumberland
 - ii. Senior management and Economic Development staff at the Town of Amherst

9. Audit Committee

- a) An Audit Committee shall be appointed annually by the Liaison and Oversight Committee and shall consist of the following members:
 - i. two Society Board members;
 - ii. the members of the Liaison and Oversight Committee; and

- iii. the CEO (ex officio) of the Society.
- b) The Audit Committee shall be responsible for:
- i. appointing the Auditor;
 - ii. conducting a detailed review of the financial statements of the Society with the Auditor on an annual basis;
 - iii. evaluating the adequacy of the internal control systems of the Society;
 - iv. reviewing the conduct and adequacy of the audit;
 - v. investigating such matters arising out of the audit as may appear on the Audit Committee to require investigation;
 - vi. any other matters determined by the Liaison and Oversight Committee and the Board.
- c) In carrying out their duties, the Auditor and the Audit Committee shall have unrestricted access to all activities, records, property, and personnel of the Society.
- d) The Audit Committee shall, on an annual basis, appoint a Chair and a Vice-Chair.
- e) The Audit Committee Chair and Vice-Chair shall have written position descriptions.
- f) The Audit Committee shall have written terms of reference that set out its roles and responsibilities.
- g) The Audit Committee shall meet at least twice per year or as deemed necessary.
- h) All meetings of the Audit Committee shall require a quorum of 50%. If a quorum is not present, no business may be conducted at the meeting.
- i) Audit Committee members must be financially literate and at least one member must have accounting or related financial management expertise.
- j) Members of the Audit Committee are independent from the external auditors.
- k) The Audit Committee annually reviews its terms of reference and assesses its effectiveness in meeting the needs of the Board of Directors.
- l) The external auditor reports directly to the Committee, not to Society management.
- m) The Audit Committee must have an auditor independence policy and must pre-approve all non-audit services to be provided by the external auditor.
- n) The Audit Committee shall meet from time to time with the external auditors without management present.
- o) Decisions and recommendations of the Audit Committee will be made by consensus.

- p) The Audit Committee shall review any proposed changes to the roles and duties of the organization's CEO or financial support person.
- q) The Audit Committee has the authority to engage independent counsel and other advisors, with prior approval from the Board.

10. Board Recruitment

- a) Society commits to implementing a rigorous board recruitment process to include the following components:
 - a. A Nominating Committee will be established consisting of no more than 5 members consisting of both Society Board Members and persons with expertise from the Cumberland Region who are committed to a structured approach to board recruitment. Board recruitment and development are to be considered a year-round process.
- b) Position Descriptions for board members shall be established and should include:
 - i. Member's duties and responsibilities
 - ii. Qualifications Skill set requirements for a Member
 - iii. Authority of the Members
 - iv. General responsibilities of Members
 - v. Expected term of Members
 - vi. Time Commitment for a Member
 - vii. Legal responsibilities of a Member
- c) Recruitment of Candidates for Board Membership
 - i. Maintaining an ongoing data base of potential candidates through referrals or suggestions by colleagues or other Board Members.
 - ii. Development of a Board Member application available on-line to interested parties.
 - iii. Publicize for expressions of interest annually to encourage new member participation.
 - iv. Every effort must be made to ensure geographic representation from all of Cumberland County.
- d) Selection Process
 - i. Develop an application form for recruitment of Board Members to ensure consistent information.
 - ii. Screen the application based on the Society's requirements and level of commitment expressed.
 - iii. The screening process may include an interview component to ensure the applicant and organization fully understands each other and will be a good fit.
 - iv. Reference checks may be required to confirm information provided by the applicant.

- v. Once successful candidates are selected, confirmation of the candidates and the rationale for appointment should be provided to the Liaison and Oversight Committee.
- vi. Successful candidates shall be formally notified and invited to join the board with specifics on expectations and term.
- vii. An orientation process shall be established for new board members to ensure they become aware of how the Society works. Topics for orientation shall include: Overview or organization, structure, position descriptions, strategic plan, board minutes, relationship to staff and relationship to funders.

Signed Sealed and Delivered)
In the presence of:)
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TOWN OF AMHERST:
Per:

Dated: _____

Signed Sealed and Delivered)
In the presence of:)
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MUNICIPALITY OF THE COUNTY OF CUMBERLAND:
Per:

Dated: _____

Signed Sealed and Delivered)

In the presence of:

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CUMBERLAND BUSINESS CONNECTOR:

Per:

Dated: _____

SYNOPSIS

Afghanistan Memorial Donation

The Town received a donation of \$10,000 for the Royal Canadian Legion, Branch 10, Amherst for the Afghanistan War Memorial project.

Council will accept the \$10,000 donation and provide a corresponding grant to the Royal Canadian Legion, Branch 10, Amherst. The Town will then issue an official tax receipt to the donor.

There are no financial implications for the Town in this transaction as the grant is fully offset by the donation.

MOTION:

That Council approve the request to receive a donation of \$10,000 to fund a corresponding grant of \$10,000 to the Royal Canadian Legion, Branch 10, Amherst.



AMHERST TOWN COUNCIL

RFD# 2023103

Date: July 5, 2023

TO: Mayor Kogon and Members of Amherst Town Council

SUBMITTED BY: Sarah Wilson, Director of Finance

DATE: July 5, 2023

SUBJECT: Afghanistan Memorial Donation

ORIGIN: Correspondence from Firinn Investments Limited that they will donate \$10,000 to the Town provided that the Town, in turn, provides a grant of \$10,000 to the Royal Canadian Legion, Branch 10, Amherst for the Afghanistan memorial project.

LEGISLATIVE AUTHORITY: Income Tax Act – Canada Revenue Agency Charity Guideline Registered municipalities are considered qualified donees by the Canada Revenue Agency and therefore can issue official donation receipts and are eligible to receive gifts from registered charities.

RECOMMENDATION: That Council approve the request to receive a donation of \$10,000 to fund a corresponding grant of \$10,000 to the Royal Canadian Legion, Branch 10, Amherst.

BACKGROUND: The Town of Amherst has accepted donations of this nature in the past and provided receipts to the donor and disbursed funds to the requested recipient. The key is that the disbursement is approved by Council and is for an expenditure which the municipality has the authority to spend.

DISCUSSION: The Town received correspondence from Firinn Investments Limited with a donation of \$10,000 for the Royal Canadian Legion, Branch 10, Amherst for the Afghanistan War Memorial project.

If Council will accept the \$10,000 donation and provide a grant to the Royal Canadian Legion, Branch 10, Amherst, we will then issue an official tax receipt to Firinn Investment Limited.

FINANCIAL IMPLICATIONS: There would be no financial implications for the Town in this transaction as the grant would be fully offset by the donation.

COMMUNITY ENGAGEMENT: No community engagement is contemplated in carrying out this request. The community engagement occurred between the Royal Canadian Legion, Branch 10, Amherst and Firinn Investments Limited.

ENVIRONMENTAL IMPLICATIONS: No environmental implications are anticipated with this business process.



ALTERNATIVES:

1. Decline this request.

ATTACHMENTS:

- Letter from Firinn Investments Limited re: Royal Canadian Legion, Branch 10, Amherst – Afghanistan memorial project.

Report prepared by: Sarah Wilson, Director of Finance

Report and Financial approved by:

Firinn Investments Limited
115 King Street
Stellarton, Nova Scotia
B0K 1S0
June 21, 2023

The Town of Amherst
Attention: Jason MacDonald
98 Victoria Street
P.O. Box 516
Amherst, NS B4H 4A1

Dear Mr. MacDonald:

Please find attached a donation in the amount of \$10,000 for the Afghanistan memorial project.

Yours truly,

A handwritten signature in blue ink that reads "Emily Charlton". The signature is fluid and cursive, with the first letter of each name being capitalized and prominent.

Emily Charlton
Sobey Family – Finance Coordinator

Enclosure

Cc: Justin McKay, Amherst Legion