



NOTICE

MEETING: Committee of the Whole

DATE: Wednesday, January 7th, 2025

TIME: 5:00pm

PLACE: Council Chambers, 8296 Highway 7, Sherbrooke

Please Advise If Unable To Attend



Municipality of the District of St. Mary's

Committee of the Whole (COTW) Meeting
Wednesday, January 7th, 2025

We acknowledge that we are gathering in Mi'kmaqi the traditional unceded territory of the Mi'kmaq people.

1. Call to Order
2. Roll Call
3. Additions to the Agenda
4. Approval of the Agenda
5. Approval of Minutes of COTW held Wednesday December 3rd, 2025
6. Business Arising from Minutes
7. Correspondence
8. Other Matters of Business
 - a. 5 Years of Service Award – Mallory Tibbo
 - b. 20 Years of Service Award – Marian Fraser
 - c. Staff Report – Disposal of Real Property Policy
 - d. Staff Report – Transfer Station, Construction & Demolition (C&D)
 - e. Staff Report – 2026 Property Tax Assessment Roll Summary
 - f. Staff Report – 2026/27 Uniform Assessment
9. In-Camera: Contract Negotiations

Adjournment



We acknowledge that we are gathering in Mi'kma'ki the traditional unceded territory of the Mi'kmaq people.

1. Meeting, Date & Time:

Warden Fuller called the COTW Meeting of the St. Mary's Municipal Council to order on Wednesday, December 3rd, 2025, at 5:00pm in the Council Chambers, Sherbrooke, N.S.

2. Attending:

Warden James Fuller
Deputy Warden Beulah Malloy
Councillor Dana O'Connell
Councillor Scott Beaver
Councillor Emma Tibbo

Also Attending:

Lesley McFarlane, Chief Administrative Officer (CAO)
Marian Fraser, Director of Finance/Treasurer
Jadzia Rudolph, Municipal Clerk

3. Additions to the Agenda:

- There were no additions to the agenda.

4. Approval of the Agenda:

On the motion of Deputy Warden Malloy and seconded by Councillor O'Connell, Council approved the agenda as presented.

Motion approved.

5. Approval of Minutes:

On the motion of Warden Fuller, hearing no errors or omission to the previous minutes, Council approved the minutes of the COTW Meeting held November 19th, 2025.

Motion approved.

6. Business Arising from the Minutes:

- a. Feedback from Council on Curbside Waste Collection Contract RFP
 - Lesley McFarlane, CAO asked if Council received any feedback from their constituents.
 - Council would like to see a cost breakdown of extending the curbside collection for additional weeks.

7. Correspondence:

- a. Letter from Department of Municipal Affairs - Honourable John A. MacDonald November 24, 2025
 - Please see the agenda/package for the correspondence.

8. Presentation: Royal Canadian Mounted Police (RCMP) – Quarterly Update

- Please see the agenda/package for the presentation.

- Andrew Fidler, Guysborough County District RCMP provided Council with a presentation regarding fraud prevention, “positive” ticketing, road safety and building community relationships.
- The RCMP provided a summary of calls and activity of the area.
- The RCMP informed Council of the upcoming events such as “Cram the Cruiser” event which is a foodbank collection drive.
- The RCMP member also informed Council that there is an increase in calls related to mental health.

9. Other Matters of Business:

a. Staff Report – Policing Review

- Please see the agenda/package for the report.
- The Warden and CAO, along with the Municipality of the District of Guysborough, met with Minister of Justice, Scott Armstrong, Associate Deputy Minister Michelle Higgins, and Executive Director of Public Safety and Security Division Hayley Crichton.
- Department of Justice staff provided a presentation on review outcomes and six proposed foundational changes.

b. Staff Report – Housing Accelerator Fund (HAF) Update

- Please see the agenda/package for the report.
- Lesley McFarlane, CAO informed Council of the update to the Housing Accelerator Fund (HAF).
- There are six initiatives with three to four milestones within each, and 8 out of 19 milestones have been completed to date.

c. Staff Report – Extended Producer Responsibility (EPR)

- Please see the agenda/package for the report.
- The Nova Scotia Department of Environment and Climate Change Extended Producer Responsibility for Packaging, Paper Products and Packaging-Like Products Regulations came into effect December 1st, 2025. This shifts financial and operational responsibility of packaging and paper recycling from municipalities to producers to improve recycling rates and encourage more efficient use of materials.

Adjournment

On motion of Warden Fuller there being no further matters of business, Council adjourned at 5:57pm.

Motion approved.

Recorded By
Jadzia Rudolph, Municipal Clerk

Approved By
Warden Fuller

Policy - Disposal of Real Property

SUMMARY

The new Disposal of Real Property Policy repeals and replaces the existing Policy - Sale of Real Property. The new policy is intended to provide a clear framework to dispose of Real Property in a fair, legally compliant and impartial manner, which considers the best economic return to the Municipality of the District of St. Mary's balanced with economic and community development opportunities, in accordance with the MGA.

BACKGROUND

A review of the existing Sale of Real Property Policy identified that it was no longer operationally effective, including reference to Ministerial approval for sale of real property in excess of \$100,000 in appraised value, which is no longer in alignment with the MGA.

The new policy simplifies and clarifies the process for Disposal of Real Property, in alignment with the MGA, including but not exclusive to Sections 50 and 51.

Provisions in this policy include best practices to improve clarity on aspects that are not expressly defined in the MGA, while still allowing for Council resolutions where circumstances warrant. Key items outlined in the policy are:

- Principles governing disposal of real property, and designation of real property as surplus
- Prerequisites for disposing of real property
- Responsibility for costs related to disposal of real property
- Process for unsolicited proposals to purchase real property
- Restrictions on purchase of real property by elected officials and staff

CONSIDERATIONS

Council review the draft policy and provide direction for either:

1. Further policy revisions
2. Adoption of the policy
3. Consider whether there is a need for a new policy for Disposal of Real Property upon repeal of the Sale of Real Property Policy or whether following the MGA is sufficient.

RECOMMENDATIONS

Council review the draft policy and provide direction.

1. Purpose

The purpose of this policy is to establish how the municipality will dispose of its real property.

2. Authority

This policy derives its authority from the Municipal Government Act (MGA) of the Province of Nova Scotia including but not limited to *Sections 50(5)(b), 51, and 51A*.

3. Scope

This policy shall apply to real property owned by the Municipality of the District of St. Mary's. This policy shall govern disposal of Municipal Property except to the extent a particular transaction is expressly exempted from it in the text of the resolution of Council authorizing such disposal transaction.

Municipally-owned real property deemed surplus by motion of Council is to be disposed of in a fair and impartial manner, which considers the best economic return to the Municipality of the District of St. Mary's balanced with economic and community development opportunities and in accordance with disposal methods included in this policy, the MGA, and as determined by Council.

The Municipality shall offer real property for sale without warranty as to its completeness or condition, its accessibility, or its suitability for the intended use of the purchaser. All real property shall be sold as is, where is.

4. Definitions

- 4.1 *Abutting Property* - A parcel of land adjoining Municipal Real Property, having one or more lot lines in common.
- 4.2 *As-Is, Where-Is* - Without representation, warranty or condition respecting the condition, developability, planning approvals, zoning, intended use, existence of encroachments, location or state of repair of all buildings or structures, environmental state, risks, physical conditions, or lawful use of the Real Property in question.
- 4.3 *Disposal* - The act of selling or transferring Fee Simple ownership of Real Property or entering a long-term lease as lessor.
- 4.4 *Fee Simple* - Ownership of Real Property in which the owner has the right to control, use, and transfer the property at will.
- 4.5 *Lease* - A lease is a contract in which a lessor (owner) grants a lessee (user) the privilege of utilising an asset, e.g., property, automobiles, or machinery, over a specified period for periodic rent/remuneration.

- 4.6 *Municipality* - the Municipality of the District of St. Mary's.
- 4.7 *Province* - the Province of Nova Scotia.
- 4.8 *Purchaser* - Any person or entity who enters into an Agreement with the Municipality to acquire real property.
- 4.9 *Real Property* - Land and all improvements permanently affixed to the land, including on, above, or below the surface of the land or water. Municipal Real Property is any Real Property belonging to the Municipality of the District of St. Mary's.
- 4.10 *Surplus Real Property* - Real Property that has been declared surplus by Council, in accordance with this policy.
- 4.11 *Unsolicited Offer* - An offer made by a third-party to purchase Real Property that is not actively listed for sale.

5. Designation

Council may, by motion, designate as surplus any real property which:

- i. Is determined to be no longer required for the use or purposes of the municipality, or for use by the public or inhabitants of the municipality;
- ii. Is no longer in the best interest of the municipality to retain ownership; or
- iii. May expose the municipality to liability or risk by retaining the real property.

6. Preparation for Disposal

Prior to disposal of surplus real property, the municipality shall:

- i. Investigate and verify ownership and eligibility for sale (title search);
- ii. Complete migration of the property through the Nova Scotia Land Registration System;
- iii. Ensure a municipal survey of the real property has been completed within the last five years; and
- iv. Obtain a valuation of the property, which may be based on written appraisal prepared by a qualified real property appraiser.

7. Disposal

The disposal of municipal surplus real property will be in accordance with the MGA. The purchaser must agree to comply with all municipal by-laws and policies regarding the use of the real property.

8. Costs

In addition to the purchase price, the purchaser shall pay the Municipality on or before the closing date the following:

- i. the expenses of the Municipality in searching the title and migration of the property;
- ii. the expenses of the Municipality in surveying the property, when required;
- iii. the deed transfer tax on the sale;
- iv. the HST on the sale (if applicable);
- v. the expenses in the preparation of the deed;
- vi. the recording fees for the deed;
- vii. the postage expenses;
- viii. the expenses of the Municipality in arriving at the valuation of the property; and,
- ix. any other expenses involved in the sale/transfer to the purchaser.

9. Unsolicited Proposals

Any reasonable unsolicited offer to purchase real property owned by the Municipality of the District of St. Mary's will be evaluated, and recommendations will be presented to Council in accordance with the principles and processes set out in this policy and the MGA.

10. Authority of Elected Officials and Staff of the Municipality to Purchase Surplus Real Property

In addition to any other legal restrictions, no member of Council or Municipal employee and no person closely connected to a member of Council or to a Municipal employee shall acquire real property disposed of by the municipality. For the purposes of this provision:

- (i) acquisition includes direct purchase, indirect purchase, purchase through an agent or intermediary, and purchase by any corporation or entity in which the individual or their spouse holds a majority or controlling interest; and
- (ii) "closely connected" has the same meaning as it does in the Model Code of Conduct for Municipalities promulgated in the *Code of Conduct for Municipal Elected Officials Regulations*, except that the concept is applicable in this policy to Municipal employees as well as to Council members.

11. Policy Review

The municipality shall review this policy as required and all amendments to this policy shall be recorded in Schedule A.



SCHEDULE A - POLICY AMENDMENTS

Version #	Amendment Description	Approved By	Approval Date
1	Adoption of Policy	Council	

DRAFT

St. Mary's Transfer Station Ground Water and Leachate Monitoring Plan Design

SUMMARY

In order to be compliant with Section 18 of the Approval to Operate issued by the Department of Environment and Climate Change for the St. Mary's Transfer Station, a groundwater, surface/storm water and leachate monitoring plan must be developed by March 31, 2026.

BACKGROUND

In July 2023, new provincial regulations took effect banning chemically treated wood from being disposed of at Construction and Demolition (C&D) facilities in Nova Scotia. Enforcement began on July 5, 2024, along with new C&D waste management expectations, such as the requirement to develop a groundwater, surface/storm water and leachate monitoring plan for the St. Mary's C&D facility. At that time, the St. Mary's Transfer Station shifted operation from a C&D disposal site to a C&D transfer facility.

In anticipation of the regulation changes, a budget of \$225,000 operating funding was allocated in 2023/24 to achieve compliance with the new C&D regulations and properly dispose of the existing material on site.

The existing material has now been properly disposed of, and the remaining work for the site to continue to operate as a C&D transfer station is to obtain a groundwater, surface/storm water and leachate monitoring plan. Of the original \$225,000, \$30,000 remains available to complete this work. This funding was carried forward into the current 2025/26 fiscal year for this purpose.

The existing cells must be monitored for up to 20 years. Section 18 of the Approval to Operate states that:

- A. *The Approval Holder(s) shall submit an assessment of the current groundwater and surface water monitoring programs against the new C&D guidelines and make recommendations for the site by March 31, 2026.*
- B. *The Approval Holder(s) shall provide a surface/storm water management plan, including inspection and/or testing of existing cell caps to ensure the integrity and determine a plan moving forward by March 31, 2026.*
- C. *The Approval Holder(s) shall develop a leachate monitoring plan for the closed C&D disposal area(s) by March 31, 2026. The plan shall include groundwater monitoring and storm/surface water management.*

CONSIDERATIONS

Under the municipal standing offer for engineering services, Strait Engineering Ltd has provided a quote for the development of a plan to meet the directives in section 18 of the Approval to Operate. The quoted price from Strait Engineering Ltd is \$16,300+HST.

The quoted price of \$16,300+HST is within the available budget of \$30,000.

RECOMMENDATIONS

Recommend Council approve Strait Engineering Ltd to develop a plan by March 31, 2026, for St. Mary's to fulfill the requirements of Section 18 of the NS Department of Environment and Climate Change Transfer Station C&D Approval to Operate, for the quoted price of \$16,300+HST, funded from the remaining available \$30,000.

2026 Property Tax Assessment Roll Summary

SUMMARY

The following report is designed to provide Council and staff with an overview of the 2026 Property Tax Assessments for the Municipality of the District of St. Mary's compared to the 2025 Property Tax Assessments. A comparison of the potential tax revenue impacts is also provided and analyzed.

BACKGROUND

Annually in December, Property Valuation Services Corporation (PVSC) sends the complete property tax assessment roll to each municipality in Nova Scotia individually. Municipalities use the assessment roll to calculate property taxes. Once received, staff review the roll and potential revenue impacts ahead of the Municipal budgets to assist with budget deliberations. It is important to note that it is not until January 12th, 2026, that PVSC mails out property assessment notices to Nova Scotia property owners. Property owners have until February 12th, 2026 to appeal their assessments with PVSC. Appeal changes and rulings are not reflected in this year-over-year comparison report.

CONSIDERATIONS

	2025/2026	2026/2027	Difference	Revenue Increase
Residential Assessment	196,414,300	211,357,900	14,943,600	\$146,447
Resource Assessment	30,521,000	30,896,300	375,300	\$3,678
Commercial Assessment	26,596,600	26,594,800	-1,800	-\$41
# of Dwellings	1,907	1,905	(-2 units)	effect on area rates
Dollar value of one cent on tax rate	\$25,353	\$26,885	\$1,532	n/a
CAP Rate on Residential Assessments	1.5%	2.6%	n/a	n/a

- CAP eligibility requirements are set by the [Nova Scotia Assessment Act](#), additional information on CAP and the CAP rate can be found www.pvsc.ca
- Revenue increase section is based on using 2025/26 tax rates applied to the 2026/2027 property tax assessments. Total potential revenue increase - if the tax rates remain the same as 2025/26 is \$150,084.
- Overall increase in taxable assessments from 2025-2026 to 2026-2027 is 6.04%, last year the increase was 5.63% year-over-year.

Staff Report



RECOMMENDATIONS

For information purposes only to aid in the 2026/2027 budget deliberations and show the potential increase in tax revenue from 2025/26 to 2026/27.

2026 2027 Uniform Assessment

Department of Finance

SUMMARY

Prior to the beginning of each fiscal year Municipalities across Nova Scotia receive their individual uniform assessment (UA) calculation schedule to assist with budget preparations and deliberations.

BACKGROUND

The definition and calculation details of uniform assessment for a municipality can be found in the Municipal Grants Act under Section 14. A municipality's UA is used to calculate the provincial mandatory education tax expense by multiplying it by the provincial education tax rate. The provincial education tax rate has remained unchanged for the last several years.

CONSIDERATIONS

	2023/2024	2024/2025	2025/2026	2026/2027
Uniform Assessment	209,306,488	230,636,339	251,858,658	266,735,366
Education Rate	\$0.3048 per \$100 of UA	\$0.3048 per \$100 of UA	\$0.3048 per \$100 of UA	\$0.3048 per \$100 of UA
Education Expense	\$637,966	\$702,980	\$767,665	\$813,009
Increase Education Expense from Previous Year	\$32,420	\$65,014	\$64,685	\$45,344

Based on the above information and the 2026-2027 Uniform Assessment the Education expense for the Municipality for the fiscal year 2026-2027 will increase by \$45,344, a 5.91% increase from 2025-2026.

RECOMMENDATIONS

For information purposes only to aid in the 2026-2027 budget deliberations and show the Education Expense for 2026-2027.