

AGENDA

1. **CALL TO ORDER**
2. **PROCLAMATION**
 - 2.1. African Heritage Month
3. **APPROVAL OF THE AGENDA**
4. **APPROVAL OF THE MINUTES**
 - 4.1. Committee of the Whole Meeting – December 4, 2023
5. **ANYTHING BY CITIZENS**

Procedure: A thirty-minute period will be provided for members of the public to address Council regarding questions, concerns and/or ideas. Each person will have a maximum of two minutes to address Council with a second two-minute period provided there is time remaining within the thirty-minute “Anything by Citizens” period.
6. **ACTION ITEMS**
 - 6.1. RFD 007-2024 Personnel Policies (Anti-Harassment, Sexual Harassment, Gender Diversity Workplace Inclusion) - CAO
 - 6.2. RFD 008-2024 Valley Waste Resource Management Municipal Budget Contributions for 2024-2025 – CAO
 - 6.3. RFD 009-2024 Council Videoconferencing Policy Updated - CAO
7. **INFORMATION/DISCUSSION ITEMS**
 - 7.1. Dangerous and Unsightly Status Report for December 2023 and January 2024 - CAO
8. **ANTHING BY MEMBERS**
9. **IN CAMERA**
 - 9.1 Contract Negotiations
10. **ADJOURNMENT**



Proclamation

AFRICAN HERITAGE MONTH

February 2024

“Our Smiles, Our Joy, Our Resilience as African Nova Scotians”

WHEREAS February is recognized internationally as African Heritage Month – a time to recognize and salute the many contributions and ongoing achievements of people of African Descent all over the world and, here in the Town of Middleton, we pay tribute to a time of greater understanding; and

WHEREAS this year’s theme: *“Our Smiles, Our Joy, Our Resilience as African Nova Scotians”* outlines the spirit of perseverance that people of African Descent have demonstrated over the centuries in our province. It can be said that our smiles can tell a story, they can share our joy and can share our resilience; and

WHEREAS this African Heritage Month we celebrate our heritage and culture and the incredible spirit to overcome.

WHEREAS the theme also aligns with the final year of the United Nations’ International Decade for People of African Descent (DPAD) 2015-2024. The goal of DPAD is to strengthen global cooperation in support of people of African descent, increase awareness and the passage towards presence in all aspects of society.

THEREFORE, be it resolved that I, Mayor Sylvester Atkinson, do hereby proclaim the month of February 2024 to be **African Heritage Month** in the Town of Middleton. I encourage residents, businesses and community groups to participate in the activities and celebrations and to take the opportunity to reflect on the story of Nova Scotia’s vibrant African Nova Scotian Community.

Dated at the Town of Middleton
this 5th day of February 2024

Sylvester Atkinson, Mayor

REQUEST FOR DECISION
Personnel Policies
RFD#: 007-2024



To: Council
From: Ashley Crocker, CAO
Date: February 5 and February 20, 2024
Subject: Updated and New Proposed HR Policies

Guiding Principles for Decision-Making

Accountability Transparency Diversity Sustainability Engaged Informed

References/Attachments

- Draft Sexual Harassment Policy
- Draft Gender Diversity Workplace Inclusion Policy
- Updated Anti-Harassment Policy and Current Harassment Policy

Legislation

- Nova Scotia Human Rights Act
- Canadian Labour Code
- Canadian Human Rights Act

Recommendation

To recommend that Council approve the Human Resource Policy D 3.5 Sexual Harassment dated January 23, 2024.

To recommend that Council approve the Human Resource Policy D 4.0 Gender Diversity Workplace Inclusion dated January 23, 2024.

To recommend that Council approve the updated Human Resource Policy D 3.4 Anti-Harassment dated January 30, 2024.

Background

The JOH&S committee recently completed training regarding sexual harassment and gender diversity in the workplace. As a result of this training, the draft policies were developed and reviewed and are herein proposed for Council's consideration.

The Sexual Harassment draft policy was provided by Human Rights Commission of Nova Scotia and modified to reflect Town of Middleton. It was also circulated to staff for review and input.

REQUEST FOR DECISION
Personnel Policies
RFD#: 007-2024



The Gender Diversity Workplace Inclusion draft policy was provided by Legal Info Nova Scotia and modified to reflect Town of Middleton.

It was noted that the Town also had a current Harassment Policy which was reviewed and updated using a draft provided by the Canadian human Rights Commission and modified to reflect Town of Middleton. It is not significantly different than the current policy, but it is considerably more succinct and any reference to sexual harassment removed as it is included in that specific policy.

Financial Implications

N/A

Strategic Plan/Operating Plan Alignment

Check Applicable	Strategic Priority Area	Comments
	Environment	
	Infrastructure	
	Economy	
	Community	
X	Governance	
	Council Strategic Initiative	

Alternatives

Community Engagement/Communication

CAO Comments

The CAO supports the recommendation of staff.

CAO Initials: AC

Target Decision Date: 20 Feb 2024



GENDER DIVERSITY WORKPLACE INCLUSION POLICY

Effective Date	Approved by Council
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1.0 PURPOSE

This policy focuses on ensuring a safe, inclusive, and productive workplace environment for two-spirit, trans, non-binary, and other gender diverse employees. It sets forth guidelines to address two-spirit, trans, non-binary, and gender diverse employees' needs and how to protect their rights and safety while promoting a work environment that celebrates diversity.

2.0 LANGUAGE

For the sake of clarity, this Policy uses the term "gender diverse" as an umbrella term to refer to anyone who identifies as transgender or trans, non-binary, two-spirit, or any other diverse gender identity that is different than the gender they were assigned at birth.

3.0 SCOPE

This Policy applies to all Town of Middleton employees.

- (a) Town of Middleton employees are expected to read and understand this Policy and how it relates to them.
- (b) Town of Middleton employees are expected to expediently request additional information from their supervisor if they are uncertain about any aspect of this Policy.

The Town of Middleton is committed to creating a safe and welcoming work environment and does not tolerate discrimination on the basis of sex, sexual orientation, gender identity, or gender expression. The Town of Middleton respects individual identities and believes that a person's identity, including their gender identity, is for them alone to determine.

Town of Middleton employees will:

- (a) Work to prevent stigmatization by fostering dialogue and understanding of gender diversity in the workplace.

- (b) Foster an environment where people can be who they are without fear of unwanted consequences, and where employees, community partners, and clients of all diverse genders are treated with dignity and respect.

FOR GENDER DIVERSE EMPLOYEES

4.0 GENDER DIVERSE EMPLOYEE RESPONSIBILITIES:

1. **Notify Management of Updates to Personal Information and Any Workplace Supports Required:** The gender diverse employee should notify their direct supervisor, a Human Resources representative, or another relevant member of management, about any changes that need to be made to their employee record, such as updates to their pronouns and name in their employee file, or any supports that may be required, such as time off for healthcare needs, if applicable.
2. **Provide Relevant Information:** For clarity, employees are only required to provide as much information as would assist the Town of Middleton in providing relevant support and fulfilling its legal obligations. Examples of information a gender diverse employee may share include:
 - (a) The date the employee wishes to update their name and pronouns in the workplace, and whether the employee wishes this information to be communicated to coworkers.
 - (b) The employee's desired communication plans and timeline for sharing this updated information (who to bring on board, how, and when). The employee may wish to communicate this information themselves or can request that leadership communicate relevant updates (for example, through leadership sending a team email with the information).
 - (c) Notification to management of any requests for time off for gender affirming medical procedures, if applicable. The employee does not need to provide specific details to management about what kind of medical treatment or process they require. The employee may be asked to provide a doctor's note so that the Town of Middleton can assess and provide accommodations such as medical

leave, in accordance with the duty to accommodate under the *Nova Scotia Human Rights Act* [or *Canadian Human Rights Act* if the employer is federally regulated].

3. **In unpredictable, volatile, or uncomfortable situations, gender diverse employees are never required to provide response to offending language or behaviour.** Instead, the employee may bring their concerns to a relevant member of management, who will follow up to address any situation in which any gender diverse employee experiences behaviours which may be considered harassing or discriminatory in nature.

5.0 MANAGEMENT RESPONSIBILITIES:

1. **Will prioritize the needs of the gender diverse employee as much as possible,** providing special care to avoid any “outing” of the gender diverse employee without their consent.
2. **Reassure the gender diverse employee of their support and that they will work to create a climate of understanding and mutual respect among all employees.** Because every gender diverse person may have different needs, management will work with the employee to determine what type of support will assist them in feeling comfortable and respected in their gender identity in the workplace and at any workplace events, job sites, and online environments associated with the Town of Middleton.
3. **Provide Organizational Information:** Ensure that the gender diverse employee knows about the organization’s policies and processes for supporting gender diverse employees, including this Policy, any Policy governing diversity and inclusion in the workplace, and any Policy and procedures regarding workplace harassment.
4. **Communication:** With the gender diverse employee’s consent, notify relevant management members who should be made aware of any pronoun or name updates so that organizational leaders can voice support when the employee’s new name and pronouns are made known to the work team.
5. **Workplace Supports:** If any new or existing employee discloses that they are gender diverse, management will communicate with the gender diverse employee to explain any available supports. This may involve sharing information on the following areas:

- (a) Ensure the employee understands any gender affirming health care benefits they may be eligible for and that if time off is needed for medical reasons, sick pay and leave policies will apply.
 - (b) Determine what updates should be made to the gender diverse employee's records, and when they will be made.
 - (c) With full consent of the gender diverse employee, determine how, and in what format, coworkers will be made aware of any gender identity-related updates such as new name and pronouns.
 - i. It is up to the gender diverse employee to decide if they would like to make some coworkers aware of any such updates on a one-on-one basis beforehand.
 - ii. It is up to the gender diverse employee to decide if they would like a written memo, email, or handout to be shared with staff, or an in-person staff meeting to share any gender identity-related updates.
 - (d) In consultation with the gender diverse employee, decide what, if any, additional training should be provided for employees to help create a supportive environment.
 - (e) Identify what steps the employee should take if they experience any stigmatization or discrimination in the workplace.
6. Ensure that any name changes, and new pronouns are updated in all workplace records and documentation. If an employee's legal name is different from their chosen name, the Town of Middleton will retain the legal name in the employee file but will keep this information as confidential as possible and will refer to the gender diverse employee by their chosen name on all other documentation such as email, phone directory, name tag, company identification card, etc.

6.0 STATEMENT OF CONFIDENTIALITY

The gender identity of an employee is considered confidential and should only be disclosed with the consent of the employee.

HUMAN RESOURCES COMMITMENTS

When recruiting and onboarding new employees, Human Resources is committed to ensuring that the workplace feels welcoming and safe for people of all genders.

7.0 HUMAN RESOURCE/MANAGEMENT (IN THE ABSENCE OF HR) RESPONSIBILITIES

1. **Will check in with all new employees about their pronouns.** This practice should be applied to everyone regardless of whether they may be cisgender or gender diverse.
2. **Maintains a straightforward process for employees to update their names and pronouns as needed.** Names and pronouns are kept in employee personnel files which include basic information such as address updates, emergency contact updates, and other relevant personal information. When names and pronouns are updated, Human Resources or the appropriate manager will take prompt steps to ensure that all other workplace documentation reflects this updated information, including business cards, email address, name tags, and any other places where names and pronouns may be displayed.
3. **Respects and protects the privacy of gender diverse employees.** This means:
 - (a) HR will be mindful to honour the importance of confidentiality and will avoid outing anyone in any workplace setting.
 - (b) HR has a streamlined, confidential process for keeping track of legal names and chosen names when these are different. This form will be shared with as few people as possible to minimize the risk of outing someone in the workplace. If a new employee must provide documents that may have a different name than their chosen name (for example, a criminal record check), these documents should not be shared with anyone who does not need to see them.
4. **Provides training for all current and future employees focused on 2SLGBTQIA+ inclusion.** This training is included during onboarding, so that new employees can understand how best to demonstrate respectful inclusion.



5. **Supports employees who are transitioning at work.** This includes updating names and pronouns as required, and making sure that gender diverse employees feel safe accessing the washroom that best aligns with their gender identity.

6. **Provides clear information on time off for gender affirming care and any gender affirming healthcare which may be covered by the employee’s benefits plan.** HR understands that some gender diverse people may require gender affirming healthcare. HR will work with this employee to provide accommodation as needed and clear information about what kinds of gender affirming care are covered under the Town of Middleton’s health benefits plan.

I, _____, **Chief Administrative Officer of the Town of Middleton**, do hereby certify that the Policy, of which the foregoing is a true copy, was duly passed at a duly called meeting of the Town Council of the Town of Middleton held on the 20th day of November 2023.

Chief Administrative Officer

Policy Adoption	
Date of 7-day notification to Council	
Date of Approval	

Appendix 1 Definitions

“Language is always evolving, which means that some of the terms used in this guide may change over time and become outdated. This is because gender identity and gender expression are complex, and so words that we use at any given time to name particular identities may change as our understanding of those identities deepens and evolves.”¹

“**Ally** - Someone who actively supports a marginalized community through their actions and commitment to learning. An ally is usually someone who is not part of the community (for example, a straight ally who supports 2SLGBTQIA+ rights) but sees the importance of making positive changes that benefit the oppressed group.

Cisgender - Someone whose gender identity is the same as the gender they were assigned at birth. For example, a cisgender woman is someone who was identified as female when she was born and still identifies with this gender.

Deadname - The name that a two-spirit, trans, non-binary, or other gender diverse person was given at birth and that is different from the name they have adopted for themselves.

Gender affirming healthcare - This includes a variety of medical processes and treatments that allow a person to feel that their body is better aligned with their gender identity. Some examples of gender affirming healthcare include hormone treatment, chest surgery, electrolysis, and many others.

Gender assigned at birth - This term refers to how someone is categorized at birth according to the gender binary. For example, a baby with a penis will usually be assigned male at birth and a baby with a vulva will usually be assigned female at birth. A person’s gender identity can be different from the gender they were assigned at birth.

Gender expression - How someone expresses their gender (for example, whether they wear clothing or hair styles that are traditionally read as masculine or feminine; what pronouns they use; how they speak; the name they use)

¹ “Moving Beyond the Binary: a Guide on How to Make Your Organization Meaningfully Inclusive of Two-Spirit, Trans, Non-Binary, and Gender Diverse People”. Copyright © 2022 by the Legal Information Society of Nova Scotia. Page 11

Gender identity - How someone identifies and understands their own gender (for example, if they identify as a man, a woman, two-spirit, agender, genderqueer, more than one gender, or somewhere else within the gender spectrum). Gender identity refers to a person's internal sense of self, while gender expression more often refers to how they outwardly express their gender.

Pinkwashing - A term for when organizations show only a superficial commitment to 2SLGBTQIA+ inclusion, for example, when companies participate in a Pride Parade but do not have inclusive policies aimed at supporting their 2SLGBTQIA+ employees and clients. Pinkwashing is sometimes also known as pride capitalism.

Genderqueer - Someone whose gender identity cannot be categorized as exclusively male or female. Some genderqueer people identify with both ends of the gender spectrum, while others identify as outside of gender or have a fluid understanding of their gender.

Man - someone who identifies as a man, which includes both cisgender and trans men.

Non-binary - Someone who identifies outside the gender binary of male and female. Non-binary people are often grouped under the trans umbrella, but not all non-binary people identify as trans. Non-binary people sometimes use gender neutral pronouns such as they/them, but not all non-binary people do. Remember to ask about someone's pronouns rather than assuming.

Trans or Transgender - Someone whose gender identity is different than how they were identified at birth. Trans people may identify with the gender binary (for example, trans men and trans women) or outside the gender binary (for example, non-binary people).

Transfeminine - A term to refer to trans and gender diverse people who are on the feminine end of the spectrum, for example trans women.

Transmasculine - A term to refer to trans and gender diverse people who are on the masculine end of the spectrum, for example trans men.

Two-spirit - A term used by Indigenous communities to describe someone who identifies as having both a masculine and feminine spirit. "Two-spirit" can refer to gender identity or sexual orientation or both of these. Being two-spirit may mean that someone experiences same-gender attraction, or it can mean that the person is gender diverse (i.e. not cisgender), or it can

mean both of these things. “Two-spirit” should only be used to refer to people who are Indigenous.

Queer - A term used to refer to people who are not straight and/or not cisgender. If someone refers to themselves as queer, that person may fall anywhere in the 2SLGBTQIA+ umbrella. “Queer” doesn’t necessarily tell you a lot of information about someone, such as what kind of people they’re physically or romantically attracted to (if they experience attraction) or how they identify in terms of gender. “Queer” used to be a slur but has been reclaimed by the 2SLGBTQIA+ community as empowering.

Woman - someone who identifies as a woman, which includes both cisgender and trans women.

2SLGBTQIA+ - An acronym used to refer to the following identities: two-spirit, lesbian, gay, bisexual, trans, queer or questioning, intersex, asexual, and + for the many other identities that exist within the queer spectrum.”²

² “Moving Beyond the Binary: a Guide on How to Make Your Organization Meaningfully Inclusive of Two-Spirit, Trans, Non-Binary, and Gender Diverse People”. Copyright © 2022 by the Legal Information Society of Nova Scotia. Pages 69-70

SEXUAL HARASSMENT POLICY

Effective Date

Approved by Council

1.0 STATEMENT OF POLICY

The **Town of Middleton** seeks to provide a safe, healthy, and rewarding work environment for its employees. Sexual harassment is unacceptable and will not be tolerated within our organization.

We have developed this policy to prevent sexual harassment and to deal quickly and effectively with an incident. Employees who violate this policy may be subject to a wide range of disciplinary measures, including dismissal for cause.

2.0 DEFINITION OF SEXUAL HARASSMENT

Under the Nova Scotia *Human Rights Act*, "sexual harassment" means:

- (a) vexatious sexual conduct or a course of comment that is known or ought reasonably to be known as unwelcome,
- (b) a sexual solicitation or advance made to an individual by another individual where the other individual is in a position to confer a benefit on, or deny a benefit to, the individual to whom the solicitation or advance is made, where the individual who makes the solicitation or advance knows or ought reasonably to know that it is unwelcome, or
- (c) a reprisal or threat of reprisal against an individual for rejecting a sexual solicitation or advance.

Examples of sexual harassment that will not be tolerated include:

- (a) sexist jokes causing embarrassment or offence, told or carried out after the joker has been advised that they are embarrassing or offensive, or that are by their nature clearly embarrassing or offensive;
- (b) leering;
- (c) the display of sexually explicit material;
- (d) sexually degrading words used to describe a person;

- (e) sexually suggestive or obscene comments;
- (f) unwelcome inquiries or comments about a person's sex life;
- (g) unwelcome sexual flirtations, advances, propositions;
- (h) requests for sexual favours;
- (i) unwanted touching.

3.0 APPLICATION

This policy applies to sexual harassment occurring at the workplace, in the course of work, or during any activities which could reasonably be associated with the Town of Middleton (including social events).

4.0 INFORMAL RESOLUTION

On occasion, sexual harassment can be dealt with directly and informally through communication with the person engaging in the unwelcome behaviour. Where employees feel comfortable doing so, they should communicate a clear message that the conduct or comments are offensive or unwelcome. However, the Town of Middleton recognizes that there may be circumstances where direct communication is inappropriate. Although informal resolution is encouraged where possible, it is not a prerequisite to making a sexual harassment report under this policy.

Where an employee does not wish to bring the matter directly to the attention of the person engaging in the unwelcome behaviour or where such an approach is attempted and does not produce a satisfactory result, the employee should report the sexual harassment as outlined below.

5.0 MAKING AN INTERNAL SEXUAL HARASSMENT REPORT

Sexual harassment should be reported as soon as possible after experiencing or witnessing the behaviour. This allows the incident to be addressed in a timely manner.

Employees are encouraged to report any incidents to their direct supervisor. If their direct supervisor is the person engaging in the sexual harassment, contact the Chief Administrative Officer.

Employees can report sexual harassment verbally or in writing. When reporting verbally, the organization representative receiving the report will document the report in writing.

The report should include the following information:

- (a) name(s) of the person who has allegedly experienced sexual harassment;

- (b) name(s) of the alleged harasser(s);
- (c) names of any witnesses or other persons with relevant information about the incident and contact information (if known);
- (d) details of what happened including date(s), frequency, and location(s) of the incident(s);
- (e) any supporting documents that the person making the report has which are relevant to this matter.

All reports of sexual harassment shall be kept confidential except to the extent necessary to protect employees, to investigate the complaint, to take corrective action or otherwise as required by law.

6.0 INVESTIGATION

The Town of Middleton will ensure that an investigation appropriate to the circumstances is conducted when a report of sexual harassment is made. Reports of sexual harassment will be investigated in a fair, respectful and timely manner.

The Chief Administrative Officer will determine who will conduct the investigation. Depending on the allegations and the people involved, the investigation may be referred to an external investigator.

6.1 Outcome of Investigation

After the investigation is concluded, both the person making the report and the person alleged to have engaged in sexual harassment will be informed of the findings.

If the investigator concludes that there has not been a violation of this policy, there will be no documentation concerning the report placed on the file of person alleged to have engaged in sexual harassment.

If the Town of Middleton concludes that there has been a violation of this policy, the employee who violated the policy will be disciplined appropriately.

7.0 DISCIPLINARY ACTION

Employees and officers of the Town of Middleton against whom a complaint of employment-related sexual harassment is substantiated may be severely disciplined, up to and including dismissal, except where because of statutory tenure dismissal cannot be imposed, up to and including public censure by the Council of the Town.



8.0 NO RETALIATION

Regardless of the outcome of a report made in good faith, the employee making the report as well as anyone providing information during an investigation will be protected from retaliation.

9.0 REPORTS MADE IN BAD FAITH

A report made in bad faith shall constitute grounds for disciplinary action against the person making the report. A bad faith report is a report that is made with a conscious design to mislead or deceive, or with a malicious or fraudulent intent.

10.0 EXTERNAL REPORTING OPTIONS

Employees also have external options to report sexual harassment. An employee may contact the Nova Scotia Human Rights Commission to make a complaint of sexual harassment or may contact the police if they believe that criminal activity has occurred.

I, _____, **Chief Administrative Officer of the Town of Middleton**, do hereby certify that the Policy, of which the foregoing is a true copy, was duly passed at a duly called meeting of the Town Council of the Town of Middleton held on the 20th day of November 2023.

Chief Administrative Officer

Policy Adoption	
Date of 7-day notification to Council	February 5, 2024
Date of Approval	February 20, 2024

ANTI-HARASSMENT POLICY

Effective Date December 2, 1991	Approved by Council
Revision Date: October 2, 2006; February 5, 2007; July 18, 2016; February 19, 2024	

1.0 POLICY STATEMENT

Town of Middleton is committed to fostering a harassment-free workplace where all employees are treated with respect and dignity. The *Nova Scotia Human Rights Act* and the *Canada Labour Code* protects employees from harassment based on race, national or ethnic origin, colour, religion, age, sex, sexual orientation, marital status, family status, disability, or pardoned conviction.

Harassment in the Town of Middleton is not tolerated. Employees who are found to have harassed another individual may be subject to disciplinary action. This includes any employee who: interferes with the resolution of a harassment complaint; retaliates against an individual for filing a harassment complaint; or files an unfounded harassment complaint intended to cause harm.

2.0 APPLICATION

This policy applies to all current Council Members and employees of Town of Middleton, including full and part-time, casual, contract, permanent and temporary employees. This policy also applies to job applicants. This policy applies to all behaviour that is in some way connected to work, including during off-site meetings, training and on business trips.

3.0 DEFINITIONS

Harassment is:

- demeaning or embarrassing someone;
- offending or humiliating someone physically or verbally;
- threatening or intimidating someone; or
- making unwelcome jokes or comments about someone's race, national or ethnic origin, colour, religion, age, sex, sexual orientation, marital status, family status, disability, or pardoned conviction.
- anything that a reasonable person should have known would be unwelcome. It includes actions, comments, or displays. It may be a single incident or continue over time.

For details on how to recognize, report and deal with sexual harassment please refer to the Sexual Harassment Policy, # D 3.4.

4.0 RESPONSIBILITIES AND EXPECTATIONS

4.1 Town of Middleton is responsible for:

- providing all employees a harassment-free workplace.

4.2 Management is responsible for:

- ensuring that this policy is applied in a timely, consistent and confidential manner;
- determining whether allegations of harassment are substantiated; and
- determining what corrective action is appropriate where a harassment complaint has been substantiated.
- the administration of this policy;
- reviewing this policy annually, or as required; and
- making necessary adjustments to ensure that this policy meets the needs of the organization.

4.3 Supervisors are responsible for:

- fostering a harassment-free work environment and setting an example about appropriate workplace behaviour;
- communicating the process for investigating and resolving harassment complaints made by employees;
- dealing with harassment situations immediately upon becoming aware of them, whether a harassment complaint has been made;
- taking appropriate action during a harassment investigation, including separating the parties to the harassment complaint, when appropriate; and
- ensuring harassment situations are dealt with in a sensitive and confidential manner.

4.4 Employees are responsible for:

- treating others with respect in the workplace;
- reporting harassment to their direct supervisor;
- cooperating with a harassment investigation and respecting the confidentiality related to the investigation process;

4.5 Employees can expect:

- to be treated with respect in the workplace;
- that reported harassment will be dealt with in a timely, confidential and effective manner;
- to have their rights to a fair process and to confidentiality respected during a harassment investigation; and

- to be protected against retaliation for reporting harassment or cooperating with a harassment investigation.

5.0 PROCEDURES FOR ADDRESSING A HARASSMENT COMPLAINT

5.1 Filing a Complaint

An employee may file a harassment complaint by contacting their direct supervisor. The complaint may be verbal or in writing. If the complaint is made verbally, the supervisor will record the details provided by the employee.

The employee should be prepared to provide details such as what happened; when it happened; where it happened; how often and who else was present (if applicable).

Complaints should be made as soon as possible but no later than within one year of the last incident of perceived harassment, unless there are circumstances that prevented the employee from doing so.

The supervisor will tell the person that the harassment complaint has been made against, in writing, that a harassment complaint has been filed. The letter will also provide details of the allegations that have been made against them.

Every effort will be made to resolve harassment complaints within **14 business** days.

Management will advise both parties of the reasons why if this is not possible.

If either party to a harassment complaint believes that the complaint is not being handled in accordance with this policy, they should contact Management.

5.2 Mediation

Wherever appropriate and possible, the parties to the harassment complaint will be offered mediation prior to proceeding with a harassment investigation.

Mediation is voluntary and confidential. It is intended to assist the parties to arrive at a mutually acceptable resolution to the harassment complaint.

The mediator will be a neutral person, agreed upon by both parties. The mediator will not be involved in investigating the complaint.

Each party to the complaint has the right to be accompanied and assisted during mediation sessions by a person of their choosing.

5.3 Investigation

If mediation is inappropriate or does not resolve the issue, a harassment investigation will be conducted. All investigations will be handled by an individual who has the necessary training and experience. In some cases, an external consultant may be engaged for this purpose.

The investigator will interview the person who made the complaint, the person the complaint was made against and any witnesses that have been identified. All people who are

interviewed will have the right to review their statement, as recorded by the investigator, to ensure its accuracy.

The investigator will prepare a report that will include:

- a description of the allegations;
- the response of the person the complaint was made against;
- a summary of information learned from witnesses (if applicable); and
- a decision about whether, on a balance of probabilities, harassment did occur.

This report will be submitted to Management. Both parties to the complaint will be given a copy.

5.4 Substantiated Complaint

If a harassment complaint is substantiated, Management will decide what action is appropriate.

Remedies for the employee who was harassed may include: an oral or written apology; compensation for lost wages; compensation for any lost employment benefits such as sick leave; and compensation for hurt feelings.

Corrective action for the employee found to have engaged in harassment may include: a reprimand; a suspension; a transfer; a demotion; and/or dismissal.

Both parties to the complaint will be advised, in writing, of the decision.

6.0 OTHER REDRESS

An employee who is not satisfied with the outcome of the harassment complaint process may file a discrimination complaint with the Nova Scotia Human Rights Commission and/or CUPE (if applicable). In the case of potential criminal activity (physical or sexual assault), the employee may opt to file a complaint under the Criminal Code of Canada.

7.0 PRIVACY AND CONFIDENTIALITY

All parties to a harassment complaint are expected to respect the privacy and confidentiality of all other parties involved and to limit the discussion of a harassment complaint to those that need to know.

Town of Middleton and all individuals involved in the harassment complaint process, will comply with all requirements of the *Personal Information International Disclosure Protection Act* and the *Freedom of Information and Protection of Privacy Act* to protect personal information.

8.0 REVIEW

The **Town of Middleton** will review this policy and procedures on an annual basis, or as required, and will make necessary adjustments to ensure that it meets the needs of all



employees.

9.0 REPEAL, REPLACE, OR AMEND

A policy known as Harassment, policy number D 3.4, having an effective date of December 2, 1991, is hereby amended.

I, _____, **Chief Administrative Officer of the Town of Middleton**, do hereby certify that the Policy, of which the foregoing is a true copy, was duly passed at a duly called meeting of the Town Council of the Town of Middleton held on the 20th day of November 2023.

Chief Administrative Officer

Policy Adoption	
Date of 7-day notification to Council	February 5, 2024
Date of Approval	

TOWN OF MIDDLETON CODE D - PERSONNEL	
Subject: Harassment	Number: 3.4
Coverage: Staff & Council	Approved by: Council & CAO
Effective Date : December 2, 1991	Revision Date: October 2, 2006; February 5, 2007; July 18, 2016

Rationale

The Town of Middleton is committed to providing a work environment in which all employees are treated with respect and dignity. There will be zero tolerance for harassment both in and outside the workplace. This policy is one step toward ensuring that the workplace is a comfortable place for all, clearly stating the Town's position and providing a clear path for remediation in the event of harassment.

Policy Statement

1.0) General

- 1.1) This Policy applies to members of Council and all employees.
- 1.2) Any form of harassment of an employee constitutes a serious violation. Those who are found to have committed harassment will face disciplinary action up to and including termination.

2.0) Objectives

- 2.1) The objectives of the Harassment Policy and Procedure are to:
 - a) provide the definition of harassment;
 - b) educate the employees on the issue of harassment;
 - c) define the responsibilities of both management and employees in relation to harassment;
 - d) identify the options available in dealing with harassment;
 - e) provide the process for an objective and fair investigation of complaints of harassment;
 - f) achieve the strictest confidentiality possible; and
 - g) ensure advice and support are given to individuals who are subjected to harassment.

3.0) Applicable Legislation

- 3.1) Every Person has the right to live and work without being harassed. The *Nova Scotia Human Rights Act* and the *Canada Labour Code* protect employees and customers from harassment that is related to their race, national or ethnic origin, colour, religion, age, sex, marital status, family status, disability, pardoned

conviction, or sexual orientation. The *Criminal Code* protects against physical and sexual assault.

4.0) Definition

- 4.1) Harassment is any behaviour that demeans, humiliates, or embarrasses a person, and that a reasonable person should have known would be unwelcome. It includes actions, comments, or displays. It may be a single incident or continue over time. Some examples of harassment include:
- a) unwelcome remarks, slurs, jokes, taunts, or suggestions about a person's body, clothing, race, national or ethnic origin, colour, religion, age, sex, marital status, family status, physical or mental disability, sexual orientation, pardoned conviction, or other personal characteristics;
 - b) unwelcome sexual remarks, invitations, or requests (including persistent, unwanted contact after the end of a sexual relationship);
 - c) displays of sexually explicit, sexist, racist, or other offensive or derogatory material;
 - d) written or verbal abuse or threats;
 - e) practical jokes that embarrass or insult someone;
 - f) leering (suggestive staring) or other offensive gestures;
 - g) unwelcome physical contact, such as patting, touching, pinching, hitting;
 - h) patronizing or condescending behaviour;
 - i) humiliating an employee in front of co-workers;
 - j) abuse of authority that undermines someone's performance or threatens her or his career;
 - k) vandalism of personal property; and/or
 - l) physical or sexual assault.
- 4.2) Sexual harassment is offensive, degrading, inappropriate, threatening and illegal. Sexual harassment is defined in the Nova Scotia Human Rights Act As:
- a) a course of vexatious sexual conduct or comment that is known or ought reasonably to be known as unwelcome;
 - b) a sexual solicitation or advance made to an individual by another individual where the other individual is in a position to confer a benefit on or deny a benefit to the individual to whom the solicitation or advance is made where the individual who makes the solicitation or advance knows or ought reasonably to know that it is unwelcome; or,
 - c) a reprisal or threat of reprisal against an individual for rejecting a sexual solicitation or advance.
- 4.3) Disrespectful behaviour, known as "personal" harassment, is also covered in this policy. While it also involves unwelcome behaviour that demeans or embarrasses an employee, the behaviour is not based on one of the protected grounds named above.

- 4.4) Harassment can take place between co-workers, between a manager and employee, between people of the opposite sex or of the same sex, between an employee and a client, or between an employee and a job applicant.
- 4.5) Harassment is prohibited whether it occurs in the workplace or anywhere else as a result of employment responsibilities or employment relationships; harassment will not be tolerated:
 - a) in the workplace;
 - b) at employment related social functions;
 - c) in the course of work assignments outside the workplace;
 - d) at job-related conferences or training sessions; and
 - e) during job-related travel.
- 4.6) Consensual banter or romantic relationships are not harassment where the people involved agree with what's happening. Appropriate performance reviews, counselling, or discipline by a supervisor or manager are not harassment.

5.0) Responsibilities

- 5.1) Management and Supervisors
 - a) are responsible for providing a work environment that is free of sexual harassment.
 - b) will take a proactive approach by discouraging employment related sexual harassment. This is a continuing responsibility whether or not complaints have been made.
 - c) will ensure that all employees understand what constitutes sexual harassment and the existence of the procedures available under this Policy.
 - d) have an obligation to deal with violations of this policy or complaints of sexual harassment in a prompt and serious manner and further to immediately report instance of sexual harassment to the Chief Administrative officer, whether or not a complaint has been officially filed.
 - e) will impose strict disciplinary action for violations of the policy.
- 5.2) Employees
 - a) have a right, under the law, to a work environment that is free from harassment. Every employee therefore, has a responsibility to become knowledgeable about employment related harassment and take the necessary steps to expose violations that leave themselves and their co-workers at risk.
 - b) have a duty to act assertively by making their unequivocal disapproval of the harassment known to the offender immediately. If the action is repeated, the employee should refer to the options available under the Complaint Procedure section of this policy

6.0) Informal Complaints

- 6.1) Employees who experience or suspect harassment are strongly urged to address the problem with a formal or informal complaint. Employees wishing to make an informal complaint may:
- a) Communicate concerns directly to the alleged harasser. The employee who is being harassed (the complainant) should inform the harasser clearly and directly that their behaviour is unwelcome by describing the behaviour which was offensive, when it occurred, how it makes the complainant feel and that it must stop. Informing the harasser of the Municipality's Harassment Policy will ensure it is clearly understood that the unwelcome behaviour will not be tolerated. If possible, ensure a third person is present and make note of the conversation afterward. The complainant may relate the same information to the harasser in a written letter, a copy of which should be kept by the complainant.
 - b) Communicate concerns to Supervisors. All managers and supervisors have an obligation to take reasonable measures to provide a work environment that is free of harassment and to take corrective action should harassment occur. If the complainant feels comfortable doing so, it may be helpful to discuss concerns relating to harassment with their immediate supervisor or with another person in a position of authority and to request their assistance in resolving the situation. Again, the complainant may find it helpful to be accompanied by another person and to keep a record of the discussion, and if the concerns are communicated in writing, to keep a copy of the correspondence.
 - c) Communicate concerns to the Chief Administrative Officer. Part of the role of the Chief Administrative Officer is to provide assistance and support to employees experiencing work related problems. If the complainant feels comfortable doing so, they are encouraged to bring their concerns to the CAO. The complainant may wish to be accompanied by another person and should keep a record of the discussion. If the concerns are communicated in writing, the employee should keep a copy of the correspondence.

7.0) Mediation

- 7.1) It may be appropriate to attempt to resolve the complaint through mediation before going to a formal investigation.
- a) If a qualified person from outside the organization is available to act as a mediator, and the complainant and alleged harasser agree, that person will attempt to help the parties settle the complaint. If no one is available, the designated person may help settle the complaint, if the parties agree.
 - b) The mediator should not be involved in investigating the complaint, and should not be asked to represent the Town at any stage of any proceedings related to the complaint.
 - c) Either party has the right to refuse mediation. If mediation is suggested but one party is uncomfortable, that party may reject the mediation process and it will not reflect negatively during the complaint process.

- d) If mediation does become part of the process, each person has the right to be accompanied and assisted during mediation sessions by someone they choose.

8.0) Formal Complaints

- 8.1) Employees who experience or suspect harassment are strongly urged to address the problem with a formal or informal complaint. The employee is not required to submit an informal complaint prior to making a formal complaint, and making an informal complaint does not preclude the employee from also making a formal complaint.
- 8.2) Employees wishing to make a formal complaint shall submit a written complaint providing details of the incident(s) together with any supporting evidence to the Chief Administrative Officer.
- 8.3) Upon receipt of a complaint, the Chief Administrative Officer shall appoint an investigating Committee immediately. The Committee shall be comprised of two individuals (one female, one male) selected by the Chief Administrative Officer who are not directly involved in the complaint. Where an internal investigative committee is not practical, appropriate, or available, the Chief Administrative Officer has the authority to appoint an external individual or firm to complete the investigation.

9.0) Investigation

- 9.1) All formal complaints shall be thoroughly investigated without delay.
- 9.2) The Committee will take a neutral, non-judgmental position throughout the investigation, to ensure the optimum collection of relevant data on which a fair conclusion will be reached.
- 9.3) The Committee shall keep detailed and accurate notes of what was said, making sure to get facts straight, checking and rechecking details as appropriate.
- 9.4) The Committee shall take the following steps in all investigations:
 - a) carefully review the written complaint.
 - b) interview separately:
 - i. the complainant
 - ii. the alleged offender
 - iii. all witnesses
 - iv. any other relevant persons.
- 9.5) The alleged harasser shall be advised of the essential details of the complaint and be given an opportunity to respond. Any witnesses will be interviewed for the purpose of corroborating the complainant's or the alleged harasser's version of the incident(s).

- 9.6) During the interviews, the Committee will attempt to gather all relevant information by carefully hearing all witnesses, keeping an open mind and paying particular attention to:
- a) Who was involved?
 - b) Were there any witnesses
 - c) When did the incident(s) occur?
 - d) Where did the incident(s) take place?
 - e) In what context, in or outside the workplace?
 - f) What exactly was said, by whom?
 - g) What was the reaction of the complainant/ the harasser?
 - h) What are the details?
- 9.7) The complainant and alleged harasser should be kept informed on the progress of the investigation.
- 9.8) The investigator must recommend based on the investigation whether the complaint is valid, or if there is not enough evidence to support an allegation of harassment.
- 9.9) The Committee shall prepare a written report providing the details of its investigation, its findings and recommendations for further action. The report shall be submitted to the Chief Administrative Officer.

10.0) Decision

- 10.1) The Chief Administrative Officer shall make a decision based on the report submitted by the investigation Committee regarding whether or not there has been harassment.
- 10.2) If Harassment occurred, remedies for a person who has been harassed may include any of the following, depending on the nature and severity of the harassment:
- a) an oral or written apology from the harasser and the Town of Middleton;
 - b) compensation for any lost wages or employment benefits, such as sick leave;
 - c) a job or promotion that was denied in bad faith;
 - d) a commitment that s/he will not be negatively affected (e.g. denied promotion) in the future as a result of the investigation.
- 10.3) Corrective action for harassers will include any of the following, depending on the nature and severity of the harassment:
- a) a verbal or written reprimand;
 - b) anti-harassment or sensitivity training;
 - c) a suspension, with or without pay;
 - d) a transfer or demotion if it is not reasonable for the people involved to continue working together; or
 - e) a dismissal.

10.4) The complainant, the alleged harasser, and the Investigation Committee shall be notified immediately of the decision and disciplinary action taken. The CAO will provide a written copy of the decision to the affected parties within a week.

11.0) Complaints made in bad faith

11.1) In the rare event that the complaint was made in bad faith, that is deliberately and maliciously filed knowing it had absolutely no basis, the complainant will be subject to the same penalties as a harasser up to and including termination.

11.2) The person unjustly accused of harassment will have her or his reputation restored, and will be given the benefit of any necessary remedies that would be given in a case of harassment.

12.0) Retaliation

12.1) Anyone who retaliates in any way against a person who has made a harassment complaint, or provided evidence for a harassment complaint will be subject to the same penalties as a harasser.

13.0) Time limits

13.1) Managers have a responsibility to make sure harassment ends as soon as they become aware of it. Complaints will be resolved as quickly as possible, ideally within one month of being made.

13.2) Complainants should be aware that there is a one-year time limit for filing a complaint with the Nova Scotia Human Rights Commission.

14.0) Record Keeping

14.1) Employees who experience harassment should keep accurate records of incidents comprising the alleged harassment including dates, times, reference to actions taken by the complainant, responses of the alleged harasser, responses of managers, witnesses, and any other relevant information. Such documentation can be a vital component of any further action which may be required. However, it is not a requirement in order to proceed with a formal complaint.

14.2) The investigation Committee shall keep detailed and accurate records of method and results of the investigation.

15.0) Confidentiality

15.1) All complaints will be kept in the strictest confidence except as required for the full and fair investigation of the complaint or as otherwise required by law.

- 15.2) During the investigation, all information concerning the matter shall be kept confidential and will not be placed in the personnel file for the complainant or alleged offender.
- 15.3) Should disciplinary action be taken against an offender or a complainant, this will be documented in the respective personnel file in accordance with normal procedures.

16.0) Harassment by Non-Employees

- 16.1) Any employee who believes that they have been subject to employment-related harassment by a person who is not an employee of the Municipality should report the matter to their Department Head.
- 16.2) Following investigation, if the complaint is substantiated, the Town will take whatever action is reasonably possible to ensure the behaviour is not repeated.

17.0) External Options for Complaints

- 17.1) The following external complaint options are also available to employees:
- a) Lodge a complaint to the Nova Scotia Human Rights Commission, or
 - b) Lodge a complaint under the Criminal Code of Canada.

References

Government of Canada - *Criminal Code*
Government of Canada - *Canada Labour Code*
Province of Nova Scotia - *Nova Scotia Human Rights Act*

Previous Policies

The previous policy 9/11 “Town of Middleton - Sexual Harassment Policy” approved by Council on February 5, 2001 is hereby amended.

Certification

THIS IS TO CERTIFY that this policy was duly passed by a majority vote of the whole Council at a duly called Council meeting held on the 18th day of July, 2016.

GIVEN under the hand of the CAO and under the seal of the Town of Middleton this 20th day of July, 2016.

Rachel L. Turner
Chief Administrative Officer

**REQUEST FOR DECISION
2024-25 Valley Waste Budget Approval
RFD# 008-2024**



To: Town Council
From: Ashley Crocker, CAO
Date: February 5 and February 20, 2024
Subject: 2024-25 Valley Waste Budget Approval

Guiding Principles for Decision-Making

Accountability Transparency Diversity Sustainability Engaged Informed

References/Attachments

- Valley Waste 2024-2025 Budget Presentation

Legislation

- Valley Region Solid Waste-Resource Management Authority Inter-Municipal Services Agreement

Recommendation

That Council approve the draft Valley Waste Operating and Capital budget for the 2024-2025 fiscal year.

Background

Per the Valley Region Solid Waste-Resource Management Authority (Authority) Inter-Municipal Services Agreement, the Parties must ratify the annual operating plan and budget approved by the Authority.

The regular operating contribution from the municipal parties is 3.59% over the previous year.

Financial Implications

The annual contribution of \$139,387 will be included in the Town's approved 2024-25 Operating Budget.

REQUEST FOR DECISION
2024-25 Valley Waste Budget Approval
RFD# 008-2024



Strategic Plan/Operating Plan Alignment

Check Applicable	Strategic Priority Area	Comments
	Environment	
	Infrastructure	
	Economy	
	Community	
X	Governance	
	Council Strategic Initiative	

Alternatives

N/A

Community Engagement/Communication

N/A

CAO Comments

The CAO supports approval of the budget.

CAO Initials: AC

Target Decision Date: February 20, 2024



Budget Presentation

FY 2024-2025

Operating and Capital Budget

BUDGET OVERVIEW

Valley Region Solid Waste-Resource Management Authority

Total Contributions from Municipal Parties

	2024-2025 Budget	2023-2024 Forecast Before True-Up	2023-2024 Projected True-Up ¹	2023-2024 Budget	2022-2023 Actuals
73.40% Municipality of Kings	5,035,156	4,860,472	(1,016,828)	4,860,472	4,637,558
10.33% Town of Kentville	708,444	683,866	(143,067)	683,866	625,101
9.85% Town of Wolfville	675,804	652,358	(136,476)	652,358	516,871
3.08% Town of Berwick	211,137	203,812	(42,638)	203,812	219,561
2.03% Town of Middleton	139,387	134,551	(28,149)	134,551	155,499
1.31% Town of Annapolis Royal	89,638	86,528	(18,102)	86,528	65,310
	6,859,565	6,621,586	(1,385,259)	6,621,587	6,219,900

¹ this does not include the impact of year end audit entries and Chester landfill adjustments

Budget represents an overall increase of \$238,978 or 3.59% to municipal parties compared to this year's budget

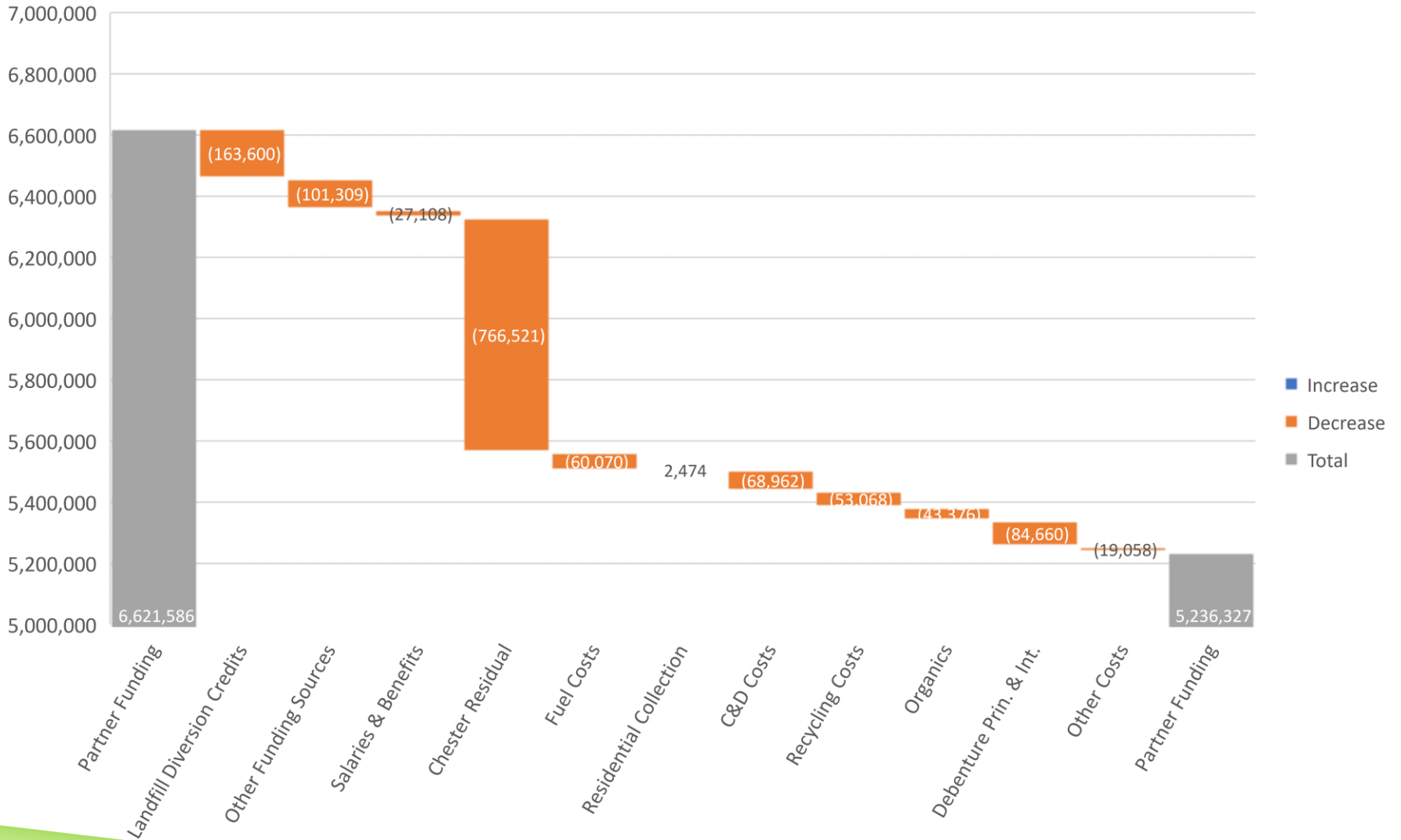
CONTRIBUTION SCHEDULE

Municipal Contributions by Quarter

2024-2025

	Q1	Q2	Q3	Q4	Total
73.40% Municipality of Kings	1,510,547	1,510,547	1,007,031	1,007,031	5,035,156
10.33% Town of Kentville	212,533	212,533	141,689	141,689	708,444
9.85% Town of Wolfville	202,741	202,741	135,161	135,161	675,804
3.08% Town of Berwick	63,341	63,341	42,227	42,227	211,137
2.03% Town of Middleton	41,816	41,816	27,877	27,877	139,387
1.31% Town of Annapolis Royal	26,891	26,891	17,928	17,928	89,638
	2,057,870	2,057,870	1,371,913	1,371,913	6,859,565

Change in Municipal Operations Partner Funding - Budget 2024 to Forecast 2024

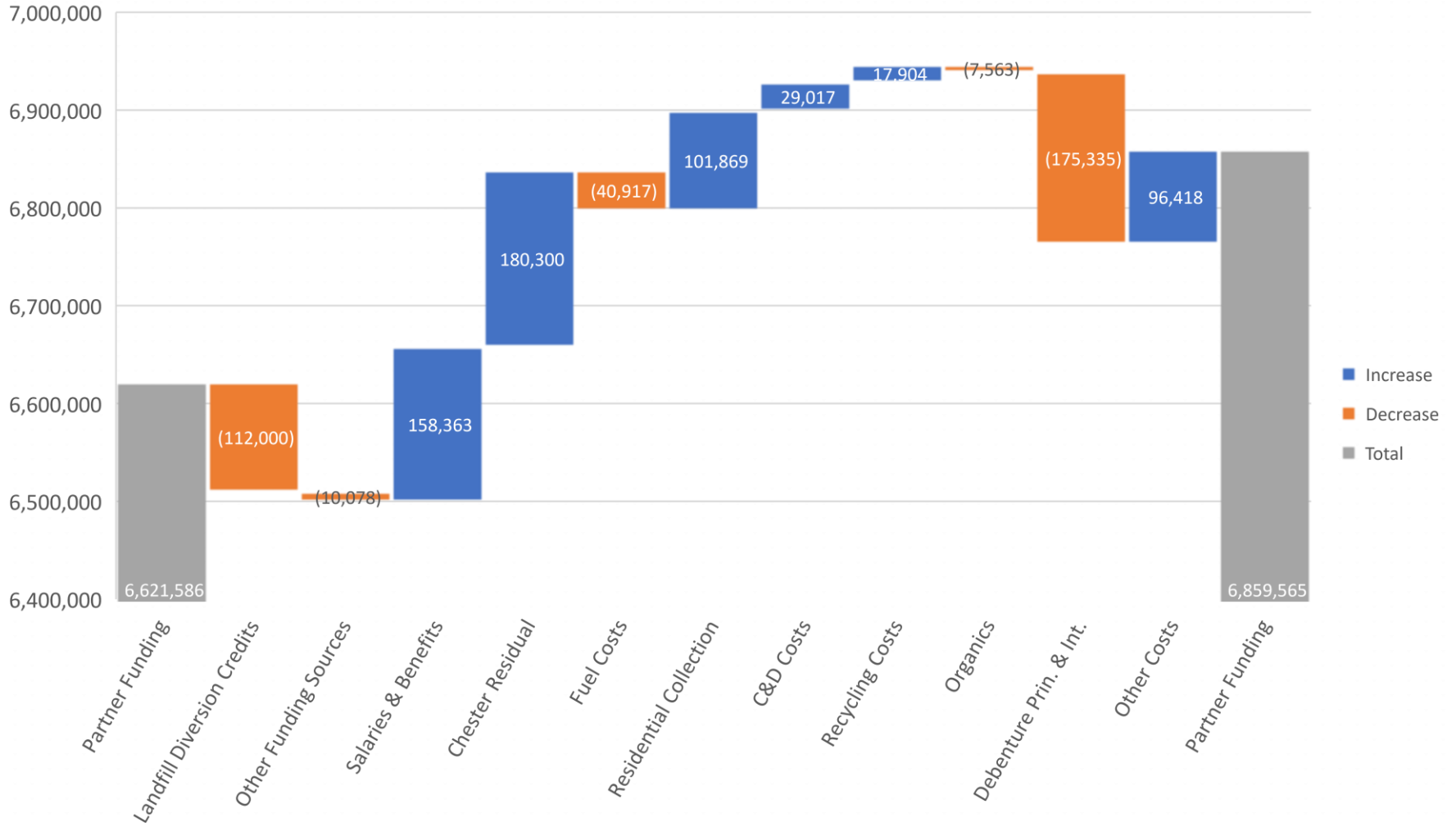


KEY FORECAST INFLUENCES

- \$766,000 – savings due to adjusted disposal fee, subject to change
- \$100,000 – higher than budgeted tipping fee revenue
- \$160,000 – in additional diversion credit funding
- \$120,000 - lower than budgeted fuel costs, both our fleet and on major contracts
- \$65,000 - reduced operating cost of Western Management Centre
- \$44,000 - reduced construction and demolition debris processing
- \$50,000 - lower than budgeted recycling processing



Change in Municipal Operations Partner Funding - Budget 2024 to Budget 2025



KEY BUDGET INFLUENCES


- ▶ Overall increase of 3.6%
- ▶ Overall FTE staff decrease of 0.1 positions.
- ▶ Employee Compensation \$158,000
 - ▶ 5.3 % Cost of living increase based on 12-month average NS CPI (Oct 22 – Sept 23)
 - ▶ Includes potential step increases
 - ▶ Majority of staff (64%) have worked fewer than 5 years

MAJOR CONTRACTS


- ▶ Major contracts ~ \$339,000 increase
 - ▶ Landfill Disposal \$180,000, reduced tonnage, higher contract price
 - ▶ Residential Collection \$101,000 - annual increase and est. 500 new dwelling units
 - ▶ Recycling Processing \$18,000 - reduced tonnage, estimated 5% contract increase
 - ▶ Organics Processing - \$8,000 – reduced tonnage, annual contract increase
 - ▶ C&D Debris Processing \$29,000 - more diversion
 - ▶ Hazardous Waste Processing \$19,000 - increased volume

CAPITAL BUDGET


▶ Three elements:

- ▶ Rolling Stock - regular replacement capital for equipment.
 - ▶ Safety and Efficiency – improved performance.
 - ▶ Building and Infrastructure - site capacity upgrades.
- 

ROLLING STOCK

- ▶ Wheel loader \$375,000
 - ▶ Replaces 2013 loader
 - ▶ One tonne diesel pick-up \$95,000
 - ▶ Needed to haul gooseneck trailer – transport recycling from EMC, litter cleanups, dumps etc.
 - ▶ Forklift for WMC \$55,000
 - ▶ To load hazardous waste drums, electronics
- 


SAFETY & EFFICIENCY

- ▶ Cardboard baler (2) @ \$110,000
 - ▶ To process & sell commercially generated cardboard
 - ▶ Estimated payback of 2-3 years
 - ▶ Wood Shredder \$600,000
 - ▶ To process lumber, yard waste, shingles for processing and potential sale
 - ▶ Increases volume permitted on site as per regulations
 - ▶ Excavator \$300,000
 - ▶ Needed to load wood shredder
 - ▶ Radios \$10,000
 - Improved communication, reduced operating costs
- 


BUILDINGS & INFRASTRUCTURE

- ▶ *Tipping floor replacement EMC \$200,000*
 - ▶ *Trying to complete this fiscal year with operating funds*

 - ▶ *Replacement doors EMC \$120,000*
 - ▶ *Trying to complete this fiscal year with operating funds*

 - ▶ **HHW / Stewardship Center - Drop off EMC \$350,000**
 - ▶ **Current depot needs replacing & expansion**
- 

BUILDINGS & INFRASTRUCTURE

- ▶ Engineering and design of EMC building \$200,000
 - ▶ For potential expansion in F2026
 - ▶ Roadway expansion EMC \$55,000
 - ▶ To improve traffic flow, separate small vehicles from commercial vehicles
 - ▶ Concrete pad for C&D yard EMC \$20,000
 - ▶ To improve C&D sorting
 - ▶ Expansion of yard to include metal storage EMC \$350,000
 - ▶ To allow for potential expansion of EMC tipping floor
- 

▶ Existing Capital Replacement Reserve

- ▶ Current value: \$2,646,142
- ▶ Budget includes a contribution of \$313,838 as per approved policy

▶ Existing Sale of Surplus Equipment Reserve

- ▶ Current value: \$317,323

REQUEST FOR DECISION
Videoconferencing Policy
RFD#: 009-2024



To: Council
From: Ashley Crocker, CAO
Date: February 5 and February 20, 2024
Subject: Updated Council Videoconferencing Policy

Guiding Principles for Decision-Making

Accountability Transparency Diversity Sustainability Engaged Informed

References/Attachments

- Updated Council Videoconferencing Policy

Legislation

- n/a

Recommendation

To recommend that Council approve the Administration Policy A 3.12 Council Videoconferencing dated January 30, 2024.

Background

The original policy included committees of Council; however, the policy was determined to be primarily specific to Council and Committee of the Whole. Should any committees of Council determine a need for videoconferencing, it can be included in their terms of reference policies.

Financial Implications

N/A

REQUEST FOR DECISION
Videoconferencing Policy
RFD#: 009-2024



Strategic Plan/Operating Plan Alignment

Check Applicable	Strategic Priority Area	Comments
	Environment	
	Infrastructure	
	Economy	
	Community	
X	Governance	
	Council Strategic Initiative	

Alternatives

N/A

Community Engagement/Communication

N/A

CAO Comments

The CAO supports the recommendation of staff.

CAO Initials: AC

Target Decision Date: 20 Feb 2024



<u>Council</u> Videoconferencing Policy	
Effective Date: 2022-04-19	Approved by <u>Council</u> : April 19, 2022
Revision Date(s):	

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Purpose

While it is preferred that Council and Committee of the Whole meetings be conducted in person as much as possible, it is understood that circumstances exist where this may not be possible for everyone.

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This policy enables the Town of Middleton to continue to offer virtual/hybrid meeting options to Councillors, staff and members of the public enabling full participation in Council and Committee of the Whole meetings, as well as maintaining transparency, accountability and increased accessibility options for all.

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1. The procedural requirements in this Policy are intended to complement and supplement, and not to replace, the requirements contained in

- (1) the *Municipal Government Act*; and
- (2) the Council Meetings and Proceedings Policy.

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Definitions

2. In this Policy, unless the context otherwise requires,

- (1) "Council" means the Council of the Town of Middleton
- (2) "Committee of the Whole" means a committee comprised of all members of Council who fully participate in debate and forward recommendations to Council for final decision.
- (3) "meeting" means a regular or special meeting of Council or Committee of the Whole meeting.
- (4) "Clerk" means a public officer in charge of the records of a town as appointed by the Town of Middleton Council.

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Public Notice

- 3. A Council meeting or Committee of the Whole meeting may be conducted by videoconference if, at least two days prior to the meeting, notice is given to the public respecting the way in which the meeting is to be conducted.
- 4. The notice to the public referred to in section 3 must be given by:
 - (1) posting on the Town of Middleton’s publicly accessible Internet and social media sites, and
 - (2) in at least two conspicuous places in the Town;
- 5. Notwithstanding section 4, where the Mayor determines that there is an emergency, a meeting may be conducted by videoconference without notice or with such notice as is possible in the circumstances.

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All Members Attend by Videoconference

- 6. The Clerk may require all Council/Committee of the Whole members and staff to appear at a meeting by videoconference if each Council/Committee of the Whole member and the Town have videoconferencing equipment available that will:
 - (1) enable the public and other Council/Committee of the Whole members to see and hear the person participating by videoconference;
 - (2) enable the person participating by videoconference to see and hear other Council/Committee of the Whole members who are attending the meeting by videoconference.

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One or More Members Attend by Videoconference

- 7. Except as provided in section 6, Council members must attend Council meetings in person or, if approved by the Clerk pursuant to section 9, one or more Council members may appear at a meeting by videoconference.
- 8. Committee members may be preapproved to attend meetings by videoconferencing per

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their appointment by Council or by written request to the Clerk.

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9. Subject to the other provisions of this Policy, the Clerk shall grant permission to a Council/Committee of the Whole member to participate in a meeting, or part of a meeting, by videoconference if:

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(1) twenty-four hours prior to the meeting, the Council/Committee of the Whole member provides written notice to the Clerk indicating that the Council/Committee of the Whole member wishes to attend the meeting by videoconference where an extenuating circumstance exists. These include but are not limited to:

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- (a) injury or illness preventing attendance in person
- (b) inclement weather
- (c) schedule conflict in the example of a meeting being arranged on short notice.

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(2) the Council/Committee of the Whole member has not participated in more than two (2) meetings by videoconference in the preceding 12 months in addition to meetings in which all Council members participated by videoconference.

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(3) Council has the right to grant an exception to section 9(2) to a Council member due to illness or injury that would prevent the Council member from attending the meeting in-person.

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(4) the Council/Committee of the Whole member has videoconferencing equipment available that will:

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- (a) enable the public and other Council/Committee of the Whole members to see and hear the person participating by videoconference;
- (b) enable the person participating by videoconference to see and hear the other Council/Committee of the Whole members who are attending the meeting by videoconference.

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(5) the Town has videoconferencing equipment available that will:

- (a) enable the public to see and hear the Council/Committee of the Whole member participating in the meeting by videoconference;

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(b) enable the Council/Committee of the Whole member to see and hear each of the Council/Committee of the Whole members who are attending the Council Meeting by videoconference or in person; and

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(c) enable every Council/Committee of the Whole member who is attending the meeting by videoconference or in person to see and hear all other Council/Committee of the Whole members who are attending the meeting by videoconference or in person.

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10. Any Council/Committee of the Whole member participating by videoconference in a meeting shall be deemed to be:

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(1) present if approval has been granted for them to participate by videoconference under this Policy; and

(2) absent for any parts of the meeting in which a Council/Committee of the Whole member is not permitted to participate by videoconference under this Policy.

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11. The Clerk shall not grant permission to a Council/Committee of the Whole member to participate by videoconference in any of the following:

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(1) any part of a meeting during which the issue under discussion will be decided by a vote held by secret ballot;

(2) a vote held by secret ballot.

12. Council members participating in a meeting by electronic videoconference shall notify the Chair of their departure (either temporary or permanent) from the meeting before absenting themselves.

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Technological Problems - Failure to Connect or Disconnection

13. If technological problems prevent a Council/Committee of the Whole member from participating in a meeting prior to the meeting commencing, the Council/Committee of the Whole member shall be marked absent from the meeting.

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14. If a Council/Committee of the Whole member becomes disconnected from the meeting due to technical problems or other reasons, the minutes shall reflect that the Council/Committee of the Whole member left the meeting at the time of the

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disconnection.

15. THIS POLICY APPLIES TO COUNCIL AND COMMITTEE OF THE WHOLE, WITH SUCH CHANGES AS THE CONTEXT REQUIRES.

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Town of Middleton Policies
Code A – General Administration A 3.12



I, Ashley Crocker, Chief Administrative Officer of the Town of Middleton, do hereby certify that the Policy, of which the foregoing is a true copy, was duly passed at a duly called meeting of the Town Council of the Town of Middleton held on the ____ day of ____.

Ashley Crocker
Chief Administrative Officer

Policy Adoption	
Date of 7-day notification to <u>Council</u>	April 11, 2022
Date of Approval	April 19, 2022
<u>Policy Revision</u>	

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DANGEROUS AND UNSIGHTLY 2023

Complaints and Status Report

Complaint #	Date Complaint Received	Address of Owner	Complaint Form Completed	Property Inspection and Form Completed	Initial Notice Sent	Complainant Updated	Follow-up Inspection Must Be Done By:	Follow-up Property Inspection Completed	Is Clean Up Required? Y / N	Estimate of Cost for Clean Up \$\$	Council Approval for Clean Up Y / N	Notice to Owner of Clean Up	Owner Invoiced for Costs or Lien Placed	STATUS	Mark Complete When File is Closed
23-DU002	5-Jun-23	82 Victoria	7-Jun-23	8-Jun-23	n/a	n/a	n/a	n/a	Y			14-Nov-23		Owner working on remedying the property and home. Deadline March 14th 2024.	
23-DU004	5-Jun-23 24-Aug-23	50 School	7-Jun-23	7-Jun-23										Fire Inspection was conducted Nov 21/23. Administrator to follow up with inspectors and re-visit property for outside inspection.	
23-DU006	6-Jun-23	121 Main	7-Jun-23	7-Jun-23	30-Jun-23	2-Aug-23	15-Jul-23	25-Jul-23	N	n/a	n/a	n/a	n/a	Property Owner intends to renovate building but is awaiting funding. In the meantime, a coat of paint will be put on.	
23-DU007	7-Jun-23	75 Victoria	7-Jun-23	7-Jun-23	30-Jun-23		15-Jul-23							Property is changing hands. Town will follow up in coming months	
23-DU009	16-Jun-23	153 Meadow Lane	16-Jun-23	31-Aug-23											
23-DU011	16-Jun-23	174 Main	16-Jun-23	31-Aug-23										Administrator needs to re-visit property for additional pictures.	
23-DU013	16-Jun-23	28 Bridge	16-Jun-23	31-Aug-23											
23-DU016	16-Jun-23 1-Aug-23	8 Spring Garden	16-Jun-23	29-Aug-23										Administrator needs to re-visit property for additional pictures.	
23-DU018	16-Jun-23	5 George	16-Jun-23	31-Aug-23											
23-DU019	5-Jun-23	54 School	16-Jun-23	7-Jun-23	25-Jul-23		8-Aug-23							Met with property owner on Jul 31/23. Conveyor belt will be removed by mid-November.	

