



TOWN OF OXFORD
Committee of the Whole Meeting
Teleconference
Monday, 6 April 2020
6:00 PM

AGENDA

1. Call to Order
2. Approval of Agenda
3. Approval of Previous Minutes
 - 3.1 Committee of the Whole Minutes – 2 March 2020
4. New Business
 - 4.1 Building Assessment Report
 - 4.2 RFD #006-2020 Alternative Voting Bylaw
 - 4.3 COVID-19 Response Planning and Discussion: Update on NSFM Zoom Meeting: billings, payments, waived and/or deferred payments
5. Correspondence
6. In Camera - Personnel
7. Adjournment



Minutes of the Committee of the Whole

Place: Council Chambers

Date: Monday, March 2, 2020

Presiding Officer: Mayor Patricia Stewart

Councilors Present: Councilors Brenton Colborne, Dave Clark, Dawn Thompson, Rick Draper, Wendy Sweet-Kontuk and Wade Adshade.

Regrets: Nil

A quorum was present throughout the meeting.

Staff present: CAO - Rachel Jones, Senior Accountant – Ruthann Brookins, and Deputy Clerk - Linda Cloney (recording secretary)

In attendance: Mark Rushton – Reporter, Six Rivers News

1. Call to Order

Mayor Stewart called the meeting to order at 6:00 pm.

2. Approval of Agenda

Defer 4.1 – Debt Affordability Model – Paul Wills, Municipal Finance Corporation – to the March 16, 2020 Regular Council Meeting.

It was moved and seconded that the agenda of the Committee of the Whole Meeting for March 2, 2020 be approved, as amended.

Motion Carried

3. Approval of Previous Minutes

3.1 Committee of the Whole – 3 February 2020

It was moved and seconded that the minutes of the previous Committee of the Whole Meeting dated February 3, 2020 be approved.

Motion Carried

4. New Business

4.1 Debt Affordability Model – Paul Wills, Municipal Finance Corporation – Deferred to March Regular Council Meeting.

4.2 Draft 2020/21 Capital Budget – Preliminary

CAO Jones reported to Council, in detail, the draft 2020/21 Capital Budget. Highlights from this discussion are listed below.

- The TownSuite software cost is a carry-over from last year. Staff anticipates implementing the TownSuite software this summer. Last year the funding was not approved from the Province. Staff will make a grant application for \$26,000.00 to the Province for the remainder costs of the TownSuite Software.
- An estimate of \$65,000.00 for Town Hall upgrades (air conditioning, heating, leak in the roof and painting) has been brought forward to be considered in the Capital Budget.
- The Arena Energy Project is still on the books. Staff are working with Nova Scotia Power. Nova Scotia Power offered to reach out to their list of contractors, and they could be a project manager, at no cost, to the Town of Oxford.
- Paving is budgeted at 80,000.00 and the funding is allocated from the Gax Tax. Staff anticipates installing culverts in at Horton Street and the Hansford Road intersection. Staff also plan to pave Horton Street and finish Thompson Road. There was a discussion on paving for Water Street and Main Street.
- Recreation small projects – staff are applying to the Municipality of the County of Cumberland for a \$20,000.00 grant for upgrades.
- Information Kiosks – Staff are collecting quotes. If the Downtown beautification grant is awarded, the Town of Oxford can partner with the Amherst Chamber of Commerce to process that funding. There is an option to utilize some of this funding for Town projects as well as offering it to the businesses.
- The fire truck with the Fire Department will need to be entered in the debt affordability model process.
- Water utility – The Main Street project was not completed last year. Staff are anticipating combining the Main Street project with the Rideau Street, Duke Street, and Waverly Street project. If a contractor can come in and do all the work at once, staff are hopeful to get a better bottom line price. The PCAP (Provincial Capital Assistance Program) don't usually award much more than \$200,000.00, a suggestion was to find ways to phase this project for successful completion. Staff are currently working with a consultant to accomplish this.
- Trails will carry the remainder of the 2019/2020 Capital Budget to the 2020/2021 Capital Budget and apply for another \$10,000.00 to the 2020/2021 Capital Budget.

4.3 RFD #005-2020: Preliminary Elector's List

It was moved and seconded that the Committee of the Whole recommends to Council to approve entering into the Information Sharing Agreement with the Chief Electoral Officer of the Province of Nova Scotia for the use of the provincial list of electors from Elections Nova Scotia for the purpose of the upcoming general or special municipal elections.

Motion Carried

4.4 Proclamation: Epilepsy Awareness Month

On this date, March 2, 2020, Mayor Stewart declared March to be Epilepsy Awareness Month for the Town of Oxford.

4.5 Doctor Retention Grant: Discussion

The Doctor Recruitment Committee and the Doctor Retention Committee worked collaboratively on a grant from the Province. Due to the committee's efforts, they were awarded \$15,700.00 from the Healthy Community Streams under the Culture Innovation Fund.

It was moved and seconded that the Committee of the Whole recommends to Council to approve contributing up to \$350.00 to the Doctor Recruitment Fund.

Motion Carried

4.6 Department of Communities Culture and Heritage: Library Funding

Council had a general discussion regarding the Library Funding Update. The municipal funding will remain at the current levels for the 2020-21 fiscal year and the new library funding contributions will come into effect in the 2021-22 fiscal year. The Town of Oxford contribution, as per the funding formula model proposed, has increased by 39%. Council and staff expressed disappointment in the lack of consultation during the implementation of the new library funding model.

4.7 Occupation Health & Safety Policy: Review

It was moved and seconded that the Committee of the Whole recommends to Council to approve the Occupational Health & Safety Policy as presented.

Motion Carried

5. Correspondence

5.1 International Women's Day Committee

Saturday, March 7, 2020 is the International Women's Day Event at the Oxford Capitol Theatre. The International Women's Day Committee sent a thank you to the Oxford Town Council for the donation of a door prize.

6. Adjournment

At 6:48 pm, it was moved and seconded that the meeting be adjourned.

Motion Carried

Patricia Stewart, Mayor

Linda Cloney, Recording Secretary



BUILDING CONDITION REPORT

March 15, 2020

Peter Smith RPA PMP
Eagle Project Management Inc.

Summary

The Town Hall and former art gallery building, the Knights of Pythias Hall building, and the Oxford Pioneer Heritage building were reviewed on March 10, 2020.

The outside temperature was +4 partly overcast with light winds. No destructive testing was completed during this visual survey.

Objective

To identify areas and items related to capital planning and funding for the Town of Oxford short- and long-term budget allocations and priorities. Our baselines were developed from telephone and email conversations with Ms. Rachel Jones, Town of Oxford CAO where she identified areas of concern related to roofing systems, HVAC systems, heating systems and the overall structure of each property.

Our review includes the exterior surface areas, internal office and storage areas, heating and ventilation systems and basements plus other areas noted during our visual review. The Capital Planning Summary sheet is included for all 3 properties.

Properties Reviewed

Town Hall: 105 Lower Main Street

Oxford Pioneer Heritage (OPH) Club: 31 Ellis Street

Knights of Pythias Hall: 26 Water Street

The Town Hall Building



Front elevation



Former art gallery extension to Town Hall building

The insignia plate mounted near the top of the building front elevation states year 1908 and we believe this to be accurate considering the architectural features and general means of construction noted on site during our review.

Exterior features

Roofing

The main building consists of a flat roof system, generally referred to as BUR (built up roofing) with insulation, tar and gravel (small pea stone). The main roof system consists of 2 components, the upper roof and the main lower flat roof. The upper roof was not accessible during our review due to ice and snow conditions. However, the flashing details, evidence of hot tar and gravel stop are consistent with the main lower roof area and were likely installed at the same time by the same contractor considering the details found on site.

The main lower flat roof is showing signs of decay, extensive moss growth, flashing details requiring repairs, missing gravel coverage and cracked tar intersections all showing signs of aging. Considering the type of roofing system being tar and gravel, we believe the roofing system to be approximately 30 years old or more. Torch on products have prevailed since early 1980's and are commonly used in the industry today. Tar and gravel system were common from approximately 1965 to 1980. The install date

of the current roofing system is unknown but presumed, due to site conditions, to be between 30 and 40 years old.



Roof decay at HVAC unit



moss growth covered several areas



East wall



1 roof drain found near HVAC unit

Roofing system old art gallery area

This roofing system is a typical wood framed, sloped and shingled roof. The shingles are showing signs of extensive decay, moss growth, shingle edges turned upward and general weathered conditions.

Ms. Jones noted a roof leak in and around the intersection between the original stone building and this extension building.

3 areas of concern were found which primarily lead to roof leaks.

1. Poor flashing details at roof penetrations and connections to original masonry building.
2. Roof eavestrough systems full of debris blocking water run off.
3. Ice dams forced water up under shingle systems as eavestrough and downspouts are plugged.



eavestrough full of debris



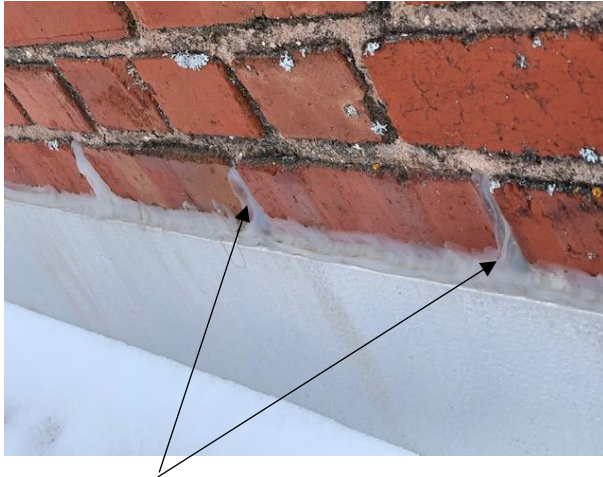
ice dams at gutters and downspouts



Plumbing vent not sealed



flashing detail not sealed



Flashing detail between sloped roof and original stone building. Note the vertical joints known as masonry weep holes have been plugged with silicone. Moisture in the masonry is forced to the interior instead of diverting to the exterior.



moss growth

Shingle edges

Shingle edges turned up which general indicates heat loss from interior. Also roof area contains extensive moss growth which will decay the shingle systems.

Roof replacement options

Art Gallery

- Remove existing shingle system and install new shingle system
 - o Estimated cost \$ 17,200
- Remove existing shingle system and install metal or PVC roofing system
 - o Estimated cost \$ 27,400

Main building Town Hall

- Lower roof (HVAC system area) and upper roof are of the same composition today.
 - o Remove tar and gravel system and install new torch on 2 ply membrane and new insulation system
 - Estimated cost \$ 35,000
 - o Remove existing roofing system and install new insulation and single ply membrane system
 - Estimated cost \$ 37,000
 - o Remove existing roofing and install new wood roof truss system, insulation and metal roofing system
 - Estimated Cost \$ 65,000 (requires structural engineer to design- design cost not included but generally average \$7-10,000
- All options will require a degree of extra care during installation to ensure building integrity (water tightness) remains in tack during removal and new work.
- Metal or PVC roofing system on main Town Hall building will require installation of wood truss system complete with anchor points and detailing to support the new roofing structure while maintaining the existing structure water tightness. Metal or PVC roofing system will require a greater amount of time to design and install than other roofing systems.
- This internet link identifies several historic structures and roofing systems. Most of the heritage structures have a high pitch sloped roof and maybe something for the Town to consider for the Town Hall property. [639 Best stone houses images in 2020 | Stone houses, House ...](https://www.pinterest.com/simplyss/stone-houses)

<https://www.pinterest.com/simplyss/stone-houses>

Mar 15, 2020

Town Hall other components- summary

Unfortunately, this aging structure is in fair to poor condition in several areas and is showing signs of extensive decay and water infiltration.

No fire evacuation plans were found. No sprinkler system.

The Structure

The sub-basement foundation structure is decaying and settling which is causing stress on the exterior masonry and interior wall systems. Extensive evidence of masonry stress cracks, at the front east elevation and the south elevation. Very visible in the basement areas.

Extensive masonry deflection, missing grout, stress cracks, window leaks, roof leaks and other areas of concern.

The building does not appear to contain insulation in the exterior walls when viewing the drywall damaged area on the upper floor. A clear view through the existing drywall hole to the exterior masonry.

Extensive drywall damage and evidence of several water infiltration areas through the structure on all floors. High potential for mould growth and indoor air quality issues.

Electrical Code issues

There are several National Electrical Code issues including open controllers in the basement, open switches, panels with no fire rated backing, panels obstructed in the library, exit signs and emergency lighting systems not working.

Ventilation and air handling

The upper floor contains a moisture and air movement controller which is set at approximately minus 15 degrees. The controller was not working during our review and the ventilation itself producing very little air flow.

The roof top man ventilator is a York system model B3CH060A06C built in the year 2000 and uses R22 refrigerant. R22 is commonly known as Freon and is banned in both Canada and USA effective January 2020. Recycled R22 is available in limited quantities from reliable refrigeration contractors but as it is used the systems will not longer be serviceable.

Highly recommended this system be replaced. The roof top unit, the duct work and the controller systems should be replaced.

Insulation and moisture control

The roofing system contains very little insulation, the exterior walls appear to contain no insulation, the window systems are showing signs of decay, heating controls are minimal and heating distribution is blocked (fire code issues) in several areas.

The boiler system piping is fully exposed with poor insulation or no insulating resulting in at least 50% efficiency loss. Insulate the piping system would increase efficiency and reduce operating cost.

The existing round thermostats are commonly found to contain mercury- a highly controlled substance. These are old, inefficient and should be replaced.

Conclusions

1. This property requires an extensive amount of work and related cost which in our opinion outweighs the property value. Renovation cost to secure the structural foundations, insulate the walls and roofing systems, install air and heat distribution, replace windows and roofing systems are the main areas of concern of higher value items to be addressed.
2. The property has historic value which is difficult to place a monetary value and hence the related retrofit value may have merit and be justifiable. Historic properties are known to cost additional expense for renovations and are seen frequently as required to maintain heritage and significance for a community. This decision is obviously with the Town of Oxford if the historic value is more important than the actual renovation cost.
3. Renovation cost estimates
 - a. Roofing- flat tar and gravel \$ 37,000
 - b. Roofing- shingled, former art gallery \$ 17,200
 - c. Structural footings- \$ 150,000
 - d. Masonry- \$ 51,000
 - e. Remove interior drywall, install insulation and vapour barrier, new drywall \$ 450,000

- f. Exterior windows and doors \$ 78,000
 - g. HVAC system, 2 floors - \$90,000
 - h. Code violations- primarily electrical- \$ 6,500
 - i. Heat and moisture control (hot water piping, window seals, wall penetrations)- \$7,500
4. Other considerations
- a. **Health and safety**
 - i. The age of the property and the products installed are susceptible to asbestos based components. Recommended all products be tested prior to any renovations.
 - ii. Thermostats, the round manual units, are known to contain mercury and require special and controlled disposal practices.
 - iii. The roof top ventilator contains R22 Freon refrigerant which is banned in North America. A qualified and certified mechanical technician is required for any maintenance or disposal of this roof top unit.
5. Priorities to maintain occupancy
- a. Roof top HVAC system replacement and controls
 - b. Replace roofing systems to stop leakage
 - c. Seal masonry holes and cracks to reduce additional water infiltration
 - d. Remove any water damaged products to reduce potential mould growth
 - e. Complete the Code compliance work



Main hall near safe, roof leak, likley source is the roof ventilation duct work not properly sealed



Former art galley floor

staff kitchen and Town reception



Going upstairs- paint peeling and floor damage



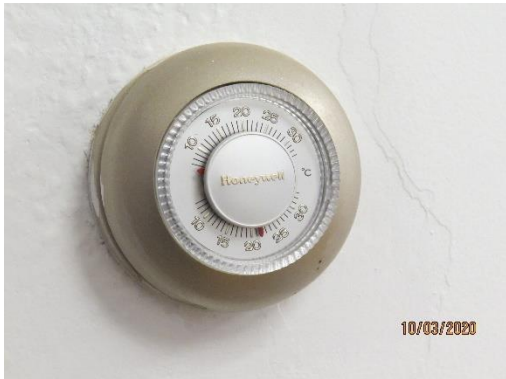
Stair system with extensive paint peeling



Main floor bathroom does not meet NBC section 3 and BF 651 Barrier Free standards



Upper floor bathroom



Upper floor T-stat turned off



Upper floor ventilation- minimal air flow



Records storage fire hazard

Records storage



Electrical panel blocked in records storage
Code violation



Air/humidity controller set at minus 10 degrees
However system indicator lights (activity) not on.



Emergency lights not working



Extensive moisture at windows



Evidence of moisture issues



Hole in drywall, north wall upper floor
No insulation, exterior masonry visible



Moisture leakage evident

Electrical panel with no fire rated backing- Code violation



Evidence of moisture leakage



Signs not working



Old boiler in basement- likely asbestos



Natural gas heating system



Poorly insulated piping



Code violations- open electrical boxes



Electrical code violations



Structural decay at former chimney



Stair to basement



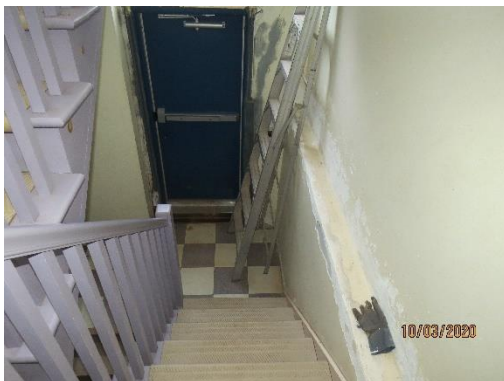
Exterior door to south stairs to basement



Near south door



south door frame and substrate decay



Stairs to south door and basement



main heating system- pipes not insulated



Front elevation, structural deflection and cracking



Front elevation masonry cracks and missing mortar- stress cracking



South elevation masonry decay and approx. 2" hole



At boiler room



Wall penetrations for electrical not sealed



open masonry, water infiltration



Masonry and stone damage



Town Hall and former Art Galley report end.

Oxford Pioneer Heritage (OPH) Club: 31 Ellis Street



The structure is a poured in place concrete foundation, wood framed, vinyl siding with a mixture of wood, vinyl and metal cladded windows. The main building is a shingled roofing system whereas the smaller extension section is metal roofing.

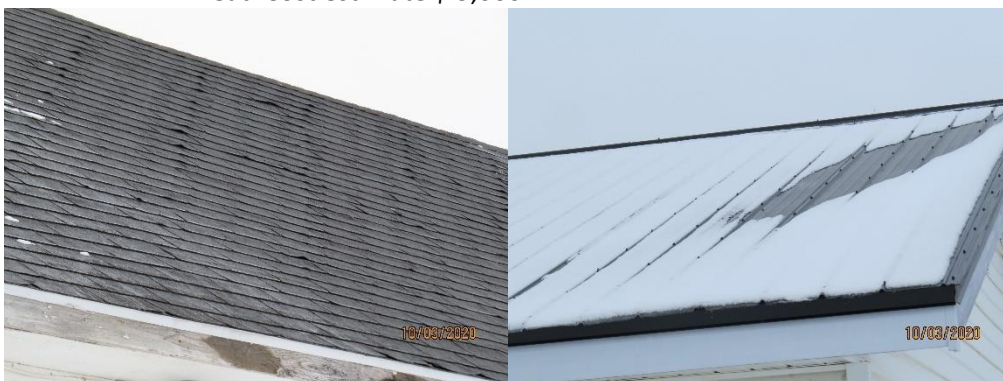
Ms. Jones requested confirmation of the smaller extension section foundation which was confirmed as concrete.

The main building measures approximately 21' x 50' (2 story structure) and the smaller extension 17' x 34'.

The building is in respectable condition and reasonably maintained.

Roofing

1. The metal roof section appears in good condition.
2. The shingled roof system is showing signs of aging. However, we would attribute this mainly to poor ventilation in the attic space. There is no soffit or ridge venting which is trapping the heat causing premature shingle decay. Extensive heat will rise and push out through the roofing system causing shingle failure. Evidence today of shingle up curve which is a good indicator of heat escaping.
 - a. Minimal repair to prolong live is to install soffit vents and ridge vents to remove summer heat. Cost estimate \$ 3,000



Shingled main building

metal roofing section



Attic space- no visible leaks

Windows and doors



Wood windows in fair condition- will require replacement in future



Wood windows clad in aluminum- unknown condition. Rear elevation door in fair condition.

1. The windows and doors do not appear to be leaking but do show signs of aging and are likely original construction. Some of the window products have been cladded in aluminum others are showing signs of decay. To prolong the existing windows and doors, they require cleaning and paint application combined with aluminum cladding which will extend the life expectancy. Replacement should be considered within 5-7 years.
 - a. Cost \$ 8,500 replacement
 - b. Cost \$ 2,500 to 3,000 paint and cladding

Exterior other



No soffit vents to allow air circulation

Vinyl siding appears in good condition

Stair handrails not to Code

Cost:

1. Handrails- \$ 1,500
2. Vented soffit- noted in roofing section.

Foundation

Confirmed as concrete and in good condition with no known repairs.

Ventilation and heating

1. Oil storage tank label clearly states "primer only- must be painted" which was not completed.

2. Oil storage tank is of single wall construction and generally only recommended for a life span of 10 years. This tank was constructed in 2009.
3. Oil fuel supply line is single wall and not protected if it should leak.
4. Oil furnace has no maintenance information. Generally, maintenance contractors place a maintenance schedule tag and date on the unit when completed.
5. Products stored in furnace room need to be removed- Code issue.
6. Door to furnace room is not fire rated-Code issue.
7. No smoke or fire detection in and around the heating boiler- Code issue.
8. Fuel tank vent needs to be extended.
9. Domestic hot water tank is dated 1989. Normal life expectancy is 20 years. This unit has reached life expectancy however is not showing signs of leakage and was operational during this review.
10. Cost
 - a. Furnace maintenance- \$ 800
 - b. Extend fuel tank vent line \$ 800
 - c. Replace fuel tank with double wall tank \$ 3,500
 - d. Replace fuel supply line with double wall piping \$ 1,500
 - e. Replace hot water tank \$ 1,200
 - f. Replace door at boiler room, add smoke detector \$ 3,500



Oil tank, year 2009, 900 Litre



oil fired heating furnace



Fuel tank lines. Vent shall extend a minimum 2' above any building opening or roof line. Code issue.



1989 domestic hot water tank

The property contains 2 heat pump systems. Manufacture KeepRite providing controlled heating and air circulation to the main floor only. They appear in good condition and were operational during this review.



Electrical

The system appears in good condition with no known issues. There are 2 panels, the original which was likely installed at original construction and the newer panel was likely installed when the heat pumps were installed to manage the load capacity.



Original panel



Newer panel

Town of Oxford Nova Scotia



Main floor



Main floor kitchen

Main floor bathroom does not meet NBC-B651 accessibility



Upper floor ceiling- minor damage



Upper floor appears in good condition Heating furnace exhaust- safety precaution, heat

Conclusions

1. The property is mainly in good condition requiring more minor repairs to extend life expectancy.
2. Attention to soffit and ridge venting would extend roof shingle system.
3. Attention to window and door maintenance would extend life expectancy.
4. Heating system maintenance, fuel tank replacement and hot water tank replacement recommended.

Knights of Pythias Hall: 26 Water Street



This structure is in very poor condition with several roof leaks, poor electrical systems, no ventilation and an extensive amounts of mould growth at the main floor rear entrance and the basement.

We do not recommend this property for occupancy in the current state. We stopped our review after entering the basement and finding high levels of mould exposure on the walls and ceilings.

Related repairs and cost summary

We are unable to establish a full cost summary due to the extensive levels of current mould growth, roof failure, exposed dirt basement floor and several non-compliant code issues. However, a Class E estimate, considered a practical estimate based on industry experience, would generate a cost to repair

in excess of \$ 750,000. Depending on a full mould survey this cost could escalate dramatically once the drywall was removed.

Another concern is the wall and ceiling construction, considering age may contain asbestos. If determined to contain asbestos the cost could escalate for removal.



Basement areas with extensive mould evident



Main floor rear exit with mould on walls



Front entry window leaks

Masonry failing



Upper floor ceiling collapse due to roof leaks- mould evident



Water collection buckets for roof leaks

Collapsed ceiling- mould evident



Attic space evidence of water leaks



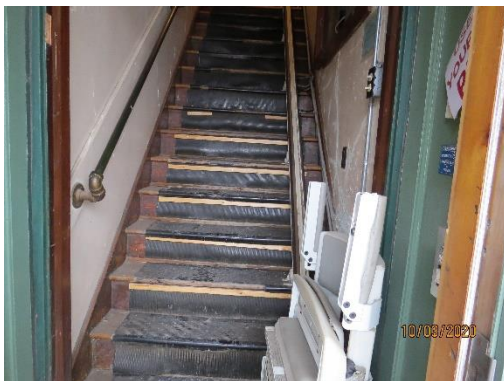
Attic space water leaks



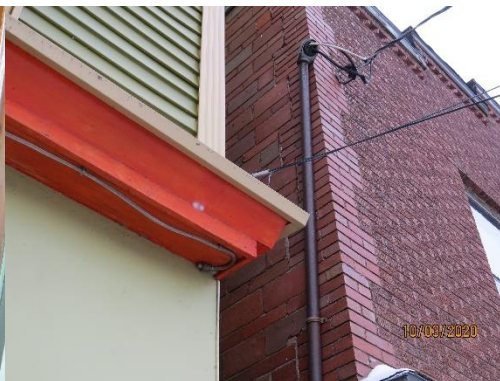
Interior upper floor water leaks and mould



Electrical panels not to Code



Stairs to upper level, handrails and stairs not to Code



Main electrical service supports failing



Old boiler in basement-likely asbestos



Roof shingle system sliding off roof-failing



Exterior masonry failing



interior lighting-wiring not to Code



Electrical in floor not to Code



Main electrical service in basement- rust and water stains



Boiler installed year 2000



Open electrical devices not to code

Closing

The report is completed in strict confidence for the Town of Oxford Nova Scotia and shall not be distributed to any person, firm or company without the written permission of the Town of Oxford and the writer.

The information contained within this report is considered a sample of the conditions of each property and may not be all inclusive. No destructive testing or sampling was completed during this review.

Report completed and prepared by

Peter Smith RPA PMP

Eagle Project Management Inc.

Dartmouth, NS

Town of Oxford Nova Scotia							
Capital Planning		Schedule					
		1-3 years	4-7 years	7-10 years	10+ years	Totals	Notes
Location	Item						
Town Hall	roofing- flat	37000					
	roofing-sloped		17200				
	HVAC system						
	Heating system	7500					insulate piping
	structural- basement		150000				
	masonry repairs-minor	4500					stop water infiltration
	masonry repairs-all			51000			to be completed after structural repairs
	window replacement			78000			
	exterior wall insulation			450000			includes new interior drywall, complete after structural work
	asbestos abatement						no cost included, unknown, materials require survey to determine extent of removal
	asbestos survey	4500					average cost
	electrical code repairs	6500					
	boiler system				35000		
	heat distribution upgrade				125000		
		\$ 60,000.00	\$ 167,200.00	\$ 579,000.00	\$ 160,000.00	\$ 966,200.00	
Oxford Pioneer Heritage	roof ventilation repairs	3000					
	windows repairs	3000					
	windows replace			8500			
	shingle roof replacement				35000		
	boiler maintenance	800					
	hot water tank replace	1200					
	oil tank replace	3500					
	fuel line replace	1500					
	oil tank vent extension	800					
	heat pump replacement				12000		
handrails- upgrade to Code	1500						

	bathroom upgrade to Code		15000				depending on occupancy use and load (persons) dem
		\$ 15,300.00	\$ 15,000.00	\$ 8,500.00	\$ 47,000.00	\$ 85,800.00	
Knights of Pythias Hall	roof replacement				65000		
	mould abatement				500000		
	asbestos survey				4500		
	asbestos abatement						unknown, survey required
	electrical upgrade				29500		
	masonry				150000		
	windows and doors				26000		
	attic insulation replacement				18000		replace wet products
	electrical code issues-upgrade				43000		
	boiler replacement				25000		
	hot water tank replacement				1500		
	controls and devices upgrade				6500		
					\$ 869,000.00	\$ 869,000.00	



REQUEST FOR DECISION
Alternative Voting Bylaw
#006-2020

Date: 6 April 2020	Subject: Alternative Voting Bylaw 1 st Reading
Proposal Attached: Yes	Submitted by: Linda Cloney, Deputy Clerk

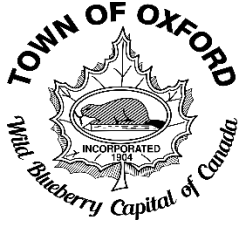
Proposal:	That Town Council give first reading of Bylaw #01-2020, Alternative Voting Bylaw.
Background:	<p>Municipal Councils have the authority to enact a bylaw for alternative voting methods during municipal elections, specifically, the Municipal Government Act Section 172 (1) A council may make by-laws, for municipal purposes, respecting (k) services provided by, or on behalf of, the municipality.</p> <p>Section 146A of the <i>Municipal Elections Act</i> bestows municipal council with the legislative authority to select the method and system of voting. “Section 146A(1) A council may by by-law authorize voters to vote by mail, electronically or by another voting method.”</p> <p>Alternative voting methods include vote by mail, internet voting and telephone voting. The most common method of voting is a traditional voting place model however the move toward alternative voting methods continues to increase.</p>
Benefits:	<ul style="list-style-type: none"> • Increase in accessibility. • Potential increase in voter participation. • Alternate voting methods gives options to extend advance polling opportunities. • Accommodates changing lifestyles and demanding work schedules. • Voter convenience. • Decrease in proxy voting. • Potential of reducing costs in administration, staffing and resources.

Disadvantages:	<ul style="list-style-type: none"> • Security of internet voting. There may be a risk of fraudulent activity, viruses and other technical threats associated with any system or activity that uses internet to receive and transmit personal information. • Concerns that alternate voting methods may violate privacy concerns, such as voter coercion. • Concerns with telephone voting may include the time to navigate through and complete an audio ballot. • Concerns that distributing voting materials by mail is reliant on Canada Post to disseminate voter registration information. Errors can occur as a result of the mail distribution process and the campaign period.
Options:	<p>Council has the option to implement an Alternative Voting Bylaw to be in effect for any future Municipal Elections as an alternative option for the public to exercise their right to vote.</p> <p>Council may choose to implement alternative voting methods only or combine these options with traditional paper ballots. Implementation of both types of voting will increase the regular costs of municipal elections.</p>
Required Resources:	Advertising of the implementation of the bylaw is required by legislation in order to offer alternate voting methods for future municipal elections. Additional educational messages will be required to inform the public on potential alternate voting methods.
Source of Funding:	General Operating Budget
Sustainability Implications: (Environmental, Social, Economic and Cultural)	
Workplan Implications (now/future):	Communication strategy to inform the public around potential new methods of casting ballots for the municipal election.
Communication Plan:	Advertising will need to take place to indicate second reading and when the bylaw is passed to indicate to the public and the Province when it comes into effect.
Staff Comments/ Recommendations:	Passing this bylaw will give the Town of Oxford the option to enter alternative voting methods in future elections. As there is a timeframe required to pass a bylaw, staff recommend passing the Alternative

	Voting Bylaw to assist with the efficiencies required if the Town of Oxford decides to utilize Alternative Voting Methods.
CAO's Review/ Comments:	

CAO Initials: RLJ

Target Decision Date: April 20, 2020



Bylaw #01-2020 Alternative Voting Bylaw

BE IT ENACTED by the Council of the Town of Oxford, under the authority of Section 146A of the Municipal Elections Act, R.S., c. 300, s.1. as amended, as follows:

Short Title

- 1) This Bylaw shall be known as Bylaw #01-2020 and may be cited as the “Alternative Voting Bylaw.”

Interpretation

- 2) In this Bylaw:
 - a) “Act” means the Municipal Elections Act, R.S., c. 300, s.1., as amended;
 - b) “advanced poll” means the Tuesday immediately preceding ordinary polling day, and either:
 - i) One other day fixed by the Council by resolution that is either Thursday, the ninth day before ordinary polling day, or Saturday, the seventh day before ordinary polling day; or
 - ii) If Council has delegated its authority to fix a day to the Returning Officer, one other day fixed by the Returning Officer that is either Thursday, the ninth day before ordinary polling day, or Saturday the seventh day before ordinary polling day;
 - c) “alternative polling days” means any hours and dates fixed by a resolution of Council for alternative voting;
 - d) “alternative voting” means voting by telephone or via the internet and includes a combination of telephone and internet voting;
 - e) “ballot box” means a computer database in the system where cast internet ballots and telephone ballots are put;
 - f) “candidate” means a person who has been nominated as a candidate pursuant to the Act;
 - g) “Council” means the Council of the Town of Oxford;
 - h) “Education Act” means the *Education Act*, 1995-1996 S.N.S..c.1 as amended;
 - i) “election” means an election held pursuant to the *Act*, including a school board election, a special election and a plebiscite;
 - j) “Election Officer” means an election official under the *Act*;

- k) "elector" means a person:
 - i) Qualified to vote pursuant to the *Act* and the *Education Act*; and
 - ii) Entitled to vote for an election pursuant to section 7 of this Bylaw;
- l) "friend voter" means a friend who votes for an elector pursuant to section 9 of this Bylaw;
- m) "internet ballot" means an image of a ballot on a computer screen including all the choices available to an elector and the spaces in which an elector marks a vote;
- n) "list of electors" means:
 - i) Prior to the list of electors being completed and certified by the Returning Officer pursuant to section 50(a) of the *Act*, the list of electors that has been amended and corrected by the Returning Officer pursuant to subsections 2 and 3 of section 38 of the *Act*; or
 - ii) The list of electors that has been completed and certified by the Returning Officer pursuant to section 50(a) of the *Act*;
- o) "municipality" means the Town of Oxford;
- p) "normal business hours" means the time between 8:30 am and 4:30 pm Monday through to and including Friday;
- q) "ordinary polling day" means the third Saturday in October in a regular election year and in the case of any other election means the Saturday fixed for the election;
- r) "PIN" means the Personal Information Number issued to:
 - i) An elector for alternative voting on alternative polling days; or
 - ii) To a System Elections Officer;
- s) "plebiscite" means a plebiscite directed to be held by the Council pursuant to Section 56 of the *Act*;
- t) "procedures and forms" means the procedure and forms established by the Returning Officer pursuant to subsection 145 (a)(4) of the *Act*;
- u) "proxy voter" means an elector who votes by a proxy pursuant to the *Act*;
- v) "regular election year" means 2020 and every fourth year thereafter;
- w) "rejected ballot" means the refusal by an elector to accept a ballot in a race;
- x) "Returning Officer" means a Returning Officer appointed pursuant to the *Act*;
- y) "seal" means to secure the ballot box and prevent internet and telephone ballots from being cast;

- z) "special election" means a special election held pursuant to the *Act*, including a special election for a vacancy on a school board;
- aa) "spoiled ballot" means an internet ballot or telephone ballot that is accepted by the elector that:
 - i) Is not marked for a candidate in a race; or
 - ii) Is marked by an elector indicating a refusal to cast a vote for any candidate in a race;
- bb) "system" means the technology, including software, that:
 - i) Records and counts votes; and
 - ii) Processes and stores the results of alternative voting during alternative polling days;
- cc) "Systems Elections Officer" means:
 - i) A person who maintains, monitors, or audits the system; and
 - ii) A person who has access to the system beyond the access necessary to vote by alternative voting;
- dd) "telephone ballot" means:
 - i) An audio set of instructions which describes the voting choices available to an elector; and
 - ii) The marking of a selection by an elector by depressing the number on a touch tone keypad.

Alternative Voting Permitted

- 3) Subject to the Bylaw, alternative voting shall be permitted on alternative polling days.

Notification of Electors

- 4)
 - a) The Returning Officer shall cause notice of alternative polling days to be published in a newspaper circulating in the municipality.
 - b) The notice of alternative polling days shall:
 - i) Identify the alternative polling days for alternative voting; and
 - ii) Inform the elector that telephone voting and internet voting is permitted during alternative polling days.
 - c) The notice may include any other information the Returning Officer deems necessary.

Form of Telephone and Internet Ballots

- 5)
 - a) A telephone and internet ballot shall:
 - i) Identify by the title "Election for Mayor" or "Election for Council" or "Election for School Board Member" as the case may be;

- ii) Identify the name or names by which they are commonly known of the candidates with given names followed by surnames, arranged alphabetically in order of their surnames and, where necessary, their given names; and
 - iii) Warn the electors to “vote for one candidate only” or “vote for not more than (the number of candidates to be elected) candidates” as the case may be.
- b) No title, honour, decoration or degree shall be included with a candidate(s) name on an internet ballot or telephone ballot.

Oath

- 6) Any oath that is authorized or required shall be made:
- a) In the form specified by the procedures and forms; or
 - b) If the form is not specified by the procedures and forms, in the form required by the *Act*.

Electors

- 7) No person shall vote by alternative voting unless:
- a) The person’s name appears on the applicable list of electors; or
 - b) The person is added to the applicable list of electors pursuant to section 36 of the *Act*.

Proxy Voting

- 8) A proxy voter shall not vote for an elector by alternative voting.

Friend Voting

- 9)
- a) A friend voter shall only vote for an elector by alternative voting if:
 - i) An elector is unable to vote because:
 - (1) The elector is blind;
 - (2) The elector cannot read; or
 - (3) The elector has a physical disability that prevents him or her from voting by alternative voting.
 - ii) The elector and the friend appear, in person, before the Returning Officer or the Deputy Returning Officer and take the prescribed oaths.
 - b) A candidate shall not act as a friend voter unless the elector is a child, grandchild, brother, sister, parent, grandparent, or spouse of the candidate.
 - c) The elector shall take an oath in the prescribed form set out in the procedures and forms providing that he or she is incapable of voting without assistance.
 - d) The friend of the elector shall take an oath in the prescribed form set out in the procedures and forms that:
 - i) The friend has not previously acted as a friend for any other elector; and
 - ii) The friend will mark the ballot as requested by the elector; and
 - iii) The friend will keep secret the choice of the elector.
 - e) The Returning Officer shall enter in the poll book:
 - i) The reason why the elector is unable to vote;

- ii) The name of the friend; and
- iii) The fact that the oaths were taken.

System Elections Officer

10)

- a) A System Elections Officer shall have access to the system prior to the commencement of alternative voting during advance polling days to verify the count for each candidate is zero.
- b) Notwithstanding the day and time set for alternative voting, alternative voting shall not commence until the counts for each of the candidates is zero.
- c) A Systems Elections Officer shall comply with the procedures and forms established by the Returning Officer pursuant to the subsection 146A(4) of the *Act*.

Voting

11)

- a) The system shall put internet ballots and telephone ballots cast by an elector in the ballot box.
- b) The system shall put spoiled ballots in the ballot box.

Seal

12)

- a) Where alternative voting closes before the close of polls on ordinary polling day, the system shall seal the ballot box until after the close of the poll on ordinary polling day.
- b) The system shall seal the ballot box even where fewer than ten persons from any polling district voted for a candidate during alternative polling days.

List of persons who voted

13) Where alternative voting closes before the close of polls on ordinary polling day, the system shall:

- a) Generate a list of all electors who voted by alternative voting; and
- b) On the applicable list of electors, cause a line to be drawn through the names of all the electors who voted during alternative polling days.

14) A printed and electronic copy of the lists under section 13 shall be delivered to the Returning Officer within 24 hours of the close of alternative voting.

15) Where alternative voting closes at the close of polls on ordinary polling day, the system shall generate a list of all electors who voted by alternative voting.

Counting

16)

- a) At the close of ordinary polling day, the system shall generate a count of the telephone ballots and internet ballots in the ballot box that were cast for each candidate during alternative polling days.
- b) In counting the votes that were cast for each candidate during alternative polling days, the system shall count spoiled ballots and shall not count rejected ballots.

Tallying of Rejected Ballots

17) At the close of ordinary polling day, the system shall tally the number of rejected ballots that were cast during alternative polling days and the tally shall be delivered to the Returning Officer.

Recount by system

18) In the event of a recount, the system shall regenerate the election count and a printed copy of the regenerated count shall be given to the Returning Officer.

19) If the initial count and the regenerated count match, the regenerated count shall be the final count of the votes cast by alternative voting.

20)

- a) If the regenerated count and the initial count do not match, the Returning Officer shall:
 - i) Direct one final count be regenerated by the system of the votes cast by alternative voting; and
 - ii) Attend while the final count is being regenerated.
- b) The regenerated final count pursuant to subsection (a) shall be the final count of the votes cast by alternative voting.

Recount by Court

21)

- a) For a recount, the judge shall only consider the final count by the system, as determined by section 19 or 20, of the total number of votes that were cast by alternative voting for each candidate.
- b) The final count by the system, as determined by section 19 or 20, of the total number of votes that were cast by alternative voting for each candidate shall be added to the judge's count of the number of votes for each candidate cast by non alternative voting.

Secrecy

22) An Election Officer and System Election Officer shall maintain and aid in maintaining the secrecy of the voting.

23) Every person in attendance at a polling station, or at the counting of the votes, shall maintain and aid in maintaining the secrecy of the voting.

Other Methods of Voting

24) If voting via the internet through the unsupervised use of a personal computing device is permitted during an election, voting shall be permitted by some other means on each advance polling day and on ordinary polling day.

Severability

25) If a court of competent jurisdiction should declare any section or part of a section of this Bylaw to be invalid, such section or part of a section shall not be construed as having persuaded or influenced Council to pass the remainder of the Bylaw and it is hereby declared that the remainder of the Bylaw shall be valid and shall remain in force.

Prohibitions

26) No person shall:

- a) Use another person's PIN to vote or access the system unless the person is a friend voter;
- b) Take, seize, or deprive an elector of his or her PIN; or
- c) Sell, gift, transfer, assign or purchase a PIN.

27) No person shall:

- a) Interfere or attempt to interfere with an elector who is casting an internet ballot or telephone ballot;
- b) Interfere or attempt to interfere with alternative voting; or
- c) Attempt to ascertain the name of the candidate for whom an elector is about to vote or has voted.

28) No person shall, at any time, communicate or attempt to communicate any information relating to the candidate for whom an elector has voted.

Offences and Penalty

29)

- a) A person who:
 - i) Violates any provision of this Bylaw; or
 - ii) Permits anything to be done in violation of any provision of this Bylaw is guilty of an offence.
- b) A person who contravenes subsection a) of this section is guilty of an offence and is liable, on summary conviction, to a penalty of not less than five thousand dollars (\$5,000) and not more than ten thousand dollars (\$10,000) and in default of payment, to imprisonment for a term of two years less a day, or both.
- c) In determining a penalty under subsection b), a judge shall take into account:
 - i) The number of votes attempted to be interfered with;
 - ii) The number of votes interfered with; and
 - iii) Any potential interference with the outcome of an election.
- d) Pursuant to section 146A of the *Act*

- i) The limitation period for the prosecution of an offence under this Bylaw is two years from the later of the date of the commission of the offence and the date on which it was discovered that an offence had been committed; and
- ii) The Remission of Penalties Act, 1989, S.N.S. c.397, as amended, does not apply to a pecuniary penalty imposed by this Bylaw.

Clerk's Annotation for Official Bylaw Book

Date of First Reading: _____

Date of Notice of Intent to Consider: _____

Date of Second Reading: _____

Date of Advertisement/Notice of Publication _____

Date of mailing to Minister a certified copy: _____

I certify that this **Alternative Voting Bylaw** was adopted by Council and published as indicated above.

Rachel L Jones,
Chief Administrative Officer

Date

*Effective Date of the Bylaw unless otherwise specified in the text of the Bylaw.