



Rural Municipality of West River Council Meeting Minutes

Meeting No 2023-02 **Time** 7:00 PM

Session Regular - Public **Date** Wednesday, February 15, 2023

Chair Helen Smith-MacPhail - Mayor **Location** Afton Community Center

Adoption status Approved **Contact Person** Laala Jahanshahloo - CAO

Attendance Mayor Helen Smith-MacPhail, Deputy Mayor Aaron MacEachern, Councillor John Yeo joined virtually, Councillor Lillian MacCannell, Councillor Shaun MacArthur joined virtually, Councillor Steve Pollard, Laala Jahanshahloo - CAO, Kelly Taylor - Administrative Assistant.

Regret Councillor Ryan Roggeveen

Guest Nil

- **Call to Order**

Mayor Helen Smith-MacPhail called the meeting to order at 7:05 PM.

- **Adoption & Approval of Agenda**

The agenda was approved as circulated. It was moved by Deputy Mayor Aaron MacEachern and, seconded by Councillor Shaun MacArthur, unanimously carried.

- **Declarations of Conflict of Interest**

No conflict of interest was declared.

- **Delegations & Public Input**

Congratulations to Mayor Helen on receiving the Queen Elizabeth II Platinum Jubilee Medal.

- **Adoption of Previous Meeting's Minutes**

The minutes of January 25, 2023, Council Meeting were approved as circulated. It was moved by Deputy Mayor Aaron MacEachern and, seconded by Councillor Steve Pollard, unanimously carried.

- **Informational Items**

- **EMO.2023.2.1 - Opening the Reception Center**

Decision Type: Information

Status: Received

Description:

Councillor Shaun MacArthur informed Council that the Warming Centre was opened at Afton Hall on February 4, 2023, for 4 hours. Only one family dropped in. The center was closed when power was restored.

- **PLB.2023.2.1 - Status of RMWR's OP&LUB Approval**

Decision Type: Information

Status: Received

Description:

The Mayor has been back and forth with provincial employees regarding this issue, and we are still awaiting approval from the Minister of Agriculture and Land. The province's memo sent out and handed back and forth between staff is, at this time, an internal document; therefore, it is not a public document and cannot be released at this time. The survey was done at the beginning of the planning to gather feedback. The platform contract has expired, and the information will be transferred to a new platform.

Councillor John Yeo called a point of order at 7:30 PM.

- **OTR.2023.2.1 - Letter to Island Coastal Services**

Decision Type: Information

Status: Received

Background:

CW.2023-01-5.1

Description:

The Mayor wrote a letter to Island Coastal Services on February 9, 2023 (Appendix 2.1, attached hereto, forming a part of this minutes), but no response has been received as of yet.

- **OTR.2023.2.2 - FPEIM Semi-Annual Meeting**

Decision Type: Information

Status: Received

Background:

OTR.2023.1.1

Description:

The Municipality's representatives attended the FPEIM Semi-Annual Meeting on February 11, 2023, hosted by the Rural Municipality of St. Peter's Bay.

- **Discussion Items**

- **WRC.2023.2.1 - Council and Committee Meetings - Time Limit and Time Extension**

Decision Type: Action

Status: Motion Carried (5-0)

Description: Motion 2023-15

Moved by Councillor Shaun MacArthur and **Seconded by** Deputy Mayor Aaron MacEachern

WHEREAS

According to the Procedural Bylaw # 2021-01, Section (6.5), Council may, by resolution, establish a time limit for any meeting and may extend the time limit for any regular Council meeting with a unanimous vote in favour of the motion to extend the meeting, and

WHEREAS

The Committee of the Whole recommended 90-minute for any regular meeting with a maximum of a 30-minute extension,

BE IT RESOLVED

The Council for the Rural Municipality of West River adopts a 90-minute time limit for any regular Council and Committee meeting with a maximum 30-minute extension subject to a unanimous vote in favour of the motion to extend the meeting.

▪ **WRC.2023.2.2 - Abuse, Neglect and Harassment Policy**

Decision Type: Action

Status: Motion Carried (5-0)

Description: Motion 2023-16

Moved by Councillor Shaun MacArthur and **Seconded by** Councillor Lillian MacCannell

WHEREAS

According to the Municipal Government Section (68) (2) (a), a Council may develop policies respecting services and programs, and shall evaluate, on a regular basis, the services and programs for relevancy, effectiveness and efficiency, and

WHEREAS

To comply with the Occupational Health And Safety Act, Chapter O-1.01, Workplace Harassment Regulations, which came into force on July 1, 2020, and

WHEREAS

This resolution bears the recommendation of the Committee of the Whole as discussed at a meeting held on February 2, 2023,

BE IT RESOLVED

The Council for the Rural Municipality of West River approves the (Appendix A, attached hereto, forming a part of this resolution) Abuse, Neglect and Harassment Policy 2023-01.

▪ **FIN.2023.2.1 - 2023 Property Tax Rate**

Decision Type: Action

Status: Motion Carried (5-0)

Description: Motion 2023-17

Moved by Councillor Shaun MacArthur and **Seconded by** Councillor John Yeo

WHEREAS

According to the Municipal Government Section (160) (1) (a), a Council shall, by resolution, after estimating the probable revenue from all sources other than taxes, approve a tax rate or rates applicable to all real property within the jurisdiction and boundaries of the municipality for the purpose of raising revenue sufficient to defray projected municipal expenditures for that year including any deficit carried forward from the previous year, and shall notify the Provincial Tax Commissioner in accordance with the Real Property Tax Act respecting the approved tax rate or rates, and

WHEREAS

The 2022 Non-Commercial properties tax rates for the former communities of Afton, Bonshaw, Meadowbank, and West River were \$0.16 per \$100 of assessment and \$0.19 per \$100 of assessment for the former community of New-Haven Riverdale, and

WHEREAS

The 2022 Commercial properties tax rates for the former communities of Afton, Bonshaw, Meadowbank, and West River were \$0.2425 per \$100 of assessment and \$0.2725 per \$100 of assessment for the former community of New-Haven Riverdale, and

WHEREAS

This resolution bears the recommendation of the Committee of the Whole as discussed at a meeting held on February 2, 2023,

BE IT RESOLVED

The Council for the Rural Municipality of West River approves keeping 2023 property tax rates the same as 2022 for both Commercial and Non-Commercial properties in the former communities in its boundaries.

▪ **FIN.2023.2.2 - 2023-24 Financial Plan**

Decision Type: Action

Status: Motion Carried (5-0)

Description: Motion 2023-18

Moved by Councillor Lillian MacCannell and **Seconded by** Deputy Mayor Aaron MacEachern

WHEREAS

Under section 150 of the Municipal Government Act, on or before March 31 of each year, a Council shall, by resolution, adopt a financial plan for the upcoming fiscal year, and

WHEREAS

According to Motion # 2023-06, the Rural Municipality of West River held a public meeting on January 31, 2023, and no negative feedback was received from the public, and

WHEREAS

This resolution bears the recommendation of the Committee of the Whole as discussed at a meeting held on February 2, 2023,

BE IT RESOLVED

The Council for Rural Municipality of West River adopts the Financial Plan for 2023-2024 (Appendix A, attached hereto, forming a part of this resolution).

▪ **FIN.2023.2.3 - Gas Tax - Decommitting Funds Request**

Decision Type: Action

Status: Motion Carried (5-0)

Description: Motion 2023-19

Moved by Councillor Lillian MacCannell and **Seconded by** Deputy Mayor Aaron MacEachern

WHEREAS

On November 8, 2022, PEI Infrastructure Secretariat requested revising the former Community of West River's 2020-21 AER and including the \$11,488 to the original 2020/2021 AER of March 2021, and

WHEREAS

According to Motion#2023-07, the CAO signed the revised version of the former Community of West River's 2020-21 AER and acknowledged the receiving of \$11,488 as the 2019/20-second installment, and

WHEREAS

On February 2, 2022, the PEI Infrastructure Secretariat informed the CAO that the CCBF AER Reconciliation form, which was updated per the PEI Infrastructure Secretariat request to add \$11,488 as received money, shows \$13.00 overcommitted funds, and

WHEREAS

On February 2, 2022, the PEI Infrastructure Secretariat informed the CAO that no further CCBF payments of \$240,567.50 will be made to West River until this \$13.00 has been de-committed from a project, and

WHEREAS

This resolution bears the recommendation of the Committee of the Whole as discussed at a meeting held on February 2, 2023,

BE IT RESOLVED

The Council for Rural Municipality of West River authorizes the CAO to sign the Gas Tax Fund Transfer Request Form and de-committed \$13.00 from project#57.1.1 (Mutter Park Upgrade) (Appendix A, attached hereto, forming a part of this resolution).

▪ **IN.2023.2.4 - Operating Budget 2022-23 Revision III**

Decision Type: Action

Status: Motion Carried (5-0)

Description: Motion 2023-20

Moved by Deputy Mayor Aaron MacEachern and **Seconded by** Councillor Shaun MacArthur

WHEREAS

According to Motion#2023-07, the Municipality had to acknowledge the receiving of \$11,488 from the PEI Infrastructure Secretariat, and

WHEREAS

According to Schedule C of the Gas Tax Agreement, Eligible and Ineligible Expenditures, Section (2) (d) taxes for which the ultimate recipient is eligible for a tax rebate and all other costs eligible for rebates consider ineligible costs to be paid from Gas Tax account, and

WHEREAS

Some of the former communities' documents, including bank statements, were misplaced during the amalgamation, and the CAO has no way to confirm compliance with Section (2)(d) of Schedule C of the Gas Tax Agreement for all the projects funded by the gas tax before amalgamation, and

WHEREAS

Under Motion#2022-95, the \$33,725.50 received MCEG#2021-22 to a new expenditure item for the ongoing RMWR Capital Projects and replaced as soon as the CCBF instalments for 2021-22 have been received, and

WHEREAS

This resolution bears the recommendation of the Committee of the Whole as discussed at a meeting held on February 2, 2023,

BE IT RESOLVED

The Rural Municipality of West River approves transferring \$33,725.50 to the Gas Tax bank account and not repaying it back to the operating account when the CCBF instalments for 2021-22 have been received.

▪ **FIN.2023.2.5 - 2023 Atlantic Bug Busters Contract**

Decision Type: Action

Status: Motion Carried (5-0)

Description: Motion 2023-21

Moved by Deputy Mayor Aaron MacEachern and **Seconded by** Councillor Shaun MacArthur

WHEREAS

The former community of New Heaven-Riverdale started the Black Fly Program in 1996, and

WHEREAS

The property owners within the boundaries of the former community of New Haven-Riverdale pay \$0.03 more than the other property owners of the former communities of Afton, Bonshaw,

Meadowbank, and West River for their property tax per \$100 assessment to cover the cost of this program, and

WHEREAS

Due to the damage caused by Post Tropical Cyclone, Fiona could need more products and more treatments, which will result in a potential cost increase, and

WHEREAS

The Atlantic Bug Busters Company is requesting a \$3,000.00 postdated cheque as a retainer to cover the potential cost increase, and

WHEREAS

This resolution bears the recommendation of the Committee of the Whole as discussed at a meeting held on February 2, 2023,

BE IT RESOLVED

The Council for the Rural Municipality of West River accepts the attached proposed offer from Atlantic Bug Busters Company for the Black Fly Program at the cost of \$15,250.00, HST included. (Appendix A, attached hereto, forming a part of this resolution) and authorized the CAO to execute it.

Receipt

▪ **PLB.2023.2.2 - Planning Board Committee**

Decision Type: Action

Status: Motion Carried (5-0)

Description: Motion 2023-22

Moved by Deputy Mayor Aaron MacEachern and **Seconded by** Councillor Lillian MacCannell

WHEREAS

According to Planning Act Section (9) (2), the Council of a municipality may appoint a Planning Board to prepare an official plan, and

WHEREAS

According to Planning Act Section (9) (4), a Planning Board shall consist of a chairperson who shall be a member of the Council; and not less than two other members who may be members of the Council and

WHEREAS

According to Planning Act Section (9) (5), members of a Planning Board hold office until their successors are appointed, and

WHEREAS

According to Motion#2020-21, the Planning Board members were appointed according to the Planning Act Section (9), including Councillor Sharon Slauenwhite as Chair, Deputy Mayor Bob Clow, Councillor John Yeo, and

WHEREAS

The Municipality's Official Plan and Land Use Bylaw final package has been submitted to the Department of Agriculture and Land to receive Ministerial approval, and

WHEREAS

Following Municipal Government Act Section (90) (1), the Mayor is a member of every committee that the Council or Mayor establishes under this or another Act, and

WHEREAS

Following Municipal Government Act Section (90) (2), when in attendance at a committee meeting, the Mayor has the right to vote and shall be counted for the purpose of determining quorum, and

WHEREAS

The Municipality's Official Plan and Land Use Bylaw final package has been submitted to the Department of Agriculture and Land to receive Ministerial approval, and

WHEREAS

This resolution bears the recommendation of the Committee of the Whole as discussed at a meeting held on February 2, 2023,

BE IT RESOLVED

The Council for the Rural Municipality of West River extends the term of the Planning Board appointed under Motion#2020-21 until the accomplishment of any outstanding or required tasks related to the completion of the Municipality's Official Plan and Land Use Bylaw project subject to shuffling the structure of the Committee as follow:

- Mayor Helen Smith-MacPhail (Chair)
 - Councillor John Yeo (Member)
 - Sharon Slauenwhite (Member)
 - Bob Clow (Member)
- **PTY.2023.2.1 - Installing Security Cameras - Afton Community Center and Bonshaw Community Center Project Funded by Gas Tax**

Decision Type: Action

Status: Motion Carried (5-0)

Description: Motion 2023-23

Moved by Councillor Shaun MacArthur and **Seconded by** Deputy Mayor Aaron MacEachern

WHEREAS

The Rural Municipality of West River owns both Afton Community Center and Bonshaw Community Center, and

WHEREAS

As both buildings are part of ongoing capital improvement projects, which will increase the Replacement Cost New of the 2021 appraisal of Afton Community Center (\$1,396,909) and Bonshaw Community Center (\$839,501), and

WHEREAS

There was an incident at Afton Community Center, and the EV Charger was vandalized (RCMP Incident #20221762561), and

WHEREAS

The Afton and Bonshaw Community Centers' BODs have requested more security for the building, and

WHEREAS

The Properties Committee held on September 5, 2022, recommended upgrading the existing security system at the Afton Community Center provided by Security First Ltd,

BE IT RESOLVED

The Council for the Rural Municipality of West River approves paying for installing security cameras for Afton Community Center (upgrading the existing system) and Bonshaw Community Center as part of the ongoing capital project funded by Gas Tax.

- **OTR.2023.2.3 - Liability Protection - Legal Training for Council**

Decision Type: Action

Status: Motion Carried (5-0)

Moved by Councillor Shaun MacArthur and **Seconded by** Councillor John Yeo

Description:

The CAO will request training from Stewart McKelvey. The date is to be determined later.

- **OTR.2023.2.4 – FPEIM Nomination - 2023 FPEIM Annual Meeting**

Decision Type: Action

Status: Motion Carried (5-0)

Moved by Deputy Mayor Aaron MacEachern and **Seconded by** Councillor Steve Pollard

Background:

The call for Nominations for Election to the FPEIM Board cut-off time is 4:00 PM on March 10, 2023; the Council must approve the nomination.

Description:

The Council approved the nomination of Mayor Helen Smith-MacPhail, Deputy Mayor Aaron MacEachern, Councillor John Yeo, Councillor Lillian MacCannell, Councillor Shaun MacArthur, and Councillor Steve Pollard for the 2023 Election to the FPEIM Board.

- **Adjournment**

- Deputy Mayor Aaron MacEachern motioned to adjourn the meeting at 8:15 PM.
- The next meeting will be on March 22, 2023.

Helen Smith-MacPhail

Laala Jahanshahloo

Mayor _____

Chief Administrative Officer _____

Appendix 2.1



February 09, 2023

Mr. MacLauchlan

Island Coastal Services Ltd

155 Belvedere Ave,

Charlottetown Pe C1A 2Y9

Subject: Snow Clearing and Sanding Operations

The Rural Municipality of West River has recently received several complaints from residents of the Municipality regarding the performance of your snow clearing and sanding operations within the Municipality.

The dates of concern for this letter are as follows (see the photos);



1552-B Rte. 19, New Dominion, PE C0A 1H6 · 902-675-7000

westriverpe.ca

Appendix 2.1 (Continued)



January 20th - Friday

Snowfall ended early afternoon and other private contractors were on their routes by late afternoon or early evening. However, the Route 19 loop, from Afton Community Center to Rocky point and back to the Nine Mile Creek intersection, was not plowed until the following day. Why the delay? Please explain.

January 23 - Monday

Heavy slush conditions on the roads were carried over from Sunday, Jan. 22nd. The plow was not in the Route 19 area until late afternoon. With residents having to get to work, this is totally unacceptable. There was roughly 4" of heavy slush, making travel extremely difficult. Why were crews not on the move sooner? Please explain.

In summary, there are two major areas of concern with your snow-clearing and sanding operations within the Municipality. The first area of concern is the Route 19 loop from Afton Community Center through Fairview to Rocky Point through Cumberland and back to Nine Mile Creek.

The second area of concern is from the Route 19 and 19A intersection in Long Creek to the Route 19A and 19 intersections in Canoe Cove through to Rice Point and into Nine Mile Creek. This area is very poorly served.

Although not entirely within the Municipality, westbound of the 19A and 19 intersections, in Canoe Cove, on through to Desable was another area lacking service.

1552-B Rte. 19, New Dominion, PE C0A 1H6 · 902-675-7000

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Appendix 2.1 (Continued)



Therefore, moving forward, the Rural Municipality of West River will be monitoring these areas vigorously for the remainder of the season and will closely watch other private contractors for performance comparisons. The Municipality hopes there will be better results moving forward in the remainder of the season. Our resident's safety is absolutely paramount and the Municipality will continue to advocate on their behalf as long as the snow-clearing and sanding operations remain subpar. We hope every effort will be made to improve such service.

Thank you for your time, and the Municipality looks forward to your response.

Respectfully,

A handwritten signature in black ink, appearing to read "Helen Smith-MacPhail".

Helen Smith-MacPhail

Mayor of the Rural Municipality of West River

C: Matthew Fortier, Acting Assistant Director of Highway Maintenance

Peter Bevan-Baker, MLA New Haven-Rocky Point

Mark McLane, MLA Cornwall-Meadowbank

1552-B Rte. 19, New Dominion, PE C0A 1H6 · 902-675-7000

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Appendix A – Motion 2023-16

Rural Municipality of West River Abuse, Neglect and Harassment Policy Policy # 2023-01

BE IT ENACTED by the Council of the Rural Municipality of West River as follows:

1. Title

- 1.1 This Policy shall be known as, and may be cited as the " Abuse, Neglect and Harassment Policy."

2. Policy Statement

- 2.1 The Rural Municipality of West River is committed to preventing abuse, neglect and harassment in the workplace and promoting a safe workplace. Every employee is entitled to employment free of abuse, neglect and harassment. Maintaining such an environment is a responsibility shared by each Council member, Chief Administrative Officer, employee, supervisor, volunteer and the Municipality.

3. Purpose

- 3.1 Abuse, neglect and harassment will not be tolerated in the workplace or any work-related setting, including work-related conferences, travel, and municipality-sponsored events and activities. The Rural Municipality of West River will make every reasonable and practicable effort to ensure that no individual is subjected to workplace abuse, neglect and harassment. The Municipality will investigate any incidents of abuse, neglect and harassment and take corrective action to address the incidents.

Appendix A (Continued) – Motion 2023-16

4. Scope

- 4.1 This Policy applies to all Council members, full-time, part-time, seasonal, temporary, hourly, and salaried employees, volunteers, independent contractors, agents, applicants and representatives of the Municipality when conducting business or performing duties or services on behalf of the Municipality (regardless of location).
- 4.2 While attending a Municipality workplace, members of the public, visitors and individuals conducting business with the Municipality, including but not limited to contractors, consultants, vendors, or delivery persons, are expected to refrain from any form of abuse, neglect and harassment.

5. Definitions

- 5.1 "**Abuse**" means a behaviour that scares, isolates, or controls another person. Abuse may be a pattern or a single incident, including definitions (5.7), (5.8), (5.17), (5.20), (5.20), (5.24), and (2.26).
- 5.2 "**Chief Administrative Officer/ CAO**" means the administrative head of a municipality appointed by the Council under subsection 86 (2)(c) of the Municipal Government Act.
- 5.3 "**Complainant**" means who has been subjected to the alleged abuse, neglect and harassment.
- 5.4 "**Complaint**" means an incident(s) of alleged abuse, neglect and harassment reported pursuant to the terms of this Policy.
- 5.5 "**Council**" means the Mayor and other members of the Council of the Municipality.
- 5.6 "**Discriminatory Harassment**" means any inappropriate conduct, comment, display, action or gesture by an individual that is made based on race, creed, religion, colour, gender identity, sexual orientation, marital status, family status, disability, physical size or weight, age, nationality, ancestry or place of origin or any other ground prohibited by provincial human rights legislation and constitutes a threat to the health and safety of a worker.

Appendix A (Continued) – Motion 2023-16

- 5.7 **"Emotional Abuse"** is defined as but not limited to a chronic attack on an individual's self-esteem. It can be name-calling, threatening, ridiculing, berating, intimidating, isolating, hazing, habitual scapegoating, or blaming.
- 5.8 **"Financial Abuse"** includes fraud and extortion and where a person has control over another person's access to economic resources.
- 5.9 **"Harassment"** means any action, conduct or comment that can reasonably be expected to cause offence, humiliation or other physical or psychological injury or illness to an employee, including any prescribed action, conduct or comment, including definitions (5.6), (5.13), (5.16), (5.18), (5.23), and (5.28).
- 5.10 **"Investigator"** means an individual named by the Chair of the Committee of the Whole to investigate, through fact-finding, formal complaints of abuse, neglect and harassment.
- 5.11 **"Municipality"** means the Rural Municipality of West River.
- 5.12 **"Neglect"** is defined as, but not limited to, any behaviour that leads to a failure to provide services which are necessary, such as withdrawing basic necessities as forms of punishment, failing to assess and respond to changes in health status and refusing or withdrawing physical or emotional support.
- 5.13 **"No Intention Harassment"** means harassment can exist even where there is no intention to harass or offend another. Every individual must take care to ensure his or her conduct is not offensive to another.
- 5.14 **"Online Harassment "** includes all types of harassment using phones, emails, any social media platformer any other virtual communication platforms. It can happen during work hours as well as outside of them, including but not limited to the following actions:
- i. Sharing personal details and information without consent;
 - ii. Unauthorized use of the computer, mobile or assigned login credentials;
 - iii. False messages, indecent or harassing telephone calls, email or any other kind of communication;

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- iv. Disclosing any matter which caused defamatory libel;
- v. Incites hatred;

5.15 **"Other Prohibited Behaviour"** means the Municipality recognizes that certain conduct while being inappropriate and/or disruptive, may fall short of the definition of " abuse, neglect and harassment " within the meaning of this Policy and/or applicable legislation. At its discretion, the Municipality may determine that disruptive or inappropriate conduct falling short of abuse, neglect, and harassment still warrants some form of corrective and/or disciplinary action.

5.16 **"Personal Harassment"** means inappropriate conduct, comment, display, action, gesture, or writing characterized by intentional harm that may involve repeated conduct or a serious incident that causes a lasting harmful effect on the employee. Including but not limited to:

- i. Verbal actions (threats, name-calling, humiliation, insults, racial or sexual comments, offensive jokes, constant criticism, ostracism, intimidation, yelling, cursing)
- ii. Social exclusion (spreading rumours, ridicule or malicious gossip, ignoring, excluding or refusing to work or to cooperate with or acknowledge others)

5.17 **"Physical Abuse"** is defined as but not limited to the use of intentional force that can result in physical harm or injury to an individual. It can take the form of slapping, hitting, punching, shaking, pulling, throwing, kicking, biting, choking, strangling or the abusive use of restraints.

5.18 **"Physical Harassment or Violence"** means inappropriate, unwelcome physical contact includes but is not limited to:

- i. Threats of violence
- ii. Physical actions (punching, kicking, biting, hitting, or shoving)
- iii. Threatening behaviour/physical intimidation

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iv. Destruction of property/throwing things

5.19 **"Protection "** means when a harassment complaint is made in good faith; regardless of the outcome, the complainant and anyone providing the information will be protected from all forms of retaliation from co-workers and superiors.

5.20 **"Psychological or Mental Abuse"** is defined as, but not limited to, communication of an abusive nature, sarcasm, exploitive behaviour, intimidation, manipulation, and insensitivity to race, sexual preference or family dynamics.

5.21 **"Reasonable Action"** means harassment does not include any reasonable actions taken by the Municipality, a manager or a supervisor relating to the performance, management and direction of an individual's work or the workplace. This includes, but is not limited to, day-to-day management or supervisory decisions, job assessment and evaluation, performance discussions, expectations for work productivity and quality, and disciplinary action.

5.22 **"Respondent"** means who is alleged to have abused, neglected or harassed a complainant.

5.23 **"Retaliation Harassment"** means retaliation harassment includes the suggestion of retaliation in respect to a complaint made under this Policy is any action with a negative impact that is taken or threatened or suggested against a person in whole or in part because that person:

- i. Files a complaint pursuant to this Policy; or
- ii. Associates with a person who filed a complaint pursuant to this Policy; or
- iii. Participates in any way in an investigation of a complaint pursuant to this Policy;
or
- iv. Reports any failure to follow through with a decision flowing from an investigation pursuant to this Policy.

5.24 **"Sexual Abuse"** is defined as but not limited to any unwanted touching, fondling, observations for sexual gratification, any penetration or attempted penetration with a

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penis, digital or object of the vagina or anus, verbal or written propositions or innuendos, exhibitionism or exploitation for profit including pornography.

5.25 **"Sexual Harassment"** means a prohibited ground of discriminatory harassment, which may include conduct, comment, gesture or contact of a sexual nature that is offensive, unsolicited or unwelcome. Sexual harassment may include, but is not limited to, the following:

- i. A direct or implied threat of reprisal for refusing to comply with a sexually oriented request;
- ii. Unwelcome remarks, jokes, innuendoes, propositions or taunting about an employee's body, attire, sex or sexual orientation;
- iii. Making sexual comments or asking sexual questions;
- iv. Displaying pornographic or sexually explicit pictures or materials;
- v. Unwelcome physical contact;
- vi. Displaying sexual posters;
- vii. Sending explicit text messages or emails;
- viii. Inappropriate gestures;
- ix. Unwelcome invitations or requests, direct or indirect, to engage in behaviour of a sexual nature;
- x. Refusing to work with or have contact with individuals because of their sex, gender or sexual orientation;
- xi. Quid pro quo sexual harassment (when a supervisor offers benefits to an employee that are contingent on the employee's agreeing to engage in sexual conduct);

5.26 **"Verbal Abuse"** is defined as but not limited to humiliating remarks, name-calling, swearing at, taunting, teasing, and continual put-downs.

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6. Rights and Responsibility

- 6.1 Everyone mentioned in Section (4) of this Policy has the right to an abuse, neglect and harassment-free work environment.
- 6.2 No individual shall participate in or encourage the abuse, neglect and harassment of another individual. All individuals must cooperate with abuse, neglect and harassment complaint investigations and keep all information confidential in accordance with this Policy.
- 6.3 The Municipality, Council members, and the Chief Administrative Officer will take all complaints of abuse, neglect and harassment f seriously. The Municipality is committed to implementing an abuse, neglect and harassment-free environment and will make every reasonably practicable effort to ensure that no individual is subjected to abuse, neglect and harassment, whether it is from a Council member, supervisor, co-worker or non-employee such as a member of the public.
- 6.4 Everyone mentioned in Section (4) of this Policy will be subjected to reprimand, reprisal or discrimination for reporting an abuse, neglect and harassment complaint in good faith.
- 6.5 This Policy is not intended to discourage, prevent, or preclude a complainant from exercising their legal rights under any other law or filing a complaint under the PEI Human Rights Act.
- 6.6 Everyone who has been mentioned in Section (4.1) must sign "Acknowledgment and Declaration" (Appendix A).

7. Complaints Procedure

- 7.1 If anyone mentioned in Section (4) of this Policy feels they have been subject to workplace abuse, neglect and harassment, the first step may be informal ways to resolve the issue. It may include, but is not limited to, asking the person to stop the behaviour or arranging for mediation to help the people involved reach an acceptable resolution.

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- 7.2 If anyone mentioned in Section (4) of this Policy feels they have been subject to workplace abuse, neglect and harassment and the complaint could not be resolved by informal process, she/he/they must notify CAO or Mayor immediately to file a formal complaint. A formal complaint form (Appendix B) is available at the Municipality's office and must be completed to initiate the formal process.
- 7.3 If the respondent is a Council member, please refer to the Rural Municipality of West River Bylaw Code of Conduct (Bylaw 2021-02) along with the duties and the definitions contained in this Policy for the procedure for dealing with matters.

8. Informal Complaint Process

- 8.1 An individual who believes that he or she has been the subject of conduct that is in violation of this Policy is encouraged, where possible:
- i. To clearly and firmly make it known to the offending individual that the conduct is unwelcome and must stop; and
 - ii. To attempt to resolve the issue by direct discussion with the offending individual.
- 8.2 Depending on the nature and severity of the alleged conduct and subject to the consent of the individual reporting the harassment, the Municipality may first try to resolve the issue informally.
- 8.3 An individual who believes that they have been the subject of conduct violating this Policy may report the matter to the CAO.
- 8.4 If the CAO is accused of abuse, neglect and harassment, then the matter may be reported to Mayor.

9. Formal Complain Process

- 9.1 Where the informal process is unsuccessful, or the individual does not feel comfortable addressing the issue directly, the individual should document the details of the alleged

Appendix A (Continued) – Motion 2023-16

abuse, neglect and harassment using the Formal Complaint Form (Appendix B) and submit a written report to the CAO.

9.2 If the CAO is the accused, then the written report may be submitted to Mayor.

9.3 The individual receiving the written report or designate will notify the respondent of the written report and provide the respondent with information concerning the circumstances of the written report.

9.4 If there is a sufficient basis in the written report or if the Municipality otherwise deems it necessary, the CAO or designate will conduct a formal investigation into the conduct contained in the written report in a prompt, fair and impartial manner.

10. Investigation of Formal Complain

10.1 Once the completed complaint form is received, the Municipality will immediately start an investigation.

10.2 The complaint will be investigated thoroughly and promptly by assigning an impartial investigator to investigate such matters.

10.3 The investigation process may include interviews with the individual reporting the alleged abuse, neglect and harassment, the respondent and, as and to the extent determined by the investigator, others with information relevant to the matters in question.

10.4 When the investigation is complete, the investigator will provide a written report for CAO.

10.5 All written reports, response statements, witness statements, interview notes and other documentation gathered as part of an investigation will be securely stored in a confidential investigation file.

10.6 The Municipality will decide on any action to be taken as a result of the findings of an investigation.

10.7 The individual who reported the alleged abuse, neglect and harassment and the respondent would be informed as to the outcome of the investigation.

Appendix A (Continued) – Motion 2023-16

- 10.8 Where abuse, neglect and/or harassment are substantiated, the Municipality will take appropriate corrective action and/or disciplinary action.
- 10.9 Where abuse, neglect and/or harassment is not substantiated, no action will be taken against an individual who made the allegation in good faith.
- 10.10 Where a complaint is fraudulent, malicious, or otherwise made in bad faith, the individual who made the allegation of abuse, neglect and/or harassment may be subject to disciplinary or other action.

11. Confidentiality

- 11.1 A governing principle in respect of any matter that is brought forward pursuant to this Policy is confidentiality. Every effort will be made to keep matters confidential. The Municipality holds the ultimate responsibility for determining the resolution of a complaint. Information will be disclosed as necessary during the complaint process to the following extent:
- i. To protect the safety or security of any individual involved in a complaint; or
 - ii. To protect people not related to Municipality if any reasonable concerns for their safety are identified; or
 - iii. To conduct a proper and fair investigation; or
 - iv. To comply with the law or litigation.
- 11.2 Any party to an investigation who is involved in an alleged incident must not disclose the names of any other party or any circumstances related to the complaint except as necessary to report an incident, investigate a complaint, take action flowing from an investigation, or meet legal requirements, including the Freedom of Information and Protection of Privacy Act.
- 11.3 Materials or written or electronic information related to a complaint or produced in an investigation will be maintained in secure, locked cabinets and offices or in password-

Appendix A (Continued) – Motion 2023-16

protected electronic files by those people entitled to handle that information, namely the investigator(s), the CAO and the Mayor.

- 11.4 Disclosure of information contrary to the requirements set out above is a breach of this Policy and may be subject to disciplinary action.

12. Policy Review

- 12.1 The Municipality shall ensure that this Policy is reviewed and, where necessary, revised at least every four years.

Appendix A (Continued) – Motion 2023-16

**Policy # 2023-01
Appendix A
Acknowledgment and Declaration Form**

I, _____, acknowledge that I have been provided with a copy of the Rural Municipality of West River Abuse, Neglect and Harassment Policy (the "Policy") and have read and understood it and acknowledge that I will abide by the Policy. I also understand that if I violate the rules set forth by this Policy, I may face disciplinary action according to this Policy.

Dated this ___ day of _____, 20____.

Signature of witness

Signature of individual

Print name: _____

Print name: _____

Appendix A (Continued) – Motion 2023-16

**Policy # 2023-01
Appendix B
Formal Complaint Form**

Part A- Complainant Information

| | |
|-------------------------|----------------------------|
| Complainant Name: _____ | Date Form Submitted: _____ |
| Submitted to: _____ | Complainant Phone #: _____ |

Part B- Information about the alleged Incident

| | |
|--|-------------------------|
| Name of the Respondent: _____ | Date of Incident: _____ |
| Is the abuse, neglect and/or harassment a repeat occurrence? If yes. Please provide the date of the incidents. | |
| Has the complainant advised the alleged harasser that they dislike the behaviour and want it to stop? If "No," please explain why. If "Yes" what was the response? | |
| Was there any witness (es) to the alleged abuse, neglect and/or harassment? If yes, please complete the table below. | |

Appendix A (Continued) – Motion 2023-16

**Policy # 2023-01
Appendix B (Continued)
Formal Complaint Form (Continued)**

In your own words, describe the conduct, comments or display you found unacceptable. Give details of the date and location of the Incident (s) that is/are the basis of your complaint.

Declaration

I hereby confirm that the statement(s) contained in this complaint are true to the best of my knowledge. I understand that a copy of this complaint will be provided to the alleged harasser(s) for the purpose of investigating this complaint.

Signature: _____

Date: _____

I acknowledge receipt of this complaint.

Name: _____

Job Title: _____

Signature: _____

Date: _____

Appendix A – Motion 2023-18

RURAL MUNICIPALITY OF WEST RIVER OPERATING BUDGET APRIL 1,2023-MARCH 31,2024

| | APPROVED | PROJECTED |
|---|-------------------|-------------------|
| | 2022-2023 | 2023-24 |
| REVENUES | | |
| SURPLUS(DEFICIT) FROM PREVIOUS YEARS | 60,000.00 | 60,000.00 |
| PROPERTY TAX | 562,873.00 | 611,705.44 |
| MCEG | 15,000.00 | 40,000.00 |
| TAX CREDIT -PLANNING | 4,500.00 | 40,000.00 |
| HST REBATE | 9,000.00 | 10,000.00 |
| PERMIT FEES | 5,000.00 | 10,000.00 |
| MISC | 1,000.00 | 1,000.00 |
| Field Rental | 0.00 | 2,500.00 |
| CANADA DAY CELEBRATION | 0.00 | 1,500.00 |
| REBATE | 0.00 | 1,000.00 |
| WAGE SUBSIDIES | 4,000.00 | 4,500.00 |
| EJI (EMO) | 0.00 | 0.00 |
| EVCFP | 0.00 | 0.00 |
| TOTAL REVENUES | 661,373.00 | 782,205.44 |
| EXPENDITURES | | |
| AFTON HALL | 25,000.00 | 15,000.00 |
| BLACK FLY PROGRAM | 14,500.00 | 13,500.00 |
| BONSHAW COMMUNITY CENTRE | 10,000.00 | 10,000.00 |
| COMMUNITIES 13 GRANT | 14,500.00 | 15,000.00 |
| CONFERENCE AND COUNCIL TRAINING | 2,000.00 | 4,000.00 |
| CONTINUING EDUCATION | 2,500.00 | 3,000.00 |
| LEGAL RESERVE FUND | 9,000.00 | 10,000.00 |
| ELECTION EXPENSES /RESERVE | 4,000.00 | 2,500.00 |
| COMMUNITY BUILDING & ENGAGEMENT GRANTS | 15,000.00 | 12,000.00 |
| DUES & MEMBERSHIPS | 7,000.00 | 11,000.00 |
| EVENTS | 9,000.00 | 9,000.00 |
| FIRE DUES | 262,460 | 293,260.94 |
| INSURANCE | 45,000.00 | 60,000.00 |
| MISC | 3,500.00 | 1,500.00 |
| OFFICE SUPPLIES/ EXPENSES | 5,000.00 | 10,000.00 |
| PROFESSIONAL FEES | 12,500.00 | 20,000.00 |
| PUBLIC PROPERTY/PKS&REC | 25,000.00 | 30,000.00 |
| SALARIES, WAGES, REMUNERATION & BENEFITS | 145,000.00 | 185,000.00 |
| OFFICIAL PLAN | 50,000.00 | 27,000.00 |
| BONSHAW COMMUNITY CENTER - NEW HORIZON FUND | 0.00 | 0.00 |
| MUTTER PARK IMPROVEMENT | 0.00 | 0.00 |
| CONTRIBUTION TO CAPITAL FUND | 0.00 | 45,000.00 |
| EVCs | 0.00 | 0.00 |
| EMO | 0.00 | 5,000.00 |
| TOTAL EXPENDITURES | 660,960.00 | 781,760.94 |
| OPERATING SURPLUS/DEFICIT | 413 | 445 |

Helen Smith-MacPhail _____ Laala Jahanshahloo _____

Mayor

Chief Administrative Officer

Appendix A (Continued) – Motion 2023-18

| RURAL MUNICIPALITY OF WEST RIVER | | | | |
|-----------------------------------|------------|--------------------------|------------|-----------------|
| CAPITAL BUDGET | | | | |
| APRIL 1,2023-MARCH 31,2024 | | | | |
| PROJECT | GAS TAX | COMMUNITY REVITALIZATION | ACOA | FIONAD RECOVERY |
| LLOYD INMAN MEMORIAL PARK UPGRADE | 20,000.00 | 20,000.00 | - | 30,000.00 |
| AFTON RECREATION CENTRE EXPANSION | 10,000.00 | 50,000.00 | - | - |
| BONSHAW COMMUNITY CENTRE UPGRADE | - | 100,000.00 | - | - |
| MUTTER PARK - IMPROVEMENT | 100,000.00 | - | 100,000.00 | 500,000.00 |
| Total | 130,000.00 | 170,000.00 | 100,000.00 | 530,000.00 |
| | | | | 930,000.00 |

Helen Smith-MacPhail _____
Mayor

Laala Jahanshahloo _____
Chief Administrative Officer

| RURAL MUNICIPALITY OF WEST RIVER | | | | | |
|----------------------------------|--------------------------------------|----------------|-----------------|-----------|-------|
| 5 YEAR CAPITAL EXPENDITURE PLAN | | | | | |
| APRIL 1,2023 - MARCH 31,2028 | | | | | |
| YEAR | PROJECT | ESTIMATED COST | FUNDING | | |
| | | | FED/PROV | MUNICIPAL | OTHER |
| 2023-2028 | MUTTER PARK UPGRADE & FIONA RECOVERY | 1,000,000 | ATP/GICB/PEIDFA | N/A | N/A |
| 2023-2028 | LLOYD INMAN MEMORIAL PARK UPGRADE | 500,000 | GICB/PEIDFA | N/A | N/A |
| 2025-2028 | AFTON COMMUNITY CENTER UPGRADE | 1,000,000 | ATP/GICB | N/A | N/A |
| 2026-2028 | RICE POINT WHARF UPGRADE | 300,000 | ATP/GICB | N/A | N/A |

| | |
|--------|--------------------------------------|
| GT | Gas Tax |
| ATP | Active Transportation Plan |
| RD | Rural Development |
| GICB | Green & Inclusive Community Building |
| PEIDFA | PEI Disaster Financial Assistance |

Helen Smith-MacPhail _____
Mayor

Laala Jahanshahloo _____
Chief Administrative Officer

Appendix A– Motion 2023-19



Infrastructure Secretariat
 85 Fitzroy St., 3rd Floor, Suite
 301 PO Box 2000,
 Charlottetown, PE Canada
 C1A 7N8

GAS TAX FUND TRANSFER REQUEST FORM

Municipality: West River
 Date: February 15, 2023

TRANSFER FUNDS BETWEEN PROJECTS

Please enter the name and number of the projects you wish to transfer funds between in the table below

Moving Funds From:

| Amount | Project # | Project Name | New Project Total |
|--------|-----------|--------------|-------------------|
| | | | |
| | | | |
| | | | |

Moving Funds To:

| Amount | Project # | Project Name | New Project Total |
|--------|-----------|--------------|-------------------|
| | | | |
| | | | |
| | | | |

ADD UNCOMMITTED FUNDS TO AN EXISTING PROJECT

If you would like to add funds that you have yet to allocate to an existing project, please indicate in the table below. **Note: All new projects must have their own Capital Investment Plans**

| Amount | Project # | Project Name | New Project Total |
|--------|-----------|--------------|-------------------|
| | | | |
| | | | |
| | | | |

DECOMMIT FUNDS FROM AN EXISTING PROJECT

If you are overcommitted and would like to reduce your allocation to an existing project, please indicate in the table below.

| Amount | Project # | Project Name | New Project Total |
|---------|-----------|----------------------|-------------------|
| \$13.00 | 57.1.1 | Mutter Park Upgrades | \$289,929.50 |
| | | | |
| | | | |


 Chief Administrative Officer


Appendix A– Motion 2023-21



1444 Freetown Road
Freetown, PE
COB 1M0

Owner / Operators: Jake Rix & Katherine McKenna



902-439-1060 / 902-303-0373



atlanticbugbusters@live.ca / kxm418@yahoo.ca

2023 Proposal / Contract: Municipality of West River, PE

Proposal: Atlantic Bug Busters Inc. proposes that it carry out all* necessary duties required for the implementation and operation of a biting fly (black fly and salt- marsh mosquitoes) program in the area(s) shown on the attached map on behalf of the former Community Council of New Haven-Riverdale (and area) and its members for the 2023 season. Duties/responsibilities included are as follows:

1. Government permit(s) and reports
2. Licensing
3. Labor
4. Travel Costs
5. Product(s) (VectoBac 1200L, VectoBac 200G)
6. Workers Compensation Coverage
7. Tax (HST)
8. General Liability and Pollution Protection Insurance (1,000,000.00 each)
9. ABBI will complete an end of season report prior to the fourth postdated cheque being released for 09/15/2023.

*NOTE: ABBI is not responsible for the acquisition and possession of permission to enter private property forms; this is the responsibility of the client. Previous forms remain valid until revoked in most cases. Atlantic Bug Busters Inc. and its staff members are acting on behalf of the client. Forms must be kept on client's file as per government requirements.

Permission slips are not required for projects where treatments are conducted on a private property belonging to the client.

Total cost \$12,500.00 + *\$3,000.00 anticipated increase = \$15,250.00*

This contract price is based on the following payment structure. **(Any changes to the contract payment schedule must be approved by A.B.B.I. staff before being implemented)**

April 1, 2023: \$3,125.00
April 15, 2023: \$3,125.00
April 19th, 2023: \$3,000.00
July 15, 2023: \$3,125.00
Sept. 15, 2023: \$3,125.00

(*Note: Late payments, anything over 30 days, are now subject to a 5% interest charge*)

Appendix A (Continued) – Motion 2023-21

Client Responsibility:

1. The Client will be responsible for acquiring and maintaining "permission to enter property" slips for all areas requiring treatment. In any situation where we are not permitted to enter a person's property we must be informed immediately by the client. Slip copies can be obtained from A.B.B.I. staff.

2. **A signed copy of this contract plus all postdated cheques must be in our possession no later than April 1, 2023 to ensure that all necessary permits, product ordering duties, and data processing, are in place for April 2023.** Contracts received after this date, or that do not contain the initial payment will be subject to additional shipping charges for product transportation as the product required for their project will not be included in the main annual free shipping order.

Initial treatment date is typically influenced by air temperature, prior winter's snowfall, water temperature, location, etc. Estimated initial treatment date is April 2023.

We look forward to working in your community again in 2023 and will do everything possible to ensure that you, our valued client, receive the highest level of control possible. We at Atlantic Bug Busters Inc. will, as usual, conduct ourselves in a professional and diligent manner while working in your project and hope that we will have many more successful years of service under your employment. We at A.B.B.I. continue to upgrade our training, equipment, and research facilities in order to remain at the top of our field in Atlantic Canada.

Again, thank you for your interest and on-going support, and if you require any further information, please do not hesitate to contact our office.

Sincerely,



Jake Rix & Katherine McKenna
Project Coordinators
Atlantic Bug Busters Inc.

Signed / Approved by: Date:
(client)

Signed / Approved by: Date:
(client)



HST 892997636RT0001