



Town Council Meeting
Council Chambers, conducted through Zoom and
streamed live to Facebook.
Wednesday, November 27, 2024
6 pm

AGENDA

1. Call to Order – Welcome
2. Approval of Agenda
Page 1
3. Approval of Minutes – October 30, 2024
Pages 2 - 9
4. Business
 - 4.1 Selection of Boards and Committees
Page 10
 - 4.2 Appointment of an investigator for the Code of Conduct
Verbal presentation
 - 4.3 Amend Tax & Water Collection Policy
Pages 11 – 18 – Current Tax & Water Collection Policy
Pages 19 – 26 – Recommended changes (draft copy) to the Tax & Water Collection Policy
 - 4.4 Sale of Surplus Equipment – 1989 Ford Cargo Low Tilt Fire Truck
Verbal presentation
5. Correspondence
 - 5.1 Nil
6. Adjournment



Minutes of the Regular Council Meeting

Place: Council Chambers, Zoom, streamed live to Facebook
Date: Wednesday, October 30, 2024
Presiding Officer/Mayor-Elect: Greg Henley
Current Councillor Members Elect Present: Carla Black, Paul Jones, Brenton Colborne, Chrystal McNutt, and Olivia Canning-Sweet
Councillors Regrets: Deputy Mayor Arnold MacDonald

A quorum was present throughout the meeting.

Council Member Newly Elected Present: Padraic Moore

Staff in attendance: Linda Cloney – CAO, Ruthann Brookins – Manager of Finance, and Stan McDougall - Admin Assistant (recording secretary).

Presenters in attendance: *Nil*

Media and Gallery in attendance: Mark Rushton – Hello Oxford.

Announcements before the call to order:

Before the call to order Mayor-Elect Greg Henley announced that on October 31, 2024, the Sunset Communities Social Club would be canvassing door to door for non-perishable food items between 10:00 AM and 12:00 Noon. Perishable items could also be dropped off at the Sunset Community Centre.

1. **Call to Order – Welcome**

Mayor-Elect Greg Henley called the meeting to order at 6:00 PM and extended a warm welcome to the Council Members Elect and thanked Deputy Mayor Arnold MacDonald for his service on Oxford Town Council as

Councillor and as Deputy Mayor which takes great time and commitment, and his efforts were greatly appreciated.

Mayor-Elect Greg Henley announced that there would be an amendment to the agenda with the addition of item 4.6. Request for Decision – Asset Management Plan Update

2. Approval of Agenda, pages 1 – 2

Moved by Councillor-Elect Colborne and seconded by Councillor-Elect Jones, the agenda of the Regular Council Meeting for October 30, 2024, be approved, as presented.

Motion Carried

**3. Approval of Minutes – September 11, 2024 – Regular Council Meeting –
*pages 3 - 12***

- September 19, 2024 - Special Council Meeting

pages 13 - 15

- October 3, 2024 - Special Council Meeting

pages 16 - 19

- October 9, 2024 – Special Council Meeting

pages 20-24

Approved by _____

Mayor Greg Henley, on October 30, 2024

4. Business

4.1 Council Swearing-In Ceremony

4.1.1 Returning Office Report, included in the package

Linda Cloney reviewed with the Council-Elect the Returning Officer Report, which was included in the Council Package.

Linda Cloney addressed the Council-Elect that where a poll was held, it is the CAO's role at the first regular or special meeting of the Oxford Town Council after the time of applying a recount has expired, which expired at

the end of the day on October 29, 2024, declare elected the candidates having the largest number of votes with the term of office of each candidate. Therefore, with the support of the Returning Officer Report, Linda Cloney declared Greg Henley as Mayor for the Town of Oxford and declared the following candidates as Councillor for the Town of Oxford: Carla Black, Brenton Colborne, Chrystal McNutt, Paul Jones, Padraic Moore, and Olivia Canning-Sweet.

4.1.2 Swearing-In and Code of Conduct – Mayor

Linda Cloney witnessed the Oath of Office and Council Code of Conduct Declaration for Mayor-Elect Greg Henley.

4.1.3 Swearing-In and Code of Conduct – Council

Mayor Greg Henley witnessed the Oath of Office and Council Code of Conduct Declaration for Councillors Elect Canning, Black, Moore, Colborne, McNutt, and Jones.

All members were congratulated on taking their oaths and becoming the new Oxford Town Council. Mayor Henley then resumed the Chair's position as Mayor of the Town of Oxford.

4.2 Adopt the Model Code of Conduct Regulations, pages 25 - 39

Linda Cloney discussed the published Provincial Code of Conduct and Regulations which all municipalities in Nova Scotia were required to adopt by December 19, 2024. A copy of the Code of Conduct Regulations has been included in the Council Package for the Council's review prior to this meeting which included the Code of Conduct regulations and the Code of Conduct for Elected Officials of the Town of Oxford. The Council will be required to secure, appoint, and have on retainer, an investigator. This could be decided at our next Council meeting. This person would need to be a lawyer, law enforcement, or a regulator. Staff can research this and bring this back to the Council.

Moved by Councillor McNutt and seconded by Councillor Jones that;

Whereas the Minister of Municipal Affairs and Housing for the Province of Nova Scotia has made the Code of Conduct for Municipal Elected Officials Regulations, N.S. Reg. 220/2024 (“the Regulations”); and,

Whereas municipalities are required to adopt the model code of conduct prescribed by the Regulations on or before December 19, 2024, pursuant to section 4(1) of the Regulations and section 23A of the Municipal Government Act;

Therefore, be it resolved that the Council of the Town of Oxford hereby repeal and replace the Town of Oxford Policy Number 2017-20 titled: Code of Conduct for Elected Municipal Officials/CAO and adopt the model code of conduct as set forth in Schedule “A” to the Regulations, which shall be titled the “Code of Conduct for Elected Officials of the Town of Oxford”.

Motion Carried

4.3 Selection of Deputy Mayor, pages 40 – 41

Linda Cloney presented Council the Town of Oxford’s Deputy Mayor Policy, the first meeting following a municipal election, Council shall elect a Deputy Mayor to hold the office until October 31 of the following year.

Mayor Henley opened the floor for nominations for Deputy Mayor.

Councillor Jones nominated Councillor Carla Black as Deputy Mayor for the Town of Oxford with the term ending October 31, 2025.

After three consecutive calls for nominations and hearing no further nominations, Mayor Henley declared Carla Black as the new Deputy Mayor for the Town of Oxford for the term ending October 31, 2025.

4.4 Selection of Boards and Committees, page 42

Mayor Henley discussed that any Councillors interested in any of the Boards and Committees to bring their expressions of interest forward prior to the next Council Meeting on November 27, 2024. Until then, this item was deferred.

4.5 Amend Motion made on September 19 – regarding the transfer from General Operating to Operating Reserve, *Verbal presentation*

Linda Cloney discussed with the Council that on September 29, 2024, a special Council was held, and a motion was made regarding the transfer from the General Operating fund of \$306,276.00 for the year 2023-2024 to the Operating Reserve Fund. Since that time, the Auditors had to make some adjusting entries, and this affected the total amount of \$306,276.00 reducing it to \$296,885.00.

Linda turned the floor over to Ruthann Brookins, Manager of Finance to discuss further with the Council.

Ruthann Brookins discussed with the Council that the auditing entries were noticed after the motion was held by auditors Baker Tilley Nova Scotia reducing the amount to be transferred from the General Operating Fund to the Operating Reserve Fund by the sum \$9,391.00, which was included and noted in the financials.

Moved by Councillor Jones and seconded by Deputy Mayor Black to amend the previously approved motion on September 19, 2024, of the transfer from the General Operating Fund of \$306,276.00 for the year 2023-2024 to the Operating Reserve Fund to the amount of \$296,885.00

Motion Carried

4.6 Request for Decision – Asset Management Plan Update, unbudgeted item

Ruthann Brookins, Manager of Finance, requested the Council to consider adding two more items not previously budgeted to the Capital Budget for 2024-25.

Ruthann reviewed that due to analysis of the Capital Budget for 2024-25 the Town of Oxford would be under budget by approximately \$230,000. These two additional items to be considered could be comfortably spent within this year's capital budget.

The first item was valued at approximately \$12,000 to have the AIMs (Atlantic Infrastructure Management) network update the Town of Oxford's Asset Management Plan and Program.

The second item was valued at approximately \$70,000 to draw up initial plans to replace the water main, stormwater system, and pavement on Main Street.

The first and second items are considered related to one another. It was reviewed that in 2020-2021, the CAO, Public Works Supervisor, and Ruthann Brookins participated in a cohort group with other municipalities to develop an Asset Management Program for municipalities. With the assistance of Matt Delorme at AIM, a program was developed to provide an Asset Management Program and Plan for the municipalities including the Town of Oxford. This plan has been developed using funding assistance from the Federation of Canadian Municipalities.

Maps from Dillon Consulting, updates from the Public Works Supervisor, and financial information from the Town of Oxford's statements were used to develop a 5-year plan. The Asset Management Plans creation involved making detailed inventories of all the infrastructure of the Town of Oxford including water, sewer, stormwater, pavement, and building infrastructures. The detail is all-inclusive including size of pipe, age, and materials. The program consists of a large and comprehensive spreadsheet with multiple tabs and complex formulas. Levels of service expectations were also identified in the Asset Management Plan including the risk and consequences of failure throughout the town.

Budget constraints and reserve levels were also considered and used to develop the current 5-year plan. The Asset Management Plan and program continue to be used to prioritize future projects.

The projects prioritized were followed with the understanding that some had to be put forward ahead of others due to failure rates and breaks in the infrastructure. An example of this was the Foundry Street project which is to be completed this year.

Costs have increased significantly by approximately 3-4 times that of 2020 costs. Due to the age of the infrastructure under Main Street, simply redoing the pavement on Main Street would not be possible and therefore a comprehensive plan needs to be drawn up to detail its reconstruction.

The updating of Asset Management Plan and the program by AIMS will assist with further project planning, provide accurate numbers to bring forward to the UARB for rate determination, and assist in future funding opportunities including grant applications. The updates would include inventories, update to the database, levels of service and failure probabilities and consequences. It would also include the completion of a new 5-year plan. Funding opportunities would be identified for each proposed project and determine the demands on the reserve and identify any debt that would be needed to be taken on. AIMS would also assist in leveraging capital funding through the Federation of Canadian Municipalities and funding opportunities that consider a climate lens.

Moved by Councillor McNutt and seconded by Councillor Moore to add the approximately \$12,000 Capital Budget item for 2024-25 to upgrade the AIMS Asset Management Plan.

Motion Carried

Moved by Councillor McNutt and seconded by Deputy Mayor Black to add the approximately \$70,000 Capital Budget Item for 2024-25 to begin the study to draw up plans for a future Main Street infrastructure upgrade for water, sewer, stormwater and pavement from James St. to Hanlon Street.

Motion Carried

5. Correspondence

5.1 Email from Brenda Robinson – develop Water Street idea – deferred from September 11, 2024, page 43

Linda Cloney reviewed with the Council an email brought to the Council prior to the Municipal Election and at that time it was decided to defer the item and bring it forward to the newly elected Council. The email to the Council from September 11, 2024, was read to the Council.

Council agrees through consensus that it is a private enterprise project and the Town of Oxford should not be involved in either the coordination of the plan or carrying out the development of the property. It would have to be a private development. The Town of Oxford would assist a private developer if brought forward to the Council where possible.

5.2 Email from NSFM, pages 44 – 45

Linda Cloney read an email received by the Town of Oxford to all newly elected municipal officials by NSFM that extended their warmest congratulations in to all the newly elected and re-elected municipal officials across Nova Scotia.

6. Adjournment

The meeting adjourned at 7:09 PM

Greg Henley, Mayor, Chair

Stan McDougall, Admin Assistant

Date Approved

DRAFT!! 2024 / 2025 Boards and Committees

DRAFT!! APPROVED - November 27, 2024

Revised: April 24, 2024, May 8, 2024, November 27, 2024

Boards		Black	Canning	Colborne	Henley	Jones	McNutt	Moore
All Saints Community Health Care Foundation	Public Appointee (vacant)							
Cumberland Regional Library Board	Councillor Black	1						
Municipal Alcohol Program Board (MAP)	Councillor McNutt						1	
Police Advisory Board	Councillor Colborne, Councillor Moore, Myra Thiemann (public appointee), Mike Masters (public appointee), Thomas Shears - DOJ Representative			1				1
Police Services Review	Councillor Colborne, Mayor Henley, Councillor Jones, Thomas Shears, public appointee (vacant)			1	1	1		
Committees - Internal								
Accessibility Advisory Committee	Councillor Canning (Vice Chair), Councillor Moore, Danielle Laurie (Chair), Tracy Briggs, Mandy Blake, Meagan Marchant, and Amanda Purdy		1					1
Arena Association Committee	Jordan Burkhardt (President), Graham Wood (Vice President), Robert Moores (Secretary), Paula Rogers (Treasurer), Russell Thompson, Patrick Rushton, Kristen Thompson, Shannon Hanna, Murray Thompson, Mitchell Hannigan, Timothy Wood, Cole Wood and Councillor Paul Jones.					1		
Audit Committee	Mayor Henley, Councillor Jones, Councillor McNutt, VACANT (public appointee - mandated)				1	1	1	
Communities in Bloom Committee	Councillor Black, Ashlyn Brownell, Chelsea Brownell, Amanda Purdy, Maxine Clarke, and Al Clarke	1						
Downtown Revitalization/Beautification Committee	Councillor McNutt, Councillor Black, Councillor Canning	1	1				1	
Fire Department Committee	Councillor Colborne, Councillor Jones, Arnold MacDonald (public appointee)			1		1		
Equity, Diversity & Inclusion Advisory Committee	Councillor Canning, Anas, Councillor Black, Councillor Moore	1	1					1
Personnel Committee	Mayor Henley, Councillor Black, and Councillor Jones (Chair)	1			1	1		
Planning Advisory Committee	Councillor Canning, Mayor Henley, and Councillor Moore		1		1			1
Public Works Committee	Councillor Colborne, Councillor Black, Councillor Jones (Chair)	1		1		1		
Recreation Commission	Councillor McNutt (Chair), Councillor Canning, Councillor Moore, MPAL staff member, Kelsey Clark, Millisa Ellis, Elaine Mazur, Kristen Thompson, Sarah Henley, Hayden Clark, Amanda Purdy, Brittany Tomlinson, Becky Weir, Lyndsey Hurley, and Lacey Palmer		1				1	1
Road Trails Act Review Committee	Councillor McNutt, Councillor Jones, Councillor Colborne, and Councillor Canning		1	1		1	1	
Source Water Protection Advisory Committee	Councillor Colborne, Mayor Henley (Chair), Councillor Moore			1	1			1
Town Buildings Committee	Mayor Henley, Councilor Colborne, Councilor Jones (Chair)			1	1	1		
Welcoming Committee	Councillor Black, Councillor Moore, Helen Reade, Michelle Cann, Sarah Henley, and Anas Alawar(Y Reach Representative)	1						1
Committees - External								
Cumberland Central Landfill Community Liaison Committee	Councillor McNutt - Vacant positions for residents / business operators						1	
Cumberland Health Stakeholders	Mayor Henley				1			
Northern Region Solid Waste Management Committee	Councillor McNutt						1	
Physician Recruitment Committee	Mayor Henley				1			
Regional Emergency Measures Organization Advisory Committee - (REMO)	Councillor Colborne			1				
		7	6	8	8	8	7	7



TOWN OF OXFORD POLICY

Subject: Tax and Water Collection Policy **Number: 20230925-2**

Approved by: Council

Effective Date: September 25, 2023

Revision Date: October 23, 2023

Purpose

To establish a policy for effective and efficient billing and collection of Revenue including tax and water accounts receivable. The purpose of the policy is to:

1. Outline billing dates as required by the Municipal Government Act (MGA).
2. Ensure municipal tax and water revenues are collected in a timely and effective manner.
3. Ensure that all taxpayers and water customers are treated fairly and equitably; and,
4. Provide staff with equitable guidelines for informed, sustainable decision-making, and legal guidelines to staff and the public, consistent with the Town's organizational values of excellence and fiscal responsibility ensuring all taxpayers are served well and fairly.

Terms

1. “*Immediate Family*” means spouse, children, parents, and siblings.
2. “*Lien*” means charges that are or can be attached to and encumber the title to a property and can result in the property being sold so the Town of Oxford can collect the money it is owed. These charges can arise pursuant to legislation (e.g., the Municipal Government Act).

Scope

All employees involved in the collection process must adhere to the policy statements contained within this document.

All water, tax levies and amounts added as tax liens or lien-able charges are subject to these policy statements.

The Municipal Government Act legislates the billing and collection of taxes and is the primary authority on the tax billing and collection function, including but not limited to the tax sale process.

The approved Utility and Review Board of Nova Scotia water utility Rules & Regulations and Schedule of Rates and Charges are the primary authority on the water billing and collection function.

Policy

Tax Accounts

1. The Town will issue an interim tax bill with a due date of June 1 each year. The bill will be calculated at 50% of the prior year's bills with the discretion of the CAO to adjust any tax accounts where the variance between the prior year and current year assessment is substantial.
2. Sewer charges will be determined by the Council through separate bylaw and/or policy and the full amount for the year will be included on the interim tax bill.
3. The final tax bill will be due on September 30 each year.

Interest

4. Interest will be calculated and accrued monthly, on arrears, starting immediately after the due date on all taxes/rates/liens outstanding. The rate of interest charged will be 1.5% per month compounded annually (18%/year).
5. Interest is not paid on credit balance in tax accounts except if the credit has resulted from payment of taxes on account that has been appealed (assessment) and the resulting tax amount is less than the original tax billing (determined after the final bill). Interest will be paid to the taxpayer on the overpayment at a rate of 1.5% per month.

Tax Collection - General Practices

6. Provisions of the Municipal Government Act (MGA) Section 6 deal with Tax Collection and provide the legislative framework within which the Staff are expected to carry out tax collection. This policy is intended to provide more specific guidance in certain circumstances but is not intended to allow Staff actions contrary to the Act or to limit the authority given to Staff under the Act.
7. Staff will make every reasonable effort to collect taxes due to the Town. This includes reasonable effort to locate taxpayers whose whereabouts are not readily known. A few procedures common to the collection industry may be used,

including the use of outside agencies as outlined in administrative policies or procedures approved by the CAO.

8. The MGA provides that every person liable to pay taxes shall be served with a tax bill, to be mailed to the address shown on the filed roll or to a more current address if known to the Treasurer. Canada Post E-post-delivery has legislated authority to deliver electronic mail; E-post-delivery is deemed by Council to meet the requirements of the MGA should E-post be a service offered to property owners.
9. The Town of Oxford considers it to be the responsibility of the property owner to ensure their address is up to date on the assessment roll and the tax system through contacting Property Valuation Services Corporation. The Town will be deemed to have a more current address if the notification has been received in writing from the taxpayer at least 30 days prior to the invoice date of the tax bill following the notification. Having filled the legal requirement to bill as noted above. The Town considers it to be the taxpayer's responsibility to contact the Town to determine amounts owing for taxes if they have not received their bill.
10. The Town accepts no responsibility to notify new property owners of arrears against properties they buy after the filing of the annual assessment roll except for the usual tax billing process. It is the responsibility of the purchaser and their solicitor to ensure that taxes for the year of purchase are paid. The Town will make every effort possible, within the staff resources available, to change ownership information on properties as it becomes available from the Property Valuation Services Corporation but will not accept responsibility for interest that may accrue on tax arrears that remain unpaid because of a change of ownership.

Payment Arrangements

11. Staff have authority to enter tax arrears payment arrangements with taxpayers giving due consideration to the taxpayer's personal circumstances and history of the taxpayer to comply with prior tax payment agreements. Staff may make reasonable demands for personal financial information from a taxpayer. No provision in this policy requires a taxpayer to provide such personal information but failure to do so may preclude the acceptance of a payment arrangement for their arrears. If a tax arrears payment arrangement results in taxes being outstanding for more than six (6) years, the arrangement must be documented in writing to ensure the period of tax lien is extended to cover the property.

Properties In Tax Sale Position

12. After September 30 of each year, all accounts will be reviewed. Accounts that have current year tax outstanding and part or all prior year tax outstanding shall be in tax sale position. The CAO is authorized to adopt administrative guidelines that identify minimum amounts below which the second year's taxes will not trigger the tax sale procedures.
13. Tax Sale properties shall be sent a preliminary notice giving **60** calendar days to pay the account in full. The preliminary notice shall indicate that a title search and/or survey of the property may be commenced at the end of the 60 days without further warning - the cost of which will constitute a lien on the property in question.
14. Once a preliminary notice is issued, staff are still permitted to enter payment arrangements with the taxpayer. Any such arrangement should not normally extend beyond the end of that fiscal year at which time the account must be paid for in full.
15. A Notice of Intent to sell for taxes shall be issued after 60 calendar days from the Preliminary Notice, on each property still in tax sale position except if there have been payment arrangements negotiated.
16. Once a property has been issued a Notice of Intention it should not normally be removed from the tax sale process except because of full payment. Staff may determine when circumstances dictate otherwise and remove property from the list.
17. If payment arrangements as negotiated above are dishonored, staff will immediately, without notice, begin or continue the formal process of tax sale unless other arrangements satisfactory to Staff can be negotiated.
18. The Town of Oxford will not accept a tender/bid from a tax assessed owner, his/her agent, or his/her immediate family for any sum less than the full amount of taxes, interest and expenses associated with respect to the land.

Properties Not in Tax Sale Position

19. For properties not in tax sale position, reminders will be issued to individual assessed owners. The number and timing of reminders will be determined by staff,

taking into consideration the perceived beneficial financial impact. In any given year there will generally be 2-3 reminders sent to accounts with arrears over a predetermined limit.

Collection Procedures Involving Issuance of Warrants

20. The CAO is authorized to adopt administrative guidelines with respect to the issuance of warrants to collect taxes due.
21. If services of outside agencies are used, staff are authorized to pay the fee charged by that agency for execution of the warrant. Such a fee should be determined in accordance with the procurement policy adopted by the Council. If a staff member executes the warrant, they will be compensated in accordance with municipal policy if the work is conducted outside of normal office hours. Such fees and expenses associated with the issuance of a warrant shall be added to the account to be collected pursuant to the warrant.

Tax Account Adjustments/Write Offs

22. The CAO may approve administrative policies governing the write-off or adjustment of taxpayer's accounts. In general, staff have authority to write off accounts in the following circumstances:
 - a. Where notice is received from PVSC that an error has been made in the filed roll which cannot be corrected by any provision of the Assessment Legislation (e.g., Duplicate Assessment, Deleted Accounts).
 - b. Where there has been an error made by Municipal staff or in other circumstances deemed appropriate, the Treasurer may approve the write-off of interest on an account.
 - c. Where the internal and external cost to pursue collection of an account would reasonably be expected to exceed the amount to be successfully collected.
 - d. Where a taxpayer has been discharged from their liabilities under bankruptcy.
 - e. Where the taxpayer cannot be located, despite reasonable efforts to do so.

Collections Costs

23. The CAO is authorized to approve certain fees and procedures associated with tax collection on a cost recovery basis such as, but not limited to, fees for cheques/preauthorized debit not able to be processed by a bank.
24. The CAO shall approve increases to the fee(s) no more frequently than annually (fiscal year of April 1 - March 31). No annual increase can exceed CPI as measured by the twelve-month average index for the prior twelve months ended December. Increases may be cumulative when implemented in year 2 or later.

Property Tax Deferral

25. Section 70 of the MGA allows the Council to adopt a bylaw which would provide for the postponement of tax payment. Council has determined that it will not enact a bylaw under the provisions of this section with the understanding that staff are authorized to negotiate payment arrangements that are reflective of the taxpayer's ability to pay at any given time and that staff are best able to determine what this regular amount should be. The MGA provides that tax sale can be avoided by having a tax payment arrangement that is being honored. All taxpayers should be encouraged to make some amount of regular payment on their taxes. However nominal, such that a deferral program is not considered necessary.

WATER ACCOUNTS

GENERAL PROVISIONS

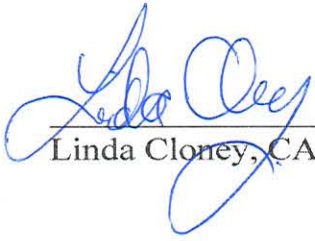
26. The Town is governed by regulations in effect for its water utility that have been approved by the Nova Scotia Utility Review Board.

ARREARS COLLECTION

27. Staff are responsible and authorized to negotiate and accept reasonable payment arrangements with customers who are in arrears. The circumstances of the individual customer will be considered in these negotiations.
28. All water accounts will be reviewed at the due date and those with arrears of \$30 and over will be sent a reminder notice. The reminder will allow a ten-day period in which the account is to be paid. At the end of the ten-day period those accounts still outstanding will be sent a Notice of Intention to Disconnect, within five business days, unless the account is paid for in full. Staff are expected to use collection tools at their disposal and their judgement in applying this policy in determining accounts that will be disconnected.
29. Staff are authorized to use generally accepted collection practices to locate exited water customers and collect arrears. If an inactive account is deemed to be uncollectable or if the expense of collections outweighs the amount to be obtained, staff may approve the write-off of the account. A list of account write-offs shall be presented to the Council on an annual basis.
30. Staff may waive the interest charges if in their judgement the circumstances warrant it.
31. The CAO is authorized to adopt administrative policies/guidelines that further guide the collection process in accordance with the UARB approved rules and regulations governing the water billing and collection process.

REPEAL

32. The council hereby repeals and replaces all previous policies for tax & water collections.



Linda Cloney, CAO



Date

**TOWN OF OXFORD
GENERAL ADMINISTRATION**

Subject: Tax & Water Collection Policy

Number: 20230925-2

Approved by: Council

Effective Date: September 25, 2023

Revision Date: October 23, 2023

Minutes reference date: October 23, 2023

PURPOSE

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1. Outline billing dates as required by the *Municipal Government Act* (MGA);
2. Ensure municipal tax and water revenues are collected in a timely and effective manner;
3. Ensure that all taxpayers and water customers are treated fairly and equitably; and,
4. Provide staff with equitable guidelines for informed, sustainable decision-making, and legal guidelines to staff and public, consistent with the Town's organizational values of excellence and fiscal responsibility ensuring all taxpayers are served well and fairly.

TERMS

1. "*Immediate Family*" means spouse, children, parents and siblings.
2. "Lien" means charges that are or can be attached to and encumber the title to a property and can result in the property being sold so the Town of Oxford can collect the money it is owed. These charges can arise pursuant to legislation (e.g., the Municipal Government Act).

SCOPE

All employees involved in the collection process must adhere to the policy statements contained within this document.

All water, tax levies and amounts added as tax liens are subject to these policy statements.

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The approved Utility and Review Board of Nova Scotia water utility Rules & Regulations and Schedule of Rates and Charges are the primary authority on the water billing and collection function.

POLICY

TAX ACCOUNTS

1. The Town will issue an interim tax bill with a due date of June 1 each year. The bill will be calculated at 50% of the prior year's bills with the discretion of the CAO to adjust any tax accounts where the variance between the prior year and current year assessment is substantial.
2. Sewer charges will be determined by Council through separate bylaw and/or policy and the full amount for the year will be included on the interim tax bill.
3. The final tax bill will be due on September 30 each year.

INTEREST

4. Interest will be calculated and accrued monthly, on arrears, starting immediately after the due date on all taxes/rates/liens outstanding. The rate of interest charged will be 1.5% per month compounded annually (18%/year).
5. Interest is not paid on credit balance in tax accounts except if the credit has resulted from payment of taxes on account that has been appealed (assessment) and the resulting tax amount is less than the original tax billing (determined after the final bill). Interest will be paid to the taxpayer on the overpayment at a rate of 1.5% per month.

TAX COLLECTION – GENERAL PRACTICES

6. Provisions of the Municipal Government Act (MGA) Section 6 deal with Tax Collection and provide the legislative framework within which the Staff are expected to carry out tax collection. This policy is intended to provide more specific guidance in certain circumstances but is not intended to allow Staff actions contrary to the Act or to limit the authority given to Staff under the Act.
7. Staff will make all reasonable effort to collect taxes due to the Town. This includes reasonable effort to locate taxpayers whose whereabouts are not readily known. A number of procedures common to the collection industry may be used including the use of outside agencies as outlined in administrative policies or procedures approved by the CAO.
8. The MGA provides that every person liable to pay taxes shall be served with a tax bill, to be mailed to the address shown on the filed roll or to a more current address if known to the Treasurer. Canada Post E-post-delivery has legislated authority to deliver electronic mail; E-post-delivery is deemed by Council to meet the requirements of the MGA should E-post be a service offered to property owners.
9. The Town of Oxford considers it to be the responsibility of the property owner to ensure their address is up to date on the assessment roll and the tax system through contacting Property Valuation Services Corporation. The Town will be deemed to have a more current address if the notification has been received in writing from the taxpayer at least 30 days prior to the invoice date of the tax bill following the notification. Having filled the legal requirement to bill

as noted above, the Town considers it to be the taxpayer's responsibility to contact the Town to determine amounts owing for taxes if they have not received their bill.

10. The Town accepts no responsibility to notify new property owners of arrears against properties they buy after the filing of the annual assessment roll except for the usual tax billing process. It is the responsibility of the purchaser and their solicitor to ensure that taxes for the year of purchase are paid. The Town will make every effort possible, within the staff resources available, to change ownership information on properties as it becomes available from the Property Valuation Services Corporation but will not accept responsibility for interest that may accrue on tax arrears that remain unpaid as a result of a change of ownership.

PAYMENT ARRANGEMENTS

11. Staff have authority to enter into tax arrears payment arrangements with taxpayers giving due consideration to the taxpayer's personal circumstances and history of the taxpayer to comply with prior tax payment agreements. Staff may make reasonable demands for personal financial information from a taxpayer. No provision in this policy requires a taxpayer to provide such personal information but failure to do so may preclude the acceptance of a payment arrangement for their arrears. If a tax arrears payment arrangement results in taxes being outstanding for more than six years, the arrangement must be documented in writing to ensure the period of tax lien is extended to cover the property.

PROPERTIES IN TAX SALE POSITION

12. After September 30 of each year, all accounts will be reviewed. Accounts that have current year tax outstanding and part or all of prior year tax outstanding shall be considered to be in tax sale position. The CAO is authorized to adopt administrative guidelines that identify minimum amounts below which the second years' taxes will not trigger the tax sale procedures.
13. Tax Sale properties shall be sent a preliminary notice giving 60 calendar days to pay the account in full. The preliminary notice shall indicate that a title search and/or survey of the property may be commenced at the end of the 60 days without further warning – the cost of which will constitute a lien on the property in question.
14. Once a preliminary notice is issued, staff are still permitted to enter payment arrangements with the taxpayer. Any such arrangement should not normally extend beyond the end of that fiscal year at which time the account must be paid in full.
15. A Notice of Intent to sell for taxes shall be issued after 60 calendar days from the Preliminary Notice, on each property still in tax sale position except if there have been payment arrangements negotiated.
16. Once a property has been issued a Notice of Intention it should not normally be removed from the tax sale process except as a result of full payment. Staff may determine when circumstances dictate otherwise and remove a property from the list.
17. If payment arrangements as negotiated above are dishonoured, staff will immediately, without notice, begin or continue the formal process of tax sale unless other arrangements satisfactory to Staff can be negotiated.

18. The Town of Oxford will not accept a tender/bid from a tax assessed owner, his/her agent, or his/her immediate family for any sum less than the full amount of taxes, interest and expenses associated with respect to the land.

PROPERTIES NOT IN TAX SALE POSITION

19. For properties not in tax sale position, reminders will be issued to individual assessed owners. The number and timing of reminders will be determined by staff, taking into consideration the perceived beneficial financial impact. In any given year there will generally be 2-3 reminders sent to accounts with arrears over a predetermined limit. **See schedule A.**

COLLECTION PROCEDURES INVOLVING ISSUANCE OF WARRANTS

20. The CAO is authorized to adopt administrative guidelines with respect to the issuance of warrants to collect taxes due. **See schedules A and B**
21. If services of outside agencies are used, staff are authorized to pay the fee charged by that agency for execution of the warrant. ~~Such fee should be determined in accordance with the procurement policy adopted by Council.~~ If a staff member executes the warrant, they will be compensated in accordance with municipal policy if the work is conducted outside of normal office hours. Such fees and expenses associated with the issuance of a warrant shall be added to the account to be collected pursuant to the warrant.

TAX ACCOUNT ADJUSTMENTS/WRITE OFFS

22. The CAO may approve administrative policies governing the write-off or adjustment of taxpayer's accounts. In general, staff have authority to write off accounts in the following circumstances:
 - a. Where notice is received from PVSC that an error has been made in the filed roll which cannot be corrected by any provision of the Assessment Legislation (e.g. Duplicate Assessment, Deleted Accounts).
 - b. Where there has been an error made by Municipal staff or in other circumstances deemed appropriate, the Treasurer may approve the write-off of interest on an account.
 - c. Where the internal and external cost to pursue collection of an account would reasonably be expected to exceed the amount to be successfully collected.
 - d. Where a taxpayer has been discharged from their liabilities under bankruptcy.
 - e. Where the taxpayer cannot be located, despite reasonable efforts to do so.

COLLECTIONS COSTS

23. The CAO is authorized to approve certain fees and procedures associated with tax collection on a cost recovery basis such as, but not limited to, fees for cheques/preauthorized debit not able to be processed by a bank.
24. The CAO shall approve increases to the fee(s) no more frequently than annually (fiscal year of April 1 – March 31). No annual increase can exceed CPI as measured by the twelve-month average index for the prior twelve months ended December. Increases may be cumulative when implement in year 2 or later.

PROPERTY TAX DEFERRAL

25. Section 70 of the MGA allows Council to adopt a bylaw which would provide for the postponement of tax payment. Council has determined that it will not enact a bylaw under the provisions of this section with the understanding that staff are authorized to negotiate payment arrangements that are reflective of the taxpayer's ability to pay at any given time and that staff are best able to determine what this regular amount should be. The MGA provides that tax sale can be avoided by having a tax payment arrangement that is being honoured. All taxpayers should be encouraged to make some amount of regular payment on their taxes, however nominal, such that a deferral program is not considered necessary.

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WATER ACCOUNTS

GENERAL PROVISIONS

26. The Town is government by regulations in effect for its water utility that have been approved by the Nova Scotia Utility Review Board.

ARREARS COLLECTION

27. Staff are responsible and authorized to negotiate and accept reasonable payment arrangements with customers who are in arrears. The circumstances of the individual customer will be considered in these negotiations.

28. All water accounts will be reviewed at the due date and those with arrears of \$30 and over will be sent a reminder notice. The reminder will allow a ten-day period in which the account is to be paid. At the end of the ten-day period those accounts still outstanding will be sent a Notice of Intention to Disconnect, within five business days, unless the account is paid in full. Staff are expected to use collection tools at their disposal and their judgement in applying this policy in determining accounts that will be disconnected.

29. Staff are authorized to use generally accepted collection practices to locate exited water customers and collect arrears. If an inactive account is deemed to be uncollectable or if the expense of collections outweighs the amount to be obtained, staff may approve the write-off of the account. A list of account write-offs shall be presented to Council on an annual basis.

30. Staff may waive the interest charges if in their judgement the circumstances warrant it.

31. The CAO is authorized to adopt administrative policies/guidelines that further guide the collection process in accordance with the UARB approved rules and regulations governing the water billing and collection process. **See Schedule B**

REPEAL

32. Council hereby repeals and replaces all previous policies for tax & water collections.

Clerk's Annotation for Official Policy Book

THIS IS TO CERTIFY THAT this the foregoing is a true and accurate copy of the Town of Oxford's Tax & Water Collection Policy which was adopted by Council at its duly convened meeting held 27 November 2024.

Chief Administrative Officer

Date

SCHEDULE A – Tax & Water Collection Policy – 20230925-2

Collections for Tax Arrears Policy

Every 3 months run an A/R report in Town Suite (A/R, Reports, Receivables, Aged Receivables) April, July (After Interim Tax bill due date), October (After Final Tax Final bill due date) and January.

Account type-Properties-Customer Type years Report Type total report option N/A

Export data to an excel sheet for faster manipulation (Excel data only),

Accounts owing for the current year generally receive a Statement. This report is set up by customer Record number and does not make separate reports for water and property but will separate on the same report if you select the source feature. (A/R, Reports, Collection, Statements, Current Balance, Single Record, Report Name: Statement Print: Source

Accounts in arrears for prior years taxes receive a Statement of Arrears or a Preliminary Notice of Tax Sale. A/R , Reports, collection , Notice of Arrears, Report Name : **Statement of Arrears or a Preliminary Notice of Tax Sale**, Single Record: client account #, Type : Property, Interest :Totaled(too shorten the statement), Print : Source, Report Options: check All interest as arrears & Include Non-Arrear balances (if not checked the balance that appears does not include the last six months), Type in Message the notes as required below:

For **Preliminary Notice of Tax Sale** e.g.: This is a **PRELIMINARY NOTICE FOR TAX SALE**. You have 60 CALENDER DAYS to pay the account IN FULL! At the end of the 60 days, without further warning, a title search and/or survey of the property may be commenced by the Town of Oxford - the cost of which will constitute a lien on the property in question.

For **Statement of Arrears** e.g.: The Town of Oxford tax collection policy states: Accounts that have current year tax outstanding and part or all the prior year tax outstanding shall be considered to be in tax sale position. To avoid Tax Sale Status, 20__ property taxes of \$____. must be paid in full.

Add other information in message as required e.g.: The payment plan agreed upon has not been followed, Thank You for the recent payments, unfortunately it was not enough to keep the property out of Tax Sale Status.

Update Master sheet "Tax Arrears Notices and Plans" and add notes on client's account.

Staff can also send out warning Notices with the Interim and Final Bills, but a Preliminary Notice should be a separate document.

If arrears are not paid or payment arrangements made within the 60 days of the Preliminary Notice, a Notice of Tax Sale can be issued. Notice of Tax Sale should be a certified letter as well as delivered to property.

SCHEDULE B – Tax & Water Collection Policy – 20230925-2

Collections for Water Arrears Policy

Every 3 months run an A/R report in Town Suite one month preferably after the latest water bill was due. March, June, September, December.

A/R, Reports, Receivables, Aged Receivables Account Type-Utilities-Customer Type: Quarters, Report Type: Total report option N/A

Export data to an excel sheet for faster manipulation (Excel data only),

No Action Required if account is in arrears less than 90days and under\$150.00

Water Accounts in arrears over 90 days and greater than \$150 should be sent a reminder with the next water bill. Re Check balance at that time.

Water accounts in arrears over 180 days and over \$200 should be sent a **Notice of Arrears** with note “Pay Arrears by _____ or a Notice of intention to Disconnect will be Served

Water accounts in arrears over 260 days and over \$200 should be sent a **Notice of Intention to Disconnect** with a note “Pay Arrears by _____ or a WATER SERVICE DISCONNECTION NOTICE will be served.

Water accounts in arrears over 365 days “Prior column” will be sent a **WATER SERVICE DISCONNECTION NOTICE** with 5 business days to pay in full. Check that a previous Notice of Intention to Disconnect has been sent to the client. You can find this information either on the Master sheet “Water Arrears, Notices and Plans” or in the client’s notes. If a Notice of Intention to Disconnect was not sent previously, send one before sending a WATER SERVICE DISCONNECTION NOTICE.

To process Notices for Water Account Arrears : A/R , Reports, collection , Notice of Arrears, Report Name: **Notice of Arrears/ Notice of intention to Disconnect Water Service/ NOTICE OF WATER SERVICE DISCONNECTION**, Single Record: client account #, Type : Utility, Interest :Totalled (shortens the statement), Print : Source, Report Options: check All interest as arrears & Include Non-Arrear balances (if not checked the balance that appears does not include the last six months)

Type in Message the notes required above and add other information e.g.: The payment plan agreed upon has not been followed. Thank You for the recent payments, unfortunately it was not enough to continue the water service.

Update Master sheet “Water Arrears Notices and Plans” and add to notes on client’s account for Notice of intention to Disconnect Water Service/ NOTICE OF WATER SERVICE DISCONNECTION only.

**Note: Water Accounts arrears for the current year will also appear on Customer account Statements sent with the Tax collection Policy.