



## CITY OF CORNER BROOK

**Dear Sir\Madam:**

I have been directed by His Worship the Mayor to summon you to a Regular Meeting of the Corner Brook City Council, to be held on **Monday, November 19, 2018 at 7:00 PM. Council Chambers, City Hall.**

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CITY CLERK

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Page

**1 PRESENTATION**

1.1 Department of Municipal Affairs and Environment - Long Service Awards

**2 CALL MEETING TO ORDER**

**3 APPROVALS**

3.1 Approval of Agenda

3.2 Approval of Minutes - Regular Council Meeting, November 5, 2018

**4 BUSINESS ARISING FROM MINUTES**

**5 TENDERS**

5.1 Storm Damage Repairs Contract No. 2018-44

**6 REPORTS**

6.1 Winter Parking Ban

6.2 Protective Services Monthly Report

6.3 Snow Clearing

**7 FINANCE & ADMINISTRATION**

7.1 Tax Sale

7.2 Municipal Assessment Commissioner

**8 REGULATION/POLICY**

8.1 Council Remuneration

**9      ADJOURNMENT**

**MINUTES OF A REGULAR MEETING OF  
THE COUNCIL OF THE CITY OF CORNER BROOK  
COUNCIL CHAMBERS, CITY HALL  
MONDAY, 5 NOVEMBER, 2018 AT 7:00 PM**

**PRESENT:**

|              |             |  |
|--------------|-------------|--|
| Mayor        | J. Parsons  | D. Park, Acting City Manager   |
| Deputy Mayor | B. Griffin  | D. Charters, Director Community Engineering Development and Planning |
| Councillors: | T. Buckle   | T. Flynn, Director of Protective Services                            |
|              | J. Carey    | D. Burden, Director of Public Works, Water and Waste Water Services  |
|              | L. Chaisson |  |
|              | V. Granter  | M. Redmond, City Clerk   |
|              | B. Staeben  | B. Tibbo, Seargent-At-Arms   |

CALL MEETING TO ORDER: The meeting was called to order at 7:00 p.m.

**18-261      Approval of Agenda**

On motion by Councillor B. Staeben, seconded by Councillor J. Carey, it is **RESOLVED** to approve the agenda for the Regular Meeting of Council, November 5, 2018, as circulated with the following addition:

- Water Treatment Plant Update

**MOTION CARRIED.**

**18-262      Approval of Minutes - Regular Council Meeting - October 15, 2018**

On motion by Deputy Mayor B. Griffin, seconded by Councillor T. Buckle, it is **RESOLVED** to approve the Minutes of the Regular Council Meeting of October 15, 2018, as presented. **MOTION CARRIED.**

**18-263      Business Arising From Minutes**

No items were brought forward.

**18-264      Proclamations**

Mayor Parsons reported on the following proclamations:

1. Royal Canadian Legion Proclamation, November 1 - 11, 2018
2. World Town Planning Day, November 8, 2018

**18-265      Fall Leaf Collection**

Deputy Mayor B. Griffin advised that the Fall Leaf Collection program will take place from November 5-9, 2018. Residents are encouraged to place leaves in transparent bags at the curb by 8:00 a.m. on regular garbage collection days.

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- 18-266      Curbside Giveaway**  
Councillor L. Chaisson advised that the City will be holding a Curbside Give-away Weekend on November 9-11, 2018.
- 18-267      Phosphates for Corrosion Control Extension to 2017-38**  
On motion by Councillor T. Buckle, seconded by Councillor B. Staeben, it is **RESOLVED** to approve extension of the Phosphates for Corrosion Control Contract (2017-38) for a one (1) year period up to November 30, 2019) to Univar Canada at a cost of for \$62,340.04 US (HST included). **MOTION CARRIED.**
- 18-268      Supply of Water Treatment Chemicals - Polyaluminum Chloride Coagulant 2018-41**  
On motion by Councillor B. Staeben, seconded by Councillor T. Buckle, it is **RESOLVED** to Award the Contract for the Supply of Water Treatment Chemicals - Polyaluminum Chloride Coagulant - Contract #2018-41 to Kemira Water Solutions Canada Inc. at the tender price of \$473,742.50 (HST Included) per year for a 2-year standing offer. **MOTION CARRIED.**
- 18-269      Supply of Water Treatment Chemicals - Soda Ash 2018-42**  
On motion by Councillor V. Granter, seconded by Councillor J. Carey, it is **RESOLVED** to Award the Contract for the Supply of Water Treatment Chemicals - Soda Ash - Contract \$2018-42 to Univar Canada Ltd. at the tender price of \$121,325.00 (HST included) per year for a 2-year standing offer. **MOTION CARRIED.**
- 18-270      Prime Consultant Services - Aquatic Centre Feasibility Study Termination**  
On motion by Deputy Mayor B. Griffin, seconded by Councillor T. Buckle, it is **RESOLVED** that Corner Brook City Council terminate the existing Prime Consultant Agreement with Tract Consulting Inc. for the Aquatic Centre Feasibility Study, effective immediately. **MOTION CARRIED.**
- 18-271      MP-DR18-03 Public Hearing: Commissioners Report - 678 O'Connell Drive**  
  
**Deputy Mayor Griffin declared a Conflict of Interest for discussion and voting on this agenda item.**  
  
On motion by Councillor T. Buckle, seconded by Councillor J. Carey it is **RESOLVED** under Section 23 of the *Urban and Rural Planning Act*, 2000 (URPA) to adopt the commissioner's recommendations, without modification, with respect to Municipal Plan Amendment MP18-03 and Development Regulations Amendment DR18-03. **MOTION CARRIED.**

On motion by Councillor T. Buckle, seconded by Councillor J. Carey, it is **FURTHER RESOLVED** to authorize staff to submit Municipal Plan Amendment MP18-03 and Development Regulations Amendment DR18-03, without modification, to Municipal Affairs for approval under Section 24 of the *Urban and Rural Planning Act*. **MOTION CARRIED.**

**18-272      Easement - East Valley Road**

On motion by Councillor L. Chaisson, seconded by Councillor J. Carey, it is **RESOLVED** that Council approve the execution of the attached Easement Agreement for 54 m<sup>2</sup> (581ft<sup>2</sup>) with Bell Canada for City land located on East Valley Road. **MOTION CARRIED.**

**18-273      Council Remuneration and Reimbursement Regulation - Amendment**

Councillor B. Staeben gave notice of a motion to be considered at the next Public Council Meeting

**It is RESOLVED** to repeal the existing City of Corner Brook Council Remuneration and Reimbursement Regulations and any related amendments in their entirety effective December 31, 2018.

**It is FURTHER RESOLVED**, to approve the City of Corner Brook Council Remuneration and Reimbursement Regulations 2018 effective January 1, 2019.

**18-274      Lease Agreement- Forever Young Fitness Center**

On motion by Councillor J. Carey, seconded by Councillor B. Staeben, it is **RESOLVED** to approve the ratification of the three (3) year lease agreement between the City of Corner Brook and Forever Young Fitness Centre Limited for annual lease payments of \$60,971.68 plus HST. **MOTION CARRIED.**

**18-275      Corner Brook Museum and Archives - Letter of Understanding**

On motion by Councillor V. Granter, seconded by Councillor T. Buckle, it is **RESOLVED** to approve the ratification of a Letter of Understanding with the Corner Brook Museum & Archives for "The Commons" space. The Letter of Understanding will provide Corner Brook Museum & Archives with first right of refusal for that space until December 31, 2019. **MOTION CARRIED.**

**18-276      Small-Scale Organic Waste Collection Project**

On motion by Councillor J. Carey, seconded by Deputy Mayor B. Griffin it is **RESOLVED** to approve execution of the Expression of Interest to partner with R&D Diversions in starting a small-scale organic waste collection program at City Hall.

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**18-277      Water Treatment Plant Update**

The Director of Public Works Water and Waste Water provided an update on an interruption that took place on the weekend of November 3, 2018 at the Water Treatment Plant as a result of a power outage. He stated there was no danger to the public during this interruption.

**ADJOURNMENT**

The meeting adjourned at 7:45 p.m.

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City Clerk

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Mayor

## REQUEST FOR DECISION

*[Director of Public Works, Water, and Wastewater]*

**SUBJECT:** Tender for City of Corner Brook - Storm Damage Repairs Contract #2018-44, SNC #658913, MAE #WCF2018

**DESCRIPTION:** SNC Lavalin recently issued a tender on behalf of the City of Corner Brook for the storm damage repairs as a result of the flooding experienced in January 2018. The tender included repairs to infrastructure throughout the City. The tender closed on October 29, 2018 and four bids were received as follows (hst included):

|   |              |
|---|--------------|
| Marine Contractors Inc.                   | \$208,756.63 |
| Edward Collins Contracting Ltd.           | \$217,380.26 |
| Mike Kelly and Sons Ltd.                  | \$246,399.00 |
| West Coast Excavating and Equip. Co. Ltd. | \$326,312.50 |

**PROPOSED MOTION:**

Be it **RESOLVED** that Corner Brook City Council accept staff's recommendation to accept the tender submitted by Marine Contractors Inc. for contract #2018-44 at a cost of \$208,756.63 (hst included).

**IMPLICATIONS OF RECOMMENDATION:**

**Staff Recommendation:** To accept the tender submitted by Marine Contractors Inc. for contract #2018-44 at a cost of \$208,756.63 (hst included).

City of Corner Brook Act Authority:

Policy and/or Regulation:

**Estimated Cost:** \$ 208,756.63 (HST Included)

**Budget Line Item:** To be paid as part of Disaster Financial Assistance Program

**Communication Strategy:** Notify Marine Contractors Inc, SNC Lavalin, and Department of Municipal Affairs and Environment of award.

**Website:**

**STANDING COMMITTEE COMMENTS:**

Implication:

**BACKGROUND:**

**Report/Document:** SNC Lavalin Award Recommendation

Department of Municipal Affairs and Environment Approval to Award Tender

Submitted by: \_Donald Burden\_\_\_\_\_

Date: November 14, 2018\_\_\_\_\_

Reviewed by: \_\_\_\_\_

Date: \_\_\_\_\_





Government of Newfoundland and Labrador  
 Department of Municipal Affairs and Environment  
 Fire, Emergency and Corporate Services

NOV 06 2018

DOC/2018/04572-14

## APPROVAL TO AWARD TENDER

City of Corner Brook  
 5 Park Street  
 P.O. Box 1080  
 Corner Brook, NL A2H 6E1  
 Email: [mredmond@cornerbrook.com](mailto:mredmond@cornerbrook.com)

**Re: Funding Source – DFAA  
 Corner Brook West Coast Flood 2018 Repairs  
 DMAE # WCF18**

Your consultant, SNC-Lavalin Inc. has recommended the acceptance of the tender submitted by Marine Contractors Ltd. in the amount of **\$208,756.63 (HST Incl.)**. The consultant's recommendation is acceptable to this Department. If the City of Corner Brook agrees with this recommendation, please arrange through your consultant for the signing of the necessary contract documents at the earliest possible date.

**All costs in excess of this amount will be 100% responsibility of the City of Corner Brook.**

Sincerely,

**Tara Kelly,  
 Assistant Deputy Minister**

/jl

cc: Mr. Eddie Joyce, MHA  
 Ms. Lesa Pike, SNC Lavalin Inc.  
 Ms. Holly Scott-Walsh, Regional Manager  
 Mr. Chris Power, P. Eng., Regional Engineer  
 Mr. Haseen Khan  
 Ms. Colleen Johnson  
 Mr. John O'Leary  
 Mr. Stephen Slaney  
 Mr. Gerald Kennedy  
 Mr. Loyola Power, OHS





**SNC-LAVALIN INC.**  
 1090 Topsail Road  
 Mount Pearl, NL A1N 5E7  
 Telephone: 709-368-0118

Suite 207, Millbrook Mall  
 2 Herald Avenue  
 Corner Brook, NL A2H 4B5  
 Telephone: 709-634-2700

October 31, 2018

Dept. of Municipal Affairs and Environment  
 Sir Richard Squires Building, 6<sup>th</sup> Floor  
 P.O. Box 2006  
 Corner Brook, NL A2H 6J8

**Attention: Mr. Chris Power, P. Eng., Regional Engineer**

Dear Sir:

**Reference: City of Corner Brook – Storm Damage Repairs**  
**Contract #2018-44, SNC #658913, MAE #WCF2018**

The Tender for this project closed on Monday, October 29, 2018. Four (4) bids were received as follows:

|  |              |
|--|--------------|
| 1) Marine Contractors Inc.                 | \$208,756.63 |
| 2) Edward Collins Contracting Ltd.         | \$217,380.26 |
| 3) Mike Kelly & Sons Ltd.                  | \$246,399.00 |
| 4) West Coast Excavating & Equip. Co. Ltd. | \$326,312.50 |

We have reviewed the bids and they were found to be in order with the exception of the bid submitted by West Coast Excavating & Equipment Co. Ltd. In reviewing their bid it was noted that the amount bid for Item 01010 Mobilization & Demobilization was greater than the 5% allowed under the terms of the contract. We are therefore recommending that this tender be rejected.

We therefore, recommend this contract be awarded to Marine Contractors Inc. in the amount of \$208,756.63.



The anticipated costs for this project at this time are:

|                              |                     |
|------------------------------|---------------------|
| This contract:               |                     |
| Construction (including HST) | \$208,756.63        |
| Engineering (including HST)  | \$30,814.41         |
| Testing                      | \$0.00              |
| Total for this contract:     | <u>\$239,571.04</u> |

We trust you will find this in order; however, should clarification be required, kindly contact the undersigned. We await your approval to award.

Yours truly,

**SNC-LAVALIN INC.**

A handwritten signature in blue ink, appearing to read 'Lesa Pike'.

Lesa Pike  
Engineering Administrator

/sh

cc: Jim Warford, City of Corner Brook  
Rod Follett, City of Corner Brook  
Scott Wight, MAE  
Ira Barter, SNCL



**To:** City Council  
**CC:**  
**From:** Todd Flynn, Director of Protective Services  
**Subject:** **Winter Parking Ban**  
**Date:** November 15th, 2018

## MEMORANDUM

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Our recent amendment to our Traffic Regulations now matches the provincial Snow Clearing Regulations in that from December 1<sup>st</sup> through to May 1<sup>st</sup>, you cannot legally park a car on a City street between the hours of 12:00 midnight to 8:00 am. The intent of this regulation is to facilitate unobstructed overnight snow clearing. Vehicles found on the City streets during this time will be subject to fines and towing.

Just to reiterate: The Overnight Winter Parking Ban will start **December 1<sup>st</sup> through to May 1<sup>st</sup>**; and the hours of no parking on City streets will be from **12:00 midnight to 8 in the morning**; and vehicles found in violation will be **ticketed and possibly towed**.

**Todd Flynn**, MA DEM  
 Director, Protective Services





**To:** Corner Brook City Council  
**CC:**  
**From:** Todd Flynn, Director of Protective Services  
**Subject:** **Protective Services Update for October 2018**  
**Date:** November 14<sup>th</sup>, 2018

## MEMORANDUM

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**Protective Services statistics for October 2018 are as follows:**

**Municipal Enforcement Officers received 121 calls for services as follows:**

**By-law Enforcement:**

- 1 Untidy property investigations;
- 1 Littering
- 2 Illegal dumping
- 9 Uncovered garbage

**Taxi Regulation:**

- 2 Taxi Driver Permits issued;
- 43 Taxi Vehicle Inspections – Semi Annual Inspection resulted in 12 taxis having permits revoked until repairs made. All since reinstated

**Animal Control:**

31 Calls for Service were received that included:

- 6 Roaming Animals being Impounded;
- 16 Animal Violation Notices issued;
- 10 Injured/Dead Animals.

**Parking Enforcement:**

**409 Parking related violations were issued that included:**

- 304 Expired meters;
- 12 Fail to back in;
- 44 No Parking/No Stopping
- 7 Parked on Sidewalk
- 5 Impaired Mobility (Handicapped Parking Spaces);
- Various other parking violations (Private Land, Loading Zone, Wrong Direction, etc.).

**Corner Brook Fire Department Received 32 Calls for services that included:**

- 5 Motor Vehicle Accidents- Multiple Injuries
- 5 Motor Vehicle Accidents- No Injuries

- 1 Motor Vehicle Collision - Entrapment
- 6 Alarm Bells (Commercial)/Alarm Ringing
- 1 Alarm Bells (Residential)/Alarm Ringing
- 1 Non-Emergency Call
- 1 Carbon Monoxide Call
- 1 Smoke Visible/ Smell; Residential
- 2 Brush Fire
- 1 Chimney Fire
- 2 Vehicle Fire
- 1 Pole Fire
- 1 Forest Fire
- 2 Garbage Fire
- 1 Bonfire
- 1 Workplace/Industrial Accident (House fell on individual when jacked up)

**Corner Brook Fire Department also conducted Fire and Life Safety Inspections including:**

- 8 Follow Up Inspections
- 2 Inspections
- 3 O<sub>2</sub> Inspections

**911 PSAP received 3197 calls for emergencies as follows:**

- 666 Ambulance
- 595 Police
- 111 Fire
- 3 Northern 911
- 34 Other
  - 20 Crises
  - 1 Forestry
  - 1 Coast Guard
  - 2 Nat Resources
  - 2 NL Power/Hydro
  - 8 Testing
- 1788 Non-Transferred





## MEMORANDUM

**To: Mayor and Council**  
**CC: Dale Park, City Manager**  
**From: Donald Burden, P.Eng. Director of PWWW**  
**Subject: Winter Operations**  
**Date: November 14, 2018**

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Now that the winter season is upon us, the Department of Public Works, Water and Wastewater kindly ask for the Publics cooperation this winter. We remind residents:

- no overnight parking from December 1 to April 15 from 12am to 8am;
- not to park on City streets during daytime snow clearing operations as this results in snow being left in the right-of-way;
- ensure all structures and vehicles are minimum 20 feet from the road center line;
- watch out for snow clearing equipment, keep back at least 50 feet;
- make sure boundary markers comply with regulations, only plastic or wooden, NO STEEL;
- to refrain from pushing snow into the street right-of-way and around fire hydrants;
- help keep neighborhood fire hydrants clear;
- keep your sidewalk clear of snow and ice;
- keep family safe, no tunnels or snow forts near City streets or snow removal areas;
- Drive to the conditions – SNOW MEANS SLOW!

For further information regarding winter operations please check out the City of Corner Brook website, Frequently Asked Questions - Snow Clearing at [www.cornerbrook.com/faq-snowclearing](http://www.cornerbrook.com/faq-snowclearing)





# Memo

## Finance & Administration

To: Mayor & Council  
 From: Dale Park, Director of Finance & Administration  
 SUBJECT: Tax Sales  
 Date: November 13, 2018

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The City has commenced preparation for a property tax sale. In accordance with the City of Corner Brook Act, the properties scheduled for the tax auction are properties that are significantly in arrears on property tax. There are currently twelve (12) properties under tax sale consideration they are listed below.

| Parcel ID   | Location             |
|-------------|----------------------|
| 1. 044-420  | Crocker Place        |
| 2. 049-603  | St. Mary's Road      |
| 3. 049-542  | 38 St. Aiden's Road  |
| 4. 207-291  | O'Connell Drive      |
| 5. 043-377  | 45 Burkes Road       |
| 6. 043-032  | 6 Bond Street        |
| 7. 045-643  | 710 Gearyville Rd    |
| 8. 050-244  | 41 Washington Street |
| 9. 046-756  | 201 Humber Road      |
| 10. 046-662 | 23 Humber Road       |
| 11. 044-363 | Country Road         |
| 12. 049-606 | 10 Star Street       |

The City has prepared packages for any interested parties.

The Date for the First Tax Sale will be held on Wednesday, November 21, 2018 at 10:00 AM in the Hutchings Room in City Hall.

At the first day of the tax sale, there is a reserve on the property equivalent to the taxes, interest and expense owing to the City. If the reserve is not met on the properties on November 21, 2018, then there will be a second tax sale on November 28, 2018 at the same location and time. At the second tax sale date there is not a reserve on the properties.



# REQUEST FOR DECISION

## *Finance & Administration*

**SUBJECT:** Assessment Review Commissioner

**DESCRIPTION:** Pursuant to Section 31(1) of the *Assessment Act*, the City of Corner Brook is required to appoint a person to the position of Assessment Review Commissioner for 2019. The City has solicited expressions of interest in the position of Assessment Review Commissioner and one submission was received.

**PROPOSED MOTION:** It is **RESOLVED** to appoint Mr. Dennis Waterman as the Assessment Review Commissioner for 2019.

### IMPLICATIONS OF RECOMMENDATION:

**Staff Recommendation:** Mr. Waterman has held a number of positions in his career in which he was responsible for property acquisition and disposition. He has served on several panels and hearing in relation to statutes and regulations. He has served as the City's commissioner for the past five years. Staff recommend Mr. Waterman for this appointment.

### **Legislative Authority:**

- City of Corner Brook Act: **Section**
- Public Tendering Act: **Section:**
- Urban and Rural Planning Act: **Section:**
- Policy and/or Regulation: Per Section 31(1) of the *Assessment Act*.

**Estimated Cost:** This cost is variable based on the number of days of hearings and prep that are required. The proposed rate for 2019 is \$650 per day and includes all administrative and secretary support. This rate is the same as the 2018 rate.

**Budget Line Item:** It is proposed that \$10,000 be carried in the 2019 budget for this service. 2019 is an reassessment year and traditionally results in an higher number of appeals.

Submitted by: \_\_Dale Park\_\_\_\_\_

Date: \_\_November 13, 2018\_\_\_\_\_

Reviewed by: \_\_\_\_\_

Date: \_\_\_\_\_



## REQUEST FOR DECISION

### *Finance & Administration*

#### **SUBJECT: CITY OF CORNER BROOK COUNCIL REMUNERATION AND REIMBURSEMENT REGULATIONS**

**DESCRIPTION:** The current City of Corner Brook Council Remuneration and Reimbursement Regulations were enacted in 2003 and have had a number of amendments since that time.

In June 2017 the Federal government Bill C44 received royal assent. Amongst other things, this Bill removed the ability for any municipality to pay up to one third of a Councillor's remuneration as a non-taxable expense allowance. The current version of the Regulation had included this condition, and now has to be removed in order to comply with Federal legislation. Also as a result of this legislation change, it is proposed to adjust the Council remuneration effective January 2019 accordingly to reflect a neutral impact on a Council's net salary. A final change that is proposed that the Regulation include an automatic review of the Council remuneration in the third year of each Council's term. Any recommended change as a part of that review in remuneration would not be implemented prior to the first month of office for the newly elected Council.

The annual adjustments included in the Regulation are:

Mayor: from \$23,000 taxable + \$11,500 non-taxable to \$39,300 taxable

Deputy Mayor: from \$16,000 taxable + \$8,000 non-taxable to \$27,120 taxable

Councillor: from \$15,000 taxable + \$7,500 non-taxable to \$25,380 taxable

**PROPOSED MOTION:** It is **RESOLVED** to repeal the existing City of Corner Brook Council Remuneration and Reimbursement Regulations and any related amendments in their entirety effective December 31, 2018. Be it **FURTHER RESOLVED**, to approve the City of Corner Brook Council Remuneration and Reimbursement Regulations 2018 effective January 1, 2019.

#### **IMPLICATIONS OF RECOMMENDATION:**

##### **Staff Recommendation:**

##### **Legislative Authority:**

- City of Corner Brook Act: **Section 17-18**
- Policy and/or Regulation: City of Corner Brook Remuneration and Reimbursement Regulations

**Estimated Cost:** The annual increase in \$22,320 and if approved will be included in the 2019 budget.

**Budget Line Item:** It is proposed that the increased cost will be carried in the 2019 budget line 1000-50000 if approved.

Submitted by: Dale Park

Date: November 13, 2018

Reviewed by: \_\_\_\_\_

Date: \_\_\_\_\_

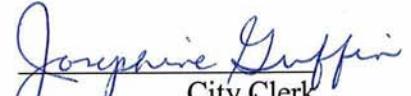




**Published by Authority**

Pursuant to authority conferred by Section 18 of *The City of Corner Brook Act*, Chapter C-15, RSN 1990, the City of Corner Brook has made the following regulations.

  
Mayor

  
City Clerk  
*Acting*

**Regulations**

1. These regulations may be cited as the City of Corner Brook Council Remuneration and Reimbursement Regulations.
2. Interpretation: In these regulations, unless the context otherwise requires:
  - (1) “Act” means *The City of Corner Brook Act*;
  - (2) “City Clerk” means a City Clerk appointed as such pursuant to the provisions of the Act;
  - (3) “Council” means a City Council pursuant to the provisions of the Act;
  - (4) “Fixed Revenue” means revenue raised from municipal taxes, grants-in-lieu and other assured revenues, other than water and sewerage subsidies paid by the Province to a Council;
  - (5) “Leave of Absence” means a period of time during which a Councillor is not involved with the activities of Council with the approval of Council and without remuneration for the period of the approved leave of absence.
  - (6) “Councillor” includes the Mayor and Deputy Mayor.
3. (1) Council may, by two-thirds vote of the Councillors as determined in accordance with Section 18 of the Act, pay an annual remuneration to the Mayor, Deputy Mayor and Councillors, and shall fix the amount to be paid to each of them.

- (2) The annual remuneration referred to in subsection (1) shall be adjusted annually commencing on January 1, 2003 and on January 1 of each ensuing year, by a Cost of Living index, being the average increase in the All Item Price Index for the Province of Newfoundland for the 12 month period up to the previous December 1<sup>st</sup>, such increase not to exceed the maximum of 2%.
- (3) One third of the remuneration set forth in subsection (1) shall be an allowance for expenses incidental to the discharge of the duties of the respective member of Council in accordance with Section 81(3) of the Income Tax Act (Canada).
- (4) The annual remuneration package will include group life insurance coverage in the amount of \$30,000, accidental death and dismemberment benefits and membership, if desired, in the City of Corner Brook health and dental insurance program with the premium cost paid 100% by the City of Corner Brook, provided the Councillor meets the terms and conditions of the program.
4. (1) Remuneration paid pursuant to Section 3 shall be paid at the end of each month by bank debit to an account at a chartered bank as designated by each Councillor.
- (2) A record of remuneration paid pursuant to Section 3 shall be maintained by the City Clerk or his/her designate and a copy of such record shall be provided to each Councillor as required for income tax purposes.
5. (1) In the event of a leave of absence being approved for a Councillor by Council, the Councillor will be entitled to a pro-rated share of remuneration.
- (2) Notwithstanding subsection 1, upon the resignation of a Councillor, the departure from the Office of Councillor during the general election process, or the election of a Councillor during a by-election or general election, a Councillor will be entitled to a pro-rated share of remuneration for the applicable month.

- (3) A Councillor assuming the Office of Mayor or Deputy Mayor due to the resignation of the incumbent, will be entitled to a pro-rated share of remuneration at the Mayor/Deputy Mayor rate as applicable from the date of assuming the office.
6. Subject to Section 7, the Council shall reimburse a Councillor in accordance with these regulations for expenses incurred in the conduct of municipal business previously authorized by the Council.
7. Notwithstanding Section 6, the expenses for which a Councillor may be reimbursed shall be as follows:
- (1) for accommodation, the actual cost as verified by receipt or to a maximum of \$25 where no receipt is provided;
  - (2) for transportation –
    - (i) in the case of the use of a personal vehicle, at a rate per kilometer to be fixed by Council in the *Travel Expenses-Mayor & Council Policy* or a fixed car allowance of \$200 per month for the Mayor for use of his/her personal vehicle in carrying out the duties of the office of Mayor.
    - (ii) in the case of the use of other transportation, costs as verified by receipt.
  - (3) for per diem including meals, at a rate to be fixed by Council in the *Travel Expenses-Mayor & Council Policy*;
  - (4) other expenses as provided in the *Travel Expenses – Mayor & Council Policy*.
8. (1) A Councillor may be reimbursed for the expenses referred to in Section 7 by submitting to the City Clerk or his/her designate a claim in such form as the Council may present.

(2) A claim submitted pursuant to subsection (1) shall be certified by the City Clerk or his/her designate and shall be paid by Council cheque.

9. A summary of Council travel expense will be provided to Council semi-annually and reported on at a public meeting.
10. All previously adopted minutes pertaining to Councillors' remuneration and reimbursement are hereby repealed.
11. These regulations were adopted by resolution at a meeting of Council held on the 15<sup>th</sup> day of October, 2003, and will come into effect on the 15<sup>th</sup> day of October, 2003.

**Appendix "A"**  
**Schedule of Annual Remuneration**

|              |    |        |
|--------------|----|--------|
| Mayor        | \$ | 24,622 |
| Deputy Mayor | \$ | 14,678 |
| Councillor   | \$ | 13,369 |

Approved by Council at its regular meeting of December 11, 2002, during the approval of the 2003 budget to take effect January 1, 2003.

Amendment to:

**THE CITY OF CORNER BROOK COUNCIL REMUNERATION AND  
REIMBURSEMENT REGULATIONS**

9. A summary of Council travel expense by **Councillor** will be provided to Council semi-annually and reported on at a public meeting.

Minute 04-39, 24 March 2004

Minute 04-61, 21 April 2004

## City of Corner Brook

### Council Remuneration and Reimbursement Regulations AMENDMENT

Pursuant to the authority vested in it by virtue of Section 18 of the City of Corner Brook Act, Chapter C-15 RSN 1990 and amendments thereto, and all other powers enabling it, the Council of the City of Corner Brook hereby enacts the following amendment to the Council Remuneration and Reimbursement Regulations:

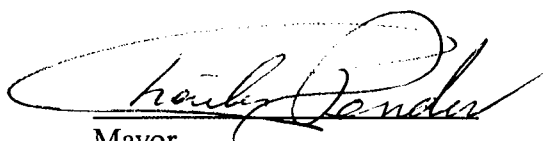
Section 7 of the City of Corner Brook Council Remuneration and Reimbursement Regulations is amended by adding the following subsection:

- (5) Any member of Council may be reimbursed for a loss of substantiated income or vacation leave for a normal work day when they are required to take time from their jobs for City business.

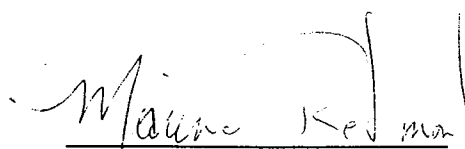
Claims must be based on the following criteria:

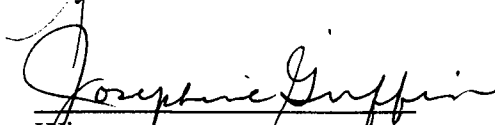
- The business must be approved by Council.
- Travel must be able to be funded within the Councillor's annual allocation.
- A maximum of \$250 per diem will be reimbursed to the employer or Councillor.
- Loss of benefit to a maximum of five (5) days per year will be reimbursed.

In WITNESS WHEREOF this amendment is sealed with the common seal of the City of Corner Brook and has been subscribed by and on behalf of the Council by the Mayor and City Clerk on this 16th day of May 2006.

  
Mayor

1st reading: 17 April 2006  
2<sup>nd</sup> reading: 15 May 2006  
Published in Western Star: 20 May 2006

  
City Clerk

  
Witness

**JOSEPHINE GRIFFIN**  
A Commissioner for Oaths in and  
for the Province of Newfoundland  
and Labrador. My Commission  
expires on December 31, 2008.

## City of Corner Brook

### Council Remuneration and Reimbursement Regulation

Pursuant to the powers vested in it by virtue of Section 18 of the City of Corner Brook Act, 1990, and all other enabling powers, the Council of the City of Corner Brook, hereby adopts and enacts the following amendment to Council Remuneration and Reimbursement Regulation as follows:

*Rescind "Appendix A – Schedule of Annual Remuneration" and replace as follows:*

#### *Appendix "A"*

#### *Schedule of Annual Remuneration*

|                      | <i>2010</i>      | <i>2011</i>      | <i>2012</i>      | <i>2013</i>      |
|----------------------|------------------|------------------|------------------|------------------|
| <i>Mayor:</i>        | <i>29,162.25</i> | <i>30,941.50</i> | <i>32,720.75</i> | <i>34,500.00</i> |
| <i>Deputy Mayor:</i> | <i>18,166.50</i> | <i>20,111.00</i> | <i>22,055.50</i> | <i>24,000.00</i> |
| <i>Councillor:</i>   | <i>16,632.75</i> | <i>18,588.50</i> | <i>20,544.25</i> | <i>22,500.00</i> |

#### **Rescind Section 2 and Replace as follows:**

The annual remuneration referred to in subsection (1) shall be adjusted as outlined in Appendix A "***Schedule of Annual Remuneration***", and on January 1 of each ensuing year, to match management salary adjustments.

#### **Rescind Section 7(1) and replace as follows:**

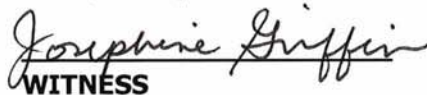
"for accommodation, the actual cost as verified by receipt or, for private accommodations at a rate to be fixed by Council in the *Travel Expenses - Accommodations* policy



Section 7(2)( i) Delete the wording "*Travel Expenses – Mayor & Council Policy*" and replace with "*Travel Expenses - Automobile Usage* policy"

Section 7(3) – Delete the wording "*Travel Expenses – Mayor & Council Policy*" and replace with "*Travel Claim - Council* policy"

Section 7(4) – Delete the wording "*Travel Expenses – Mayor & Council Policy*" and replace with "*Travel Claim - Miscellaneous* policy"

**IN WITNESS WHEREOF** these amendments are sealed with the Seal of the City of Corner Brook and signed on behalf of Council by Neville L. Greeley, Mayor and Marina Redmond, City Clerk at Corner Brook, in the province of Newfoundland this 20 day of April, A.D. 2010.

  
**WITNESS**

  
**MAYOR**  
  
**CITY CLERK**

Notice of Amendments:

Advertised in the Western Star: Saturday, 24 April 2010

First Reading: March 15, 2010

Second Reading: April 19, 2010


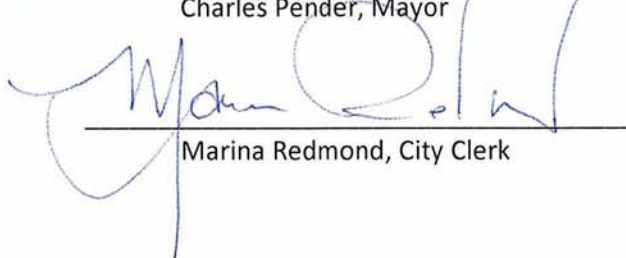


**Council Remuneration and Reimbursement Regulation Amendment:**

**PURSUANT** to the powers vested in it by virtue of Section 18 of the City of Corner Brook Act, R.S.N.L. 1990, c. C-15, and amendments thereto, and all other powers it enabling, the Corner Brook City Council, in a session convened on the 7 October 2013 hereby passes and enacts the following amendments to the Council Remuneration and Reimbursement Regulation

Rescind Section 2 and Replace as follows:

The annual remuneration for Council shall remain at the rate established for 1 January 2013 for the duration of Council's four year term of office.

  
\_\_\_\_\_  
Charles Pender, Mayor  
  
\_\_\_\_\_  
Marina Redmond, City Clerk

**First Reading: 29 September 2013**

**Second Reading: 7 October 2013**



**Published by Authority**

Pursuant to authority conferred by Section 18 of The City of Corner Brook Act, Chapter C-15, RSN 1990, the City of Corner Brook has made the following regulations.

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Mayor

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City Clerk

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**Regulations**

1. These regulations may be cited as the City of Corner Brook Council Remuneration and Reimbursement Regulations 2018.
2. Interpretation: In these regulations, unless the context otherwise requires:
  - a. "Act" means The City of Corner Brook Act;
  - b. "City Clerk" means a City Clerk appointed as such pursuant to the provisions of the Act;
  - c. "Council" means a City Council pursuant to the provisions of the Act;
  - d. "Leave of Absence" means a period of time during which a Councillor is not involved with the activities of Council with the approval of Council and without remuneration for the period of the approved leave of absence;
  - e. "Councillor" includes the Mayor, Deputy Mayor and Councillors.
3. Council may, by two-thirds vote of the Councillors as determined in accordance with Section 18 of the Act, pay an annual remuneration to the Mayor, Deputy Mayor and Councillors, and shall fix the amount to be paid to each of them. The amount of annual remuneration to the Mayor, Deputy Mayor and Councillors shall be listed in Appendix A of this Regulation.
4. The annual remuneration referred to in section 3 shall not adjusted without an amendment to these regulations and an amendment to Appendix A.

5. The annual remuneration package will include group life insurance coverage in the amount of \$30,000, accidental death and dismemberment benefits and enrollment, if desired by the Councillor, in the City of Comer Brook health and dental insurance program. All premiums for the coverage included in this section shall be 100% paid by the City of Comer Brook, provided the Councillor meets the terms and conditions of the program.
6. Remuneration paid pursuant to Section 3 shall be:
  - a. Paid on the last Thursday of each month by direct deposit to an account at a chartered bank as designated by each Councillor;
  - b. Identified on a statement of earnings and deductions to be made available to each Councillor each month.
7. In the event of a leave of absence being approved for a Councillor by Council, the Councillor will be entitled to a pro-rated share of remuneration for the month or part month work prior to the leave of absence being approved.
8. Notwithstanding section 7, upon the resignation of a Councillor, the departure from the Office of Councillor during the general election process, or the election of a Councillor during a by-election or general election, a Councillor will be entitled to a pro- rated share of remuneration for the applicable month.
9. A Councillor assuming the Office of Mayor or Deputy Mayor due to the resignation of the incumbent, will be entitled to a pro-rated share of remuneration at the Mayor/Deputy Mayor rate as applicable from the date of assuming the office.
10. Subject to Section 11, the Council shall reimburse a Councillor in accordance with these regulations for expenses incurred in the conduct of municipal business authorized by the Council.
11. Notwithstanding Section 11 the expenses for which a Councillor may be reimbursed shall be as follows:
  - a. for accommodation, the actual cost as verified by receipt, or for private accommodations at a rate to be fixed by Council in the *Travel Expenses – Accommodations Policy*;
  - b. for transportation
    - i. In the case of the use of a personal vehicle, at a rate per kilometer as approved by Council in the *Travel Expenses – Automobile Usage Policy*;
    - ii. or a fixed car allowance of \$200 per month for the Mayor for use of his/her personal vehicle in carrying out the duties of the office of Mayor;
    - iii. In the case of the use of other transportation, costs as verified by receipt;

- c. for per diem including meals, at a rate to be fixed by Council in the *Travel Claim – Council Policy*;
  - d. Other expenses as provided in the *Travel Claim – Miscellaneous Policy*.
  - e. Loss of substantiated income or vacation leave for a normal work day when they are required to take time from their jobs for City business obligations or responsibilities. Claims must be based on the following criteria:
    - i. The City business obligation and responsibility must be prior approved by Council;
    - ii. Travel must be funded from the Council budget allocation;
    - iii. A maximum of \$250 per diem will be reimbursed to the employer or Councillor;
    - iv. The maximum number of days that may be claimed and reimbursed in a calendar year is five (5) days. The five (5) days will be prorated for any Councillor joining Council during a calendar year.
12. A Councillor may be reimbursed for the expenses referred to in Section 11 by submitting to the City Clerk or his/her designate a claim in such form as the Council may authorize.
13. A claim submitted pursuant to section 12 shall be certified by the City Manager or his/her designate and shall be paid by Council cheque or direct deposit as determined by the City.
14. A summary of Council travel expense by Councillor will be provided to Council semi-annually and reported on at a public meeting.
15. In the third year of each Council's term, Council shall conduct a comparative benchmarking exercise to review the current Council remuneration with other municipalities in the Province and those of similar size and circumstances. The benchmarking review shall be conducted by an external and independent third party. Any recommendation for a change in the Council remuneration from such review shall be implemented not prior to the first month of office for the next elected Council.
16. All previously adopted minutes pertaining to Councillors' remuneration and reimbursement are hereby repealed.
17. These regulations were adopted by resolution at a meeting of Council held on the \_\_\_\_ day of \_\_\_\_\_, 2018 and will come into effect on the 1<sup>st</sup> day of January 2019.

**Appendix “A”**  
**Schedule of Remuneration**

|              | <b><u>2019</u></b> |
|--------------|--------------------|
| Mayor        | \$39,300           |
| Deputy Mayor | \$27,120           |
| Councillor   | \$25,380           |

# Change in “one-third” federal tax exemption for elected officials

A guide for Canadian municipalities

Updated: Fall 2018

*A long-standing federal tax exemption for elected municipal office holders will expire on January 1, 2019—reducing their after-tax compensation. This document explains the change and outlines options for municipal governments to consider.*

## Contents

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## Acknowledgements

Thank you to the Nova Scotia Federation of Municipalities for information from the 2016 AMANS survey as well as for material from their summer 2018 newsletter, *Municipal Voice*, which provided valuable context. *Brooke, Will: One-Third Tax Exemption - NSFM Summer Newsletter Municipal Voice p. 10.*

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 Federation of Canadian Municipalities  
 24 Clarence Street  
 Ottawa, ON K1N 5P3  
[www.fcm.ca](http://www.fcm.ca)



## The issue

A municipal or provincial elected official may be paid a non-accountable allowance for work-related expenses. Under current federal tax law, such an allowance amounting to no more than one-third of the official’s salary-plus-allowances qualifies for a federal tax exemption. Effectively, for many elected officials, up to one-third of their total compensation is currently tax exempt.

**Federal legislation passed in 2017 eliminates this tax exemption effective January 1, 2019.**

**This will result in substantive changes to after-tax compensation for provincial and municipal elected officials.**

It is up to each individual municipality to decide if and how they will act to counteract the effects of this change for elected officials. Surveys by various provincial and territorial municipal associations have found that many municipalities are opting to fully compensate elected officials for the loss. Other municipalities have not yet made any changes and have told FCM they are not clear on what options exist. This brief guide was developed to assist municipalities in this process.

## Timeline

This tax exemption was introduced under the *Federal Income Tax Act* in 1946 to recognize the value of the work of elected officials. It sought to compensate officials who were incurring expenses without being adequately reimbursed. Initially, the exemption applied only to provincial MLAs. In 1953, it was extended to municipal elected officials.

Over the last 15 years, some larger municipalities have opted out of the tax exemption with the stated objective of bringing more transparency to government. For example, Ontario amended its *Municipal Act* in 2001 to provide flexibility to municipalities wishing to do this. Calgary’s city council eliminated its exemption in 2006.

In March 2017, the federal government passed Bill C-44, eliminating the one-third exemption for elected officials, effective January 1, 2019. The change applies to all elected provincial and municipal officials in Canada and will result in substantive changes to their after-tax compensation.

The government justified this change on the basis that it “provides an advantage that other Canadians do not enjoy.” Reimbursements for specific expenses, accompanied by receipts, are not taxable—and this will remain so. In the government’s view, however, a special allowance that does not require receipt accounting *substitutes for salary*, and is therefore a taxable benefit.

In September 2017, FCM adopted a resolution to press the federal government to retain the exemption. FCM engaged with staff in the Department of Finance, and formalized municipal concerns in an October 2017 letter to Finance Minister Morneau, with a follow-up in June 2018. The Minister’s response reiterated the government’s rationale for the change:

*... [The] government took steps to bring the tax treatment of non-accountable allowances to municipal office holders in line with that afforded to other employees. An employer may reimburse work-related expenses on a tax-free basis, but non-accountable allowances may substitute for salary and are thus taxable.*

Minister Morneau’s letter underlined that the government will not reverse its decision in this matter.

## Implications

Elected officials who are currently paying income tax on only two-thirds of their total compensation (salary plus allowances) will lose that benefit. As of January 1, 2019, all compensation will be taxed as full income and be subject to deductions for Canada Pension Plan (CPP) contributions. This will decrease after-tax compensation for elected municipal officials.

In a July 2018 news release, Nova Scotia Federation of Municipalities (NSFM) President Geoff Stewart said: “Under the 2019 tax laws, a councillor in a small-to-mid-sized Nova Scotian town ... could see about 10.5 per cent less in their pockets, and 12.9 per cent less for a rural councillor.”

In responding to this change, some communities have decided that an overall increase in total remuneration for elected officials is necessary to fully or partially replace lost compensation. To balance their budgets, municipalities may need to increase property taxes or find off-setting cost savings. The net impact on municipal budgets, will, in many cases, be significant, especially in smaller, less well-resourced communities. Municipalities with limited property tax bases will be disadvantaged as they seek to maintain appropriate levels of compensation, and some may be unable to achieve this.

The FCM letter to the Minister in June 2018 included cost implication data from various PTA surveys:

Municipalities have undertaken efforts to quantify the financial implications of the elimination of the 1/3 non-accountable allowance. The Associations of Municipalities of Ontario (AMO) estimates that the cost increase for a central Ontario municipality with a council of nine and a population of 30,000 will be at least \$28,000, whereas the cost increase for an eastern Ontario county council of seventeen and a population of 77,000 will be at least \$74,000. AMO also estimates that for almost half of Ontario’s municipal governments, a one per cent property tax increase raises only \$50,000 in additional revenues.

Sample calculations from data collected from the 2016 AMANS (Association of Municipal Administrators Nova Scotia) survey showed that for an average Nova Scotia municipal councillor, annual pay would have to be increased by \$3,605.

## Options for municipalities

It is up to each individual municipality to decide how they will address this change in federal tax law, and its reduction of after-tax compensation for elected officials. Options to consider include the following.

### Option 1: Compensating salary increase (full)

Municipalities could adjust *pre-tax compensation* for 2019 to maintain elected officials' *after-tax* compensation at 2018 levels. Many municipalities have already taken this action. For example, this was the approach recommended by the Nova Scotia Federation of Municipalities.

The **benefits** of this approach are significant. It recognizes the increasing time commitments of complex and varied municipal duties. In doing so, it helps attract a diversity of candidates to municipal level participation (a growing concern). The **costs** of this approach are also significant, requiring offsetting cost-savings and/or increases in property taxes. This is difficult in an environment where municipal budgets are increasingly under pressure from rising expectations and increasing costs for products and services. Many municipalities are already struggling to provide appropriate compensation levels.

To publicly **communicate** the need for pay raises or property tax increases, effective strategies will emphasize the positive aspects of change. *This is about the community protecting hardworking local officials from an arbitrary pay cut imposed by federal legislation without consultation. We would have preferred to see the federal government reverse this change and its impact on local government—but they did not, and so we had to act.*

This complex issue requires special and perhaps direct messaging. Town hall events could be an opportunity to openly share details and answer questions. Elected officials could reach out to constituents on social media platforms and even face-to-face meetings. Early PR briefings for journalists can help get the right messages communicated from the outset.

### Option 2: Compensating salary increase (partial)

Municipalities could increase salaries for 2019 to ease, but not negate, the decrease in elected officials' after-tax compensation. As an alternative to a fully-compensating increase, this means **fewer benefits** but also **lower financial costs**.

The reality here is that elected officials will face some personal loss of after-tax income. For municipalities, this will also compound the challenge of attracting many and diverse candidates for elected office. However, if a municipality decides it cannot find savings or revenues to support a fully-compensating salary increase, a partial increase can deliver some of the benefits.

To publicly **communicate** the change, the same logic applies as for Option 1: emphasize the positives of protecting hardworking local leaders from an arbitrary pay cut imposed by federal legislation without consultation.

### Option 3: Expanded expense policies

As an alternative—or supplement—to increasing pre-tax salaries, municipalities can develop more comprehensive reimbursement plans for expenses incurred. This could include both the types of expenses and the total amounts of reimbursement available.

Before changing expense policies, municipalities should determine which expenses council members can claim as non-taxable through the Canada Revenue Agency (CRA). For example, expenses that are currently being covered by the income tax exemption could be addressed as an expense to be reimbursed by administrative policy, as are other non-taxable expenses.

According to the CRA, whether or not a benefit is taxable “depends on whether an individual [elected official] receives an economic advantage that can be measured in money, and whether the individual is the primary beneficiary” (as opposed to the municipality as their employer). [This CRA resource](#) outlines both taxable and non-taxable benefits.<sup>1</sup>

### Option 4: No action

Taking no action effectively decreases take-home compensation for affected officials, with no immediate effect on municipal budgets. This option avoids the immediate need to find cost-savings, contemplate property tax increases, or communicate changes to the public.

Elected officials will face a loss of income, however. This, in turn may discourage participation in municipal administration, especially among youth. This is a real threat for the smaller municipalities that may struggle most to boost salaries—and where even current compensation rates can be a barrier to more inclusive participation.

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<sup>1</sup> <https://www.canada.ca/en/revenue-agency/services/forms-publications/publications/t4044/employment-expenses-2016.html>



## What are municipalities doing?

The Nova Scotia Federation of Municipalities (NSFM) Board passed a resolution in June 2018 recognizing the need to support elected officials in avoiding abrupt changes in remuneration. It recommends that pre-tax compensation for elected officials be adjusted to allow them to maintain the same levels of post-tax compensation after the law takes effect in 2019. Many other municipalities in Canada (including in Ontario and British Columbia) are opting for this solution.

To help in their decision-making some municipalities are retaining consultants or conducting in-house assessments to study their financial situation. As well, some are creating citizens’ committees or committees of council to conduct reviews before making final decisions to move forward.

The federal finance department does recommend that municipalities find out which expenses their council members can claim as non-taxable through the Canada Revenue Agency (CRA), before the changes take effect. For example, certain expenses that are currently being covered by the income tax exemption could be addressed administratively, as are other non-taxable expenses.