

MUNICIPAL COUNCIL

The Regular Session of the Municipal Council of the Municipality of the County of Colchester was conducted virtually via Zoom Webinars on Thursday, June 25, 2020 at 6:00 pm.

Roll Call

The roll was called with the following Councillors in attendance:

Mayor Christine Blair, Chair	
Councillor Eric Boutilier	District 1
Councillor Bill Masters	District 2
Deputy Mayor Geoff Stewart	District 3
Councillor Mike Cooper	District 4
Councillor Lloyd Gibbs	District 5
Councillor Karen MacKenzie	District 6
Councillor Michael Gregory	District 7
Councillor Ron Cavanaugh	District 8
Councillor Bob Pash	District 9
Councillor Tom Taggart	District 10
Councillor Wade Parker	District 11

Staff Present

Rob Simonds, Chief Administrative Officer (CAO)
 Michelle Newell, Director of Public Works
 Scott Fraser, Director of Corporate Services/Acting Director of Solid Waste
 Crawford Macpherson, Director of Community Development
 Dennis James, Municipal Solicitor
 Tracey Veno, Recording Secretary
 Mark Austin, Economic Development Officer
 Devin Trefry, Research, Policy, and Community Engagement Officer
 Craig Burgess, Recreation Manager
 Tim Smith, IT Manager
 Guy Wheeler, Returning Officer

Council observed a moment of silence for Tom Chisholm who passed away Monday, June 22nd. Mr. Chisholm served as a Councillor with the Town of Truro.

Due to a directive by the Minister of Municipal Affairs and Housing pursuant to the provincial State of Emergency related to COVID-19, all Colchester Council meetings must be held remotely by teleconference or on a virtual platform. In order to ensure transparency and honour the commitment for Colchester Council to conduct its business in public, these draft minutes are being posted within twenty-four hours of the meeting. They will not be reviewed and approved until the next regularly scheduled meeting of Colchester Council on August 27, 2020. Until these minutes are formally approved by Colchester Council they cannot be relied on as an official record of the June 25, 2020 meeting.

Approval of Agenda

Moved by Councillor Parker
 Seconded by Councillor Gregory

“That the agenda be approved with the following additions:

- Item 12b, Sewer Connections;
- Item 12c, Department of Municipal Affairs Consultation;
- Item 16b, Trailer Parks;
- Item 21b, Property Matter in Closed Session; and,
- Item 21c, Legal Matter in Closed Session.”

Motion Carried Unanimously.

Approval of Minutes

Moved by Councillor Taggart
Seconded by Councillor Boutilier

“That the minutes of the meeting held on May 28, 2020, be approved as presented.”

Motion Carried Unanimously.

Business Arising from Minutes

There was no business arising from the minutes of the meeting held on May 28, 2020.

Standing Committee Reports and Recommendations

Deputy Mayor Stewart, Chair of Council Committee, presented the report from the meeting held on June 11, 2020:

Insurance for Colchester Ground Search and Rescue Volunteers

Moved by Deputy Mayor Stewart
Seconded by Councillor Boutilier

“That Council approves that the same insurance benefit coverage as approved for the Volunteer Fire Services be provided to the Colchester Ground Search and Rescue Association; and

That staff seek cost sharing opportunities with our other Municipal partners.”

Motion Carried Unanimously.

Updated Terms of Reference for Flood Advisory Committee, Debert Source Water Protection Advisory Committee, and French River Source Water Protection Advisory Committee

Moved by Deputy Mayor Stewart
Seconded by Councillor Gregory

“That the amendments to the Terms of Reference for the County Flood Advisory Committee, Debert Source Water Protection Advisory Committee, and French River Source Water Protection Advisory Committee be approved, as presented.”

Motion Carried Unanimously.

Council Proceedings and Committees Policy Amendments

Moved by Deputy Mayor Stewart
Seconded by Councillor Parker

“That the amendments to the Council Proceedings and Committees Policy be approved, as presented.”

Motion Carried Unanimously.

Interest Policy Amendments

Moved by Deputy Mayor Stewart
Seconded by Councillor Gibbs

“That the amendments to the Interest Policy be approved, as presented.”

Code of Conduct Complaint Policy

Councillor Cooper advised of a possible error in the Code of Conduct Complaint Policy – Section 5c refers to Section 6 Informal Resolutions; this should be Section 7 instead of Section 6.

Moved by Deputy Mayor Stewart
Seconded by Councillor Gregory

“That the Code of Conduct Complaint Policy be adopted, with the noted amendment.”

Motion Carried Unanimously.

Executive Committee Minutes of Meetings Held on May 26 and June 2, 2020

Moved by Councillor Cooper
Seconded by Councillor Pash

“That Council receives the Executive minutes of meetings held on May 26 and June 2, 2020, as presented.”

Motion Carried Unanimously.

ACTION ITEMS

**Authority to Award –
Tatamagouche Sewer Upgrades**

Moved by Councillor Gregory
Seconded by Councillor Gibbs

“That Council authorizes Council Committee at their meeting on August 13, 2020, to award the tender for the Phase 5 Sewer Replacement Project in Tatamagouche.”

Motion Carried Unanimously.

**Streetlight at Intersection of
Broderick Lane and Highway 2**

Michell Newell, Director of Public Works, advised that at the June Council Committee meeting, staff was directed to investigate the possible installation of a streetlight at the corner of Broderick Lane and Highway 2 in Five Islands.

Broderick Lane is a private road that leads to the Five Islands Lighthouse Park which is owned and maintained by the Municipality and Highway 2 is provincially owned. Staff's review included consideration of operating hours of the park as well as comparison of other side streets off Highway 2 in cottage country. Ms. Newell noted that street lights are usually considered for critical intersections and staff does not deem this to be a critical road intersection and does not recommend funding a streetlight at this location.

Brief discussion was held on responsibilities of clearing of trees along the road to the right of the entrance of the park. Ms. Newell noted that this is usually a provincial responsibility however, in this instance, it may be different as Broderick Lane is a private road. Staff will look into clearing some of the vegetation along the road, with permission of the property owner.

Moved by Deputy Mayor Stewart
Seconded by Councillor Gregory

"That Council decline the request to fund the installation of a streetlight at the corner of Highway 2 and Broderick Lane."

Motion Carried. *(Councillor Taggart opposed)*

First Reading – Municipal Elections By-law

Devin Trefry, Research, Policy, and Community Engagement Officer, provided a brief overview of this item noting that this By-law would allow for having additional advance poll dates. Given the uncertainties around Covid-19, additional dates would help to mitigate risks by having more days to stagger out voting. First Reading of a by-law is essentially to announce Council's intent to consider adoption and advance to Second Reading.

Moved by Councillor Gibbs
Seconded by Councillor Pash

"That Council approves, by way of First Reading, the Municipal Elections By-law."

Motion Carried Unanimously.

Rob Simonds, CAO, indicated that due to time constraints, Council should consider timelines for Second Reading. With the advertisement of Notice of Intent being Monday, June 29th, the earliest possible date to consider Second Reading would be July 14th. It was agreed that a Special Council meeting be held virtually on Tuesday, July 14th at 6 pm.

2020 Municipal Election – Fee Schedule

Guy Wheeler, Returning Officer, presented the proposed Fee Schedule for the upcoming Municipal Election. The tariff of fees and expenses was last reviewed in 2016, with some rates being the same since 2012. Key considerations included consistency of rates for positions for different polls; inclusion of an Elections Constable position to direct traffic and limit numbers at each poll to help mitigate risk of Covid-19; and, the addition of Stand-by Workers. For comparison purposes, rates paid in 2016 and proposed rates for 2020 were outlined in the Action Item. Also included in the presentation were proposed rates for polling stations and overall resource implications based on a full election.

Brief discussion was held on comparables for the fee schedule and the challenges of getting workers.

Moved by Councillor Masters
Seconded by Councillor Gregory

“That Council approves the Schedule of Fees for the 2020 Municipal Election as presented.”

Motion Carried Unanimously.

2020 Municipal Election – Advanced Polls

The Municipal Elections Act mandates Tuesday, October 13th as one date for advanced polls and a second date as determined by Council. Mr. Wheeler advised the two options for the second advance poll date: Thursday, October 8th or Saturday, October 10th. Staff do not recommend the Saturday date as this falls on Thanksgiving weekend.

Moved by Councillor Gregory
Seconded by Councillor Pash

“That the dates for the Advances Polls in the 2020 Municipal Election be set as Thursday, October 8 and Tuesday, October 13, 2020.”

Motion Carried Unanimously.

Policing Resolution (FCM)

Mayor Blair advised that at the June Committee meeting, Councillor Taggart addressed the issue of bringing a policing resolution to FCM. Councillor Taggart advised that he has been working with FCM staff on this resolution, which was forwarded earlier today to Council via email.

Moved by Councillor Taggart
Seconded by Councillor Boutilier

“That Council approves the following RCMP Community Policing Resolution and endorses Councillor Taggart to advance this for consideration at the FCM Board meeting in September:

WHEREAS the RCMP currently provides contract policing services to all Canadian provinces and territories, with the exception of Ontario and Quebec, covering 75% of Canada’s geography, over one-fifth of Canada’s population, and approximately 150 municipalities;

WHEREAS the RCMP contract policing program operates under Provincial/ Territorial Police Service Agreements (PPSA; PTSA) and Municipal Police Service Agreements (MPSA), through which provinces/ territories and municipalities establish police resources, budgets, and priorities, in consultation with the RCMP;

WHEREAS The RCMP counts transfers, health-related absences, vacations, leaves, and other ‘soft’ vacancies towards meeting the agreed-upon Police Service Agreement (PSA) staffing levels;

WHEREAS In May 2019, the House of Commons Standing Committee on Public Safety and National Security reported that shortages in RCMP detachments have left rural residents unprotected for hours or even days;

WHEREAS In May 2019, the House of Commons Standing Committee on Public Safety and National Security concluded that effective crime reduction has four components, including adequate police resources, partnerships with communities, robust victim supports, and a justice system that inspires public confidence;

WHEREAS the deadliest mass shooting in Canadian history has brought urgency to the issue of modernizing the RCMP; and

WHEREAS the Black Lives Matter movement and calls to justice of the National Inquiry into Missing and Murdered Indigenous Women and Girls are bringing to light the need to reform policing;

THEREFORE, BE IT RESOLVED that the Federation of Canadian Municipalities urge the federal government to work with the RCMP to amend the definition of staffing levels, under PPSAs, PTSAs, and MPSAs, to ensure that transfers, health-related absences, vacations, leaves, and other 'soft' vacancies do not count towards staffing levels under those agreements;

RESOLVED that the Federation of Canadian Municipalities urge the federal government to work with the RCMP and Canadian municipalities to increase RCMP graduation rates in order to ensure adequate staffing in rural communities and in a manner that integrates officers into those communities in order to maximize the prevention of crime and community safety.

RESOLVED that the Federation of Canadian Municipalities urge the federal government to work with municipalities in order to modernize the RCMP contract policing program to ensure that the program provides not only police resources but also resources for partnership development with health and social service agencies at the local level, particularly those that are run by and serve black, indigenous and other racialized communities.”

Motion Carried Unanimously.

Councillor Taggart thanked Council for their support on this matter and requested that staff forward the resolution and necessary paperwork to FCM prior to the deadline.

Debert Business Park Advisory Committee

Referring to the recently approved Debert Business Park Advisory Committee, Councillor Taggart indicated that due to timelines with Council's summer recess and the upcoming Municipal Election, it would be challenging to get a full Committee in place and requested that an interim Committee be struck with Council members and staff representatives as per the approved Terms of Reference, as soon as possible.

Moved by Councillor Taggart
Seconded by Councillor Pash

“That Council directs that the Nominating Committee call for expressions of interest for Council representation on the Debert Business Park Advisory Committee, as per the approved Terms of Reference, prior to the August 13th Council Committee meeting; and,

That authority be granted to August Committee to approve recommendations of the Nominating Committee for Council appointments to the Debert Business Park Advisory Committee.”

Motion Carried Unanimously.

Sewer Connections

Councillor Parker indicated that he received a letter from a constituent regarding a reduced rate for sewer connection if cutting into the pavement was not required to make the connection.

The Director of Public Works advised that the rates are set as per the Municipal Fees Policy. The set rate is \$3,500 and this is the average rate of all installs.

Department of Municipal Affairs and Housing Consultation

Councillor Cooper expressed concern relative to the process of the Department of Municipal Affairs and Housing consultations that took place earlier today on Code of Conduct; Accessibility; Elected Officials running for other levels of government; and Housing. The amount of time for municipalities to provide feedback on matters of such importance was not sufficient.

Brief discussion was held on the process and timelines for the consultation; the timelines not permitting Council to provide feedback on the issues as a whole; Council members participating in the Zoom meetings earlier today could only offer individual opinions; and, this being another example of downloading by the province.

Moved by Councillor Cooper
Seconded by Councillor Taggart

“That a letter be sent to the Premier expressing Council’s concerns with the recent consultation process by the Department of Municipal Affairs and Housing that did not reflect the time and attention required to generate meaningful discussion on such important issues.”

Motion Carried Unanimously.

Correspondence - ACTION

Laura Cunningham, Capital Program Administration Officer, NSTIR

A letter to the CAO regarding the Three-Year Cost Share Agreement for Subdivisions Streets.

Moved by Councillor Boutilier
Seconded by Councillor Cavanaugh

“That Council grant authority to August Committee to make a final decision on the Three-Year Cost Share Agreement for Subdivision Streets.”

Motion Carried. (*Councillors Cooper, Gibbs, MacKenzie, Taggart and Parker opposed*)

Pam Macintosh, Planner

A memo and documentation regarding a rezoning application by the Hilden Fire Brigade.

Moved by Deputy Mayor Stewart
Seconded by Councillor Gibbs

“That the letter from the Hilden Fire Brigade be referred to the Planning Advisory Committee.”

Motion Carried. (*Councillor MacKenzie was not available for the vote on this motion*)

Pam Macintosh, Planner

A memo concerning a Development Agreement Application by 3086385 NS Ltd. (Joe Pinto), PID 20205366, Highway 2, Hilden.

Moved by Deputy Mayor Stewart
Seconded by Councillor Pash

“That the Development Agreement Application by 3086385 NS Ltd. (Joe Pinto), PID 20205366, Highway 2, Hilden, be referred to the Planning Advisory Committee.”

Motion Carried Unanimously.

Correspondence - INFORMATION

Development Officer

A copy of the Development Activity Report received from the Development Officer for the month of May 2020. Council agreed to receive the report for information purposes.

Building Inspector

A copy of the Building Permit Statistics received from the Building Inspector for the month of May 2020. Council agreed to receive the report for information purposes.

**Chuck Porter, Minister of
Municipal Affairs and Housing**

Letter to Mayor Blair in response to the Municipality’s letter concerning the 2.9% increase for education.

Concern was expressed with the response from Minister Porter which addressed the 2.9% increase in education funding, however, did not address the significant amount of money being saved through heating costs, fuel, and substitute teachers due to Covid-19.

INFORMATION ITEMS

Covid-19 Update

As per the request of Council at the March 26th meeting, this item serves to provide Council with ongoing operational and administrative updates and implications relative to the COVID-19 Pandemic.

An update was requested on the variance for recycle materials. Scott Fraser, Acting Director of Solid Waste, advised that a letter has been written to the

Minister requesting an extension to July 20th, when staff hope to have the Personal Protective Equipment in place for staff's safe return to work. At this point, staff feel that there should be no problems in getting an extension on the variance.

2020 Municipal Election – Polling Locations

This item provides Council with proposed voting locations for the 2020 Municipal Election.

Councillor Gregory suggested that a location in Central New Annan may be better than in Bayhead for District 7. Councillor Parker suggested Bible Hill Junior High as a location for District 11. Mr. Wheeler indicated that inspections still need to be carried out before confirming locations and any feedback from Council members is welcomed.

Financial Snapshot

Councillor Boutilier advised that he has been hearing information about financials for municipal, provincial and federal levels of government and indicated he would like to have an update on Colchester financials including tax monies coming in, as well as the contingency for Covid that was put in place.

Scott Fraser, Director of Corporate Services, indicated that there was a report in media recently talking about the challenges municipalities are facing. These challenges are more around services such as transit systems. Colchester's advantage is that there are not a lot of programs/services like transit systems that are being impacted. Programs that Colchester offer usually are offset by expenses which can be avoided if the programs do not run.

There is a slight slow down in tax collection but nothing significant to date. Staff continue to monitor this daily. Additionally, there has been no significant changes in deed transfer tax. Overall, there has been no significant impact thus far for the Municipality.

Colchester no longer has the Library contribution to the Town which helped to enable the contingency in the budget for Covid. A portion of the contingency has been used for the Low Income Municipal Tax Exemption Program.

First quarter financials will be available to Council soon and will highlight any Covid implications.

Trailer Parks

Referring to discussions at the June 11th Committee meeting, Councillor Taggart provided a slideshow presentation to show the seriousness of the trailer park issue. The presentation included a map showing one of the trailer park locations; photos of various sites with one or more trailers; photos showing illegal power connections; photos of neighbouring homes; and examples of taxes being paid by homeowners versus landowners of these trailer parks. Councillor Taggart also indicated that there is no garbage pick up at these sites. The container that was put in place for the residents of Orchard Beach is being used by trailer parks for dumping garbage. Mayor Blair indicated that she is also getting a number of calls concerning this issue. Some of the concerns are that these sites have no sewer and water and restrictions need to be put in place to protect homeowners.

Dennis James, Municipal Solicitor, indicated that initially there was hope that this might be addressed through provincial legislation, however the Act regulating this is no longer in effect as of March 31. The new Act in place does not deal with camping however the government promised that something for the management of campgrounds was forthcoming. With this void in provincial legislation, a fix for the issue will have to come from the Municipality which would require a By-law. Staff and legal are looking at all of the options. It will not be an easy process but hopefully something can be brought forward in August for Council review and consideration.

Crawford Macpherson, Director of Community Development, reported that staff have already started preliminary work on this, canvassing other municipalities in Nova Scotia. There may be only two other municipalities trying to deal with this through zoning. Mr. Macpherson noted that this should be dealt with through a Land-Use By-law however, this will take time. In the interim a by-law is required to deal with the issue. Staff need to have directive from Council regarding what they want regulated, such as number of units, servicing, screening, and/or size of development.

Discussion was held on the possibility of this going to the Planning Advisory Committee; putting appropriate tax rates in place; regulations for more than one trailer on a lot requiring sewer, water, power; change tax rate to commercial; getting the Department of Environment involved; putting standards in place that are acceptable to the community. Mr. Macpherson indicated that staff are currently looking at standards for licensed campgrounds.

Moved by Councillor Boutilier
Seconded by Councillor Gregory

“That unlicensed trailer parks be referred to the Planning Committee to investigate all the parameters surrounding this issue on all shores in Colchester County.”

Motion Carried Unanimously.

**Reports from Councillors
Appointed to Outside Boards and
Agencies**

Copies of reports from the Mayor and Councillors were circulated in the package and/or as a separate attachment prior to this evenings meeting.

CLOSED SESSION

Moved by Councillor Parker
Seconded by Councillor Gregory

“That the meeting go into closed session at 8:39 pm.”

Motion Carried Unanimously.

Moved by Councillor Masters
Seconded by Councillor MacKenzie

“That the meeting reconvene in open session at 10:58pm pm.”

Motion Carried Unanimously.

Property Matter – Debert Tower Site Lease

Moved by Councillor Gregory
Seconded by Councillor Boutillier

“That Council authorizes the CAO to sign the revised Lease Agreement pending acceptance of our Legal Counsel.”

Motion Carried. *(Due to technical issues, Councillor Taggart was not available for the vote on this matter).*

Property Matter

Moved by Councillor Gregory
Seconded by Councillor Pash

“That Council proceed with the agreement as directed in Closed Session.”

Motion Carried. *(Deputy Mayor Stewart opposed. Due to technical issues, Councillor Taggart was not available for the vote on this matter).*

Property Matter - RECC

Moved by Councillor Gibbs
Seconded by Councillor Masters

“That Council grant authority to the CAO to award the acoustical baffle remediation contract within the tender pricing range of \$118,900 to \$189,000, which is based on a 50% share of these amounts. Approval of this expenditure is contingent on the Town of Truro Council approving the remaining 50% of the project cost.”

Motion Carried. *(Due to technical issues, Councillor Taggart was not available for the vote on this matter).*

Personnel Matter

Moved by Councillor MacKenzie
Seconded by Councillor Cooper

“That Council approves the salary adjustment for the Payroll/Payables Clerk Position from range 3.1 to range 5 on the non-union salary scales; and,

That the updated Payroll/Accounts Payable Clerk Position Description also be approved.”

Motion Carried. *(Due to technical issues, Councillor Taggart was not available for the vote on this matter).*

Personnel Matter

Moved by Deputy Mayor Stewart
Seconded by Councillor Gregory

“That Council approves recommendations regarding the CAO review as discussed in Closed Session, retroactive to April 13, 2019.”

Motion Carried. *(Councillor Parker opposed. Due to technical issues, Councillor Taggart was not available for the vote on this matter).*

ADJOURNMENT

Moved by Councillor MacKenzie

Seconded by Councillor Cooper

“That the meeting adjourn at 11:08 pm.”

Motion Carried Unanimously.

Tracey Veno
Recording Secretary

DRAFT