

## COUNCIL COMMITTEE

The Regular Session of the Council Committee of the Municipality of the County of Colchester was conducted virtually, via Zoom Webinars, on Thursday, December 10, 2020, beginning at 6:00 pm.

### Roll Call

The roll was called with the following Councillors in attendance:

Mayor Christine Blair	
Councillor Eric Boutilier	District 1
Councillor Laurie Sandeson	District 2
Deputy Mayor Geoff Stewart, Chair	District 3
Councillor Mike Cooper	District 4
Councillor Tim Johnson	District 5
Councillor Karen MacKenzie	District 6
Councillor Michael Gregory	District 7
Councillor Lisa Patton	District 8
Councillor Marie Benoit	District 9
Councillor Tom Taggart	District 10
Councillor Wade Parker	District 11

### Staff Present

Rob Simonds, Chief Administrative Officer (CAO)  
 Crawford Macpherson, Director of Community Development  
 Scott Fraser, Director of Corp. Services/Acting Director of Solid Waste  
 Michelle Newell, Director of Public Works  
 Dennis James, Municipal Solicitor  
 Tracey Veno, Recording Secretary  
 Devin Trefry, Research, Policy and Community Engagement Officer  
 Tim Smith, Manager of Information Services

### Approval of Agenda

Moved by Councillor Gregory  
 Seconded by Councillor Patton

“That the agenda be approved with the following amendments:

- Move the Closed Session Personnel Matter to Open Session as Item 10b;
- Add Item 10c, Orientation;
- Add Item 10d, Cliffs of Fundy Geopark; and,
- Add Item 10e, Rotary Club.”

Motion Carried Unanimously.

### Approval of Minutes

Moved by Councillor Parker  
 Seconded by Councillor Patton

“That the minutes of the meetings held on September 1, 29, November 12 and December 1, 2020, be approved as presented.”

Motion Carried Unanimously.

### Business Arising from Minutes

There was no business arising from the meetings held on September 1, 29, November 12 and December 1, 2020.

**Presentation – Conflict of Interest Briefing**

Dennis James, Municipal Solicitor, provided a briefing on Municipal Conflict of Interest, making reference to the *Municipal Conflict of Interest Act* as the primary source of information. This was distributed in the package for this evening's meeting. Other sources with emphasis on Conflict of Interest were noted including the Municipality's Code of Conduct as well as provisions under the *Municipal Government Act (MGA)*.

Referring to various sections and provisions within these sources, Mr. James provided a brief review on a number of items including definitions; requirements for declaring conflict in both open and closed session; refraining from influencing decision of Council before, during and after meetings; examples of conflicts of interest and exceptions; and, what could happen if in violation.

Mr. James advised that if any Council member is uncertain whether they are in conflict on any matter, they are welcome to contact him directly. He also noted that these conflicts guide not only for Council but any boards or committees appointed to in your role as a Council member.

**ACTION ITEMS**

**CIBC Overdraft Renewal – Banking Resolution**

Scott Fraser, Director of Corporate Services, indicated that from time to time, we are required to renew our banking resolution with CIBC. It was previously renewed in 2018. In consultation with our bank advisor, a request has been made to increase the limit to \$9.5 million from \$3.9 million, which has been in place for a number of years. CIBC has advised that the Municipality is eligible for the increase subject to a resolution of Council. Mr. Fraser advised Council that this is a contingency used periodically to meet cash flow needs.

Moved by Councillor Boutilier  
Seconded by Councillor Benoit

"That Council Committee recommends to Council, that the Borrowing Resolution be approved as presented."

Motion Carried Unanimously.

**Review of Expense Policy for Members of Council and CAO, and Hospitality Policy**

Devin Trefry, Research, Policy and Community Engagement Officer, indicated that in 2018, as mandated by the Province, Council adopted an Expense Policy for Members of Council and CAO as well as a Hospitality Policy. Minor amendments were made to the Expense Policy in 2019. Both policies stipulate that each must be reviewed by Council following a regular election and either be readopted or amended and adopt as amended. To date, there have been no issues with the policies as presented.

Moved by Councillor Taggart  
Seconded by Councillor MacKenzie

"That Council Committee recommend to Council that the Expense Policy for Members of Council and CAO and the Hospitality Policy, be readopted as presented."

Motion Carried Unanimously.

**Memorial Park**

Councillor Benoit advised that she was approached by some of the family members of the April tragedy about the development of a memorial park/playground, a place to pay respects to the victims and create positivity in the area. The park would be an asset to the community, accessible to the residents, and could be utilized by the business park as well. Councillor Benoit indicated that the community would be willing to volunteer their time and skills in the development of the park and the ongoing maintenance. The community is committed to giving back as shown with past fundraising of over \$20,000 for the families of the victims.

Responding to an inquiry on estimated budget, Councillor Benoit indicated that the discussions on this potential project are very preliminary. The ask of Council would be to donate a portion of land for the park.

Moved by Councillor Benoit  
Seconded by Councillor Sandeson

“That the request for a donation of land for a memorial park/playground in Debert be referred to staff to investigate and report back findings to Council.”

Motion Carried Unanimously.

**Colchester Legion Pipes and Drums – 75<sup>th</sup> Anniversary of the Liberation of the Netherlands**

Referring to the letter distributed in the Council package for this evening's meeting and for the benefit of new Council members, Mayor Blair provided background information on the \$15,000 grant to the Colchester Legion Pipes and Drums to attend the 75<sup>th</sup> Anniversary of the Liberation of the Netherlands. Due to the Covid pandemic the trip was cancelled and the funds have been returned to the Municipality. The event is being rescheduled in 2021 or 2022 and the group will come back to Council with a request for a funding contribution once rescheduled.

**Creamery Road Closure/Loss of Revenue**

Councillor Gregory provided a brief report on an email received from Jenna Jamieson regarding lost revenue at her store, Jamieson General Store, caused by the closure of the Creamery Road on December 4<sup>th</sup> due to ongoing construction work. The major concern was that business owners were not contacted about the road closure and they lost a lot of business on that day. Ms. Jamieson is looking for compensation for lost sales in the amount of \$722.64 due to the closure. Councillor Gregory advised that Michelle Newell, Director of Public Works, was in the area on that day and met with Ms. Jamieson.

Ms. Newell advised that it was realized late in the day on December 3<sup>rd</sup> that the road would be closed. Neighbouring businesses were notified first thing in the morning of the closure, however, nobody went back later in the day to advise others who were not available in the morning. This was an error of staff and a visit was paid to Ms. Jamieson and apologies were extended.

Council expressed interest in knowing how other municipal units handle these type of situations. Discussion was held on this being unfortunate, however, the sewer improvements are for the betterment of the community. Concerns were also raised about the numbers provided by Ms. Jamieson being a one dimensional analysis, a one day sales comparison; revenues

reported are sales rather than profit; the email not specifically making a request for compensation; and setting a precedent if compensation is provided. Although the request is not in the email, Councillor Gregory confirmed that the request was made verbally to him.

Moved by Councillor Gregory  
Seconded by Councillor Boutilier

“That staff investigate what other municipal units do in situations of loss of revenues to businesses due to construction projects and report back to Council.”

Motion Carried. *(Councillors Taggart and Parker opposed)*

#### **Personnel (item moved from Closed Session)**

As per the recommendations of the Nominating Committee at the November 30<sup>th</sup> Council meetings, Council appointed a number of Council and citizen appointments to the various Boards and Committees. Councillor Taggart advised that he had concerns that one of the appointees to the Audit Committee is a CAO from another municipal unit. Councillor Taggart indicated that although this is not in contravention of any legislation, and the person is an excellent and well-respected individual, he feels that it is inappropriate to have another government counterpart serving on this Committee. He wanted to raise the issue to ensure other Council members were aware of this.

Mayor Blair confirmed that prior to making their recommendations to Council, the Nominating Committee did its due diligence in determining whether the individual would be in conflict because of his employment. The Municipal Solicitor further noted that all information reviewed by the Audit Committee is accessible publicly, all budgetary reviews are done in open session and the Committee provides no direction and does not make recommendations to Council.

Discussion was held with some concern being expressed about the perception of this being a conflict. It was suggested that if Council is uncomfortable with this, a policy could be established to prevent it from happening on a go forward basis.

#### **Orientation**

Rob Simonds, CAO, presented a couple of dates to begin Council Orientation Sessions. With only one presentation booked for the January 5<sup>th</sup> Presentation meeting, the CAO suggested that following the public presentation, the remainder of the evening could be used for a corporate overview including current priorities, budgets, and initiatives. January 19<sup>th</sup> is the contingency date for our carry over night for Council Committee. This date could be reserved as a possibility to outside entities to make their presentation. An email will be circulated in the near future with options for consideration for a Saturday morning session.

Council agreed with January 5<sup>th</sup> beginning at 6:00 pm for the presentation, then proceeding with the Council orientation session immediately following, and continuing on January 19<sup>th</sup> beginning at 6:00 pm.

#### **Cliffs of Fundy Geopark**

This item was being brought forward as a follow up to the presentation on December 1<sup>st</sup> from the Executive Director for the Cliffs of Fundy Geopark

regarding a letter of support for their bid to host the 2023 International Global Geopark Conference. It was confirmed that a formal request for a letter of support was made at November Council via correspondence and following a motion of Council that evening, the letter of support has been forwarded.

#### **Rotary Club**

Councillor Taggart advised that this item was also being brought forward as a follow up to a presentation from the Rotary Club received on December 1<sup>st</sup>. Council received the presentation that evening but it was not referred to staff. He is in support of the Community Build Up Project and would like to see that the matter be referred to staff to bring back information to Council.

*Mayor Blair and Councillor Sandeson declared a conflict of interest on this matter and recused themselves from the discussion.*

Moved by Councillor Taggart  
Seconded by Councillor Boutilier

“That the request from the Rotary Club for their Community Build Up Project be referred to staff.”

Motion Carried Unanimously.

Brief discussion was held regarding source of funds for a Municipal contribution as well as funds collected by the Municipality in relation to the April tragedy. The Director of Corporate Services confirmed that as per a previous motion of Council, the Municipality was only holding the funds collected until such time the NS Legacy Fund was established. The organization is now fully established and the funds have been turned over to them.

*At this point, Mayor Blair and Councillor Sandeson rejoined the Council meeting.*

#### **INFORMATION ITEMS**

##### **Council Members Running for Other Levels of Government**

This Information Item provides an update to Council on a previously proposed requirement for Nova Scotia municipalities to develop and implement a policy on officials running for other levels of government. Staff findings on this matter discovered that changes would be required in provincial legislation before a municipal policy could have authority in this regard. Confirmation from the Department of Municipal Affairs and Housing was received indicating that the Bill introduced by Minister Porter passed Second Reading in the House of Assembly in October, however, it did not proceed any further. New legislation will need to be introduced when the Government deems it appropriate.

##### **Financial Update**

Councillor Boutilier thanked the Director of Corporate Services for the financial information provided in Councillor mailboxes which was very helpful. He further inquired about the financial status of the recreational facilities throughout the County in relation to the pandemic.

Mr. Fraser advised that the only recreational facility the County has an ownership stake in is the RECC and any operational impacts of the pandemic

would ultimately affect the Municipality. As per discussions with the CFO of the RECC, due to difficult decisions that were made early in the pandemic, thus far, the RECC has not experienced significant impacts. The County is not the owner of the three smaller facilities in the County, however, the Recreation Manager has been in discussion with staff of these facilities and they may be requiring assistance in the near future. Any requests from these facilities would come before Council for consideration. Information from the Recreation Manager will be coming forward in January relative to these recreational facilities.

**Director's Report**

A report from the Director of Corporate Services was circulated in the package for tonight's meeting.

**ADJOURNMENT**

Moved by Councillor Gregory  
Seconded by Councillor Patton

"That the meeting adjourn at 8:02 pm."

Motion Carried Unanimously.

Tracey Veno  
Recording Secretary