

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, May 13, 2021, 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)
 Scott Fraser, Director of Corp. Services/Acting Director of Solid Waste
 Michelle Boudreau, Director of Public Works
 Paul Smith, Acting Director of Community Development
 Dennis James, Municipal Solicitor
 Tracey Veno, Recording Secretary
 Devin Trefry, Research, Policy and Community Engagement Officer
 Craig Burgess, Recreation Manager
 Mark Austin, Economic Development Officer
 Jenn Martin, Business Development Officer
 Mollie MacBurnie-Haas, IT Support Technician

Approval of Agenda

Moved by Councillor Taggart
 Seconded by Councillor Cooper

“That the agenda be approved with the following amendments:

- Remove Item #11, Policy Amendments – Solar Colchester PACE Policy and Municipal Fees Policy;
- Add Item #13b, FCM;
- Add Item #13c, Salmon River School Property;
- Add Item #13d, Harmony Heights School Signage;
- Add Item #13e, Bike Racks;
- Add Item #15b, Village Line;
- Add Item #17b, Property Matter in Closed Session.”

Motion Carried Unanimously.

Approval of Minutes

Moved by Mayor Blair
 Seconded by Councillor Sandeson

“That the minutes of the meetings held on April 12, 15, and 19 & 26, 2021, be approved as presented.”

Motion Carried Unanimously.

Business Arising from Minutes

There was no business arising from the minutes of the meetings held on April 12, 15, and 19 & 26, 2021.

ACTION ITEMS

Keywest Court – Tender Award

Michelle Boudreau, Director of Public Works, indicated that there is \$90,000 in Council's approved capital budget for the paving of Keywest Court. Tenders were posted on Provincial and Municipal websites on April 14th. Included in the tender for Keywest Court was also a request for pricing to pave Annabelle Drive, which connects to Keywest Court. Five bids were received in response to the tender, with pricing included for Keywest Court only and Keywest Court and Annabelle Drive. Pricing in the tenders submitted was quite low. The low bid was submitted by Costin Paving in the amount of \$86,300 for the paving of both Keywest and Annabelle. Staff is recommending proceeding with both.

At their meeting on April 29, 2021, authority was granted to May Committee to award this tender.

Moved by Councillor Sandeson
Seconded by Councillor Boutilier

“That the tender for the paving of Keywest Court and Annabelle Drive be awarded to Costin Paving for a total contract price of \$86,300, excluding HST; and,

That an internal contingency of \$5,000 be approved, to be spent only on authority of the Director of Public Works.”

Motion Carried Unanimously.

Hilden Sidewalk – Award of Tender

Ms. Boudreau indicated that Council's approved capital budget includes \$920,000 for the construction of a new sidewalk along Highway 2 in Hilden from the existing sidewalk to Upham Family Outlet. A tender was issued with five bids received by the closing date. Tenders came in slightly higher than budgeted with the low bid by Basin Contracting at \$1,017,960. The project would be funded through the County's Active Transportation rate. Staff is recommending the tender be awarded to Basin Contracting.

At their meeting on April 29, 2021, authority was granted to May Committee to award this tender.

Moved by Mayor Blair
Seconded by Councillor Cooper

“That the tender for the construction of the Hilden Sidewalk be awarded to Basin Contracting for a total contract price of \$1,017,960, excluding HST; and,

That an internal contingency of \$80,000 be approved, to be spent only on authority of the Director of Public Works.”

Motion Carried Unanimously.

Nova Scotia Native Women's Association – Request for Letter of Support

Devin Trefry, Research, Policy and Community Engagement Officer, provided a brief overview of this item noting that at the April Council meeting, a verbal report was given on a request from the Nova Scotia Native Women's Association (NSNWA) for a letter of support for a planned Resiliency Centre to be located in Millbrook. At that time, Council requested a formal request from the NSNWA. Additional information was provided and included with the Action Item as presented. It was noted that at the April Council Session, authority was granted to May Committee to approve the request.

Moved by Mayor Blair
Seconded by Councillor Sandeson

“That the Municipality of Colchester write a letter of support for the Resiliency Centre.”

Motion Carried Unanimously.

Nova Scotia Remembers Legacy Society – Request re: Funding Partnership

At the April Council Session, a request was received from the Nova Scotia Remembers Legacy Society (NSRLS) for the Municipality to act as a funding partner for funding applications under the United Way's Inspired by Compassion Fund. In order to accept funding provided by the United Way, a charitable number must be provided or a letter from an established charitable entity stating they will act as a funding partner. The NSRLS is awaiting their charitable status to be approved through the Canada Revenue Agency. The matter was referred to legal to review prior to a decision being made.

Dennis James, Municipal Solicitor, advised that the report as prepared by Jennifer Hamilton Upham, indicates that the Municipality could act as a funding partner, however, it is recommended, as similarly stated by the Director of Corporate Services, that an agreement with the Society be in place clearly outlining that it would be the Municipality that controls the funds and expenditures for accountability.

During debate, concerns were raised regarding this request such as creating more work for staff and Council and this should not be a responsibility of the Municipality. A number of Council members also expressed concern regarding the Society's lack of consultation with victims' families. Council also discussed whether it would be possible for other organizations to act as a funding partner. Mr. James confirmed that anyone with a charitable status who would be inclined to take it on, could act as a funding partner.

It was noted that at the April Council Session, authority was granted to May Committee to make a final decision on this matter.

Moved by Councillor Parker
Seconded by Councillor Cooper

“That Council not support the request from the Nova Scotia Remembers Legacy Society for the Municipality to act as a funding partner for their funding applications under the United Way's Inspired by Compassion Fund.”

Motion Carried Unanimously. (*Councillor Taggart was not available for this vote.*)

Funding for J-Class Roads

Ms. Boudreau provided a brief introduction of this item noting that it is a follow-up from April Council. Funding for J-Class Roads has been discussed on a number of occasions where staff presented potential funding mechanisms. At the April Council meeting, staff were directed to bring back options for area rate by districts wishing to participate in the paving of J-Class Roads. At that time, the Municipal Solicitor expressed that further considerations were needed in determining a method by which districts could opt in or out of the area rate funding mechanism.

Although the Municipal Government Act allows for the setting of area rates for specific purposes, a couple of key considerations were noted: staff calculations for proposed area rates assume the Province will have funding available for their portion of the costs; and, there has been no public consultation around the setting of area rates by district. In consultation with the Municipal Solicitor, it was suggested that it would be more appropriate for Council to consider a policy regarding the collection of area rates for J-Class paving and that the area rates be collected only when a project is approved and will be proceeding. Additionally, the policy should introduce a public consultation component. Should Council wish to proceed in this manner, an amendment to the Local Improvement By-law would also be required. The Municipal Solicitor advised that the concern regarding the 20-year paving cycle is the integrity of collecting the funds with the uncertainty that they would ever be spent due to Provincial funding availability. The concern with the implementation of an area rate would be the need for a public consultation component, which would be consistent with past practice of Council.

During debate, Council discussed whether the Province ever paves J-Class roads on their own; who is responsible for the maintenance on these roads; past experiences with public consultation; implementation of an area rate by district not affecting those not wanting to participate; the probability of Provincial funding being available; roads being a key issue in certain areas and the need to address the issue; a forthcoming report from NSFAM on roads; the proposed motion in the Action Item not being specific to implementation of area rates by district.

Moved by Mayor Blair
Seconded by Councillor Sandeson

“That Council Committee directs staff to prepare a draft policy for J-Class Road paving for Council’s consideration.”

amendment

Moved by Councillor Johnson
Seconded by Councillor Parker

“That the draft policy include area rates by district for the paving of J-Class Roads.”

Motion Carried. (*Mayor Blair, Deputy Mayor Stewart, Councillors Cooper, and Patton opposed*)

second amendment

Moved by Councillor Boutilier
 Seconded by Councillor Cooper

“That public consultation be part of the draft policy for an area rate for J-Class Roads.”

Motion Carried Unanimously.

Concern was expressed on having an entire district pay for a road in a specific area of the district as there is a level of unfairness.

The amendments having carried, the original motion was voted on and carried with Mayor Blair and Deputy Mayor Stewart being opposed.

**Regional Accessibility Advisory
 Committee: Membership and
 Terms of Reference**

Paul Smith, Acting Director of Community Development, provided a summary of this item which deals with the Regional Accessibility Advisory Committee. Staff is seeking approval of the Terms of Reference (TOR), appointment of community representatives as well as the Council representative to the Committee. Approving the Council appointment to the Committee could be done through the Nominating Committee process should Council choose to do so.

Lengthy debate was held regarding the draft Terms of Reference with a number of concerns being raised including: clarification of Section 7 regarding who is responsible for the approval of community representatives; defining cost sharing arrangements in the TOR; needing clearer definition around absences from meetings, Section 8(c); lack of decision making fundamentals in the TOR; and, amendments to Section 4(b) to correct number of community representatives as the TOR indicates up to six members but there are seven members being put forward for approval.

Other points of discussion included this Committee being an Advisory Committee that would make recommendations to Councils and Commissions for consideration and approval; keen interest from community members to serve on the Committee but concerns of ongoing delays; and, the Village of Bible Hill having its own Accessibility Committee and the possibility of it being dissolved in the future.

Moved by Councillor Taggart
 Seconded by Councillor Sandeson

“That Council Committee recommends to Council that the Terms of Reference for the Regional Accessibility Advisory Committee be adopted, subject to the clarity around decision making in the Committee and reconciliation of purported membership versus the number of nominees being addressed; and,

That Council Committee recommends to Council that Tracy McLellan, Jessica Briand, Leah Poirier, Shawna Power, Sarah Fleming, Mike Shaw, and Holly Grue, be appointed as community members; and,

That the Council representative be referred to the Nominating Committee.”

Motion **DEFEATED**. (*all members of Council opposed*)

Moved by Councillor Taggart
Seconded by Councillor Cooper

“That a full chronology report on the Regional Accessibility Advisory Committee, including what meetings were held and who was involved, be brought back to Council as soon as possible.”

Motion Carried. (*Councillors MacKenzie, Gregory and Parker opposed*)

Moved by Councillor Boutilier
Seconded by Mayor Blair

“That the Regional Accessibility Advisory Committee Membership and Terms of Reference be sent back to staff for further clarification and improvement, and to be brought back to the Council meeting at the end of the month.”

Motion Carried Unanimously.

Gas Tax – Village of Bible Hill

Councillor Parker requested an update on a previous directive of Council regarding the Village of Bible Hill and Gas Tax funds. Mr. Fraser, Director of Corporate Services, advised that staff from the Village have provided a package with funding formula information. A report could be prepared and brought back to Council at the end of the month for consideration.

Sidewalk – Old Courthouse Branch to Saywood

Councillor Parker indicated that he is seeking clarification regarding the sidewalk from Old Courthouse Branch to Saywood. In 2018, this sidewalk was in the Active Transportation Strategy (ATS) and every year during capital budget, he brings this sidewalk up, but it seems to get skipped over; it is stuck on the ATS and is not moving forward. He thought that initially projects on the ATS went through a scoring process to identify short, medium, and high priorities, and at the time, the Old Courthouse Branch to Saywood project was listed as medium priority. Councillor Parker stated that it was his understanding that as high priority projects in the approved capital budget are completed, the medium priority projects would be moved up, but this is not the case. Some projects seem to be advancing while others are not, and new projects are getting put on the capital budget that are not even on the ATS list. Clarification is being sought on the process and how to advance projects currently on the ATS.

Ms. Boudreau advised that in the case of the Old Courthouse Branch to Saywood sidewalk, a review of the minutes indicated that in 2019, Councillor Parker put a motion on the floor to have this project added to the capital budget, however, the motion was defeated. The issue was raised again in September 2020 but there were no motions at that time to advance the project.

Staff review the priorities as listed in the ATS. The current Strategy lists projects that had to go ahead for 2019, 2020, and 2021. Those projects were added to the capital budget accordingly, and were reviewed and approved by Council. The Old Courthouse Branch sidewalk is listed as a medium-term priority and other sidewalks in the Strategy were listed as high

priority. Staff do not advance sidewalks to the capital budget if it is not listed as a high priority in the Strategy. However, there have been instances where Council has added projects to the capital budget, mainly due to safety issues, that were not listed in the ATS. Council members can bring requests forward during the annual capital budget review and, if approved by Council, projects will be added to the capital budget.

During discussion, Councillor Parker expressed concern regarding the process for staff bringing projects forward from the ATS to the capital budget and the need to have a review of the Active Transportation Strategy and what projects will be advancing. Ms. Boudreau advised that the ATS is reviewed every two to three years, however, staff have discussed bringing it forward for review annually prior to capital budget. Further discussion was held on the process by which staff prioritize projects; concerns with projects being advanced for political reasons; and, annual review of the ATS being a good idea. Referring to comments regarding staff bringing projects forward to the capital budget, Mr. Fraser requested that it be noted for the record that it would be either himself or the Director of Public Works that would move items to the capital budget and this would not be done without having a motion of Council to do so.

Moved by Councillor Parker
Seconded by Councillor Cooper

“That the Active Transportation Strategy priority list be brought to Council in June for review of projects for the capital budget in the following year.”

Motion Carried Unanimously.

FCM

Councillor Cooper, Alternate Chair of Council Committee, assumed the role of Chair in order for the Deputy Mayor to address Council on this item.

Deputy Mayor Stewart advised that he was approached by some members of the Board of Directors of FCM to consider putting his name forward for 3rd Vice President of FCM. A number of representatives of NSFMC also asked if he would consider this. This is a huge commitment and after thorough investigation and consideration, the Deputy Mayor indicated that with Council endorsement, he would like to put his name forward as a candidate for 3rd Vice President of FCM.

Moved by Councillor Gregory
Seconded by Councillor Patton

“That Council Committee recommends that Council endorse Deputy Mayor Stewart’s candidacy for 3rd Vice President of FCM and that the following resolution be approved:

**2021 FEDERATION OF CANADIAN MUNICIPALITIES
ELECTION TO THE BOARD OF DIRECTORS**

WHEREAS the Federation of Canadian Municipalities (FCM) represents the interests of member municipalities on policy and program matters that fall within federal jurisdiction;

WHEREAS FCM's Board of Directors is comprised of elected municipal officials from all regions and sizes of communities to form a broad base of support and provide FCM with the united voice required to carry the municipal message to the federal government; and

WHEREAS FCM's virtual Annual Conference and Trade Show will be held May 31 to June 4, 2021, during which time the Annual General Meeting will be held and followed by the election of FCM's Board of Directors;

BE IT RESOLVED that Council of the Municipality of the County of Colchester endorses DEPUTY MAYOR GEOFF STEWART to stand for election as 3rd Vice President on FCM's Board of Directors for the period starting in June 2021 and ending June 2026; and

BE IT FURTHER RESOLVED that Council assumes all costs associated with DEPUTY MAYOR GEOFF STEWART attending FCM's Board of Directors meetings."

Motion Carried Unanimously.

Mayor Blair also addressed Council advising that she would like to put her name forward for the FCM Board of Directors as a representative of Nova Scotia. There are four Board members from Nova Scotia on the Board, two appointed and two elected. Mayor Blair indicated that she has been asked by a number of representatives of other venues to consider this and has discussed this with a number of Council members as well. If successful, this would be a one- year term. Showing an interest to have representation from Nova Scotia is very important. With Council's endorsement, she would like to put her name forward.

Moved by Councillor MacKenzie

Seconded by Councillor Benoit

"That Council Committee recommends that Council endorse Mayor Blair's candidacy for the FCM Board of Directors as a representative of Nova Scotia and approves the following resolution:

2021 FEDERATION OF CANADIAN MUNICIPALITIES ELECTION TO THE BOARD OF DIRECTORS

WHEREAS the Federation of Canadian Municipalities (FCM) represents the interests of member municipalities on policy and program matters that fall within federal jurisdiction;

WHEREAS FCM's Board of Directors is comprised of elected municipal officials from all regions and sizes of communities to form a broad base of support and provide FCM with the united voice required to carry the municipal message to the federal government; and

WHEREAS FCM's virtual Annual Conference and Trade Show will be held May 31 to June 4, 2021, during which time the Annual General Meeting will be held and followed by the election of FCM's Board of Directors;

BE IT RESOLVED that Council of the Municipality of the County of Colchester endorse MAYOR CHRISTINE BLAIR to stand for election on FCM's Board of Directors for the period starting in June 2021 and ending June 2022; and

BE IT FURTHER RESOLVED that Council assumes all costs associated with MAYOR CHRISTINE BLAIR attending FCM's Board of Directors meetings.

Motion Carried Unanimously.

At this point, Deputy Mayor Stewart resumed the role of Chair.

Salmon River School Property

As a follow-up to recent discussions on the Salmon River School Property, Councillor Johnson indicated that he had done a couple of visits at the site and there are a number of issues that should be dealt with to make the site safe for residents to use. Craig Burgess, Recreation Manager, has indicated that this could be part of Recreation staff general maintenance routine at County properties.

Moved by Councillor Johnson
Seconded by Councillor Cooper

"That Council Committee recommends to Council that staff address the following issues at the former Salmon River School property:

- Gravel or crusher dust required at certain locations along trails that are very wet;
- Muddy areas where playground equipment was removed requires soil and seed;
- Ruts in front of the hill from when playground equipment was removed requires fill and seed;
- General clean-up of debris and blowdowns blocking areas along the trails; and,
- Mowing."

Motion Carried Unanimously.

Harmony Heights School Signage

Councillor Johnson advised that he received an email from Mr. Fitzgerald, Principal at the Harmony Heights Elementary School, regarding the need for school signage as it can be difficult to find for some. Mr. Fitzgerald checked with the Chignecto-Central Regional Centre for Education (CCRCE) and was informed that the CCRCE does not pay for signage. He also spoke with other schools in the corridor and was told that the Municipality paid for the signs for the other schools.

Discussion on this matter included other members of Council having no recollection of doing this in the past; responsibility for school signage should be that of the school board, not with municipalities; and, a suggestion to approach the School Advisory Council/Board. Ms. Boudreau advised that the Municipality has not funded school signage during her time as Director. Additionally, Mr. Smith suggested that they contact Nova Scotia Transportation and Active Transport as other school signs in the area look like Transportation signage templates.

Bike Racks

Following discussions with newer residents to the area, Councillor Parker brought forward the idea of having bike racks on trails. More people are using

the trails for biking and there are no areas where cyclists could stop and safely leave their bikes. Brief discussion was held regarding what would be suitable locations for bike racks and the need to take into consideration the various types and sizes of bikes.

Moved by Councillor Parker
Seconded by Councillor Benoit

“That staff investigate the possibility of having bike racks on trails, identifying costs and appropriate locations.”

Motion Carried Unanimously.

INFORMATION ITEMS

Federal Funding Announcement for Home Energy Retrofits

This Information Item provides Council with an update on the Federal Government’s Budget 2021 announcement, as part of their climate action strategy, to offer interest-free loans for home energy retrofits. Included in the report was information on the allocated budget amounts; a list of some of the eligible updates under the program; and, measures being taken regarding the program posing as potential competition to the Solar Colchester PACE Program.

Cumberland-Colchester Internet Update

As per a request of Council, this item provides an update on the progress of the Xplornet-Develop Nova Scotia-Cumberland-Colchester rural broadband internet project. Included in the report is background information; an overview of the project agreement; information on the rapid deployment initiative; detailed information on the network construction progress and timelines; current coverage and uptake; funding contributions and milestones; and project oversight and development information.

Village Line Avenue

Councillor Parker advised that in November a stop sign on Village Line Avenue was removed when a sidewalk went in. At the time, both he and staff at the Village of Bible Hill received calls from residents with concerns of speeding. RCMP had a speed sign erected and the issue seemed to settle, however, calls are being received again. The Village of Bible Hill is sending out a survey to all residents along Village Line Avenue to garner a better understanding of the severity of the concerns. Councillor Parker indicated that he wanted Councillor MacKenzie to be aware of this as one side of Village Line Avenue is her district. Depending on the results of the survey, this may be brought back to Council for discussion. Councillor MacKenzie advised that this is the first she has heard about this issue.

Director’s Report

A report from the Director of Solid Waste was circulated in the package for tonight’s meeting.

CLOSED SESSION

Moved by Councillor Gregory
Seconded by Councillor Patton

“That the meeting go into closed session at 9:23 pm.”

Motion Carried Unanimously.

Moved by Councillor Gregory
Seconded by Councillor Benoit

“That the meeting reconvene in open session at 9:57 pm.”

Motion Carried Unanimously.

Courthouse Lease

Moved by Mayor Blair
Seconded by Councillor Benoit

“That Council Committee recommends to Council that the CAO be given authorization to enter into the proposed renewed lease agreement for 1 Church Street, with the Province.”

Motion Carried Unanimously.

ADJOURNMENT

Moved by Councillor Patton
Seconded by Councillor Gregory

“That the meeting adjourn at 9:59 pm.”

Motion Carried Unanimously.

Tracey Veno
Recording Secretary