

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, June 10, 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 (arrived at 6:06 pm)
Councillor Tim Johnson	District 5
Councillor Karen MacKenzie	District 6
Councillor Michael Gregory	District 7 (arrived at 6:34 pm)
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
 Dave Westlake, Emergency Management/Protective Services Coordinator
 Joanna Burris, Sustainability Planner
 Jenn Martin, Business Development Officer
 Mollie MacBurnie-Haas, IT Support Technician

Approval of Agenda

Moved by Mayor Blair
 Seconded by Councillor Sandeson

“That the agenda be approved with the following additions:

- Item 7b, Investing in Canada Infrastructure Program (ICIP) Application
 – Municipality of Colchester Commitments; and,
- Item 15b, Affordable Housing.”

Motion Carried Unanimously.

Approval of Minutes

Moved by Councillor Benoit
 Seconded by Councillor Johnson

“That the minutes of the meeting held on May 13, 2021, 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 13, 2021.

Councillor Cooper joined the meeting at this point.

ACTION ITEMS**Purchase of Replacement Fire Repeaters**

Dave Westlake, Emergency Management/Protective Services Coordinator, advised that similar items have been before Council since 2016, for the approval to sole source the purchase and installation of two fire repeaters utilized by all Fire Services in the County. These repeaters will replace existing repeaters at the Birch Hill site and at the Watson Hill site.

Moved by Councillor Boutilier
Seconded by Councillor Cooper

“That Council Committee recommends to Council that staff proceed with the purchase and installation of two new fire repeaters from Nova Communications, at a cost of \$19,149.10, excluding HST.”

Motion Carried Unanimously.

Policy Amendments - Solar Colchester PACE Policy and Municipal Fees Policy

Joanna Burris, Sustainability Planner, advised the amendments to the Solar Colchester PACE and Municipal Fees Policies are to support the Solar Colchester program expansion. The proposed amendments in the Solar Colchester PACE Policy include removal of the Municipality’s annual contribution and adding the Community Efficiency Financing program as source of funding; increasing the maximum loan amount per solar project; and, changing the wording to accommodate a blended interest rate from municipal and FCM funds. Changes to the Municipal Fees Policy include removing the deposit required of \$1,000, and replacing it with a one-time administrative fee of \$200.

Moved by Councillor Sandeson
Seconded by Councillor Patton

“That Council Committee recommends to Council that the proposed amendments to the Solar Colchester PACE Policy and the Municipal Fees Policy, be approved as presented.”

Motion Carried Unanimously.

**Fundy Discovery Site: Phase 1D
- Interim Capital Budget 2021-22**

Councillor Gregory joined the meeting during discussion on this item.

Paul Smith, Acting Director of Community Development, provided a summary of the recommended projects and costs for Phase 1D at the Fundy Discovery Site (FDS) with a view to have Council consider approving an interim capital budget for the 2021-22 fiscal year. Construction projects included waste stations, power line relocation, landscaping and amenities, Phase 1 of the Tidal Bore Road Trail, the Dyke Trail Connector, and marker signage at the entrance. Planning projects include the Green House Gas and Resiliency Assessments, and the viewing structure design. A breakdown of costs and potential funding sources was also provided. The total anticipated costs for the Municipality would be in the range of \$227,540.

Brief discussion was held on amenities at the site such as overnight camping, vendors, the pedestrian bridge, and the possibility of showcasing Colchester product. Clarification was sought on the costs associated with the power line relocation. Mr. Smith indicated that accommodating recreational vehicles (RV) was part of original discussion, however, overnight stays will not be encouraged at the site. In order to accommodate overflow parking of RVs, an easement from the Province would be required as this would be on their lands. Also, regarding the costs for the power line relocation, staff have not committed any Municipal contributions to Nova Scotia Power towards this portion of the project, however, one third of the cost is being budgeted in case this needs to be negotiated.

Moved by Councillor Boutilier
Seconded by Mayor Blair

“That Council Committee recommends to Council that the proposed Fundy Discovery Site construction and capital planning programs for the 2021-22 fiscal year and an allocation of \$227,540 to an interim capital budget for this purpose, be approved.”

Motion Carried Unanimously.

**Investing in Canada
Infrastructure Program (ICIP)
Application – Municipality of
Colchester Commitments**

Mr. Smith provided an update on the Municipality’s application and commitment requirements to the Investing in Canada Infrastructure Program (ICIP). This application would provide 73.33 percent funding towards active transportation projects, with 40 percent federal and 33.3 percent provincial funding. The program is for larger infrastructure projects planned until 2027.

The update also included past challenges relative to the ICIP application; the focus being mainly the Fundy Discovery Site (FDS) bridge as well as inclusion of other planned projects, namely the Brookfield and Hilden sidewalks and two multi-use trails segments at the FDS and Valley Crossroads; value of the five active transportation projects is \$12.2 million; and application approval processes. The Municipality would be required to commit to 26.67 percent of project costs; financing project costs upfront and making arrangements for temporary borrowing resolutions; and commit to costs of any land acquisitions and/or easement if necessary. Council will not be committing finances until such time of a signed contract, however, the commitment is required in order to proceed.

Moved by Councillor Cooper
Seconded by Councillor Sandeson

“That Council Committee recommends that Council approve:

1. A municipal financial commitment of 26.67% which will be allocated for the projects identified under its ICIP application;
2. Financing the total up-front capital costs for all projects;
3. Obtaining Temporary Borrowing Resolution(s) as a means of ensuring sufficient funds are available for project work; and,
4. The acquisition of any land or easement purchases needed to implement the projects.”

Motion Carried Unanimously.

Neighbourhood Nuisance By-law

Devin Trefry, Research, Policy, and Community Engagement Officer, indicated that a draft Noise By-law was previously presented to Council. However, when presented it was not advanced, and Council gave direction to explore options for a nuisance and fireworks by-law. Staff investigated nuisance by-laws from across the country and were unable to find what staff believe to be Council's intent. Alternatively, staff drafted a new Neighbourhood Nuisance By-law which focuses on the issue which is the unreasonable interference with others enjoyment of their property. The By-law aims to deter activity that may, by frequency or intensity, unreasonably disturb a neighbourhood; includes language requiring judgement of the enforcing officer; and includes exemptions for activities such as response to emergencies, typical business operations, and community event activities.

Discussion was held on enforcement, other legislation dealing with noise, whether there is potential for unintentional consequences, and setting a range of penalties for offences.

Moved by Councillor Boutilier
Seconded by Councillor Johnson

"That the draft Neighbourhood Nuisance By-law as presented, be advanced to First Reading."

Motion Carried Unanimously.

Foresight Forestry Letter

Councillor Benoit advised that Mr. Robar of Foresight Forestry, reached out to her regarding their company's interest in doing some silviculture work on municipally owned property, namely PID 20412326. A copy of the request from Mr. Robar was included in the Council package for this evening's meeting.

Moved by Councillor Benoit
Seconded by Councillor Sandeson

"That the letter from Mr. Robar of Foresight Forestry, be referred to staff."

Motion Carried Unanimously.

The CAO advised that there may be a typo in the correspondence as the property number listed is not County owned property, however, staff will look into this as part of their investigation.

At this point, Councillor Cooper, Alternate Chair of Council Committee, assumed the role of Chair to allow Deputy Mayor Stewart to address the next two items on the agenda.

Green Carts

Deputy Mayor Stewart advised that he has been receiving calls concerning problems residents are having with their green carts on their properties in areas including Brookfield, Hilden, Brentwood, as well as other areas outside the district. One of the issues is bears and the other is rodents, both of which have been problems in previous years. He would like to have staff investigate possible solutions such as weekly collection from May to October.

Concern was raised that this is an issue that comes before Council every year and it comes down to additional costs for weekly collection. During discussion, suggestions were made to store compost in the freezer until collection day, proper cleaning of composters, replacement of bins that are cracked and damaged, and lock options for green bins that help to deter wildlife.

Moved by Deputy Mayor Stewart
Seconded by Councillor Benoit

“That the issue of green carts be referred to staff to investigate and come back to Council with possible solutions for consideration.”

Motion Carried. (*Councillor MacKenzie opposed*)

**Colchester Christian Academy
Request**

The CAO advised that this item is being brought forward as requested by Council at the June Presentation meeting.

Deputy Mayor Stewart advised that he fully supported the sale of the East Court Road School to the Colchester Christian Academy (CCA) in late 2017. Council gave serious consideration to this and at a Public Hearing at a Special Council Session held in December of 2017, a motion was passed to approve the sale of the East Court Road School to CCA for one dollar with the following conditions: the purchase be as is where is; the Municipality has the first right of redemption at a purchase price of one dollar; the Colchester Christian Academy receive no further capital funding; and, the property be turned over to the Municipality if it no longer is used as a school. The following month, Council was approached to remove the conditions of the sale. However, the original decision on the sale with conditions, was upheld. Approximately three years later, Council is being asked once again to remove the conditions.

During the recent presentation from CCA, it was indicated that they have never owned property. However, there is a warranty deed and an agreement which indicates they do own the property with the conditions as stipulated above. Deputy Mayor Stewart indicated that he does not think the conditions of sale should be changed. Council has to look at the best interest of the taxpayers. CCA was aware that they would have to spend monies for upgrades and agreed to the conditions.

Lengthy debate was held on the request with a number of issues being raised including the assessed value of the property; limitations for expansion due to the stipulations; reason for stipulations being property located in residential area and continued public playground access; and concern regarding investing in a property with no return on investment. Council also recognized the great work of the CCA and their successes to date. Further discussion was held on whether the conditions of sale would be problematic for borrowing against the property and the possibility of investigating other potential solutions.

Moved by Deputy Mayor Stewart
Seconded by Councillor Sandeson

“That Council Committee recommends to Council that the conditions of the sale of the East Court Road School to the Colchester Christian Academy be maintained.”

Motion Carried. *(Councillor Johnson and Parker opposed)*

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

Strategic Priorities Logistics

The CAO indicated that staff are mindful of the need to revisit Council’s Strategic Priorities, however, it would be challenging to undertake the Strategic Priorities review in a virtual platform. From a logistics perspective, it is being suggested that the Strategic Priorities review be planned for September or October, when it can be done in-person, as permitted by Public Health. Council agreed to proceed in September as suggested by staff.

INFORMATION ITEMS

Granmar Estates Paving Petition

Ms. Boudreau indicated that this report is to inform Council of the results of the Granmar Estates Paving Petition. In order for the petition to be successful, at least 66.7 percent of ownership as measured by frontage is needed. Only 44% of owners as a ratio of frontage voted in favour. Therefore, the petition was not successful.

Municipal Taxation on Unused Farmland

At the request of Council at the March Council Committee meeting, this report is staff’s findings on Municipal Taxation on Unused Farmland. The Nova Scotia Assessment Act is the legislation that governs property assessment in the Province. Section 46 of this act deals specifically with Farmland. Farm Property taxation is also addressed in Section 77 of the Municipal Government Act.

Mass Casualty Commission Participation

This report provides an update on the application to participate in the Mass Casualty Commission process. Only those who applied for standing were included in the list of approved participants. As previously advised by Dennis James, Municipal Solicitor, the Municipality did not appear to have a basis to seek standing based on the terms of reference of the Commission. Therefore, the Municipality was not included in the list of approved participants. However, although not being listed as an approved participant with standing, the Municipality can still participate in a variety of ways. The Municipal Solicitor advised that a Commission Team member, Jennifer Cox, agreed to an informal meeting with Council and has tentatively reserved June 24th in the event that Council would like her to attend the Council meeting.

Council queried whether the informal meeting at the June 24th Council Session could be held in closed session. Mr. James advised that he would look into this and get back to Council.

Moved by Mayor Blair
Seconded by Councillor Taggart

“That an invitation be extended to Ms. Jennifer Cox, Mass Casualty Commission Team member, to attend the June 24th Council meeting.”

Motion Carried Unanimously.

Affordable Housing

Mayor Blair indicated that Council has received information on how to access the Chartering a New Course for Affordable Housing in Nova Scotia Report and encouraged members of Council to read the report if they have not already done so. A reminder was also sent out by Paul Smith regarding an information session on affordable housing needs for the Truro Colchester area with Esther Bejarano on June 22nd at 10 am.

The Mayor also provided a brief update from an NSFM information session where feedback was requested from municipalities on the above noted report. A number of comments were made by Mayors and Wardens from across the Province with concerns regarding downloading to municipalities. More information will be coming forward on this.

Director's Report

A report from the Acting Director of Community Development was circulated in the package for tonight's meeting.

CLOSED SESSION

Moved by Councillor Gregory
Seconded by Councillor Johnson

"That the meeting go into closed session at 9:16 pm."

Motion Carried Unanimously.

Moved by Councillor Parker
Seconded by Councillor Sandeson

"That the meeting reconvene in open session at 9:45 pm."

Motion Carried Unanimously.

Property Matter – 153 Lancaster Crescent, Debert

Moved by Councillor Sandeson
Seconded by Councillor Johnson

"That Council Committee approves the sale of Lot 22IJ – FX, 153 Lancaster Crescent (PID 20153524), to Coast-to-Coast Cannabis Inc. for \$80,000; and,

That Council Committee authorize the Mayor and CAO to execute the purchase and sale agreement prepared by Legal Counsel for this transaction."

Motion Carried. (*Councillor Boutilier opposed*)

ADJOURNMENT

Moved by Councillor Benoit
Seconded by Councillor Patton

"That the meeting adjourn at 9:46 pm."

Motion Carried Unanimously.

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June 10, 2021

Recording Secretary