

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, August 12, 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 Wade Parker	District 11

Regrets

Councillor Tom Taggart	District 10
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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
 Jenn Martin, Acting Economic Development Officer
 Mollie MacBurnie-Haas, IT Support Technician

Moment of Silence

Council observed a moment of silence in respect to the recent passing of Ron Creighton. Mr. Creighton was a senior partner with Patterson Law, the firm representing the Municipality for several years.

Approval of Agenda

Moved by Councillor Sandeson
 Seconded by Councillor Gregory

“That the agenda be approved with the following additions:

- Item 13b, Rock the Hub; and,
- Item 13c, Veterans Memorial Park.”

Motion Carried Unanimously.

Approval of Minutes

Moved by Councillor Parker
 Seconded by Councillor Benoit

“That the minutes of the meeting held on June 10, 2021, be approved as presented.”

Motion Carried Unanimously.

Business Arising from Minutes

Referring to the decision regarding the Colchester Christian Academy (CCA), Councillor Sandeson asked if there have been any updates from CCA on this matter following Council's decision. Councillor Parker advised that they have rented the church across the street by the RCMP Station to use as classrooms. He indicated that at some point, CCA may come before Council to request sidewalk enhancements in that area.

ACTION ITEMS

Debert Military Museum Funding

During budget deliberations, Council approved an increased grant to the Debert Military Museum, however, staff were directed to obtain more information before any funds were released. Discussion was also held at that time regarding the Museum making application under the Grants to Non-Profit Policy annually. Craig Burgess, Recreation Manager, advised that as per discussions during the budget process, this item provides an update to Council regarding the increased funding for the Museum.

Moved by Councillor Benoit
Seconded by Councillor Sandeson

"That Council Committee recommends to Council that funding for the Debert Military Museum be increased from \$100 to \$2,000 for fiscal 2021-22, and that the Museum make an application through the Grants to Non-profit Organizations for future years, based on their needs; and,

That the annual grant of \$100 to offset the Water Utility disconnection/reconnection fee remain in place."

Motion Carried Unanimously.

**Tender Award – Highway 246
Watermain, Tatamagouche**

Michelle Boudreau, Director of Public Works, indicated that this item relates to the award of tender for the Highway 246 Watermain in Tatamagouche and provided background information regarding this matter. Bidders were asked to provide pricing for 2" and 3" diameter lines. Only one submission was received in response to the tender from S.W. Weeks Construction. Staff is recommending that the tender be awarded to S.W. Weeks Construction for the 3" diameter line.

Discussion was held regarding how the private line was approved and ensuring this not being able to happen in future; the application and decision of the Nova Scotia Utility and Review Board; benefits of larger lines; possible other options such as drilled wells; and, source of funds and budget implications.

Moved by Councillor Gregory
Seconded by Councillor Boutilier

"That Council Committee recommends to Council that the tender for the Highway 246 Watermain Replacement be awarded to S.W. Weeks Construction for a total contract amount of \$167,000 excluding HST, with source of funds being the Tatamagouche Water Utility Depreciation Fund."

Motion Carried. *(Councillors Cooper and Johnson opposed).*

Tender Award – Hill and William Sidewalk Reconstruction

This item relates to the award of tender for the reconstruction of the sidewalk on Hill and William Streets. Ms. Boudreau noted that at their regularly scheduled June meeting, Council granted authority to August Council Committee to award this tender.

Discussion was held on the bid from B.D. Clifton Contracting and their omission to include pricing for the installation of the tactile plates from B.D. Clifton Contracting. Dennis James, Municipal Solicitor, advised that this bid could still be considered as the tender documents include language which allows waiving of minor issues.

Moved by Councillor Johnson
Seconded by Councillor Cooper

“That Council approves the award of the tender for the reconstruction of the Hill and William Street Sidewalks to B.D. Clifton Contracting for a total contract amount of \$217,850 excluding HST, providing the tactile plates are installed at the quoted price; and,

That an internal contingency of \$20,000 be approved, to be spent only on authority of the Director of Public Works.”

Motion Carried Unanimously.

Pictou Road to Crowland Drive Sidewalk Versus Multi-Use Trail

Council had previously requested that the construction of a new sidewalk on Pictou Road from Salmon River Road to Crowland Drive be referred to the capital budget. Cost of the sidewalk was estimated at \$1 million. Staff were directed to bring back information on options for constructing a sidewalk versus a multi-use trail. The Action Item before Council provides an update on this directive including options and considerations for each. Staff’s recommendation is to include a placeholder in the capital budget for the sidewalk and to proceed with public consultation, reserving final decision on the project until after the consultation process.

Moved by Councillor Boutilier
Seconded by Councillor Benoit

“That Council Committee recommends to Council that a placeholder of the Crowland Drive sidewalk project be included in the capital budget and proceeding with a public consultation process.”

Motion Carried Unanimously.

Active Transportation & Sidewalk Project Update

As requested by Council at a previous meeting, Paul Smith, Acting Director of Community Development, provided a review of planned Active Transportation (AT) and sidewalk projects that are to be incorporated into the five-year capital budget. Included in the review was a list of the prioritized projects in the strategy; elements in which projects are ranked; the process by which projects advance and implications of adding new projects to the list; and, options for consideration. A copy of an updated Appendix 1; Active Transportation Project Evaluation was also included. Mr. Smith indicated that with existing budget and staffing capabilities, one new project and one

reconstruction project is undertaken annually. Staff recommendation is to re-confirm its previous approval(s) of the AT priorities.

Councillor Parker indicated that he would like to see the sidewalk from College Road to Regency advanced to fiscal year 2023-24 in the five-year capital budget, if it is possible. This project would be cost effective as it would be funded 50-50 with the Village of Bible Hill.

Moved by Councillor Parker
Seconded by Mayor Blair

“That Council Committee recommends to Council that the College Road to Regency sidewalk currently in the short-term priorities of the Active Transportation Strategy be advanced to the five-year capital budget for fiscal 2023-24, if possible, and that the Village of Bible Hill be notified for budgeting purposes.”

Motion Carried Unanimously.

Moved by Mayor Blair
Seconded by Councillor Benoit

“That Council Committee recommends that Council re-confirm its approval of the AT / sidewalk priorities contained in the updated Appendix 1: Active Transportation Project Evaluation of the Municipality’s Active Transportation Strategy; and,

That Council Committee recommends Council include the sequencing of these projects in their five-year capital budget.”

Motion Carried Unanimously.

Green Carts / Compost Collection

At their June Council Committee meeting, staff were directed to investigate weekly green cart collection as a possible solution to address animal/pest issues. Scott Fraser, Director of Corporate Services/Acting Director of Solid Waste, provided an overview of his findings relative to this issue which included pricing for weekly collection in summer months; increased costs per household from \$110 to \$132.80 annually; and options for consideration including increased education on odor control for green bins. Mr. Fraser also noted that weekly collection would have a certain level of effectiveness but would not eliminate the problem. Should Council opt to move to weekly summer collection, it was noted that the haulers would not be able to start this until next year.

Moved by Councillor Boutilier
Seconded by Councillor Parker

“That Council Committee recommends to Council that staff look at promoting increased education for households with respect to green bins and odour control.”

Motion Carried Unanimously.

Trucks Parking on Municipally Owned Roads/Streets

Councillor Parker advised that the issue of transport trucks parking on municipally owned roads/streets remains an ongoing problem. It is a safety concern and needs to be addressed. Letters sent to the owner of the trucks in an attempt to resolve the issue have not worked and he would like to see the matter referred to the Planning Advisory Committee (PAC) for possible by-law amendments to deter this from happening in subdivisions going forward.

Council was advised that this was discussed by the PAC at a meeting held on Tuesday evening. PAC feels that this is not a planning matter and rather it should be a policy or by-law for municipal streets. It was suggested that a letter be sent to the company owning the trailers citing safety and liability issues. Councillor Parker indicated that he believes that the driver hauls for more than just one company.

Referring to discussion on implementation of a by-law, the Municipal Solicitor advised that it is within legislative capabilities to put a by-law in place however, the issue with doing this is limitation of jurisdiction; most of the subdivision streets in the County are on provincially owned roads. The Municipality has no authority over the enforcement of parking on these streets and no loopholes were found that would allow extending authority as a planning issue. Additionally, nothing could be found in the Motor Vehicles Act or the Public Highway Act for municipalities pertaining to parking.

Moved by Councillor Parker
Seconded by Councillor Sandeson

“That Council Committee recommends to Council that a letter be written to Connors Transfer Ltd. concerning the parking issue on municipally owned streets.”

Motion Carried Unanimously.

It was noted that the letter should be sent to other companies if the driver hauls for more than one company.

Paving of Thrush Lane

Councillor MacKenzie advised that she has had a request for paving of Thrush Lane. There are only three homes on the road as well as two or three undeveloped lots. The original request was received in April and another in July. In the absence of having a decision on J-Class roads as yet, Councillor MacKenzie indicated that she would like to go through the petition process for the paving of Thrush Lane.

Moved by Councillor MacKenzie
Seconded by Councillor Parker

“That staff be directed to start the petition process for the paving of Thrush Lane.”

Motion Carried Unanimously.

Moved by Councillor MacKenzie
Seconded by Councillor Parker

“That Council Committee recommends to Council that the open house requirement of the Local Improvement By-law be waived due to Covid-19 and Public Health Orders and that staff proceed with a mailout petition.”

Motion Carried Unanimously.

INFORMATION ITEMS

Safe Restart Funding Update

Rob Simonds, CAO, advised that clarification has been received regarding use of funds under the Safe Restart Funding Program. He noted that if a third-party organization provides municipal services, the municipality may transfer Safe Restart Funds to cover expenses incurred due to Covid for lost revenues. The Director of Corporate Services will be bringing an Item forward at the end of the month relative to this matter.

Rock the Hub

Councillor Boutilier advised that he has received a number of calls from residents regarding the two Rock the Hub concerts scheduled to take place at the Rugby Fields on Farnham Mill Road in September. Residents seem to be resigned to the event happening this year but have concerns regarding number of attendees, parking, noise, litter, and this being a reoccurring event. The Promoter has assured that the event won't be happening at this location in future years. Councillor Boutilier indicated that he would like to see hosting of such events looked into as part of the county-wide planning process to ensure that these type of events do not happen without having permitting in place, as well as a process for public consultation.

The CAO advised that Jenn Mantin, Acting Economic Development Officer, has been contacted this week by the Colchester-East Hants Hospice Society, one of the charities benefiting from the event, requesting a letter of acknowledgement. Ms. Mantin advised that the Executive Director of the Hospice Society is responsible for obtaining the liquor license through Nova Scotia Alcohol and Gaming and one of the requirements of obtaining the license is a letter of support and acknowledgement from the Municipality. Concern was expressed with providing a letter of support. Ms. Mantin clarified that it would be a letter of acknowledgement and would need to identify three things: economic spinoff from the event; awareness of the concerns of area residents as well as with the event taking place during the Covid-19 pandemic; and local charities benefiting from funds from the event. It should also be noted that the Municipality trusts that the promoters are clear in the boundaries and are consulting with regulatory bodies to ensure compliance with Alcohol & Gaming, RCMP, the local Fire Marshall and Events Nova Scotia.

Aside from concerns of area residents as noted above, many other concerns were also discussed. These included risk to local farm crops; size of venue in relation to size of event; traffic; lack of proper onsite camping amenities; estimated 3,000 attendees being on the low side; why obtaining the liquor license was left so late and why the responsibility to obtain the license is that of the local charity; the promoter not working cooperatively with ticket purchasers; security and fencing provisions to secure the event; condition of rugby fields after the event; and perception of a letter of acknowledgement. Responding to a query on the license being dependent on obtaining the letter of acknowledgement, the Acting Economic Development Officer advised that was her understanding. Additionally, Councillor Boutilier advised that the

promoter has confirmed there will be 6-8' fencing for the event and 30 trained security officials.

Further discussion was held regarding a letter of acknowledgement with concern also being expressed by Council and the Solicitor about what a letter of acknowledgement is and what purpose it would serve. Additionally, the Solicitor advised that he could not find anything in the regulations, in policy or on the application forms of Nova Scotia Alcohol and Gaming noting requirement of a letter of acknowledgement from municipalities.

Moved by Councillor Cooper
Seconded by Councillor Patton

"That Council Committee recommends to Council that a letter of acknowledgement concerning the Rock the Hub Events in September not be sent."

Motion Carried. *(Councillor MacKenzie opposed).*

Veterans Memorial Park

Referring to a motion made at the August Presentation meeting to refer the request regarding the Veterans Memorial Park to staff, the CAO advised that the Recreation Manager would undertake an analysis and bring an item back to Council at a later date. The CAO asked Council if there was anything they would like included as part of the analysis. Discussion points noted for inclusion in staff's analysis were partnering with Dalhousie Agricultural Campus; staffing and budgetary commitments with taking on this project; community involvement; and the Royal Canadian Legion being involved.

Director's Report

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

CLOSED SESSION

Moved by Councillor Benoit
Seconded by Councillor Cooper

"That the meeting go into closed session at 8:50 pm."

Motion Carried Unanimously.

Moved by Councillor Patton
Seconded by Councillor Benoit

"That the meeting reconvene in open session at 9:38 pm."

Motion Carried Unanimously.

Property Matter – Sale of Lot VD14-4 Ventura Drive, Debert

Moved by Councillor Benoit
Seconded by Councillor Patton

"That Council Committee approves the sale of Lot VD14-4 Ventura Drive (PID 20472940) for \$11,500 to Black River Realities Limited; and,

That the Mayor and CAO be authorized to execute the purchase and sale agreement prepared by Legal Counsel for this transaction."

Motion Carried Unanimously.

**Property Matter – Sale of Lot
VD122B, Debert**

Moved by Councillor Patton
Seconded by Councillor Boutilier

“That the sale of Lot VD122B in Debert be referred back to staff for further investigation.”

Motion Carried. (*Councillor Parker opposed*).

It was noted for the record by Councillor Parker that as per discussions in closed session, he has no interest in selling this property.

ADJOURNMENT

Moved by Councillor Benoit
Seconded by Councillor Patton

“That the meeting adjourn at 9:42 pm.”

Motion Carried Unanimously.

Tracey Veno
Recording Secretary