

## COUNCIL COMMITTEE

The Regular Session of the Council Committee of the Municipality of the County of Colchester was conducted virtually, via Zoom Webinars on Wednesday, April 13, 2022, beginning at 6:00 pm.

In peace and friendship, and in the spirit of truth and reconciliation, Deputy Mayor Stewart acknowledged that the Municipality of Colchester is in Mi'kma'ki, the ancestral and unceded territory of the Mi'kmaq.

### 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 (virtually)
Deputy Mayor Geoff Stewart, Chair	District 3
Councillor Mike Cooper	District 4
Councillor Tim Johnson	District 5
Councillor Karen MacKenzie	District 6 (virtually)
Councillor Michael Gregory	District 7 (virtually)
Councillor Lisa Patton	District 8
Councillor Marie Benoit	District 9
Councillor Victoria Lomond	District 10 (arrived 6:13 pm) (virtually)
Councillor Wade Parker	District 11 (virtually)

### Staff Present

Rob Simonds, Chief Administrative Officer (CAO)  
 Michelle Boudreau, Director of Public Works  
 Scott Fraser, Director of Corp. Services/Acting Director of Solid Waste  
 Paul Smith, Director of Community Development  
 Dennis James, Municipal Solicitor  
 Tracey Veno, Recording Secretary  
 Devin Trefry, Research, Policy, and Community Engagement Officer  
 Jenn Mantin, Economic Development Officer  
 Kelly Gratto McCarthy, HR Specialist  
 Hilary Paquet, Parks and Trails Coordinator  
 Joanna Burris, Sustainability Planner  
 Tim Smith, IT Manager

Mayor Blair noted that this coming weekend is the second anniversary of the mass shootings, with the actual dates being April 18 and 19, and offered sincere and heartfelt thoughts from the Municipality to all those affected by the tragedy.

### Approval of Agenda

Moved by Councillor Boutilier and seconded by Councillor Gregory

“That the agenda be approved with the following additions:

- Item No. 12b, Council Proceedings and Committees Policy; and
- Item No. 18, Negotiations in Closed Session.” Carried unanimously.

### Approval of Minutes

Moved by Councillor Cooper and seconded by Councillor Benoit

“That the minutes of the meetings held on March 10, and 7 & 14, 2022, be approved as presented.” Carried unanimously.

**Business Arising from Minutes** None

**ACTION ITEMS**

**Amendments to Personnel Policy 6.15 Holidays** *Councillor Lomond arrived at 6:13 pm, during discussions on this item.*

Kelly Gratto McCarthy, HR Specialist, briefly presented the proposed amendments to personnel policy 6.15 Holidays. In August 2021, Council approved that the Municipality recognize the September 30<sup>th</sup> Federal Holiday, National Truth and Reconciliation Day, beginning September 30, 2021. Also at that time, Council agreed that language in the two Collective Agreements, as well as 6.15 Holiday Policy, should be consistent relative to holidays recognized by the Province of Nova Scotia or by the Federal Government. The amendments, as presented, formalize those directives within Policy 6.15 Holidays.

Moved by Councillor Benoit and seconded by Councillor Patton

“That Council Committee recommends to Council that the amendments to Personnel Policy 6.15 Holidays, be approved as presented.” Carried unanimously.

**Virtual Meetings Policy**

Devin Trefry, Research, Policy, and Community Engagement Officer presented the proposed amendments to the Council Virtual Meetings Policy, which reflect directive of Council to amend the Policy to allow members of Council the option to attend unlimited Council and Council Committee meetings virtually to June 30, 2022. Staff, in consultation with the Municipal Solicitor, are proposing that the Voting Procedure for Virtual Meetings Policy be integrated into the Council Virtual Meetings Policy.

Moved by Councillor Benoit and seconded by Councillor Patton

“That Council Committee recommends to Council that the Council Virtual Meetings Policy be approved as presented; and,

That the Voting Procedures for Virtual Meetings Policy be repealed.” Carried unanimously.

**Accessibility Plan Adoption**

Paul Smith, Director of Community Development, provided a brief background on the extensive work of the Regional Accessibility Committee and the development of the Regional Accessibility Plan, as included in the Council package for this evening’s meeting. The Committee met on April 4, 2022, and voted unanimously to recommend that respective Councils and Village Commissions adopt the Plan. It was noted that at their meeting on March 31, 2022, Council granted authority to April Council Committee to consider adoption of the Regional Accessibility Plan.

Brief discussion was held of the composition of the Regional Accessibility Committee, as well as a suggestion that language within the document should be consistent with that in the Accessibility Act.

Moved by Councillor Sandeson and Seconded by Mayor Blair

“That Council Committee approve the Regional Accessibility Plan, dated April 4, 2022, and support the continuation of the Regional Accessibility Committee to advise on matters of implementation and compliance.” Carried unanimously.

### **Chantilly Drainage**

Michelle Boudreau, Director of Public Works, provided an update on the Chantilly drainage project which was approved by Council a couple of years ago. Included in her update was background information and timelines; location and description of project; ditches being on provincially owned roads and previous requests to the Province to partner on the project; cost estimates; challenges related to fish habitat as part of the ditch is a designated watercourse; requirements to proceed with work; and options for consideration.

Discussion was held on the concerns of property owners; developer responsibilities; lack of storm drainage plans in developments of 30 years ago; responsibilities and due diligence of the County; involving the MLA as it is an issue on provincially owned roads; stormwater management included as part of development plans today; and, this being a provincial responsibility.

Moved by Councillor Boutilier and seconded by Councillor Cooper

“That the matter of ditch drainage on Chantilly Lane and Roslindale Drive be referred to Nova Scotia Public Works.” Carried unanimously.

### **Update – Request to Purchase Municipal Land, Cross Road, Great Village**

The Director of Community Development advised that this item is to update Council on a past request made by Balamore Farms to purchase a parcel of land from the Municipality. Included in his report was information regarding the parcel of land; past directive of Council relative to investigating whether the property could support an on-site sewage disposal system and results of the assessment; market value of the property estimated at \$14,000; and, requirements under the Municipal Government Act (MGA), as well as the Disposal of Municipal Parkland Policy, for the disposal of municipal property.

Discussion was held on support for promoting agriculture and declaring the land surplus for sale at fair market value; retaining the land, as consistent with recently discussed lands in Princeton Heights; allowing Balamore farms use of property for free; leasing at fair market value; and the process to sell if declared surplus.

Moved by Councillor Parker and seconded by Councillor Johnson

“That the property be retained for future use.” Motion DEFEATED (*Mayor Blair, Deputy Mayor Stewart, Councillors Boutilier, Sandeson, MacKenzie, Gregory, Patton and Lomond opposed*).

Moved by Councillor Gregory and seconded by Councillor Boutilier

“That Council Committee recommends to Council that the property be declared surplus, listed at fair market value with a real estate company.” Motion carried (*Councillors Cooper, Johnson, Benoit, and Parker opposed*).

### **Truro Heights Crosswalk**

The Director of Public Works provided Council with an update on crosswalk requests in Truro Heights that were made in 2020. As these roads are

provincially owned, approvals would be required by NS Public Works. To date, approval has been received for the installation of a crosswalk at Truro Heights and Morley Avenue. Should Council wish to proceed with this crosswalk, it would need to be added to the capital budget. Even though this is a provincially owned road, the Municipality would be responsible for the installation and maintenance of the crosswalk. Ms. Boudreau advised that she would continue to pursue the Province relative to the other crosswalk request on Truro Heights Road and Bayside Avenue.

Moved by Councillor Sandeson and seconded by Councillor Parker

“That the crosswalk at Truro Heights Road and Morley Avenue be referred to the five-year capital budget process.” Carried unanimously.

**Heart’s Haven Memorial Park  
Size/Impact on Debert Business  
Park**

*Councillor Benoit declared a conflict of interest and recused herself from the discussion.*

Jenn Mantin, Economic Development Officer, advised that this item provides Council with information on the size of Heart’s Haven Memorial Park (HHMP) and the impacts this may have on the Debert Business Park (DBP). Included in her report was information on the original location and implied size of the HHMP as discussed in early 2021 and the park development limitations with original implied size; design plans with a minimum 25 metre buffer, as presented in January 2022, which have been shared with families, public and funding partners; and the benefits of the larger size footprint and how it could be complimentary to the DBP. Also included was information on location of the proposed HHMP being on the main throughfare of the DBP and how development of the HHMP may influence industrial development in the DBP. With development of the DBP being a strategic priorities of Council, some issues for considerations are land sale opportunities; location being shovel ready lands (no archaeology required); heavy vehicle traffic; and, interference with an extension of a rail spur for municipal or DBP use.

Moved by Councillor Patton and seconded by Councillor Boutilier

“That Council Committee recommends to Council that the proposed 16.65-acre footprint of Heart’s Haven Memorial Park with a 25-metre buffer, as outlined in this report, be approved.”

Lengthy debate took place on impacts on DBP development with key concerns and importance of the rail spur. Clarification was sought on the possibility of rerouting the rail spur or relocating the HHMP slightly. Referring to rail spur extension, Ms. Mantin spoke to the challenges of rerouting the rail spur however indicated that to date, there has been no consultation with CN on this. It was also noted that the parking and playground areas were the sites of the shootings, and it was requested by the families and community for those sites be utilized specifically for the memorial park. Hilary Paquet, Parks and Trails Coordinator indicated that the line of projection for the future rail spur goes directly across the O’Brien memorial location. Additionally, the rail spur would be an above grade crossing and would take up a fairly large portion of the proposed garden area as well as the memorial location which the families would like to reserve as part of the HHMP. Other points of discussion included the proposed size of the park not being what was initially intended; possibilities of scaling back the park; redesigning the park around

the rail spur; trail portion of the park having the most flexibility for scale back; time sensitivities in moving forward; and keeping with the requests and wishes of families.

Moved by Mayor Blair and seconded by Councillor Patton

“That discussion on the Heart’s Haven Memorial Park Size and Impact on the Debert Business Park be tabled.” Motion carried (*Councillor Cooper opposed*).

*At this point, Councillor Benoit returned to the table.*

### **Colchester Courage**

Councillor Patton raised the issue of acknowledging acts of courage and bravery noting that there are prestigious awards presented through other levels of government. She indicated that municipal government is the one closest to the people and would like to see a municipal award established to recognize and honour those who go above and beyond, to be presented on an annual basis.

Moved by Councillor Patton and seconded by Councillor Boutilier

“That staff be directed to investigate a policy to establish a municipal award for recognition of acts of bravery which exhibit courage.” Carried unanimously.

### **Council Proceedings and Committees Policy**

*Councillor Cooper, as Alternate Chair of Council Committee, assumed the role of Chair to allow opportunity for Deputy Mayor Stewart to speak on this item.*

Deputy Mayor Stewart advised that he and Councillors Patton and Benoit recently attended a workshop on meeting procedures and Robert’s Rules of Order. There are many things that Council does right during meetings and there are ways we could be doing things better. Although referred to on many occasions, there is nowhere in Policy that states we follow Robert’s Rules of Order.

Moved by Deputy Mayor Stewart and seconded by Councillor Patton

“That the Council Proceedings and Committees Policy be referred to staff to review having Robert’s Rules of Order incorporated into the Policy and to ensure there are no conflicts in doing so within the Policy.” Carried unanimously.

Interest was expressed in having a presentation to Council on Robert’s Rules of Order should revisions to the Policy be approved by Council.

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

### **INFORMATION ITEMS**

#### **2022 Tourism & Marketing Initiatives Update**

This Information Item provided Council with an update on regional tourism opportunities, initiatives and activities for the 2022 tourism season including information on the recently held Saltscapes Halifax Expo; Explore Central Nova Scotia website; and plans to promote and attract visitors to Colchester’s parks and trails.

**ICLEI**

Joanna Burris, Sustainability Planner, provided a brief update to Council on the award of funding and support from ICLEI Canada for the development of a Carbon-Free Colchester Volunteer Program.

**Update on Tractor Trailer Parking on Fenwood Avenue**

Councillor Parker advised Council that the issue of the tractor trailer parking on Fenwood Avenue continues to be a problem. All avenues have been exhausted, including having it dealt with through the RCMP. The only way to address the issue is by amending our Sub-division By-law.

Discussion was held regarding this being an on-going issue that is not fair to the residents; past attempts to address the issue which have not been successful; safety concerns; and challenges with provincial jurisdiction due to Fenwood Avenue being in close proximity to a provincial road; and, the possibility of taking an approach from a liability perspective whereas parking the truck is causing damage to roads and curbs.

It was agreed to proceed with from a legal perspective and if unsuccessful, bring back to Council as an Action Item.

**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 Patton and seconded by Councillor Gregory

"That the meeting go into closed session at 8:25 pm." Carried unanimously.

Moved by Councillor Benoit and seconded by Councillor Gregory

"That the meeting reconvene in open session at 9:47 pm." Carried unanimously.

**Personnel Matter – Community Development Organizational Review and Realignment**

At their meeting on March 31, 2022, Council granted authority to April Council Committee to consider and approve changes to the personnel matter on Community Development Organizational Review and Realignment.

Moved by Councillor Boutilier and seconded by Councillor Parker

"That Council Committee approve the changes recommended by the Director of Community Development to each of the business units as described in the *Community Development - Departmental Review & Realignment* report dated April 13, 2022". Carried unanimously.

**ADJOURNMENT**

The meeting adjourned at 9:48 pm.

Tracey Veno  
Recording Secretary