

COUNCIL COMMITTEE

The Regular Session of the Council Committee of the Municipality of the County of Colchester was conducted virtually, via Zoom Webinars and in-person on January 11, 2024, 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	
Cllr. Eric Boutilier	District 1(<i>regrets</i>)
Cllr. Laurie Sandeson	District 2
Deputy Mayor Geoff Stewart, Chair	District 3
Cllr. Mike Cooper	District 4
Cllr. Tim Johnson	District 5
Cllr. Karen MacKenzie	District 6
Cllr. Michael Gregory	District 7
Cllr. Lisa Patton	District 8
Cllr. Marie Benoit	District 9
Cllr. Victoria Lomond	District 10
Cllr. Wade Parker	District 11

Staff Present

Dan Troke, Chief Administrative Officer
 Michelle Boudreau, Director of Public Works
 Scott Fraser, Director of Corporate Services
 Phillip Redden, Director of Solid Waste
 Dennis James, Municipal Solicitor
 Tracey Veno, Recording Secretary
 Pam Macintosh, Manager of Planning Services
 Devin Trefry, Research, Policy, and Community Engagement Officer
 Jenn Mantin, Economic Development Officer
 Mollie MacBurnie-Haas, IT Support Technician

Approval of Agenda

Moved by Councillor Sandeson and seconded by Councillor Cooper

“That the agenda be approved as presented.” Carried unanimously.

Approval of Minutes

Moved by Councillor Johnson and seconded by Councillor Benoit

“That the minutes of meeting held on December 14, 2023, be approved as presented.” Carried unanimously.

Business Arising from Minutes

None

ACTION ITEMS**Regional Accessibility Advisory Committee Terms of Reference**

Phil Redden, Director of Solid Waste, advised that this item provides an update on the tabled discussion in November on the Regional Accessibility Advisory Committee (RAAC) Terms of Reference where concerns were raised around quorum. The RAAC met on January 3rd with a motion being passed to revise the TOR as presented. Key items changed include committee definition of quorum, member appointments, and terms of appointments. Committee composition would be five Elected Officials and six Other

Persons. Quorum would be maintained at one-third of representatives with a minimum of two Other Persons. An amendment to the TOR as presented was suggested and this would be to include a definition for Other Persons. The proposed changes are aimed to provide better functionality for the operational business of the Committee.

Concern was expressed with the one-third quorum, specifically around making decisions around spending of funds. Mr. Redden reminded Council that this is an Advisory Committee and any motions from this Committee would be recommendations to the public sector for approval.

Moved by Mayor Blair and seconded by Councillor Patton

“That Council Committee recommends to Council that revised Regional Accessibility Advisory Committee Terms of Reference be approved as amended.” Carried unanimously.

Council Virtual Meetings Policy Amendment

Devin Trefry, Research, Policy and Community Engagement Officer, highlighted the purpose of this item is to consider an amendment to the Council Virtual Meetings Policy. The proposed amendment incorporates language addressing virtual attendance when more than one meeting occurs on the same day. This issue was referred to staff during discussion at the November 30th Council meeting, during which concerns were raised regarding the utilization of two virtual allowances for meetings held on the same day.

Discussion was held on the inclusion of considerations for meetings scheduled on different nights but directly connected, as well as for meetings that are recessed and reconvened later. It was clarified that when a meeting is recessed and resumes on another day, it would be treated as a single meeting. The proposed amendment addresses concerns raised during the November 30th meeting. Staff noted that if Council wishes to make amendments to address additional scenarios, these should be addressed separately from the current amendments.

Moved by Councillor Benoit and seconded by Councillor Patton

“That Council Committee recommends to Council that the amendments to the Council Virtual meetings Policy be approved as presented.” Carried unanimously.

2024-25 Schedule of Meetings

The Chief Administrative Officer (CAO) advised that the schedule of meetings for the upcoming fiscal year is typically approved early in the new calendar year. Various considerations were taken into account, such as the date of the NSFM Fall Conference, high school graduation dates, and Halloween. As a result, alternate dates for the affected Council meetings are suggested for consideration.

Moved by Councillor Cooper and seconded by Councillor Patton

“That Council Committee recommends to Council that the 2024-25 Schedule of Meetings be approved as presented.” Carried unanimously.

2024 FCM Conference

The CAO outlined that this item pertains to the approval of attendees for the 2024 FCM Conference scheduled for June 6-10 in Calgary, Alberta.

Traditionally, as approved by motion in 2009, the Mayor, Deputy Mayor, and three Councillors have attended each year. Additionally, the CAO is approved to attend the annual conference. While registrations costs are not yet available, pre-tax registration costs in 2023 were \$985 for early registration and \$1,161 after early bird deadline.

During discussion, there was consideration given to opening up the opportunity for Council members who have not yet attended an in-person conference during this term. Additionally, a suggestion was made to extend the opportunity to all members of Council for support of the Deputy Mayor's appointment as FCM President.

Moved by Councillor Gregory and seconded by Councillor Sandeson

"That Council Committee recommends to Council approval of the number of FCM Conference attendees as per past practice." Motion carried (*Councillor Cooper opposed*).

By draw, it was decided that Councillors Cooper, Gregory and Parker, along with the Mayor, Deputy Mayor, and CAO, will attend the 2024 FCM Conference in Calgary, Alberta. Councillor Boutilier has been designated as the alternate if one of the selected Councillor are unable to attend.

Returning Officer and Assistant Returning Officer Appointment

Mr. Trefry advised that, in accordance with the Municipal Election Act, Council shall appoint the Returning Officer (RO) and Assistant Returning Officer (ARO) or can delegate authority to the CAO. Guy Wheeler, having previously served as the Returning Officer for the 2016 and 2020 Elections, as well as the 2021 By-election, has expressed interest and availability to fulfill the role for the upcoming 2024 Municipal Election. It is recommended that Council appoint Guy Wheeler as the RO and delegate authority to the CAO for the appointment of the ARO.

Moved by Councillor Sandeson and seconded by Mayor Blair

"That Council Committee recommends to Council that Guy Wheeler be appointed as Returning Officer for the 2024 Municipal Election; and

That powers to appoint the Assistant Returning Officer be delegated to the CAO." Carried unanimously.

Bonding in Tenders

Michelle Boudreau, Director of Public Works, provided an update on a Council request to reevaluate bonding requirements for tenders, particularly exploring the possibility of lowering bonding requirements for lower-value contracts. This resulted from a recent tender that was not awarded to the lowest bidder as bonding requirements were not met. Included in her report was current bonding requirements, details on the Standard Specifications for Municipal Services in Nova Scotia, a review of bonding practices in other municipal units, contractor costs associated with obtaining bonds, information on irrevocable Letters of Credit as an alternative to bonding, and various options for consideration. Ms. Boudreau advised that when evaluating bonding requirements for risk, contract complexity should be taken into consideration more so than simply lower contract value. Staff recommendation is that current bonding requirements remain unchanged.

Detailed debate was held with points of discussion including the potential for saving taxpayer dollars and redirecting those savings to other projects, such as road paving; building in alternatives to bonding in tender documentation; reputable companies losing tenders due to bonding requirements; and putting a value on projects that require bonding. Further discussion followed on bidders abiding by rules as outlined in tenders; having parameters in place to protect against risk, regardless of project amount; lack of bonding could increase risk especially as it relates to performance; and challenges with changing bonding requirements as outlined by staff and the Municipal Solicitor. Emphasis was noted taking project complexities into consideration along with contract value.

Moved by Councillor Johnson and seconded by Councillor Gregory

“That staff investigate amendments to policy to consider bonding requirements where financial security can be lessened for contracts under certain monetary thresholds.” Motion DEFEATED (*Mayor Blair, Deputy Mayor Stewart, Councillors Sandeson, Cooper, MacKenzie, Benoit and Lomond opposed*).

Moved by Mayor Blair and seconded by Councillor Sandeson

“That Council Committee recommends to Council that current bonding requirements for construction tenders be maintained.” Motion carried (*Councillors Johnson, Gregory, and Parker opposed*).

INFORMATION ITEMS

Active Transportation Network Extension, Pictou Road, Valley

This information highlights the outcomes of the public consultation regarding the potential extension of the Active Transportation (AT) Network along Pictou Road from Valley Crossroads to Croweland Drive. Of the 54 invitations distributed, 12 households attended the public consultation and 9 optional questionnaires were completed. The overall response from participants was positive. Next steps involve staff reviewing approaches and costs for proposed AT pathway on Pictou Road to Croweland Drive with information provided to Council when the capital budget is updated in 2024.

Director’s Report

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

Discussion was held on the Fundy Discovery Site, specifically on retendering of the bridge redesign. Key points raised included concerns of compromising on the design and overall project costs. There was also a suggestion about use of wind turbine blades in the redesign. Staff noted detailed information about the design could be provided prior to the tender being issued.

Subsequent discussion was held on the dates for next engagement process for county-wide planning. Staff advised that a meeting with the consultant is scheduled in the near future and once finalized, the dates for the engagement process will be communicated.

CLOSED SESSION

Moved by Councillor Cooper and seconded by Councillor Patton

“That the meeting go into closed session at 7:30 pm.” Carried unanimously.

Moved by Councillor Lomond and seconded by Councillor Gregory

“That the meeting reconvene in open session at 7:57 pm.” Carried unanimously.

Negotiations

Moved by Councillor Benoit and seconded by Councillor Patton

“That Council Committee approves the sale of 4 Hawker Road as outlined in Closed Session; and,

That the Mayor and CAO be authorized to execute the purchase and sale agreement prepared by Legal Counsel for this transaction.” Motion carried (*Councillor Johnson opposed*).

ADJOURNMENT

Moved by Councillor Gregory and seconded by Councillor Lomond

“That the meeting adjourn at 7:58 pm.” Carried unanimously.

Tracey Veno
Recording Secretary