

MUNICIPAL COUNCIL

The Regular Session of the Municipal Council of the Municipality of the County of Colchester was conducted virtually via Zoom Webinars on Thursday, May 28, 2020 at 6:00 pm.

Roll Call

The roll was called with the following Councillors in attendance:

Mayor Christine Blair, Chair	
Councillor Eric Boutilier	District 1
Councillor Bill Masters	District 2
Deputy Mayor Geoff Stewart	District 3
Councillor Mike Cooper	District 4
Councillor Lloyd Gibbs	District 5
Councillor Karen MacKenzie	District 6
Councillor Michael Gregory	District 7
Councillor Ron Cavanaugh	District 8
Councillor Bob Pash	District 9
Councillor Tom Taggart	District 10
Councillor Wade Parker	District 11

Staff Present

Rob Simonds, Chief Administrative Officer (CAO)
 Michelle Newell, Director of Public Works
 Scott Fraser, Director of Corporate Services/Acting Director of Solid Waste
 Crawford Macpherson, Director of Community Development
 Dennis James, Municipal Solicitor
 Tracey Veno, Recording Secretary
 Mark Austin, Economic Development Officer
 Devin Trefry, Research, Policy, and Community Engagement Officer
 Craig Burgess, Recreation Manager
 Dave Westlake, Emergency Management/Protective Services Coordinator
 Tim Smith, IT Manager
 Joanna Burris, Sustainability Planner (*for items 7 & 8*)

Appointment of Solicitor

Dennis James, Municipal Solicitor, left the room during discussion on this matter and returned immediately following.

Moved by Councillor Cooper
 Seconded by Councillor Gibbs

“That Council waives policy and appoints Patterson Law as the Municipality’s Solicitor for fiscal year 2020-21.”

Motion Carried Unanimously,

Approval of Agenda

Moved by Councillor Gregory
 Seconded by Councillor Pash

“That the agenda be approved with the following additions:

- Item 14b, Thank You to Mannie Withrow, Manager of Building Inspections;
- Item 14c, Covid-19 Meetings;

- Item 19b, Negotiations in Closed Session;
- Item 19c, Public Security in Closed Session; and,
- Item 20b, Personnel Matter in Closed Session.”

Motion Carried Unanimously.

Approval of Minutes

Moved by Councillor Cooper
Seconded by Councillor Boutillier

“That the minutes of the meetings held on April 30, May 7 and 21, 2020, 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 30, May 7 and 21, 2020,

Standing Committee Reports and Recommendations

Deputy Mayor Stewart, Chair of Council Committee, presented the report from the meeting held on May 14, 2020:

Debert Business Park Advisory Committee Terms of Reference

Moved by Deputy Mayor Stewart
Seconded by Councillor Pash

“That Council approves the Terms of Reference (TOR) for the Debert Business Park Advisory Committee with amendments relative to clarification of voting membership and terms of appointment.”

Motion Carried Unanimously.

Grants to Non-profit Policy Amendments

Moved by Deputy Mayor Stewart
Seconded by Councillor Gibbs

“That Council approves the amendments to the Grants to Non-profit Organizations Policy, as amended.”

Motion Carried Unanimously.

Low Income Municipal Tax Assistance Program

Moved by Deputy Mayor Stewart
Seconded by Councillor Cavanaugh

“That Council approves the Low Income Municipal Tax Assistance Program, as amended.”

Motion Carried Unanimously.

Moved by Councillor Taggart
Seconded by Councillor Gregory

“That staff bring to Council, well in advance of the 2021/22 tax year, suggested amendments to income thresholds for Council consideration.”

Covid-19 Property Tax Financing Program Policy

Moved by Deputy Mayor Stewart
Seconded by Councillor Gibbs

“That Council approves in principle, the model Covid-19 Property Tax Financing Program Policy, as presented.”

Motion Carried Unanimously.

Front Line Workers

Moved by Deputy Mayor Stewart
Seconded by Councillor Boutilier

“That Council approves placing one ‘Thank you ALL Frontline Workers’ sign in each district of the County.”

Motion Carried. (*Councillor Cooper opposed*)

During discussion on this matter, concern was raised on one sign not being sufficient for District 4.

Executive Committee Minutes

Moved by Councillor Boutilier
Seconded by Councillor Gregory

“That Council receives the Executive minutes of meetings held on April 28, May 5, 12, and 20, 2020, as presented.”

Motion Carried Unanimously.

ACTION ITEMS

Energy Plan Contract – Authority for June Committee to Award

Moved by Councillor Boutilier
Seconded by Councillor Masters

“That Council grants authority to June Council Committee to award the contract for the Community Energy and Emissions Plan.”

Motion Carried Unanimously.

FCM Community Efficiency Financing and Solar Colchester Year-2

Joanna Burris, Sustainability Planner, was in attendance to present Council with information on FCM’s Green Municipal Fund new program called Community Efficiency Financing (CEF), as well as seek directive regarding the structure of the Solar Colchester Program for Year 2.

In her presentation, Ms. Burris indicated that the purpose of the CEF program is to reduce greenhouse gas emissions across the country by investing in energy efficiency and renewable energy in the low-density residential sector. Detailed information was presented on the different funding streams; application deadlines; how Colchester could use the funds; opportunities for Solar Colchester in Year 2; and, staff's recommendations going forward.

Discussion was held on a number of issues including interest rates and recovery; how/where Nova Scotia Power fits in; Colchester's borrowing requirements; and, community solar farms.

Moved by Deputy Mayor Stewart
Seconded by Councillor Gregory

"That Council directs staff to restructure the Solar Colchester Program for Year 2 to allow multiple installers to participate; and,

That Council directs staff to apply for the FCM Community Energy Financing to expand Solar Colchester and scale up the impacts of the Program."

Motion Carried Unanimously.

Moved by Councillor Taggart
Seconded by Councillor Cavanaugh

"That the Municipality of Colchester apply for a grant for a feasibility study for a community solar farm for residential purposes and that staff reach out to the Towns of Truro and Stewiacke to see if they are interested in participating as a region."

Motion Carried Unanimously.

Plow Truck Debert – Award of Tender

Michelle Newell, Director of Public Works, indicated that this item is to award the tender for the purchase of $\frac{3}{4}$ ton truck with tailgate lift and plow for Water Utility and Debert Maintenance Operations. This will replace the existing 2014 truck. A brief overview on vehicle maintenance was provided.

A public call for tenders was issued with three bids being received by the closing date. Bruce Ford Sales was the low bidder at \$45,908, which included a \$10,000 trade in. Council's five-year capital budget included funds in fiscal 2019/20, with source of funds being the Public Works Vehicle Reserve.

Ms. Newell also advised Council's purchasing policy allows for a two percent margin for local businesses for goods under \$25,000 so it does not apply in this case. Staff did reach out to other local dealers and at least one could not bid as they could not guarantee price due to the current situation with Covid-19.

Concern was raised regarding supply issues with Bruce Ford Sales in the past. Ms. Newell advised that there was a lengthy delay in awarding that tender and as a result, they could not honour the quoted price and delivery terms.

Lengthy discussion was held regarding Council's ability to waive policy. Ms. Newell and Mr. James explained that for any goods over \$25,000, services over \$50,000 and construction projects over \$100,000, we have to follow the Atlantic Procurement Policy, so we do not have opportunity to direct award. For goods and services under \$50,000, Council's current Purchasing Policy requires three quotes. However, if Council wanted to waive policy on anything under \$50,000, that would have to be done prior to the tender being issued.

Moved by Councillor MacKenzie
Seconded by Councillor Cooper

"That Council authorizes staff to award the tender for the purchase of a $\frac{3}{4}$ ton truck for Water Utility and Debert Maintenance Operations to Bruce Ford Sales in the amount of \$45,908 excluding HST, with source of funds being the Public Works Vehicle Reserve."

Motion Carried. *(Councillors Masters, Pash, Taggart and Parker opposed)*

Wastewater Treatment Truck – Award of Tender

Ms. Newell provided a brief overview of this item indicating that it relates to awarding the tender for the purchase of a $\frac{1}{2}$ ton truck for Wastewater Treatment Operations. A public tender was issued with three bids received by the deadline. The low bidder was Bruce Ford Sales and their tender was deemed to be complete. Council's five-year capital budget includes funds in fiscal 2020/21 for a new truck with source of funds being the Public Works Vehicle Reserve.

As with the previous item, Ms. Newell noted that Council's purchasing policy allows for a two percent margin for local businesses for goods under \$25,000 so it does not apply in this case.

Moved by Councillor MacKenzie
Seconded by Councillor Boutilier

"That Council authorizes staff to award the tender for the purchase of a $\frac{1}{2}$ ton truck for Wastewater Treatment Operations to Bruce Ford Sales, in the amount of \$25,820 excluding HST, with source of funds being the Public Works Vehicle Reserve."

Motion Carried. *(Councillors, Pash, Taggart and Parker opposed)*

Area Rates Budgets 2020/21

Scott Fraser, Director of Corporate Services, provided a brief overview of this item noting that annually, Council reviews and approves area rates for the upcoming fiscal year. There are only two changes for the 2020/21 fiscal year: a two-cent increase for the Onslow Belmont Fire Rate; and the addition of a School Enhancement rate in Tatamagouche. Council agreed in 2018 to fund the new School Enhancements for the Tatamagouche School. The total for the school enhancements came in much lower than originally anticipated, at \$102,000. This will be funded with a one-cent area rate for a period of four years.

Moved by Councillor Taggart
Seconded by Councillor Gregory

“That Council approves the 2020/21 Area Rate Budgets, as presented.”

Motion Carried Unanimously.

**Second Reading – Amendments
to Chapter 35 Dog By-law**

Devin Trefry, Research, Policy, and Community Engagement Officer provided a brief overview of this item indicating that Council approved First Reading at the February Council meeting. The proposed amendments include changes to reflect Municipal kennel services and administrative procedures, as well as to update language to better reflect and communicate the By-law’s intent for enforcement.

Moved by Deputy Mayor Stewart
Seconded by Councillor Gregory

“That Council approves, by way of Second Reading, amendments to Chapter 35 Dog By-law, as presented.”

Motion Carried Unanimously.

Noise Complaints

Referring to noise complaints, Deputy Mayor Stewart advised that he is not bringing this issue forward to request a by-law, however, he received a call from a resident regarding a noise complaint, who had initially called the RCMP and was told by the RCMP to call their Councillor. There are provincial statutes in place to cover noise issues at the provincial level. We pay the RCMP for a service and if there is legislation in place, the RCMP should be dealing with noise complaints through the existing legislation and not passing it off to local municipal officials. The Deputy Mayor indicated that if there is such legislation, then he would like to see a letter sent to the RCMP expressing Council’s displeasure regarding this matter.

Discussion was held on concerns of this nature previously being brought before Council. The Municipal Solicitor referred to a memo that was circulated to Council relative to noise complaints and the parameters the RCMP work within in the absence of a by-law and suggested that the memo be recirculated for Council review prior to sending a letter.

Further discussion was held regarding the number of times this issue has been before Council; the Municipality’s former by-law dealing with noise being rescinded at the request of the RCMP; having staff create a by-law for consideration; potential enforcement concerns with a by-law; and, previous commitments of the RCMP to deal with noise complaints.

Moved by Councillor Taggart
Seconded by Councillor Cavanaugh

“That Council requests the Municipal Solicitor check existing legislation relative to dealing with noise and if there is such legislation, then a letter be written to the RCMP asking them to enforce the legislation.”

Motion Carried Unanimously.

Moved by Councillor Taggart
Seconded by Councillor Gibbs

“That the CAO write a letter to the Staff Sergeant expressing Council’s disappointment with Officers referring residents to Council Members for noise complaint issues.”

Motion Carried. (*Mayor Blair opposed*)

Brief discussion took place regarding timing of letter and Councillor Taggart indicated he would like the letter to go within the next two weeks.

Food Banks

Councillor Taggart advised that the local food bank has volunteers doing deliveries but only to areas within five minutes of Truro. Concern was raised with this not being of any help to those in need in the more rural communities. He indicated that Feed NS and possibly the Red Cross have food box drop programs in place from federal monies received through Covid-19 relief funds, however, it is not known if these programs are reaching the outlying areas.

Moved by Councillor Taggart
Seconded by Councillor Cooper

“That staff investigate existing programs through Feed NS and/or the Red Cross to determine if they are prepared to service the more rural communities; and,

If so, how best this can be communicated to the residents.”

Motion Carried Unanimously.

Thank You to Mannie Withrow, Manager of Building Inspections

Councillor Taggart indicated that would like to extend a sincere Thank You to Mannie Withrow, Manager of Inspection Services, for acting quickly and efficiently on the Dangerous and Unsightly Premises complaints on the properties in Portapique.

Referring to a tender for Dangerous and Unsightly Premises clean-up order, Councillor Gibbs indicated that he has received an inquiry on how to submit a tender with the Municipal Building being closed. Crawford Macpherson, Director of Community Development, and the Municipal Solicitor, indicated that submissions should be made as specified in the tender document. If it specifies submissions are to be delivered to the Municipal Building, Sheriffs are at the back door of the building to receive packages.

Covid-19 Meetings

Councillor Parker brought forward the issue of the Special Council meetings to deal with Covid-19 indicating that with things starting to ease off and restrictions beginning to be lifted, he suggested that Council consider stopping these weekly Special Meetings and only meet when and if issues arise.

Mayor Blair clarified that following the tragic events of April 18 and 19 in Portapique, Council agreed that these meetings would also include community relief initiatives.

Moved by Councillor Parker
Seconded by Councillor Gregory

“That the Special Council Meetings for Covid-19 and Community Relief Initiatives be discontinued effective June 1st.”

Motion Carried Unanimously.

Correspondence - ACTION

Tony Moore, Resident

An email to the Director of Public Works requesting a crosswalk at Highway 311 in North River.

Moved by Councillor Cavanaugh
Seconded by Councillor Gibbs

“That Council supports the request for a crosswalk on Highway 311 at Mountain Lee Road and refers the matter to staff.”

Motion Carried Unanimously.

Leonard Brandstad, President, Colchester Ground Search and Rescue

A letter to Mayor Blair requesting that Colchester Ground Search and Rescue be included in the new County insurance policy provided to Volunteer Fire Fighters.

“That the letter from Colchester Ground Search and Rescue be referred to staff to investigate and report back to Council.”

Motion Carried Unanimously

Correspondence - INFORMATION

Development Officer

A copy of the Development Activity Report received from the Development Officer for the month of April 2020. Council agreed to receive the report for information purposes.

Building Inspector

A copy of the Building Permit Statistics received from the Building Inspector for the month of April 2020. Council agreed to receive the report for information purposes.

INFORMATION ITEMS

Covid-19 Update

As per the request of Council at the March 26th Council meeting, this item serves to provide Council with ongoing operational and administrative updates and implications relative to the COVID-19 Pandemic.

Reports from Councillors Appointed to Outside Boards and Agencies

Copies of reports from the Mayor and Councillors were circulated in the package and/or as a separate attachment prior to this evenings meeting.

CLOSED SESSION

Moved by Councillor Cooper
Seconded by Councillor Cavanaugh

“That the meeting go into closed session at 8:49 pm.”

Motion Carried Unanimously.

Following discussion on the first item in Closed Session, Councillor Cavanaugh left the meeting.

Moved by Councillor Gibbs
Seconded by Councillor Gregory

“That the meeting reconvene in open session at 10:40 pm.”

Motion Carried Unanimously.

Non-Union Employee Annual Salary Increase

Brief discussion was held on deferring this item for two weeks until the next regularly scheduled meeting.

Moved by Councillor Parker
Seconded by Councillor Masters

“That Council approves the non-union salary increase for 2020/21 at 2.25%.”

Motion Carried. *(Councillors Taggart and Boutilier opposed)*

ADJOURNMENT

Moved by Councillor Gregory
Seconded by Councillor Masters

“That the meeting adjourn at 10:43 pm.”

Motion Carried Unanimously.

Tracey Veno
Recording Secretary