

MUNICIPAL COUNCIL

The Regular Session of the Municipal Council of the Municipality of the County of Colchester was conducted virtually via Zoom Webinars, with Council Members In-person, on Thursday, January 28, 2021, at 6:00 pm.

Mayor Christine Blair, Chair	
Councillor Eric Boutilier	District 1
Councillor Laurie Sandeson	District 2
Deputy Mayor Geoff Stewart	District 3
Councillor Mike Cooper	District 4 (<i>arrived late</i>)
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 Tom Taggart	District 10
Councillor Wade Parker	District 11

Staff Present

Rob Simonds, Chief Administrative Officer (CAO)
Michelle Newell, Director of Public Works
Crawford Macpherson, Director of Community Development
Scott Fraser, Director of Corporate Services/Acting Director of Solid Waste
Dennis James, Municipal Solicitor
Tracey Veno, Recording Secretary
Devin Trefry, Research, Policy, and Community Engagement Officer
Jeanette Himmelman, Systems Analyst
Craig Burgess, Recreation Manager (*for Item # 5(1)*)
Anna-Marie Manley, Patterson Law
Jennifer Hamilton-Upham, Patterson Law

Approval of Agenda

Moved by Councillor Benoit
Seconded by Councillor Parker

“That the agenda be approved as presented.”

Motion Carried Unanimously.

Approval of Minutes

Referring to the section dealing with appointments to the Tatamagouche Water Utility and Tatamagouche Planning Advisory Committees on page 64 of the November 30th minutes, Councillor Taggart indicated that if he voted against this motion, it was not intentional and would like to have that changed.

Moved by Councillor Gregory
Seconded by Deputy Mayor Stewart

“That the minutes of the meeting held on November 30, 2020, be approved with the above noted amendment, and the minutes of January 13, 2021, be approved as presented.”

Motion Carried Unanimously.

At this point, Councillor Cooper arrived.

Business Arising from Minutes

There was no business arising from the minutes of the meetings held on November 30, 2020, and January 14, 2021.

Standing Committee Reports and Recommendations

Deputy Mayor Stewart, Chair of Council Committee, presented the report from the meeting held on December 10, 2020:

CIBC Overdraft Renewal – Banking Resolution

Moved by Deputy Mayor Stewart
Seconded by Councillor Sandeson

“That Council approves the CIBC Borrowing Resolution as presented.”

Motion Carried Unanimously.

Expense Policy for Members of Council and CAO and Hospitality Policy

Moved by Deputy Mayor Stewart
Seconded by Councillor Gregory

“That Council approves the Expense Policy for Members of Council and CAO and the Hospitality Policy, as presented.”

Motion Carried Unanimously.

Deputy Mayor Stewart, Chair of Council Committee, presented the report from the meeting held on January 14, 2021:

Valley-Kemptown and District Fire Brigade Loan Guarantee Request

Moved by Deputy Mayor Stewart
Seconded by Councillor Johnson

“That Council approves the request for a Loan Guarantee in the amount of \$750,000, for a replacement fire apparatus unit, from the Valley-Kemptown and District Fire Brigade.”

Motion Carried Unanimously.

Equity, Diversity, and Inclusion Committee

Moved by Deputy Mayor Stewart
Seconded by Councillor Taggart

“That Council approves the formation of an Equity, Diversity and Inclusion Committee, made up of Councillors and municipal staff.”

Motion Carried Unanimously.

2021-22 Schedule of Meetings

Moved by Deputy Mayor Stewart
Seconded by Councillor Sandeson

“That Council approves the Schedule of Meetings for Fiscal 2021-22, including budget meeting dates, as presented.”

Motion Carried Unanimously.

Grant Presentation Meeting Dates

Moved by Deputy Mayor Stewart
Seconded by Councillor Benoit

“That Council approves March 4 and 8, 2021, for the 2021-22 Grant Presentations.”

Motion Carried Unanimously.

Recreation Facilities – Funding

Moved by Deputy Mayor Stewart
Seconded by Councillor Cooper

“That Council approves that an Emergency Covid Fund be established for recreation facilities.”

Motion Carried Unanimously.

Debert Memorial Park

Moved by Deputy Mayor Stewart
Seconded by Councillor Benoit

“That Council supports the creation and design of the memorial park and playground with assistance from staff.”

Motion Carried Unanimously.

Portapique Community Build-up + Project

Moved by Deputy Mayor Stewart
Seconded by Councillor Taggart

“That Council approves funding in the amount of \$70,000 for the Portapique Community Build-up + Project, with source of funds being \$40,000 from the Park Grant Funding and the remainder from the Special Operating Reserve; and,

That funding be contingent upon a contract, as approved by the Municipal Solicitor.”

Motion Carried Unanimously.

During discussion and voting on the Portapique Community Build-up + Project matter, Mayor Blair and Councillor Sandeson recused themselves and Deputy Mayor Stewart assumed the role of Chair.

Debert Business Park Land Sales Policy

Moved by Deputy Mayor Stewart
Seconded by Councillor Benoit

“That Council approves the Debert Business Park Land Sales Policy, as presented.”

Motion Carried Unanimously.

Gorman Road Street Lights

Moved by Deputy Mayor Stewart
Seconded by Councillor Patton

“That Council approves proceeding with a mailout petition for three proposed streetlights on Gorman Road; and,

That Council waive the Open House requirement of the Local Improvement By-law, due to Covid-19 and Public Health Orders.”

Motion Carried Unanimously.

Personnel – Park Staff Positions

Moved by Deputy Mayor Stewart
Seconded by Councillor Boutilier

“That Council approves that the two permanent seasonal recreation maintenance positions, Horticulture Technician and Park Maintenance Worker, become permanent full-time positions.”

Motion Carried Unanimously.

Negotiations

Moved by Deputy Mayor Stewart
Seconded by Councillor Patton

“That Council directs that a letter be written to the Minister of Justice requesting staffing information, as discussed in closed session.”

Motion Carried Unanimously.

Nominating Committee Report of Meetings Held on January 20, 2021:

Deputy Mayor Stewart assumed the role of Chair to allow Mayor Blair to present the report from the Nominating Committee.

Mayor Blair presented the recommendations of the Nominating Committee from the January 20th meeting including:

- That Council appoint Steve McRae to the Citizens Monitoring Committee for the Nuttby Wind Turbines;
- That Council appoint Margaret Pyke to the Citizens Monitoring Committee for the Greenfield Wind Turbines;
- That Council appoint Bob Pash to the Debert Business Park Advisory Committee; and,
- That Council appoint Sheldon Richardson, Jennifer White, and Sheila Marshall to the Hilden/Truro Heights Wind Farm Committee.

The Nominating Committee also received a copy of a letter from Mr. Gregory Routledge resigning from his position on the Audit Committee due to his recent employment with Grant Thornton. The Nominating Committee agreed to proceed with only one representative on the Audit Committee, as per previous recommendations and approvals by Council.

Moved by Mayor Blair
Seconded by Councillor Gregory

That Council approves the recommendations of the Nominating Committee, as presented.”

Motion Carried Unanimously.

At this point, Mayor Blair resumed the role of Chair.

Flood Advisory Committee Minutes of Meetings Held on September 23, 2020:

Referring to the status of budgets on the third page of the minutes, clarification was sought on the consultant stipend. Michelle Newell, Director of Public Works, confirmed that the consultant receives a monthly stipend of \$400 from the County’s Flood Advisory Committee (FAC) and \$800 from the Joint Flood Advisory Committee, shared between the Town and County. For the County’s FAC, the monthly stipend covers regulatory approval and site visits, whether work proceeds or not. In addition to that, there is a 10% fee paid per project.

On the matter of outstanding issues/projects, an inquiry was made on Springwater’s Place and whether a response has been received from Nova

Scotia Transportation and Infrastructure Renewal. Ms. Newell confirmed there has been no response to date.

Moved by Councillor Gregory
Seconded by Councillor Sandeson

“That Council accepts the minutes of the September 23, 2020, Flood Advisory Committee meeting.”

Motion Carried Unanimously.

ACTION ITEMS

Funding for J-Class Roads

For the benefit of new Council members, Michelle Newell, Director of Public Works, provided a detailed review on the J Class Roads which included information on road ownership and responsibilities; the 50/50 cost sharing agreement; provincial funding and budgets for paving for approved roads; the Municipality’s portion being the responsibility of fronting property owners; the petition process; potential financial implications should Council change the way road paving is funded; and, various options for consideration. Council previously agreed to enter into the three-year cost sharing agreement but deferred discussion on how the municipal portion would be funded until the new Council was in place following the Election.

Councillor MacKenzie spoke of the past experiences and challenges in her district relative to this issue, noting that in many instances, the process ends up pitting neighbours against neighbours. Newer subdivisions owned by the County are being paved while the J Class Roads owned by the Province are not getting done. She realizes this is another case of downloading by the Province, however, feels strongly that the residents should not have to pay, and Council needs to find a way to get these J Class Roads paved.

Discussion was held on costs of paving and rotation cycle; locations and conditions of roads; funding options; potential source of funds if funded Municipally such as from Gas Tax funding, the general rate and implementing an area rate; funding sources for subdivision roads currently owned by the Municipality; and street and sidewalks being a number one priority for residents. Further discussion was held on the fairness of funding Municipally when residents were required to pay for this service in the past. Concern was also expressed as J Class roads are a provincial responsibility.

Moved by Councillor MacKenzie
Seconded by Councillor Parker

“That Council approves utilizing Municipal funds from Gas Tax or General Revenue to cover the 50% contribution for the paving of J Class Roads.”

Motion DEFEATED. *(Deputy Mayor Stewart, Councillors Boutilier, Sandeson, Cooper, Johnson, Gregory, Patton, Benoit, and Taggart opposed)*

Moved by Councillor Johnson

Seconded by Councillor Gregory

“That staff explore options for area rates for the paving of J Class Roads to bring back to Council for review and consideration.”

Motion Carried. *(Mayor Blair, Councillors MacKenzie and Parker opposed)*

**Compensation for Business
Affected by Municipal
Construction Projects**

Mr. Devin Trefry, Research, Policy and Community Engagement Officer, reported the results of findings on how other municipal units handle compensation for businesses affected by municipal construction projects. This report is in response to a request for compensation from the owner of Jamieson’s General Store in Tatamagouche, who claimed lost sales due to her store being closed because of municipal construction work being carried out.

Moved by Deputy Mayor Stewart
Seconded by Councillor Boutilier

“That the Municipality learn from the experience by improving future communication protocols relating to Municipal construction projects affecting local businesses and residents.”

Motion Carried. *(Councillor Johnson opposed)*

Councillor Gregory inquired about a response being sent to the business owner. The CAO confirmed that staff would send a response.

Balefill Cell – Award of Tender

Ms. Newell provided a summary of this item noting that design for the new cell was done in-house. A tender was issued and posted on the Provincial and County websites. Six submissions were received by the deadline of December 17, 2020, with S.W. Weeks Construction being the lowest bidder. The bid was deemed to be complete. Ms. Newell noted that S.W. Weeks Construction also completed the construction of the cell in 2014 and the County was pleased with the work.

Brief discussion was held on challenges with clay the last time. Ms. Newell indicated that she believes there are no issues at this time and if this changes, it would be brought to Council.

Moved by Councillor Taggart
Seconded by Councillor Cooper

“That Council authorizes staff to award the tender for the construction of the new Balefill Cell to S.W. Weeks Construction, for a total contract amount of \$3,696,625, excluding HST; and,

That an internal contingency of \$300,000 be approved, to be spent only on authority of the Director of Public Works.”

Motion Carried Unanimously.

First Reading – Amendments to Chapter 3 - Repeal of By-laws By-law

Dennis James, Municipal Solicitor, advised that in 2007, Chapter 3 - Repeal of By-laws By-law was approved to repeal a number of by-laws that were no longer relevant. Recently, it was determined that two other by-laws, the Accounts By-law and the Interpretation By-law, are also no longer relevant and should be repealed.

Moved by Councillor Boutilier
Seconded by Councillor Gregory

“That Council approves, by way of First Reading, amendments to Chapter 3 – Repeal of By-laws By-law, as presented.”

Motion Caried Unanimously.

Debert Aviation Centre – Second Floor Office Option

Crawford Macpherson, Director of Community Development, presented information on a second-floor option for office space at the Debert Aviation Centre, noting that this would be an opportunity to utilize what would otherwise be dead space above the offices of the former Orenda building. Included in the presentation were design sketches and description of plan layout; discussion on replacement of steel with wood as a significant cost reduction; plans addressing fire code requirements; and proposed budget implications. The second floor would provide an additional 5,300 square feet of leasable office space with a potential 10-year payback on the investment. Staff would recommend proceeding with the second-floor offices into the scope of work.

Detailed discussion was held on plans including use of wood versus steel, and meeting fire code requirements; source of funds for the project being gas tax funding as well as infrastructure development reserve funding; what types of businesses would be sought for the space; and timelines for marketing and advertising.

Moved by Councillor Benoit
Seconded by Councillor Taggart

“That Council approve funding to add a second floor for useable, leasable office space at the Debert Aviation Centre, with a budget of up to \$300,000.”

Motion Carried Unanimously.

Upper Stewiacke Community Association Tax Exemption Request

Mr. Scott Fraser, Director of Corporate Services, advised that a request has been received from the Upper Stewiacke Community Association (USCA) for a tax exemption. The property located at 14 Southside Road, is used as a park in the area and it is the mandate to provide and maintain the property as a community park. The USCA is also requesting reimbursement of the purchase price of the property, \$4,000. The request for a tax exemption meets the criteria under section 71(1)(b) of the Municipal Government Act (MGA). They also qualify for reimbursement of the purchase price for the property under section 273(5A) of the MGA. Mr. Fraser suggested that should Council wish to approve the reimbursement of the purchase price, it should be with the understanding that the property continue to be used as a park.

Moved by Councillor Cooper
Seconded by Councillor Gregory

“That Council approve the tax exemption for the Upper Stewiacke Community Development Association for the property located at 14 Southside Road (AAN #07364164/PID #20318739); and,

That Council also reimburse the Association for the purchase price of the property, \$4,000, as per Section 273(5A) of the Municipal Government Act, with funds coming from the Subdivision Reserve.”

Motion Carried Unanimously.

Crows in Bible Hill

Councillor Parker raised the issue of crows in Bible Hill in the area of College Road/Covington Place/Johnson Avenue/Teakwood Court. Large numbers of crows gather at around 5 pm and there is non-stop cawing. Calls are being received with concern of feces as well as noise. It is very common this time of year and lasts for about a six-to-eight-week span. He would like to have staff investigate the purchase of a waler and staff resources required to address this.

Discussion was held on other possible methods to deal with the issue of crows; addressing the issue effectively but in a humane way; various methods used in other areas of the County and Province; and concerns regarding deterring from one area and potentially creating a problem in other surrounding areas.

Moved by Councillor Parker
Seconded by Councillor Boutillier

“That staff investigate a waler device and other possible methods to disperse large gatherings of crows.”

Motion Carried. (*Councillor Sandeson opposed*)

Correspondence - ACTION

Guy Wheeler, Returning Officer

A copy of the Returning Officers post election report.

The CAO indicated that by practice, the Returning Officer provides a report following the Municipal Election with the intent to have it referred to staff to review and bring back to Council at a later time, prior to the next Election. Responding to a query on timelines for bringing back to Council, the CAO indicated that it would be brought back to Council approximately 18 months prior to the next Election.

Council had previously expressed interest in electronic voting for the next election and this was referred to staff to investigate. Other points of discussion were the importance of voter cards and Canada Post concerns; combined electronic and in-person voting; a number of the recommendations

involving changes in the Provincial election legislation and the need to advocate those right away; and costs of the 2020 Election. Mr. Fraser advised that the overall cost was approximately \$185,000. This was mainly due to additional costs related to Covid-19, and with the dissolving of School Boards, we no longer recoup funds from the Province for administering these Elections.

Moved by Councillor Cooper
Seconded by Councillor Sandeson

“That the recommendations from the Returning Officer be referred to staff to bring back to Council at a later date.”

Motion Carried Unanimously.

**Janine Lisenchuk, Epilepsy
Association of the Maritimes**

An email dated December 3, 2020, concerning a proclamation for Purple Day, to support Epilepsy Awareness.

Moved by Councillor Taggart
Seconded by Councillor Patton

“That Council proclaims March 26, 2021, as Purple Day.”

Motion Carried Unanimously.

Council also requested that staff look into getting purple ribbons for Purple Day as has been done in past years.

**Russell Grosse, Executive
Director, Black Cultural Centre
for Nova Scotia**

An email dated December 11, 2020, regarding a proclamation for African Heritage Month.

Moved by Councillor Boutilier
Seconded by Councillor Parker

“That Council proclaims February as African Heritage Month.”

Motion Carried Unanimously.

**Sara Forbes, Tatamagouche
Village Commission**

A letter to Councillor Gregory received January 5, 2021, requesting assistance from the Municipality with the Campbell’s Marina Boat Slip project.

Brief discussion was held on Public Works providing assistance to the Village of Tatamagouche with this project. Ms. Newell advised that she has spoken with her staff and they do not have any expertise in the designing of projects that extend into the marine environment. She indicated that support could be provided by connecting with the Village to put them in contact with right resources to assist with this project. It was agreed that Councillor Gregory would discuss with the Director of Public Works and reach out to the Village of Tatamagouche directly.

**Jane Gourley-Davis, President,
Rotary Club of Truro 2020-2021**

A letter to Mayor Blair received January 14, 2021, regarding a Proclamation for Rotary Week.

Moved by Councillor Cooper
Seconded by Councillor Gregory

“That Council proclaims the week of April 12, 2021, as Rotary Week.”

Motion Carried Unanimously.

Sherry Richard

An email dated January 15, 2021, requesting Colchester County Council consider livestreaming Council meetings.

A number of points were raised during discussion on the livestreaming of Council meetings, including concern being expressed with using Facebook for livestreaming; continued use of the Zoom platform; other online video platforms; broadband availability throughout the County; and, possible technical challenges with the new configuration of Council seating.

Moved by Councillor Cooper
Seconded by Councillor Boutilier

“That livestreaming of Council meetings be referred to staff to investigate options to bring back to Council for consideration.”

Motion Carried Unanimously.

Correspondence - INFORMATION

Development Officer

A copy of the Development Activity Report received from the Development Officer for the months of November and December 2020. Council agreed to receive the reports for information purposes.

Building Inspector

A copy of Building Permit Statistics received from the Building Inspector for the months of November and December 2020. Council agreed to receive the reports for information purposes.

**The Honourable Chuck Porter,
Minister, Municipal Affairs and
Housing**

A letter to the Mayor received January 21st, concerning the Colchester appointment to the Cobequid Housing Authority. Council agreed to receive the letter for information purposes.

INFORMATION ITEMS

Covid-19 Update

As per the request of Council at the March 26, 2020 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.

Due to the time, 9:45 pm, as per policy, Mayor Blair asked Council if they would like to continue with the meeting. With only one item remaining on the agenda, Council agreed to proceed.

CLOSED SESSION

Moved by Councillor Gregory
Seconded by Councillor Sandeson

“That the meeting go into closed session at 9:45 pm.”

Motion Carried Unanimously.

Moved by Councillor Gregory
Seconded by Councillor Patton

“That the meeting reconvene in open session at 10:46 pm.”

Motion Carried Unanimously.

ADJOURNMENT

Moved by Councillor Patton
Seconded by Councillor Gregory

“That the meeting adjourn at 10:46 pm.”

Motion Carried Unanimously.

Tracey Veno
Recording Secretary