

MUNICIPAL COUNCIL

The Regular Session of the Municipal Council of the Municipality of the County of Colchester was conducted virtually via Zoom Webinars, on Wednesday, September 29, 2021, at 6:00 pm.

Roll Call

The roll was called with the following Council members in attendance:

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 (arrived at 6:03 pm)
Councillor Tim Johnson	District 5
Councillor Karen MacKenzie	District 6
Councillor Michael Gregory	District 7 (arrived at 6:31pm)
Councillor Lisa Patton	District 8
Councillor Marie Benoit	District 9 (arrived at 6:23 pm)
Vacant	District 10
Councillor Wade Parker	District 11

Staff Present

Rob Simonds, Chief Administrative Officer (CAO)
 Michelle Boudreau, Director of Public Works
 Scott Fraser, Director of Corporate Services/Acting Director of Solid Waste
 Paul Smith, Acting Director of Community Development
 Dennis James, Municipal Solicitor
 Tracey Venno, Recording Secretary
 Devin Trefry, Research, Policy, and Community Engagement Officer
 Jenn Mantin, Acting Economic Development Officer
 Craig Burgess, Recreation Manager
 Tim Smith, IT Manager
 Pam Macintosh, Planner (for Item No. 2)
 Joanna Burris, Sustainability Planner (for Item No. 7)
 Guy Wheeler, Returning Officer

Prior to the start of the Public Hearing, Mayor Blair noted that our Municipality acknowledges that we are meeting on Mi'kmaw, the unceded territory of the Mi'kmaw People. The Municipality of Colchester honours and supports the National Day of Truth and Reconciliation, which through parliaments' legislated amendments Bill C-5 received Royal Assent on June 3, 2021.

This day honours the lost children and the survivors of residential schools, their families and communities. Public commemoration of the tragic and painful history and ongoing impacts of residential schools is a vital component of the reconciliation process. Both the National Day of Truth and Reconciliation and Orange Shirt Day take place on September 30th. Orange shirt day is an indigenous-led commemorative day that honours the children who survived residential schools and remembers those who did not.

The Municipality acknowledges the resilience and cultural strength of the Mi'kmaw and their stewardship of this land for over 13,000 years. We

express our hope for reconciliation through respect for these lands and for each other, and through continuing efforts demonstrate to the Mi'kmaw community we care and will work toward deeper truth and reconciliation.

Public Hearing – Development Agreement Application by Anglerite Dash Enterprises Ltd.

Councillor Cooper arrived at 6:03 pm and was in attendance for the entire Public Hearing.

Mayor Blair called this Public Hearing to order respecting a Development Agreement involving an application made by Anglerite Dash Enterprises Limited, which would allow for four townhouse style dwellings containing a total of 13 units on their property on Truro Road in Hilden. The text for the application and a related staff report has been circulated to Council members and made available to the public.

Rob Simonds, CAO, advised that the guidelines of the Municipal Government Act regarding advertising of the Public Hearing have been followed.

Mayor Blair reminded Councillors that only those present throughout the Public Hearing can vote on the development agreement when it is eventually considered by Council. The Public Hearing is Council's opportunity to hear the details of the application and any concerns of area residents. Individual Councillors will have opportunity to debate the merits of the development agreement when the motion is presented to Council. Staff are present to answer any technical questions that may arise as a result of the public's input.

Pam Macintosh, Municipal Planner, provided a brief presentation on the Anglerite Dash Enterprises Ltd. Development Agreement application. Highlights of the presentation included the intent to construct three 3-unit and one 4-unit buildings, totaling 13 two-bedroom units on one lot; location description and existing property uses; area photos and site plans; screening/buffering plans; and, policy considerations. As part of the process, the application is reviewed both internally and externally by a number of departments. Internal review included Public Works staff, Building Inspector, and Development Officer, and externally through Nova Scotia Department of Transportation and Infrastructure Renewal, all of which found the application acceptable. Additionally, Nova Scotia Environment requirements of the Activities Designation Regulations under the Environment Act have been followed and the Hilden Fire Brigade is satisfied with the access for fire fighting purposes. The Planning Advisory Committee received concerns from a neighbouring resident regarding screening. A site visit was conducted, and additional mature hedging was discussed and deemed a good compromise. Ms. Macintosh indicated that the agreement application satisfies all policy and associated criteria in the Municipal Planning Strategy and staff recommend entering into this development agreement.

NS Environment requirements of the *Environment Act*, through the Activities Designation Regulations, have been followed and no water withdrawal approval is required.

Hilden Fire Brigade – they are satisfied with the access for fire fighting purposes

Responding to a query about the concerns of the neighbouring resident for screening, Ms. Macintosh advised that although there was preference for fencing, mature evergreen hedging along the side and back of the property was deemed satisfactory. Brief discussion was also held on the water, specifically regarding estimated daily usage numbers, as well as dust control and debris during development. On the water usage issue, staff noted that the estimates were calculated using the provincial formula and do not exceed the daily allowable usage.

Mr. Nash, applicant, was in attendance for this Public Hearing. Responding to Council concerns about debris and dust control, Mr. Nash indicated that there will be dumpsters on site during construction and dust should be minimal as there will be no digging during the summer. However, he reassured Council that if there is excessive dust, it will be addressed.

With nothing further to address with the applicant, Councillor Sandeson, Chair of the Planning Advisory Committee (PAC), provided the report from the PAC meeting held on August 10, 2021.

The CAO advised that no written submissions have been received regarding this application. Ms. Macintosh indicated that she received calls prior to the PAC meeting regarding wells, decreased property values, and concerns of traffic and play space for children. Referring to traffic concerns, Ms. Macintosh noted that Transportation did not feel the need for a traffic impact study. Also, the target market for the development being a more senior clientele addressed concerns related to play space.

With no further discussion on the matter, Councillor Sandeson put the following motion on the floor:

Moved by Councillor Sandeson and seconded by Councillor Patton

“That Council approves entering into a development agreement with Anglerite Dash Enterprises Limited for their lands on Truro Road, Hilden, which would allow the construction of four townhouse style dwellings totalling 13 units.” Carried unanimously.

Mayor Blair advised that this is a development agreement application which does not require approval of the Minister of Municipal Affairs. Council’s decision on this application is appealable to the Nova Scotia Utility and Review Board. Any appeal of Council’s decision must be made within 14 days of advertising of same in the local newspaper.

With no further business on this matter, Mayor Blair declared the Public Hearing closed.

Councillor Benoit joined the meeting at 6:23 pm and Councillor Gregory at 6:31 pm and were unable to vote on this matter.

Approval of Agenda

Moved by Councillor Cooper and seconded by Councillor Parker

“That the agenda be approved with the following amendment:

- Item No. 26, Legal Matter in Closed Session be removed.” Carried unanimously.

Approval of Minutes

Moved by Councillor Sandeson and seconded by Councillor Benoit

“That the minutes of the meeting held on August 26, 2021, be approved as presented.” Carried unanimously.

Business Arising from Minutes

None.

Standing Committee Reports and Recommendations

Deputy Mayor Stewart, Chair of Council Committee, presented the report from the meeting held on September 16, 2021:

Amendments to Solar Colchester PACE Policy

Moved by Deputy Mayor Stewart and seconded by Councillor Boutilier

“That Council approves the proposed amendments to the Solar Colchester PACE Policy as presented.” Carried unanimously.

Grants to Non-profit Organizations Policy Amendments

Moved by Deputy Mayor Stewart and seconded by Councillor Cooper

“That Council approves the revisions to the Grants to Non-profit Organizations Policy with additional amendments including adding Corporations Canada under the Definitions section, as well as requirements to include both a balance sheet and income statement under Application Process and Post Grant Reporting sections.” Carried unanimously.

Debert Water Utility Three-Year Operating Budget

Moved by Deputy Mayor Stewart and seconded by Councillor Sandeson

“That Council approves the three-year Debert Water Utility operating budget (2021-22, 2022-23, 2023-24), as presented.” Carried unanimously.

Tatamagouche Water Utility Three-Year Operating Budget

Moved by Deputy Mayor Stewart and seconded by Councillor Gregory

“That Council approves the three-year Tatamagouche Water Utility operating budget (2021-22, 2022-23, 2023-24), as presented.” Carried unanimously.

Ice Pond Drive Sidewalk Evaluation

Moved by Deputy Mayor Stewart and seconded by Councillor Johnson

“That Council approves deferring decisions on any new sidewalk/active transportation projects until the annual Active Transportation review process in June of 2022.” Carried unanimously.

FCM Sustainability Conference

Moved by Deputy Mayor Stewart and seconded by Councillor Boutilier

“That Council approves that attendance for the 2021 FCM Sustainability Conference be open to all Council members.” Carried unanimously.

Committee Vacancies

Moved by Deputy Mayor Stewart and seconded by Councillor Benoit

“That filling the vacancies on the Northern Region Solid Waste Committee, the Debert Business Park Advisory Committee, and the Equity Diversity and Inclusion Committee be deferred until after the November 6th By-Election.” Carried unanimously.

Executive Committee - Minutes of Meeting Held on August 26, 2021

Moved by Councillor Boutilier and seconded by Councillor Sandeson

“That the minutes of the Executive Committee meeting held on August 26, 2021, be received.” Carried unanimously.

Tatamagouche Water Utility Committee – Minutes of Meeting Held on August 24, 2021

Moved by Councillor Johnson and seconded by Councillor Sandeson

“That the minutes of the Tatamagouche Water Utility Committee meeting held on August 24, 2021, be received.” Carried unanimously.

Flood Advisory Committee - Minutes of Meeting Held on September 8, 2021

Moved by Councillor Johnson and seconded by Councillor Boutilier

“That the Flood Advisory Committee minutes of the meeting of September 8, 2021, be received.” Carried unanimously.

ACTION ITEMS

Second Reading – Solar Colchester PACE By-law

Joanna Burris, Sustainability Planner, advised that Council approved First Reading of the proposed amendments to the Solar Colchester PACE By-law at their August 26th meeting. Key amendments to the By-law include the addition of energy efficiency upgrades eligibility for financing; removal of

section describing program procedures; reference to the new Solar Colchester PACE Program Manual which outlines procedures and guidelines; defining the maximum amount available for financing; and the ability to extend the maximum loan term to 15 years.

Moved by Deputy Mayor Stewart and seconded by Councillor Sandeson

“That Council approves, by way of Second Reading, amendments to the Solar Colchester PACE By-law as presented.” Carried unanimously.

2021 Special By-Election – Fee Schedule

Guy Wheeler, Returning Officer, provided a summary of the recommended fee schedule for the 2021 By-Election noting that the last adjustments were done in 2020. Changes include moving from a flat rate to an hourly rate with slight increases over 2020 for the Deputy Returning Officers, Poll Clerks, Information Officers, and Standby Workers; one additional Information Officer at each Poll Location; and small increases to the flat rate for Election Officer training and Poll location rental fee. The mileage rate which is based on the provincial rate is down slightly from 2020. Total costs for the above noted expenses are estimated at \$7,800.

Moved by Councillor Boutilier and seconded by Councillor Patton

“That Council approves the Schedule of Fees for the 2021 Municipal By-Election, as presented.” Carried unanimously.

2021 Special By-Election – Advance Poll Dates

Mr. Wheeler reported that the Municipal Elections Act mandates that an Advance Poll be conducted on the Tuesday prior to Election Day and one other date, either Thursday, October 28th or Saturday, October 30th. During the 2020 Election, the second Advance Poll date was conducted on the Thursday with relatively low voter turnout. Therefore it is being recommended that the second Advance Poll date be the Saturday.

Moved by Councillor Boutilier and seconded by Councillor Johnson

“That Council approves the dates for the Advanced Polls in the 2021 Municipal By-Election be set as Saturday, October 30, and Tuesday, November 2, 2021.” Carried unanimously.

Funding Request – Consulting Services for Joint Accessibility Plan

Subsequent to meetings of the newly formed Regional Accessibility Advisory Committee, it is being recommended that a consultant be engaged to assist in the development of the joint accessibility plan, in light of issues around staff capacity, time constraints, and lack of experience/expertise in accessibility issues. Several other municipal units have taken the same approach and following review of Requests for Proposals (RFPs) issued by other municipalities, staff findings suggest that a budget to engage a consultant is expected to be \$25,000. Terms of Reference for the Regional Accessibility Advisory Committee indicate that expenditures are to be divided equally among the participating units and must be approved by the respective Councils and Commissions. The Municipality’s share for this would be \$6,250. It was noted that the Village of Bible Hill and Town of Stewiacke have

approved their portion. The Town of Truro is expected to discuss this at their next Council meeting.

Moved by Deputy Mayor Stewart and seconded by Councillor Patton

“That Council approve a request by the Joint Accessibility Committee for a contribution of \$6,250 from the Municipality’s “Planning Studies” account to be used for the purposes of engaging a consultant team to complete a regional accessibility plan; and,

That this funding be contingent on all other participating units to similarly approve their respective funding share.” Carried unanimously.

Lighting of Municipal Buildings/ Facilities Request

At their meeting on August 26th, Council received a request from Legal Aid Alberta to light the Fundy Discovery Site (FDS) and Five Islands Lighthouse, in red and white on October 27th to mark the first annual National Duty Council Day. Another request was also received from the Echo Seven Project to light the FDS in pink and blue to mark Pregnancy and Infant Loss Remembrance Day on October 15th. Both requests were referred to staff to investigate the feasibility of accommodating these and future requests. Staff were also directed to further investigate Nova Scotia’s involvement in the National Duty Council Day.

Staff confirmed Nova Scotia Legal Aid is working in partnership with other Legal Aid offices across the country to help generate awareness for the first annual National Duty Council Day. Staff also sourced a variety of affordable color-changing LED floodlights that would offer a relatively easy solution to accommodate such requests for lighting Municipal facilities. However, should Council wish to proceed with considering such requests, due to challenges with lighting facilities in more remote locations, it is recommended that it be limited to facilities having onsite staff.

Moved by Councillor Benoit and seconded by Councillor Johnson

“That Council grant both organizations’ requests to light the Fundy Discovery Site and the Courthouse in place of the Five Islands Lighthouse.” Carried unanimously.

Moved by Councillor Boutilier and seconded by Councillor Cooper

“That requests for lighting of Municipal facilities be referred to staff to draft a policy for Council consideration.” Carried unanimously.

Equity, Diversity, and Inclusion Committee Recommendation

As a member of the Equity, Diversity, and Inclusion Committee (EDIC), Councillor Sandeson advised that the Committee met for the first time a couple of weeks ago. There was a lively discussion on roles and responsibilities of the Committee, the need for education and training of Committee members, staff, Council, and beyond the organization.

The initial meeting focused mainly on what could be done as an organization to recognize and honour National Day for Truth and Reconciliation. A number

of initiatives were discussed and implemented including encouraging staff to wear orange shirts on September 29th; orange ribbons have been purchased and distributed to staff and Council; free admission for the month of October for staff and families sponsored by the Municipality to the Millbrook Culture and Heritage Centre; and orange paper on Council package cover page as well as in copiers throughout the organization. The Committee also discussed the possibility of developing a land acknowledgement to open all future Council and Council Committee meetings to recognize we are in Mi'kmawi lands.

Moved by Councillor Sandeson and seconded by Councillor Johnson

“That the matter of developing a land acknowledgement statement to open all Council, Council Committee, and Committee Presentation meetings be referred to staff, with options being brought back for Council consideration.” Carried unanimously.

Correspondence - ACTION

Serena Lewis, MSW, RSW

A letter to Mayor and Council dated September 28, 2021, concerning Trauma & Grief; Finding a Path Forward.

Mayor Blair advised that this letter relates to the presentation of September 7th by Ms. Lewis and Dr. Ewing. As indicated in the letter, the request of the Municipality is recognition and support of their vision. Responsibilities and funding will be a shared initiative as provincial and federal and non-government agencies will become important stakeholders for the long-term success. They are looking to move forward with a place to have counselling.

The CAO provided an update on the MacElmon's Pond building request from the presentation received earlier this month. Staff have been seeking clarity from the province on the status of the property, speaking with the Deputy Ministers of Public Works, Natural Resources, and the Executive Director of Regional Services. The province is currently looking at the feasibility of using the building to accommodate space shortage for provincial staff or if the property will be deemed surplus. A condition assessment is being undertaken and an update should be available in approximately three weeks.

Lengthy discussion was held on what was being asked of the Municipality; the intent of the presentation being support of the vision and moving the initiative forward and not just about the MacElmon's Pond property; mental health services not being a municipal role; concerns of taking over the MacElmon's Pond building if deemed surplus; and other facility options if the MacElmon's Pond building is not available. Council expressed support in general, however, due to the number of conversations being held with different Council members and Council's concerns regarding clarity of the request, Mayor Blair indicated that she would contact Ms. Lewis for clarification and report back accordingly.

Correspondence - INFORMATION

Development Officer	A copy of the Development Activity Reports received from the Development Officer for the month of August 2021. Council agreed to receive the report for information purposes.
Building Inspector	A copy of Building Permit Statistics received from the Building Inspector for the month of August 2021. Council agreed to receive the report for information purposes.

INFORMATION ITEMS

2021 Special By-Election – Poll Locations	Six voting locations for the 2021 By-Election for District 10 Councillor have been identified for the November 6 th By-Election including the Five-Islands Fire Hall, Economy Recreation Centre, Bass River Fire Hall, Londonderry Community Centre, Great Village Fire Hall, and Masstown United Church. The Great Village Fire Hall will be used for the Advanced Polls on October 30 th and November 2 nd .
Cumberland-Colchester Internet Project Update	Jenn Mantin, Economic Development Officer, provided a brief update on the rural broadband internet project. Highlights of the update included completion of the wireless accelerate deployment program; currently working on network build; and progress delays due to make ready preparations required for the laying fibre, access approvals through NS Power, and acquiring site agreements for tower locations. Both the Municipality of Colchester and the Municipality of Cumberland are pushing heavily for a communications plan for the project. Additionally, it is hoped that future updates can be provided to Council via Xplornet and Develop Nova Scotia.
Community Park Funding Program – Summer 2021 Applications	Under the Community Park Funding Program, one application was received for the Fall deadline. The request was for \$40,000, 17% of the project cost, from the Upper Stewiacke Community Association. Funds will be used for all phases of the development of a natural playground and community park at the Village Green property. Staff has approved a grant in the amount of \$40,000 pending confirmation of other funding sources.
Community Trail Funding Program – Summer 2021 Applications	Two applications were received under the Community Trail Funding Program for the Fall deadline. The Tatamagouche Area Trails Association (TATA) requested \$13,000, 17% of the total project cost, for 2021 annual maintenance of the 25-km Short Line Trail. Other funding sources have been confirmed for the project and staff has approved a grant in the amount of \$13,000. The second application is still under review by staff and a report will come forward in October for this.
Building on MacElmon’s Pond	This item was addressed earlier in the evening during discussion on the correspondence received from Serena Lewis.
Community Engagement Program – Salmon River School Property	Staff with Community Development, Recreation Services and Administration are working towards developing a community engagement program that will help to inform Council decisions on the future use of the former Salmon River School property. A survey has been developed to gauge input from the community for the future use of the property, to be launched during the first week of October and will remain active for about three weeks. Platforms for

survey completion include online, by mail, in person or via telephone. Staff also intend to host one or more public open houses to discuss and receive feedback on site development concepts.

- Glengary Drive Paving Petition** Michelle Boudreau, Director of Public Works, presented the results of the Glengary Drive paving petition. A successful petition requires at least 66.7 percent of ownership as measured by frontage. Petitions not returned are recorded in the negative. Only 24 percent voted in favour of the paving of Glengary Drive. Therefore, the petition was not successful. Councillor Patton indicated that she has informed the resident requesting the petition of the results.
- Thrush Lane Paving Petition** Similar to the item above, Ms. Boudreau presented the results of the Thrush Lane paving petition. A total of 34.9 percent of owners as a ratio of frontage voted in favour of paving. Therefore, the petition was not successful. Councillor MacKenzie requested that staff communicate the results of the paving petition to the residents.
- 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 evening's meeting.
- CLOSED SESSION** Moved by Councillor Gregory and seconded by Councillor Johnson
- “That the meeting go into closed session at 8:31 pm.” Carried unanimously.
- Moved by Councillor Johnson and seconded by Councillor Benoit
- “That the meeting reconvene in open session at 9:16 pm.” Carried unanimously.
- Personnel Matter – Animal Control Services – Overview of Alternatives and Costs** Moved by Councillor Sandeson and seconded by Councillor Boutilier
- “That the Municipality enter into a three-year contract with the Nova Scotia SPCA to provide full-time animal control services, including livestock, for a monthly fee of \$10,000, the terms of which are outlined in their proposal dated July 2021.” Motion Carried (*Councillors Johnson, MacKenzie, and Benoit opposed*).
- Other** Referring to voting procedures during Zoom meetings, Mayor Blair reported on the method used at a recent FCM Board meeting which was quite efficient. The Chair of the meeting would request a show of hands electronically of those opposed to the motion on the floor. Council agreed to try this method at an upcoming meeting.
- ADJOURNMENT** Moved by Councillor Benoit and seconded by Councillor Patton

"That the meeting adjourn at 9:21 pm." Carried unanimously.

Tracey Veno
Recording Secretary