

**MUNICIPAL COUNCIL**

The Regular Session of the Municipal Council of the Municipality of the County of Colchester was conducted in-person and virtually combined, on Thursday, January 26, 2023, at 6:00 pm.

**Roll Call**

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

Mayor Christine Blair, Chair	(virtual)
Councillor Laurie Sandeson	District 2
Deputy Mayor Geoff Stewart	District 3
Councillor Mike Cooper	District 4
Councillor Tim Johnson	District 5
Councillor Karen MacKenzie	District 6 (virtual – arrived at 6:12 pm)
Councillor Michael Gregory	District 7 (virtual)
Councillor Lisa Patton	District 8
Councillor Marie Benoit	District 9 (virtual – arrived at 6:24 pm)
Councillor Victoria Lomond	District 10
Councillor Wade Parker	District 11

**Regrets**

Councillor Eric Boutilier District 1

**Staff Present**

Rob Simonds, Chief Administrative Officer (CAO)  
 Michelle Boudreau, Director of Public Works  
 Paul Smith, Director of Community Development  
 Scott Fraser, Director of Corporate Services  
 Phillip Redden, Director of Solid Waste  
 Anna-Marie Manley, Municipal Solicitor  
 Devin Trefry, Research, Policy, and Community Engagement Officer  
 Tracey Venno, Recording Secretary  
 Jenn Martin, Economic Development Officer  
 Mollie MacBurnie-Haas, IT Support

*Councillor Gregory experienced technical difficulties and was unavailable for the first part of the meeting.*

**Approval of Agenda**

Moved by Councillor Cooper and seconded by Councillor Johnson

“That the agenda be approved with the following additions:

- Item 18b, School Bus Issue Update – District 10.” Carried unanimously.

**Approval of Minutes**

Moved by Councillor Johnson and seconded by Councillor Lomond

“That the minutes of the meeting held on November 24, 2022, be approved with noted amendment on page 2022-23 – 52.” 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 December 15, 2022:***

Civic Numbering Policy

Moved by Deputy Mayor Stewart and seconded by Councillor Sandeson

“That Council adopts the new Civic Numbering Policy, as presented.” Carried unanimously.

Personnel – Non-Union Salary Increase

Moved by Deputy Mayor Stewart and seconded by Councillor Johnson

“That Council approves that the Non-Union staff salary increases be awarded for the same annual rates as the CUPE Local 3945 Collective Agreement for April 1<sup>st</sup> to March 31<sup>st</sup> fiscal years.” Carried unanimously.

***Report from the meeting held on January 12, 2023:***

Asset Retirement Obligation Policy

Moved by Deputy Mayor Stewart and seconded by Councillor Patton

“That Council adopts the new Asset Retirement Obligation Policy, as presented.” Carried unanimously.

Bill 225

Moved by Deputy Mayor Stewart and seconded by Councillor Sandeson

“That Council approves that a letter be written to the Minister of Municipal Affairs and Housing expressing concern regarding Bill 225, and that the letter be copied to NSFM.” Carried unanimously.

Negotiations – Biosolids Contract

Moved by Deputy Mayor Stewart and seconded by Councillor Cooper

“That staff be authorized to enter into an agreement with Envirem Organics Inc. for the hauling and disposal of biosolids for the 2023 calendar year.” Carried unanimously.

***Executive Committee – Minutes of meeting held on December 12, 2022***

The Executive Committee minutes of the meeting held on December 12, 2023, were included in the package for this evening’s meeting.

**Flood Advisory Committee – minutes and report from meeting held on December 14, 2022.**

Moved by Councillor Johnson and seconded by Councillor Patton

“That the minutes of the Flood Advisory Committee meeting of December 14, 2022, and the Executive Committee meeting of December 12, 2022, be received.” Carried unanimously.

Moved by Councillor Johnson and seconded by Councillor Patton

“That Council approves that the Flood Advisory Committee budget remain at \$100,000 for the 2023/24 budget year.” Carried unanimously.

*At this point Councillor MacKenzie joined the meeting virtually. Councillor Gregory also rejoined the meeting at this point.*

**Planning Advisory Committee – reports from meetings held on January 11, 16, and 19, 2023.**

Moved by Councillor Johnson and Seconded by Councillor Sandeson

“That the reports from the Planning Advisory Committee meetings held on January 11, 16, 19, 2023, be accepted as presented.

**ACTION ITEMS**

**Wind Turbine Development By-law – Date for Second Reading and Process for Public Input**

Paul Smith, Director of Community Development, advised that the purpose of this item is to consider a Special Council meeting on February 14<sup>th</sup> for Second Reading of amendments to the Wind Turbine Development By-law. Given the high public interest in the Planning Advisory Committee’s (PAC) review of the By-law, higher than normal attendance is anticipated. It is also expected that a number of persons will wish to make a presentation on the proposed amendments. The February Council meeting could have two other Public Hearings to deal with that evening and a Special Council meeting is being suggested for time management reasons. Additionally, staff is proposing a process, as set out in the Action Item, for receiving input from the public during Second Reading to also assist with time management and conduct at the meeting. This process is similar to that of the review of the 2013 Wind Turbine By-law amendments.

Brief debate was held on whether the suggested three minute allotment would be sufficient. Discussion points included being mindful of time management given the level of public interest; replication of previous process from 2013; may hear from individuals who have previously addressed their concerns at PAC meetings or through the public consultation process; and allotment being sufficient with summarized key points.

Moved by Councillor Johnson and seconded by Councillor Lomond

“That Council approves proceeding with a Special Council meeting on February 14<sup>th</sup> for the purpose of conducting Second Reading of amendments to the Wind Turbine Development By-law; and,

That the process for receiving public input at Second Reading be approved as presented.” Carried unanimously.

**First Reading – Amendments to the Wind Turbine Development By-law**

*Councillor Gregory declared a conflict of interest on this matter and recused himself from the discussion.*

*At this point, Councillor Benoit joined the meeting.*

Mr. Smith advised that the purpose of this Item is for Council to consider First Reading of amendments to the Wind Turbine Development By-law and if approved, advancing to Second Reading at a Special Meeting on February 14<sup>th</sup>. Approximately one year ago, staff and the Planning Advisory Committee (PAC) were directed to explore amendments relative to four issues: setbacks from existing residential uses, height limitations, appropriateness of decommissioning requirements, and noise generation standards. Staff will provide a fulsome presentation at Second Reading on the two staff reports as well as details of the memo as distributed on table which outlines the recommendations of PAC. Highlights of staff recommendations include increased setbacks from one km to 1.5 km for turbines up to 200 m with an additional 7.5 m setback for every meter over 200 m; and, a decommission bond at 125% of present day costs. Staff do not recommend any changes to provisions around noise generation thresholds and not impose height restrictions. An alternate recommendation of the PAC deals with setbacks of one 1 km for turbines up to 100 m, a 2 km setback for turbines over 100 m and an additional 7.5 m for every meter over 200 m.

Clarification was sought on whether option 1 in the Action Item was to approve the recommendations as presented or as per the recommendation of the PAC. Anna-Marie Manley, Municipal Solicitor advised that if it is the recommendation of the PAC, this would need to be specified in the motion.

Discussion was held on whether Council would have opportunity to debate the merits of the recommendations. It was noted that a fulsome debate at Second Reading would be in order, however, any substantive changes to what is approved at First Reading would result in having to re-do First Reading. Council was reminded of the expiration of the existing moratorium is the end of February.

Moved by Councillor Sandeson and seconded by Councillor Benoit

“That Council approves First Reading of amendments to the Wind Turbine Development By-Law, as recommended by the Planning Advisory; and,

That notice be given to advance to Second Reading at a Special Session of Council on February 14, 2023.” Carried Unanimously.

**First Reading – Land Use By-law  
Amendment Application by  
Trivirtus GP I Inc.**

The Director of Community Development provided a brief overview of the application made by Trivirtus GP I Inc. for a rezoning on their properties at Avon and Main Streets from Residential to C-1 General Commercial, to create a staff parking lot, as well as a walkway and green space. The PAC met on January 19<sup>th</sup> and their recommendation is in favour of the application. The Committee strongly encourage the applicant to increase fence height, setbacks and to post staff parking signage. Under the Municipal Government Act, amendments require two readings. First Reading is to essentially announce Council's intent to consider an amendment to the By-law.

Moved by Councillor Johnson and seconded by Councillor Patton

"That Council approves at First Reading, the amended Central Colchester Land Use By-law, as presented, for purposes of forwarding to a Public Hearing, reserving consideration of the amendments until Second Reading following the Public Hearing." Carried unanimously.

**First Reading – Land Use By-law  
Amendment Application by  
Dalhousie University**

Similar to the previous item, the PAC reviewed an application from Dalhousie University to rezone properties located on Pictou Road, from Residential to Institutional, to allow for the construction of a new research building on the Agricultural Campus. The recommendation of the PAC is to approve the rezoning application.

Moved by Councillor Sandeson and seconded by Councillor Patton

"That Council approves at First Reading, the amended Central Colchester Land Use By-law, as presented, for purposes of forwarding to a Public Hearing, reserving consideration of the amendments until Second Reading following the Public Hearing." Carried unanimously.

**Fundy Discovery Site Washroom**

The Director of Community Development reported that this relates to previous directive to staff to bring back options for keeping the washrooms open in the off-season at the Fundy Discovery Site for consideration. Following review, staff is suggesting that the family washroom only, be opened during the winter months. Information was provided on plowing and cleaning requirements/plans and associated costs. If Council is amenable to having the washrooms opened during the off-season, an amount will be built into the budget on a go forward basis.

Discussion was held on options for plowing and process for determining contractors for plowing and snow removal. The CAO advised that in an effort to expedite the opening of the facility, staff looked at immediate options for this season. A competitive process will be undertaken going forward. Clarification was sought on the cost and frequency of cleaning. Noting a typo in the Action Item, it was confirmed that the washrooms would be cleaned daily at a cost of \$30/day.

Moved by Councillor Benoit and seconded by Councillor Lomond

“That Council approves keeping the family washroom at the Fundy Discovery Site opened for the balance of the 2022/23 winter season and during the winter months going forward.” Carried unanimously.

**Courthouse Washroom Renovations – Authority to Award**

Moved by Councillor Lomond and seconded by Councillor Sandeson

“That Council grants authority to February Council Committee to award the tender for the renovations to the washrooms at 1 Church Street.” Carried unanimously.

**2023 FCM Conference – Toronto, Ontario**

Past practice would allow the Mayor, Deputy Mayor, CAO and three members of Council to attend the annual FCM Conference. Councillors who have already attended a conference within the term of Council would not be eligible. Having attended the 2022 Conference in Regina, Councillors Sandeson, Johnson, and Lomond would not be eligible. 2021 was an anomaly due to COVID with the Conference only being held virtually. Council agreed to permit those who attended virtually, Councillors Benoit, Patton, and Gregory, to be eligible for this year’s Conference.

Only two Council members expressed interest in attending the 2023 Conference, Councillors Benoit and Patton. In keeping with past practice of three members attending, Council agreed to open eligibility to last year’s attendees with Councillor Lomond expressing interest.

Moved by Councillor Parker and seconded by Councillor Cooper

“That Council approves Councillors Patton, Benoit, and Lomond, attend the 2023 FCM Conference in Toronto, Ontario, in addition to the Mayor, Deputy Mayor, and CAO; and,

That Councillor Johnson serve as an alternate in the event that any of those selected are unable to attend.” Carried unanimously.

**Municipal Boundary Review – Authority to Approve**

Moved by Councillor Patton and seconded by Councillor Parker

“That Council grants authority to February Council Committee to approve the 2022 Municipal Boundary Review Study; and,

That the Mayor and CAO be authorized to execute the necessary documentation.” Carried unanimously.

**Schedule of Meetings for Fiscal 2023/24**

Devin Trefry, Research, Policy, and Community Engagement Officer, presented a brief overview of the dates for Council related meetings for the 2023/24 fiscal year. The proposed schedule factored in conferences, holidays and graduations and included dates for the annual budget meetings.

Moved by Councillor Lomond and seconded by Councillor Sandeson

“That Council approve the 2023/24 Schedule of Meetings, as presented.” Carried unanimously.

**Forest Glen Bible Camp – Tax Exemption Request**

Scott Fraser, Director of Corporate Services, provided an overview of the tax exemption request from the Forest Glen Bible Camp (FGBC). The FGBC is a registered charitable organization and meets the requirements under the Municipal Government Act to be eligible for a property tax exemption. Annual tax revenues are approximately \$786. Staff recommendation would be to approve the request.

Brief discussion was held on whether this request includes previous years. The Director of Corporate Services indicated that the request and recommendation are on a go forward basis.

Moved by Councillor Parker and seconded by Councillor Gregory

“That Council approves the request for a tax exemption to Forest Glen Bible Camp for property AAN #'s 10841984 and 10841976, effective 2022-23.” Carried unanimously.

**Flashing Light – Greenfield Rd. & Lower Harmony Rd. Intersection**

Referring to several pieces of correspondence received by both him and Councillor MacKenzie concerning the dangers of the Greenfield Road and Lower Harmony Road intersection, Councillor Johnson provided an overview of the concerns with photos detailing the intersection and the traffic flow. A specific request as noted in the January 19<sup>th</sup> correspondence included in the Council package was for improved signage in the area. He contacted the Provincial Public Works Department where a ticket was generated and reached out to the area MLA. No response has been received from either. Councillor Johnson indicated that he had a call with provincial employee Bernie MacDonald on another matter which resulted in a discussion and site visit at the Greenfield and Lower Harmony Road intersection. Mr. MacDonald agreed indicating the signage should probably be raised. Councillor Johnson suggested that rather than undertaking a full study, that this could possibly be remedied with discussions between Municipal and Provincial Public Works staff.

Moved by Councillor Johnson and seconded by Councillor Patton

“That staff investigate options with Provincial representatives Chris Verge and Bernie MacDonald, for improved signage at the Greenfield and Lower Harmony Road intersection, and report back to Council.” Carried unanimously.

**Correspondence - ACTION****Mitchell Bell, Clerk and Treasurer, Village of Bible Hill**

Letter to the Director of Corporate Services, dated December 1, 2022, requesting the unspent 2022 allocation of the Canada Community Building Fund be carried forward to the next fiscal year.

Moved by Councillor Parker and seconded by Councillor Cooper

“That Council approves deferring the balance of the 2022 allocation of the Canada Community Building Fund be carried forward to the next fiscal year.” Carried unanimously.

**Anne Marie Dalton, Diocesan Environmental Network**

Correspondence dated January 6, 2023, offering church parking lots in suitable locations to municipalities for EV charging stations.

Moved by Deputy Mayor Stewart and seconded by Councillor Johnson

“That the correspondence from Anne Marie Dalton, dated January 6, 2023, offering church parking lots in suitable locations to municipalities for EV charging stations be received for information.” Carried unanimously.

**Joanna McGowan, President, Rotary Club of Truro**

Letter to the Mayor dated January 23, 2023, concerning a Rotary Week Proclamation.

Moved by Councillor Sandeson and seconded by Councillor Cooper

“That Council proclaims April 24 to 30, 2023 as Rotary Week.” Carried unanimously.

**Lynda DeGuire, Project Manager, Jordan Municipal Support Program**

Email dated January 25, 2023, concerning a letter of support for the Jordan Municipal Support Project.

Discussion was held on a potential second project and Council’s support for the project not necessarily meaning endorsement of any financial contribution at this point. Further discussion was held on past practices of Council regarding any type of participation in this and other similar events/projects requiring the pre-approval of Council. Mayor Blair noted that she has been invited to attend closing ceremony for the Jordan Municipal Support Project in March. If a second project were to proceed and Colchester was asked to participate, Council approvals would be required.

Moved by Councillor Sandeson and seconded by Councillor Cooper

“That Council approves the letter of support for the Jordan Municipal Support Project.” 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 2022.

**Building Inspector**

A copy of Building Permit Statistics received from the Building Inspector for the months of November and December 2022.

Moved by Councillor Parker and seconded by Councillor Lomond

“That the reports from the Development Officer and Building Inspector be received.” Carried unanimously.

**INFORMATION ITEMS**

**Reports from Councillors**

Copies of reports from the Mayor and Councillors were circulated in the package and 'On Table' for this evening's meeting.

Mayor Blair advised Council that she is not in Council this evening as she is attending the Manitoba Disaster Management Conference (MDMC) where she was invited to attend as a keynote speaker on the April 2020 tragedy. Councillor Lomond was also invited however, was unable to attend. Serena Lewis attended the conference with the Mayor. All expenses were paid for by the MDMC. A brief overview of the presentation was provided and Mayor Blair noted that it was very well received. She was also presented with an Eagle's Feather by a Councillor from Snownan First Nation Community.

Concern was raised with this not coming before Council prior to this evening. Discussion was held on the Conference being discussed at Executive and processes/approvals for attending these types of events and conferences. It has been past practice that these be brought before Council for approval. Debate was held on whether Council approval was required.

At conclusion of the discussion, congratulations were extended to a number of Council members being honoured recently as recipients of the Queen's Jubilee Award.

**School Bus Issue in District 10 Area**

Councillor Lomond provided an update on the ongoing issue of the school bus situation in her area noting that so far in January, buses were not available for 5 out of the 17 school days. This equates to approximately 30% and it is not acceptable.

Brief debate was held on the significant amount of municipal funding that goes to education and preparing another letter to the Minister of Education requesting the number of days school buses were not available in Colchester County. It was suggested that prior to writing another letter, Council should have opportunity to review the response letter recently received from the Minister of Education.

**CLOSED SESSION**

Moved by Councillor Lomond and seconded by Councillor Benoit

"That the meeting go into closed session at 8:14 pm." Carried unanimously.

Moved by Councillor Patton and seconded by Councillor Lomond

"That the meeting reconvene in open session at 9:08 pm." Carried unanimously.

**Property Matter – Sale of Municipal Land on Vickers Street, Tracker Road and Hudson Street**

Moved by Councillor Benoit and seconded by Councillor Cooper

"That Council approves proceeding with the sale of a portion of PID's 20445268, 20432902 and 20448106 as described in Closed Session; and,

That the Mayor and CAO be authorized to execute the Purchase and Sale Agreement and appropriate documentation as prepared by Legal Counsel, subject to final agreement with the purchaser.” Carried unanimously.

**Property Matter – Incubator Mall RFP**

Moved by Councillor Benoit and seconded by Councillor Sandeson

“That Council approves proceeding with the sale of the Incubator Mall in Debert to BlackBay Developments for \$1,500,000, plus HST; and

That the Mayor and CAO be authorized to execute the necessary documentation.” Carried unanimously.

**Personnel**

Moved by Councillor Cooper and Seconded by Councillor Parker

“That Council approves the amendment to the Systems Analyst Position from Range 6 to Range 7.1 on the Non-Union Salary Scales, effective February 5, 2023.” Carried unanimously.

**ADJOURNMENT**

Moved by Councillor Gregory and seconded by Councillor Lomond

“That the meeting adjourn at 9:11 pm.” Carried unanimously.

Tracey Venio  
Recording Secretary