

**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 Tuesday, May 23, 2023, at 6:00 pm.

In peace and in friendship, and in the spirit of truth and reconciliation, it was 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 Council members in attendance:

Mayor Christine Blair, Chair	
Councillor Eric Boutilier	District 1
Councillor Laurie Sandeson	District 2
Deputy Mayor Geoff Stewart	District 3 ( <i>virtual</i> )
Councillor Mike Cooper	District 4
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 ( <i>virtual</i> )
Councillor Victoria Lomond	District 10
Regrets	
Councillor Wade Parker	District 11

**Staff Present**

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

**Appointment of Municipal Solicitor**

Moved by Councillor Boutilier and seconded by Councillor Gregory

“That Council waives policy and appoints Patterson Law as the Municipality’s Solicitor for fiscal year 2023-24.” Carried unanimously.

**Public Hearing – Sale of Municipal Land Colchester Ground Search and Rescue**

Mayor Blair called this Public Hearing to order respecting the sale of municipal land for less than market value to a non-profit organization.

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

Council members were reminded that only those present throughout the Public Hearing can vote on the proposed sale when eventually considered by Council. This Public Hearing is Council’s opportunity to hear the prospective

purchaser's and any concerns of area residents. Council members will have opportunity to debate the merits of the proposed sale 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. A motion to sell property at less than market value shall be passed by at least a two thirds majority of the Council present and voting.

Jenn Mantin, Economic Development Officer, provided brief background information on Colchester Ground Search and Rescue (CGSAR) including their current location, upgrades, and investments to their existing property/building. CGSAR requested to purchase a portion of 20 Messina Drive, PID 20357737, approximately 1.4-acre lot, directly to the west and south of their existing property at 73 Ventura Drive. The intended use is for small skills training and vehicle parking. The lot will require subdividing, does not require archaeology, and CGSAR does not intend to build on the lot. The Municipality would retain a portion of the land for future development and should Council wish to proceed with the proposed sale, appropriate covenants would include buy back option.

Brief discussion was held on covenants and what a buy back option would look like. Ms. Mantin advised that it would be the same as the purchase price. However, the Municipal Solicitor advised that there would have to be an allowance for value of structures if added to the property. Consolidation of lots was also discussed and the Municipal Solicitor indicated that this would have to be looked into.

Noone was in attendance to speak on behalf of the prospective purchaser.

The CAO advised that no written submissions have been received concerning the proposed sale of land.

No members of the public were present on this matter and there were no further questions from Council members.

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

Moved by Councillor Benoit and seconded by Councillor Gregory.

"That Council approves the sale of a portion of PID 20357737 to Colchester Ground Search and Rescue for \$1, based on terms as discussed and satisfactory to the CAO and Municipal Solicitor." Carried unanimously.

Mayor Blair indicated that Council's decision on the sale of this land is final. With no further business on this matter, Mayor Blair declared the Public Hearing closed.

## Approval of Agenda

Moved by Councillor Cooper and seconded by Councillor Johnson

"That the agenda be approved with the following additions:

- Item 13b - CN Bridge, East End Crossroads;
- Item 13c - Highway 102 Bridgework of the Salmon River;
- Item 15b - Update, Guest Drive Property.” Carried unanimously.

**Approval of Minutes**

Moved by Councillor Sandeson and seconded by Deputy Mayor Stewart

“That the minutes of the meeting held on April 27, 2023, 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 May 11, 2023:*

Public Participation Program Policy

Moved by Deputy Mayor Stewart and seconded by Councillor Sandeson

“That Council approves the Public Participation Program Policy as presented.” Carried unanimously.

Municipal Fees Policy

Moved by Deputy Mayor Stewart and seconded by Councillor Patton

“That Council approves the amendments to the Municipal Fees Policy, as presented.” Carried unanimously.

Dangerous or Unsightly Premises Policy

Moved by Deputy Mayor Stewart and seconded by Councillor Johnson

“That Council approves the Dangerous or Unsightly Premises Procedures Policy as presented.” Carried unanimously.

Colchester Ground Search and Rescue (CGSAR) Funding Request

During debate, comments included current funding levels already provided by the Municipality to CGSAR; the significant increase in annual funding approved a couple of years ago; funding levels from other municipal units; importance of the service CGSAR provides; and possibility of implementing funding through an established area rate.

Moved by Deputy Mayor Stewart and seconded by Councillor Patton

“That Council approves a one-time increase in annual funding from \$56,000 to \$61,000 to Colchester Ground Search and Rescue.” Motion carried (Councillor Cooper opposed).

Truro Heights Crosswalk at Morley Avenue

Moved by Deputy Mayor Stewart and seconded by Councillor Sandeson

“That Council authorizes the Director of Public Works and the Acting Chief Administrative Officer to sign Cost Share Agreement No. 2023-024.” Carried unanimously.

Policy Advisory Board

Moved by Deputy Mayor Stewart and seconded by Councillor Lomond

“That Council proceed with steps to establish a standalone, seven-member Police Advisory Board as outlined in the Police Act.” Carried unanimously.

A question was raised on Stewiacke being aware of Council’s decision to move to a standalone Police Advisory Board. The CAO and Mayor confirmed that discussions have taken place with both the Mayor and CAO of Stewiacke advising of Colchester’s intent and that this is mainly due in efforts to better address recommendations from the Mass Casualty Commission Report.

**Debert Business Park Advisory Committee (DBPAC) – minutes and report and recommendation from meeting held on April 25, 2023**

Referring to the Debert Housing Study noted on page 2 of the minutes, an update was requested on the status of this. Paul Smith, Director of Community Development advised three submissions were received in response to the request for Expressions of Interest issued. Staff hope to review in the next week or so and bring information back to Council in June.

Moved by Councillor Benoit and seconded by Councillor Patton

“That the minutes of the Debert Business Park Advisory Committee meeting held on April 25, 2023, be accepted as presented.” Carried unanimously.

Regarding the recommendation of the DBPAC concerning the purchase and sale of Lot VC116 Bristol Crescent, clarification was sought on the reason for this. Staff advised of the ongoing and reoccurring issues of dangerous or unsightly (D&U) condition of the property including a D&U complaint recently filed. Discussion was held on the condition of the property, the proximity to other businesses in the area; compliance relative to current D&U order; and property owner’s intentions to sell and possible future use of property.

Moved by Councillor Sandeson and seconded by Councillor Cooper

“That staff be directed to investigate options on the purchase and sale of the Lot VD116 Bristol Crescent.” Carried unanimously.

**French River Source Water Protection Advisory Committee – minutes of meeting held on May 11, 2023**

Moved by Councillor Gregory and seconded by Councillor Patton

“That the minutes of the French River Source Water Protection Advisory Committee meeting held on May 11, 2023, be accepted as presented.” Carried unanimously.

**Flood Advisory Committee – minutes of meeting held on May 16, 2023**

Moved by Councillor Patton and seconded by Councillor Sandeson

“That the minutes of the Flood Advisory Committee meeting held on May 16, 2023, be accepted as presented.” Carried unanimously.

**ACTION ITEMS**

**Appointment of Additional Council Rep for Meeting of Central Nova Scotia Civic Centre Society Members**

The purpose of this item is to have a member of Council appointed to serve as an additional rep on the Central Nova Scotia Civic Centre Society to vote on a special resolution to amend the Society’s Memorandum and By-law. The amendments would authorize the Society to be involved in event management and event promotion at other venues within the Municipality or Truro.

On a request for expressions of interest from Council members, Councillor Johnson advised that he would be interested. There were no other expressions of interest.

Moved by Councillor Sandeson and seconded by Councillor Lomond

“That Councillor Johnson be appointed to serve as the additional Council representative for the meeting of the Central Nova Civic Centre Society Members scheduled for May 24, 2023.” Carried unanimously.

**Area Rates and Budgets 2023/24**

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. Changes for fiscal 2023/24 include an increase to the North River Fire Brigade area rate; decreases to the Debert Park, Gays River and Masstown Road street light area rates; an increase in the flat rate for Pine Tree streetlight; and decreases Tatamagouche Library and Tatamagouche School Enhancement area rates. It was also noted that this would be the final year for the Tatamagouche library and school enhancement area rates.

Moved by Councillor Gregory and seconded by Councillor Cooper

“That Council approves the 2023/24 Area Rate Budgets as presented.” Carried unanimously.

**First Reading, Outdoor Fire By-law Amendments**

The Director of Community Development provided a recap of the amendments to the Outdoor Fire By-law, which were presented in detail at the May Committee meeting. The proposed amendments result from a request from the Village of Bible Hill and the Bible Hill Fire Brigade due to increasing concern with brush burning and public safety risks. The amendments are intended to augment Provincial fire restrictions and to help strengthen enforcement. Amendments include updated penalties and the inclusion of a new fees section to encourage compliance as well as several administrative amendments intended to clarify existing provisions. Mr. Smith noted that Council could also consider developing a Memorandum of Understanding with the Village of Bible Hill relative to fees collected.

Moved by Councillor Boutilier and seconded by Councillor Gregory

“That Council approve, by way of First Reading, amendments to the Outdoor Fire By-law as presented, and that the document be advanced to Second Reading.” Carried unanimously.

**Brookfield Sewer Repairs – Tender Award**

The Director of Public Works advised that this item relates to the tender results for Brookfield Sewer Repairs. Based on the 2021 final report by Englobe which identified areas of concern within the Brookfield sewer, Council’s approved budget for the project is \$400,000. Two submissions were received in response to the public tender issued. Both submissions far exceed the budget for the project, likely due to current market conditions. Staff is recommending that the tender for the Brookfield sewer repairs be placed on hold until a future year when market conditions improve, and, in the meantime, will seek alternative options for dealing with inflow and infiltration improvements.

Moved by Deputy Mayor Stewart and seconded by Councillor Cooper

“That Council chooses not to award the tender for the Brookfield Sewer Repairs due to budget limitations.” Carried unanimously.

**Sewer Capacity Study – Authority to Award**

Moved by Councillor Gregory and seconded by Councillor Sandeson

“That Council authorizes June Council Committee to award the consulting services contract for the Sewer Capacity Study.” Carried unanimously.

**Brookfield Sidewalk – Authority to Award**

Moved by Deputy Mayor Stewart and seconded by Councillor Benoit

“That Council authorizes June Council Committee to award the tender for the construction of the Brookfield Sidewalk along Highway 2 from Highway 289 to Whidden Road.” Carried unanimously.

**CN Bridge at East End Crossroads**

Councillor Johnson raised the issue of the closure of the bridge between E. Prince and Queen Streets and the public statement issued by CN recently regarding the closure. This is a very important bridge for the residents of the east end of Truro and District 5. The Town of Truro has written a letter to CN regarding this matter, and he would like to see the Municipality do the same,

stressing the importance of this bridge and requesting that the Municipality be kept informed and involved throughout the process.

Brief discussion was held on timelines of the closure and whether MLAs should be copied on the correspondence. The Deputy Mayor suggested that this issue could also be raised with CN officials at the upcoming FCM Conference in Toronto.

Moved by Councillor Johnson and seconded by Councillor MacKenzie

“That a letter be written to CN stressing the importance of this bridge to the area and requesting that the Municipality be involved in plans for the bridge and to also be kept informed throughout the process.” Carried unanimously.

### **Highway 102 Bridge Work Over the Salmon River**

Councillor Sandeson raised concerns regarding the extended delays caused by the bridge work being done at Highway 102 over the Salmon River. She has received a number of calls on this including from health care professionals. It will also have serious impacts on tourist businesses in the area. She would like to see a letter sent from the Municipality to Nova Scotia Public Works regarding this matter. Mayor Blair advised of informal discussions that have taken place with the NS Public Works Area Manager concerning this issue.

Discussion was held on the work being required to both lanes; extended work hours being done in other parts of the province; why a temporary bridge similar to Elmsdale cannot be put in place; having the Town of Truro and Village of Bible Hill write similar letters; copying the letter to the Premier and MLAs; and concerns relative to lengthy delays for emergency service providers.

Moved by Councillor Sandeson and seconded by Councillor Boutilier

“That a letter be written to the Minister of Nova Scotia Public Works expressing the Municipalities concerns and emphasizing the need to expedite the completion of work being done at Highway 102 over the Salmon River, through additional resources and extended workday hours.” Carried unanimously.

### **Correspondence - ACTION**

**Commissioner Kevin Kennedy,  
Chairman, Village of Bible Hill**

Letter to Councillor Parker dated May 19, 2023, regarding banning fireworks in Bible Hill.

Moved by Councillor Boutilier and seconded by Councillor Sandeson

“That the letter from Commissioner Kennedy be referred to staff to investigate options to bring back to Council for consideration.” Carried unanimously.

### **Correspondence - INFORMATION**

- Development Officer** A copy of the Development Activity Report received from the Development Officer for the month of April 2023.
- Building Inspector** A copy of Building Permit Statistics received from the Building Inspector for the month of April 2023.
- Moved by Councillor Gregory and seconded by Councillor Johnson
- “That the reports from the Development Officer and Building Inspector be received.” Carried unanimously.
- Mayor Bill Mills, Town of Truro** Copy of a letter addressed to Raj Makkar, Chair of the RECC Board, regarding the RECC budget.
- Moved by Councillor Sandeson and seconded by Councillor Cooper
- “That the letter from Mayor Mills regarding the RECC budget be received for information.” Carried unanimously
- The Honourable John Lohr, Minister of Municipal Affairs and Housing** Letter addressed to Mayor Brenda Chisholm-Beaton, NSFM President, providing 12-months’ notice of provincial legislation, regulations, or administrative action changes for fiscal 2024-25 and beyond.
- The CAO noted the obligatory responsibilities of the Province to advise of changes that may impact municipalities. However, the lack of specificity in this type of notice proves to be somewhat onerous to municipalities.
- Moved by Councillor Johnson and seconded by Councillor Cooper
- “That the letter from the Honourable John Lohr, Minister of Municipal Affairs and Housing providing 12-months’ notice of provincial legislation, regulation or administrative action changes for fiscal 2024-25 and beyond 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.
- Update – Guest Drive Property** The Director of Community Development advised that this item is to provide an update on a letter from Paul Graham concerning building permit to place a manufactured home on a road reserve, that was referred to staff. Staff reviewed the matter with the Village of Bible Hill who do not have any plans for this parcel of land. They do not wish to acquire the property and have no objections to Mr. Graham’s plan to develop the parcel.

## CLOSED SESSION

- Moved by Councillor Patton and seconded by Councillor Gregory
- “That the meeting go into closed session at 7:36 pm.” Carried unanimously.

Moved by Councillor Gregory and seconded by Councillor Patton

“That the meeting reconvene in open session at 8:37 pm.” Carried unanimously.

**ADJOURNMENT**

Moved by Councillor Patton and seconded by Councillor Lomond

“That the meeting adjourn at 8:38 pm.” Carried unanimously.

Tracey Veno  
Recording Secretary