

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, May 30, 2024, 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
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>regrets</i>)
Councillor Victoria Lomond	District 10 (<i>regrets</i>)
Councillor Wade Parker	District 11

Staff Present

Dan Troke, Chief Administrative Officer
 Scott Fraser, Director of Corporate Services
 Dennis James, Municipal Solicitor
 Michelle Boudreau, Director of Public Works
 Paul Smith, Director of Community Development
 Phillip Redden, Director of Solid Waste
 Tracey Venno, Recording Secretary
 Jenn Mantin, Economic Development Officer
 Devin Trefry, Research, Policy and Community Engagement Officer
 Jeanette Himmelman, Systems Analyst

Appointment of Solicitor

Moved by Councillor Cooper, seconded by Councillor Sandeson

“That Council waives policy and appoints Patterson Law as the Municipality’s Solicitor for fiscal year 2024-25.” Carried unanimously.

Approval of Agenda

Moved by Councillor Parker, seconded by Councillor Patton

“That the agenda be approved with the following amendments:

- Remove Item #13, Old Courthouse Branch Sidewalk, Authority for June Committee to Award; and,
- Remove Item # 14, Youth Engagement with Council.” Carried unanimously.

Responding to clarification on the removal of Item 13, the CAO advised that the tenders for the Old Courthouse Branch sidewalk were opened yesterday and came in under budget so it is not necessary for the item to come back to Council to be awarded.

Approval of Minutes

Moved by Councillor Johnson, seconded by Councillor Sandeson

“That the minutes of the meetings held on April 9 and 25, 2024, 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 Council Committee meeting held on May 16, 2024.*

Forest Management Plan

Moved by Deputy Mayor Stewart, seconded by Councillor Boutilier

“That Council accepts the Forest Management Plan as presented; and

That staff be instructed to proceed with the implementation of the Plan and act on priority actions like Fiona salvage cutting and planting (reforestation) as part of ongoing activities of Recreation Services staff; and,

That staff also proceed over the next 1 – 5 years with annual/seasonal schedule of activities as part of forest management planning, the cost of which will be highlighted in annual maintenance budgets.” Carried unanimously.

Remuneration for Council By-law

Moved by Deputy Mayor Stewart, seconded by Councillor Cooper

“That remuneration for Council maintain status quo, with CPI adjustments as outlined in the current By-law.” Carried unanimously.

NS Stampede Event Funding Request

Discussion was held on the detailed budget and plan as presented by the RECC for the NS Stampede; staff resource implications with retaining funds internally; federal and provincial funding for the event being contingent on matching funding; Economic Development staff working closely with the RECC General Manager; and retaining funds providing opportunities to have the County host certain activities.

Moved by Deputy Mayor Stewart, seconded by Councillor Patton

“That the funding request from the Central Nova Scotia Civic Centre Society in the amount of \$75,000 for the NS Stampede be approved, contingent on equal contributions from the Town of Truro, and that funds be retained internally with staff proposing a detailed plan for the use of the funds.” Carried unanimously.

Sewer Boundaries

Moved by Deputy Mayor Stewart, seconded by Councillor Johnson

“That Council re-confirms the sewer service boundaries as presented and approves an extension to the Central Colchester Sanitary Sewer Boundary to include Summer Hill Place and Roseway Lane.” Carried unanimously.

Tatamagouche Crosswalk

Moved by Deputy Mayor Stewart, seconded by Councillor Gregory

“That Council approves that the request from the Village of Tatamagouche for upgrades to the pedestrian crosswalk on Main Street be supported at a maximum amount of \$20,000, as per the placeholder in the approved budget.”

Following discussion at the May Committee meeting, a follow up letter was received from the Village of Tatamagouche (VOT), as distributed on table this evening. Councillor Gregory advised that the information the VOT received was not accurate and they do not have sufficient funds to complete the crosswalk. There are sufficient funds in the Canada-Community Build Fund to support the increased funding. Upgrades to the crosswalk are required for safety reasons.

Amending Motion

Moved by Councillor Gregory, seconded by Councillor Patton

“That the amount for the upgrades to the pedestrian crosswalk on Main Street in the Village of Tatamagouche be increased to \$44,500.” *Motion carried (Councillor MacKenzie opposed).*

The amending motion having carried, the main motion was voted on and carried as amended (*Councillor MacKenzie opposed*).

Fundy Discovery Site Update and Future Direction

Moved by Deputy Mayor Stewart, seconded by Councillor Sandeson

“That the tender for the Fundy Discovery Site pedestrian bridge not be awarded and that staff be instructed to investigate other cost-effective design options as well as additional funding programs that will bring the project more in line with the established budget.” *Motion carried (Councillor Johnson opposed).*

Debert Business Park Advisory Committee – Minutes of meeting held on May 7, 2024

The traffic impact study was discussed, specifically around a single lane roundabout being capable to accommodate growth. Ms. Boudreau indicated that to create a single lane roundabout now will create some necessary room but will have expandability options in future if/when required.

Moved by Councillor Johnson, seconded by Councillor Cooper

“That the minutes from the Debert Business Park Advisory Committee meeting held on May 7, 2024, be received.” Carried unanimously.

Flood Advisory Committee – Minutes of meeting held on May 13, 2024

Moved by Councillor Johnson, seconded by Councillor Sandeson

“That the minutes from the Flood Advisory Committee meeting held on May 13, 2024, be received.” Carried unanimously.

French River Source Water Protection Advisory Committee – Minutes of meeting held on May 14, 2024

Moved by Councillor Gregory, seconded by Councillor Patton

“That the minutes from the French River Source Water Protection Advisory Committee meeting held on May 14, 2024, be received.” Carried unanimously.

Planning Advisory Committee – Minutes of meeting held on May 14, 2024

Discussion was held on comments as provided by residents at the meeting concerning school capacity concerns.

Moved by Councillor Johnson, seconded by Councillor Patton

“That the minutes from the Planning Advisory Committee meeting held on May 14, 2024, be received.” Carried unanimously.

ACTION ITEMS

First Reading – Amendments to the Central Colchester Land Use By-law

Paul Smith, Director of Community Development, advised that amendments are being proposed to the Central Colchester Land Use By-law to allow for a multi area rezoning of vacant property on Pictou Road, with a brief overview of the proposed rezonings. As per the Municipal Government Act (MGA) amendments require two readings before adoption. First Reading is essentially to announce Council’s intent to consider adopting the amendments.

Discussion was held on notification to neighbouring properties and concern was expressed with defined notification distance covering to small an area. Paul Smith, Director of Community Development, confirmed that notification distances are as established in the Land Use By-law, however, steps can be taken to adjust/broaden this. It was also noted that there is opportunity to re-examine this during the County-wide planning process.

Moved by Councillor Sandeson, seconded by Deputy Mayor Stewart

“That Council approves at First Reading the amended Land Use By-law, as presented, for purposes of forwarding this document to a Public Hearing

reserving consideration of the amendments until Second Reading following the Public Hearing.” Carried unanimously.

Solid Waste Provincial Capital Assistance Program Application

Phil Redden, Director of Solid Waste, provided a brief introduction of this item and overview of the Provincial Capital Assistance Program (PCAP). The Solid Waste Department has two applications for submission under the PCAP. Application A is for Infrastructure Expansion and Upgrades with a total budget cost of \$177,225; and Application B is for C&D Landfill Life Cycle Analysis. A detailed breakdown of both applications was provided. A resolution of Council is required for funding applications under this program.

Moved by Councillor Boutilier, seconded by Councillor Sandeson

“That Council approves the Solid Waste Provincial Capital Assistance Program applications, noting Application A - Infrastructure Expansion and Upgrades with a total budget cost of \$177,225, as priority 1; and, Application B - C&D Landfill Life Cycle Analysis with a total budget cost of \$21,140, as priority 2.” Carried unanimously.

Area Rates Budgets 2024/25

Scott Fraser, Director of Corporate Services, provided a brief overview of this item noting that Council annually approves area rates for the upcoming fiscal year. Changes for fiscal 2024/25 include an increase in sewer maintenance from \$.08 to \$.09 and decrease in capital from \$.04 to \$.03; removal of both Tatamagouche library and school enhancement rates, which were completed in 2023/24; and, an increase in household refuse collection to \$140 from \$110.

Given that a capacity review is currently underway, discussion took place on the practicality of maintaining the sewer capital rate. The Director of Corporate Services indicated that it is not necessary at this time. Discussion was also held on the increase to the household refuse collection rate including this being a flat rate charged to all households rather than by user pay, and how the increase will be communicated to residents.

Moved by Councillor Patton, seconded by Councillor Gregory

“That Council approves the 2024/25 Area Rate Budgets, as presented.” Carried unanimously.

Second Reading – Neighbourhood Nuisance By-law Amendment

Devin Trefry, Research, Policy and Community Engagement Officer, advised that the proposed amendments are to address concerns of residents around hours of construction involving heavy equipment near residences. A summary of the amendments was provided as outlined in the Action Item. First Reading of these amendments was approved at the April 25th Council meeting and Notice of Intent to consider was advertised as required under the MGA.

Moved by Councillor MacKenzie, seconded by Councillor Cooper

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

Second Reading – Sewer Use By-law Amendment

The Director of Public Works indicated that this item is to consider Second Reading of the Sewer Use By-law. The proposed amendment removes the

refundable portion of the sewer permit fee which was prompted by the recent changes approved to the Municipal Fees Policy. The Notice of Intent was advertised as required under the MGA and there have been no comments received on the proposed amendments from the public.

Moved by Councillor Sandeson, seconded by Councillor Patton

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

First Reading – Municipal Elections By-law Amendments

Mr. Trefry advised that as a result of Council decision to introduce e-voting at the upcoming Municipal Election and as required under the MGA, the Municipal Elections By-law is being amended to enable e-voting. The basis of the By-law as presented, was drafted by Intelivote and reviewed by staff and legal. Adoption of or amendments to existing By-laws require two readings with First Reading essentially being to announce Council’s intent to consider.

Discussion was held on access and maintaining files through Intelivote, storage of files being in-house or offsite, and clarification on whether traditional paper ballot voting is available during advance polls. Mr. Trefry indicated that e-voting would begin approximately two weeks prior to Election day and would be by e-voting only.

Moved by Councillor Patton, seconded by Councillor Boutilier

“That Council approves, by way of First Reading, amendments to the Municipal Elections By-law as presented.” Motion carried (*Councillor Cooper opposed*).

By-law Amendment – Access to Lots in Sub-divisions

Deputy Mayor Stewart advised that this item relates to the current Sub-division By-law, specifically on purchasing land and approved road requirements for sub-dividing/selling lots. This results from a company with an interest in purchasing local radio stations, however, lands that towers are on are part of the package and most of these are on roads that are not approved.

Moved by Deputy Mayor Stewart, seconded by Councillor Patton

“That the Sub-division By-law be referred to the Planning Advisory Committee for discussion regarding requirements around approved roads for sub-dividing/selling lots.” Carried unanimously.

Deer Cull

Councillor Sandeson indicated that she would like to have communities of Truro Heights and Lower Truro added to the research on deer culling.

Discussion was held on the current research underway; previous discussion on including the urban core of Salmon River in the research; the addition of communities versus entire districts; research being conducted on Sunday not being ideal; inclusion of areas in plebiscite of upcoming Election; and, not delaying existing research already completed due to the inclusion of additional communities.

Moved by Councillor Sandeson, seconded by Councillor Johnson

“That communities of Truro Heights, Lower Truro, Hilden, and the urban core of Salmon River be added to the deer research/pellet count project and plebiscite.” Carried unanimously.

Correspondence – ACTION

Truro Pride Board of Directors

Letter to the Mayor and Council requesting that June 17-23, 2024, be proclaimed Pride week in Colchester County and requesting the past decision regarding raising the Pride Flag be reconsidered.

Referring to the request for revisiting the previous decision concerning the flag raising, brief discussion was held on Council’s existing Policy and that Council’s policy-based decision be reiterated.

Moved by Councillor Cooper, seconded by Councillor Patton

“That Council proclaims the week of June 17-23, 2024, Pride Week in Colchester County and that the Municipal Building be lit up during Pride Week.” Carried unanimously.

Pam Macintosh, Manager of Planning Services

Memo dated May 22, 2024, concerning a letter of request from the Clifton Pastoral Charge to divest of property.

Moved by Councillor Sandeson, seconded by Councillor Boutilier

“That the memo dated May 22, 2024, concerning a letter of request from the Clifton Pastoral Charge to divest of property be referred to staff.” Carried unanimously.

Jill McGillicuddy, Senior Planner

Memo dated May 22, 2024, concerning an application by Tammy and Jason Reeves for a development agreement for a property at 307 College Road in Bible Hill.

Brief discussion was held on potential stormwater and sewer lateral issues at this location and the Planning Advisory take this into consideration when discussing this matter.

Moved by Councillor Parker, seconded by Councillor Cooper

“That the memo dated May 22, 2024, concerning an application by Tammy and Jason Reeves for a development agreement for a property at 307 College Road in Bible Hill be referred to the Planning Advisory Committee.” Carried unanimously.

Jeff Grant, Jeff Grant Contracting

Letter to Mayor and Council expressing interest in purchasing a lot on Franklin Drive in Truro Heights, PID 20254462 (Municipally owned land).

Discussion was held on the process for the disposal of surplus municipal parkland, and past decision on request to purchase properties in Princeton Heights.

Moved by Deputy Mayor Stewart, seconded by Councillor Sandeson

“That the letter to Mayor and Council expressing interest in purchasing a lot on Franklin Drive in Truro Heights, PID 20254462, be referred to staff.”
Carried unanimously.

**Correspondence -
INFORMATION**

Development Officer

A copy of the Development Activity Report received from the Development Officer for April 2024.

Building Inspector

A copy of Building Permit Statistics received from the Building Inspector for April 2024.

Moved by Councillor Gregory, seconded by Councillor Cooper

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

**Eric Tanton, President, Truro &
Colchester Chamber of
Commerce**

Letter dated April 24, 2024, to the CAO concerning Council's previous decision on maintaining the requirement of bonding for construction tenders procured by the Municipality.

Concern was expressed with the second last paragraph of the letter and it was stated that this is a poor letter from this organization.

Moved by Councillor Johnson, seconded by Councillor Boutillier

“That the letter dated April 24, 2024, to the CAO concerning Council's previous decision on maintaining the requirement of bonding for construction tenders procured by the Municipality be received for information.” Carried unanimously.

INFORMATION ITEMS

Grant Funding – Financials

As per discussion during budget deliberations for financials prior to release of funds for the Grace Arts Centre and the Brookfield Whing Ding, this item is to present information as received from the Grace Arts Centre. Craig Burgess, Recreation Manager, advised that information from the Brookfield Whing Ding is forthcoming.

Brief discussion was held on whether a review is required prior to release of funds. Dennis James, Municipal Solicitor, advised that a qualitative review is different than the motion posed during budget deliberation. Further discussion took place on timelines for receipt of information however, there was nothing stipulated relative to timeline requirements.

Moved by Councillor Gregory, seconded by Councillor Cooper

“That the \$10,000 grant funding for the Grace Arts Centre be released based on the financial statements received.” Carried unanimously.

Reports from Councillors

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

CLOSED SESSION

Moved by Councillor Gregory, seconded by Councillor Sandeson

“That the meeting go into closed session at 8:01 pm.” Carried unanimously.

Moved by Councillor Patton, seconded by Councillor Sandeson

“That the meeting reconvene in open session at 8:44 pm.” Carried unanimously.

**Property Matter - Debert
Business Park Advisory
Committee – Report and
Recommendation**

Moved by Councillor Gregory, seconded by Councillor Sandeson

“That Council proceed with the sale of Debert properties, as discussed in Closed Session.” Carried unanimously.

ADJOURNMENT

Moved by Councillor Sandeson

“That the meeting adjourn at 8:46 pm.” Carried unanimously.

Tracey Veno
Recording Secretary