

MUNICIPAL COUNCIL

The Regular Session of the Municipal Council of the Municipality of the County of Colchester was conducted virtually via Zoom Webinars, on Thursday, June 24, 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
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 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 Veno, Recording Secretary
Devin Trefry, Research, Policy, and Community Engagement Officer
Jenn Martin, Acting Economic Development Officer
Craig Burgess, Recreation Manager
Darlyne Proctor, Waste Reduction Manager
Tim Smith, IT Manager

Approval of Agenda

Moved by Councillor Gregory
Seconded by Councillor Cooper

“That the agenda be approved with the following amendments:

- Remove Item No 26, Negotiations in Closed Session and replace with another Negotiations in Closed Session;
- Add Item No 23b, Decision on Appeal regarding Disposal of Hazardous Substances By-law.”

Motion Carried Unanimously.

Presentation – Mass Casualty Commission

Representatives of the Mass Casualty Commission, Jennifer Cox, Maureen Wheller, and Nichole Elizabeth, were in attendance this evening to provide Council with an overview of the Mass Casualty Commission’s work as well as provide guidance on Council’s further involvement in the process. It was noted that anyone having information or having an interest in participating in the inquiry should be encouraged to come forward. The Municipality will post contact information of the Commission members on the Colchester website.

Approval of Minutes

Moved by Councillor Parker
Seconded by Councillor Sandeson

“That the minutes of the meeting held on May 27, 2021, be approved as presented.”

Motion Carried Unanimously.

Business Arising from Minutes

There was no business arising from the minutes of the meeting held on May 27, 2021.

Standing Committee Reports and Recommendations

Deputy Mayor Stewart, Chair of Council Committee, presented the report from the meeting held on June 10, 2021:

Purchase of Replacement Fire Repeaters

Moved by Deputy Mayor Stewart
Seconded by Councillor Cooper

“That Council approves the purchase and installation of two new fire repeaters from Nova Communications, at a cost of \$19,149.10, excluding HST.”

Motion Carried Unanimously

Policy Amendments – Solar Colchester PACE Policy and Municipal Fees Policy

Moved by Deputy Mayor Stewart
Seconded by Councillor Sandeson

“That Council approves the amendments to the Solar Colchester PACE Policy and the Municipal Fees Policy, as presented.”

Motion Carried. (*Councillor Taggart opposed*)

Councillor Taggart noted that he fully supports Solar Colchester, however, he is not in agreement with adding interest.

Fundy Discovery Site: Phase 1D – Interim Capital Budget

Moved by Deputy Mayor Stewart
Seconded by Councillor Boutilier

“That Council approves the proposed Fundy Discovery Site construction and capital planning programs for the 2021-22 fiscal year and an allocation of \$227,540 to an interim capital budget for this purpose.”

Motion Carried Unanimously.

Investing in Canada Infrastructure (ICIP) Application – Municipality of Colchester Commitments

Moved by Deputy Mayor Stewart
Seconded by Councillor Gregory

“That Council approves:

1. A municipal financial commitment of 26.67% which will be allocated for the projects identified under its ICIP application;
2. Financing the total up-front capital costs for all projects;
3. Obtaining Temporary Borrowing Resolution(s) as a means of ensuring sufficient funds are available for project work; and,
4. The acquisition of any land or easement purchases needed to implement the projects.”

Motion Carried Unanimously.

Colchester Christian Academy Request

Moved by Deputy Mayor Stewart
Seconded by Councillor Cooper

“That Council approves that the original conditions of the sale of the East Court Road School to the Colchester Christian Academy be maintained.”

Motion Carried. *(Councillors Johnson and Parker opposed)*

Executive Committee - Minutes of Meeting Held on June 17, 2021

The Executive minutes of June 17, 2021, were reviewed and received.

ACTION ITEMS

Wastewater Collection Truck – Award of Tender

Michelle Boudreau, Director of Public Works, advised that this item deals with the purchase of a ½ ton truck for Wastewater Collection Operations.

Moved by Councillor Parker
Seconded by Councillor Gregory

“That Council authorizes staff to award the tender for the purchase of a ½ ton truck for Wastewater Collection Operations to Hollis Ford in the amount of \$21,172 excluding HST, with source of funds being the Public Works Vehicle Reserve.”

Motion Carried Unanimously.

Air Show Atlantic 2022

Jenn Mantin, Acting Economic Development Officer, reported that the 2021 Air Show Atlantic (ASA) was cancelled due to concerns around Covid-19. Council had previously agreed to a funding contribution for this event, jointly

with the Town of Truro through Events Truro-Colchester. The Nova Scotia International Air Show Association (NSIASA) is requesting that Truro and Colchester continue to partner with them to host the 2022 Air Show Atlantic in Debert. Additionally, it is being requested that funds already contributed for the 2021 ASA be retained. Included in the report of the Acting Economic Development Officer was economic benefits and impacts, and that the NSIASA is opened to negotiating a Facility Management Compensation Agreement based on ticket sales at the 2022 event.

Moved by Councillor Benoit
Seconded by Councillor Patton

“That Council approves the agreement to host the 2022 Air Show Atlantic in Debert and commits to contributing \$25,000 to the event, subject to an agreement being reached on ticket revenue sharing, as an offset to the Municipality’s administrative costs; and, that no further funds be advanced until this agreement is in place.”

Motion Carried Unanimously.

**Hill and William Street Sidewalk
Reconstruction – Authority to
Award**

Moved by Councillor Johnson
Seconded by Councillor Cooper

“That Council authorizes August Council Committee to award the tender for the reconstruction of the Hill Street and William Street sidewalks.”

Motion Carried Unanimously.

**Debert STP2 Elimination Tender
– Authority to Award**

Moved by Councillor Benoit
Seconded by Councillor Sandeson

“That Council authorizes August Council Committee to award the tender for the replacement of Sewage Treatment Plant 2 in Debert.”

Motion Carried Unanimously.

FRIIP Application 2021

This item relates to an application to the Province under the Flood Risk Infrastructure Investment Program (FRIIP) for a bank stabilization project along the Franklin property in North River. This project was supported by the County’s Flood Advisory Committee and to proceed with the application, a motion of Council is required.

Moved by Councillor Johnson
Seconded by Councillor Patton

“That Council supports an application to the FRIIP program, as requested by the County Flood Advisory Committee, for the work along the Franklin Property on the North River, valued at \$78,215, providing that 50% funding through the FRIIP application is received.”

Motion Carried Unanimously.

PCAP Funding Application – Highway 246 Watermain – This item relates to an application to the Province under the Provincial Capital Assistance Program (PCAP). Applications under this program can include new infrastructure, improvements to existing infrastructure, and engineering studies; are due on June 29, 2021; and, require a motion of Council in support of the application. Staff would like to submit an application to fund the Highway 246 Watermain project in Tatamagouche.

Moved by Councillor Gregory
Seconded by Councillor Parker

“That Council supports an application to the Provincial Capital Assistance Program for the replacement of the watermain on Highway 246 in Tatamagouche.”

Motion Carried Unanimously. *(Councillor Taggart was not available at the time of voting)*

Water Utility Truck – Award of Tender *Councillor Cooper declared a conflict of interest and recused himself on this matter.*

Similar to the previous item dealing with the tender of the Wastewater Collection Truck, Ms. Boudreau advised that this item deals with the award of tender for the Water Utility Truck.

Moved by Councillor Johnson
Seconded by Councillor Boutilier

“That Council authorizes staff to award the tender for the purchase of a ½ ton truck for Water Utility Operations to Hollis Ford in the amount of \$39,472 excluding HST, with source of funds being the Public Works Vehicle Reserve.”

Motion Carried Unanimously.

Active Transportation – History, Projects, and Priorities Paul Smith, Acting Director of Community Development, presented Council with a detailed report on the history of the Active Transportation Strategy (ATS); the process by which projects are evaluated and prioritized; the flexibility for Council to address more emerging and urgent projects as well as the potential negative impacts this could have on existing projects on the ATS; and the options moving forward for Council consideration.

Discussion was held on how projects are advanced from the ATS to the five-year capital budget with concern expressed on how adding projects of a more urgent nature may delay and/or prevent existing projects from moving forward. Staff advised that priorities as set out in the ATS are followed and projects advance accordingly unless by specific motion of Council, other projects are advanced. Further discussion was held on capacity of staffing and funding resources and opportunity for Council to discuss and move up projects currently on the list.

Moved by Deputy Mayor Stewart
Seconded by Councillor Johnson

“That Council review the Active Transportation projects prior to its Capital Budget Process on an annual basis.”

Motion Carried Unanimously.

**First Reading – Neighbourhood
Nuisance By-law**

Devin Trefry, Research, Policy, and Community Engagement Officer, advised that Council discussed the draft Neighbourhood Nuisance By-law at the June Council Committee meeting in detail. Since then, staff have reviewed the draft By-law with S/Sgt. MacKinnon, and have made one minor amendment to the By-law to address his concern regarding the proposed exemptions for Recreation Activity being too broad. A definition for “appropriate” was included to address these concerns and S/Sgt. MacKinnon was satisfied with the amendment.

Moved by Councillor Boutilier
Seconded by Councillor Sandeson

“That Council approves, by way of First Reading, the Neighbourhood Nuisance By-law as presented.”

Motion Carried Unanimously.

**Colchester 100 Series Highway
Ramp Clean Up**

Darlyne Proctor, Waste Reduction Manager, advised that litter is a problem province-wide and following discussions at the May 2021 Council meeting, staff were directed to investigate options to address litter clean up at Colchester interchanges, including a program implemented by the Municipality of East Hants which involves the adoption of four interchanges and a \$500 donation to groups signing up to do cleanup. Included in her report was information on Colchester’s efforts to date; various volunteer groups doing clean up and interchanges currently being done; the Earth Day Challenge; the Nova Scotia Adopt-A-Highway Program; the Great Nova Scotia Pick-Me-Up Program; and, options for consideration. With the implementation of funding models as an incentive for clean up, it was noted that this could negatively impact organizations and volunteers already undertaking the task. It was also noted, however, that a funding incentive might motivate new groups to participate.

Detailed discussion was held including coming up with a better program to address the issue; the importance of volunteers; hiring students to carry out the clean up; taking pride and investing in interchanges as entrances to our communities; concerns with paying groups to do clean up; safety concerns; and, interest in including roadsides in communities along with clean up at interchanges.

Moved by Councillor Cooper
Seconded by Councillor Sandeson

“That staff continue to support Provincial and Departmental litter clean up programs and seek innovative ways to attract new groups to participate and recognize the efforts of the current community volunteers.”

Motion DEFEATED. *(Deputy Mayor Stewart, Councillors Johnson, Gregory, Benoit, Taggart, and Parker opposed)*

Moved by Councillor Johnson
Seconded by Councillor Taggart

“That staff develop a funding model and program to clean up litter along County roads and interchanges and come back to Council with options and recommendations.”

Motion Carried. *(Councillor Boutilier and Sandeson opposed)*

Silviculture Work on Municipal Land Request

Mr. Smith reported that Foresight Forestry made a request to do silviculture work on County owned lands in Debert. Foresight Forestry is one of many companies who actively search for lands that need to be managed. They are provincially funded through the Association of Sustainable Forestry. Council referred the request to staff for investigation.

Staff’s findings determined that this work would take about six to eight weeks to carry out; there is no financial value in the young trees that would be trimmed; there would be minimal disruption to the lands as no heavy equipment is required to carry out the work; and, no archaeological testing is required for the portion of land under discussion. Staff also feel it is in the best interest of the Municipality to develop a longer-term forestry management plan on applicable lands in the County.

Moved by Councillor Benoit
Seconded by Councillor Patton

“That Council approve Mr. Robar’s offer to provide silviculture work this year on the identified lands in Debert and instruct staff to prepare an RFP for a long-term forestry management plans for Municipally owned lands.”

Motion Carried Unanimously.

Councillor Boutilier expressed an interest in having a tour of these County lands, as well as information on how much land requiring forestry management throughout the County is municipally owned .

Correspondence - ACTION

Pam Macintosh, Planner

Memo dated June 10, 2021, concerning a Development Agreement Application by Mark Nash, Truro Road, Hilden.

Moved by Deputy Mayor Stewart
Seconded by Councillor Sandeson

“That the development agreement application by Mark Nash, Truro Road, Hilden, be referred to the Planning Advisory Committee.”

Motion Carried Unanimously.

**Shelley G. Hoeg, Municipal Clerk,
Municipality of Cumberland**

Letter to the Mayor dated June 8, 2021, regarding interest in a joint committee to create a Northern Region Climate Plan.

Brief discussion took place on the progress of the Carbon Free Colchester Committee and the possibility of sharing information with Cumberland County.

Moved by Deputy Mayor Stewart
Seconded by Councillor Johnson

“That the letter from Shelley Hoeg, Municipality of Cumberland, regarding interest in forming a joint committee to create a Northern Region Climate Plan be referred to staff for further investigation.”

Motion Carried Unanimously.

**Peter Julian, MP, New
Westminster-Burnaby**

Letter to the Mayor and Council dated June 17th seeking endorsement for Motion M-84 Anti-Hate Crimes and Incidents & Private Member’s Bill C-313 Banning Symbols of Hate Act.

Council indicated support for this initiative, however, concern was expressed with the way this has been presented. It is a very broad request and more information is needed.

Moved by Councillor Johnson
Seconded by Councillor Cooper

“That the letter from Peter Julian, MP, New Westminster-Burnaby, seeking endorsement for Motion M-84 Anti-Hate Crimes and Incidents & Private Member’s Bill C-313 Banning Symbols of Hate Act, be received for information purposes.”

Motion Carried Unanimously.

Correspondence - INFORMATION

Development Officer

A copy of the Development Activity Report received from the Development Officer for the month of May 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 May 2021. Council agreed to receive the report for information purposes.

INFORMATION ITEMS

Update Biosolids Larvae Project	A report was provided in the Council package for this evening's meeting with an update on the Biosolids Larvae Project.
Bicycle Racks	Council had previously directed staff to investigate having bicycle racks on trails. The Recreation Department has included monies in their budget for the last number of years for bicycle racks. This report provides details on staff's efforts to date and the various locations where bicycle racks are placed throughout the County.
Update – Green Carts	At the June 10 th Committee meeting, staff were asked to look into weekly green cart collection as a potential solution to address concerns regarding wildlife and rodents. Initial findings indicate that due to equipment and staffing, the collector would be unable to implement the service for this year. Once more details are received on costings, staff will report back to Council.
FCM	Deputy Mayor Stewart thanked Councillor Taggart for his time on the FCM Board and noted that since taking the role of 3 rd Vice President, he has spoken with numerous representatives from across the country who have spoken highly of the strong commitment and determination that former Board Member Councillor Taggart brought to the table at a national level. He is well respected by his peers at FCM; and his tenure at FCM as a Board member and as Chair of the Atlantic Caucus has had a positive impact at FCM and on Board members.
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.
Decision on Appeal Regarding Disposal of Hazardous Substances By-law	<p>The Municipal Solicitor provided background information on an issue in 2019 relative to a C&D site in Middle Stewiacke looking to expand their operations to receive asbestos waste. Council responded quickly to concerns of area residents and implemented a new by-law and policy for the Disposal of Hazardous Substances. Subsequent to the implementation of the by-law and policy, an application was received from the company for the site in Middle Stewiacke to receive hazardous materials, which was rejected by Council. The company in turn, challenged the by-law, policy, and Council's decision to reject their application, resulting in a decision by the Supreme Court in June of 2020 that struck down the by-law and policy. The Municipality appealed this decision and this morning, June 24, 2021, notification of a successful appeal decision was received.</p> <p>Following the 2020 decision which struck down the by-law and policy for the Disposal of Hazardous Substances, Council amended the Solid Waste By-law for the prohibition of anything not in existence prior to the amendment. This is still in effect and Council may want to revisit this by-law amendment now that the Disposal of Hazardous Substances By-law are reinstated.</p>
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 Parker
Seconded by Councillor Sandeson

“That the meeting go into closed session at 9:44 pm.”

Motion Carried Unanimously.

Moved by Councillor Gregory
Seconded by Councillor Benoit

“That the meeting reconvene in open session at 10:41 pm.”

Motion Carried Unanimously.

**Negotiations – FedEx Ground –
Lease Opportunity**

Moved by Councillor Boutilier
Seconded by Councillor Parker

“That Council grant approval for the indicated land on Spitfire Road to be leased to FedEx Ground on a three-year term, commencing September 1, 2021; and,

That the CAO be authorized to approve the terms of the lease agreement, as prepared by staff and Legal Counsel.”

Motion Carried Unanimously.

**Animal Control – Interim SPCA
Proposal for Weekday Animal
Control Services**

Moved by Councillor Parker
Seconded by Councillor Taggart

“That Council approves entering into a five-month contract with the Nova Scotia SPCA to provide weekday (8:30 am to 4:30 pm) animal control services, including livestock, for an additional fee of \$5,000 per month, terms as outline in their proposal of June 15, 2021; and,

That staff be directed to advertise for an Animal Control Officer and further advertise for a Building Inspector.”

Motion Carried Unanimously.

ADJOURNMENT

Moved by Councillor Gregory
Seconded by Councillor Benoit

“That the meeting adjourn at 10:45 pm.”

Motion Carried Unanimously.

Tracey Veno
Recording Secretary