

**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, October 28, 2021, at 6:00 pm.

Due to a directive by the Minister of Municipal Affairs and Housing pursuant to the provincial State of Emergency related to COVID-19, all Council meetings must be held remotely by teleconference or on a virtual platform. In order to ensure transparency and honour the commitment for Colchester Council to conduct its business in public, these draft minutes are being posted within twenty-four hours of the meeting. They will not be reviewed and approved until the next regularly scheduled meeting of Colchester Council on November 25, 2021. Until these minutes are formally approved by Colchester Council, they cannot be relied on as an official record of the October 28, 2021, meeting.

**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
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 Veno, 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. 8)

**Public Hearing – Development Agreement Application by Ramar Construction Limited**

Mayor Blair called this Public Hearing to order respecting a Development Agreement involving an application made by Ramar Construction Limited for three townhouse style buildings containing a total of 16 dwelling units on their property on Pictou Road in Valley. The text for the application and a related staff report was 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 Ramar Construction Ltd. Development Agreement application on Pictou Road, Valley. Highlights of the presentation included a description of the planned construction - a total of three townhouse-style buildings with 2-6 unit and 1-4 unit, totalling 16 2-bedroom units; location description and uses of surrounding area properties; photographs and site plans; building details; landscape plans; and, policy considerations. The application was reviewed internally by Public Works staff, the Building Inspector, and Development Officer. Externally it was reviewed by Nova Scotia Public Works and the Valley-Kemptown Fire Brigade. Additionally, the Nova Scotia Environment requirements of the Activities Designation Regulations under the Environment Act have been followed. Staff's recommendation is to enter into this development agreement with Ramar Construction Limited.

Chris Marchand, applicant, was in attendance for this Public Hearing. Responding to a query on timeframe of the build, Mr. Marchand indicated that it would likely be over two-three years. Addressing concerns regarding landscaping, Mr. Marchand noted that they will save whatever trees possible during construction and will replant new trees replacing ones that are removed. Discussion was also held on energy and emissions plans, target demographics and affordable housing.

Diane MacCallum and Cheryl Geddes were in attendance for the meeting, however, both indicated they were there to observe and did not wish to add anything to the discussion.

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 were received regarding this application.

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

Moved by Councillor Sandeson and seconded by Councillor Gregory

"That Council approves entering into a development agreement with Ramar Construction Limited for their lands on Pictou Road, Valley, which would allow the construction of three townhouse-style buildings totalling 16 dwelling 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.

**Approval of Agenda**

Moved by Councillor Boutilier and seconded by Councillor Cooper

"That the agenda be approved with the following addition:

- Item # 12b, Appeals Committee for the Commercial Dog Care Kennel Facility By-law." Carried unanimously.

**Approval of Minutes**

Moved by Councillor Johnson and seconded by Councillor Sandeson

"That the minutes of the meeting held on September 29, 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 October 14, 2021:*

Award of RFP – Fire Dispatch Services

Moved by Deputy Mayor Stewart and seconded by Councillor Benoit

"That Council approves that the proposal for Fire Dispatch Services be awarded to Valley Communications Incorporated for a total proposal price of \$407,678.58, excluding HST." Carried unanimously.

Art Purchase Program

Moved by Deputy Mayor Stewart and seconded by Councillor Cooper

"That Council approves the 2021 Art Purchase Program be postponed until Winter 2022; and,

That staff investigate the logistics of hosting the event at the RECC." Carried unanimously.

Mi'kmaw Land Acknowledgement

Brief discussion was held regarding the use of the word unceded in the statement. Dennis James, Municipal Solicitor, advised that the statement is appropriate and consistent with what other municipalities are using and he sees no concerns from a legal perspective.

Moved by Deputy Mayor Stewart and seconded by Councillor Patton

“That Council approves the following land acknowledgement statement for opening all Council, Council Committee and Presentation meetings:

*In peace and friendship, and in the spirit of truth and reconciliation, I would like to begin by acknowledging that the Municipality of Colchester is in Mi'kma'ki, the ancestral and unceded territory of the Mi'kmaq.”* Carried unanimously.

#### Virtual Voting Policy

Moved by Deputy Mayor Stewart and seconded by Councillor Benoit

“That Council adopts the Voting Procedure for Virtual Meetings Policy, as presented.”

#### ***amendment***

Moved by Councillor Boutilier and seconded by Councillor Benoit

“That a timeframe of two months be set, until the end of January, for the trial period.” Motion carried (*Mayor Blair and Councillor MacKenzie opposed*).

The amending motion having carried, the original motion was voted on and carried with Mayor Blair and Councillor MacKenzie opposed.

#### Municipal Building Initiative

Moved by Deputy Mayor Stewart and seconded by Councillor Parker

“That Council approves undertaking a space programming process for a new Municipal Building.”

*At this point Deputy Mayor Stewart assumed the role of Chair to allow Mayor Blair opportunity to speak on this item.*

Mayor Blair addressed Council with a number of concerns regarding the motion as presented, referencing staff's Action Item and recommendation, and subsequent discussion at the October 14<sup>th</sup> Committee meeting. Also noted in her address to Council was the significance of the Courthouse and its history, and, stressing the importance of looking at all options for the future of a municipal building for Colchester County.

#### ***amendment***

Moved by Mayor Blair and seconded by Councillor Benoit

“That staff proceed with an updated functional study and feasibility analysis for the Municipal Building at 1 Church Street; and,

That building maintenance and compliance proceed as outlined in Action Item #11 dated October 14, 2021.”

During debate, points of discussion included voting in favour of a new Municipal building but not being in favour of tearing down the existing building; not being interested in putting money in the current facility; the historical importance of the building; the existing facility not meeting current and/or future municipal needs; and, the importance of considering all options. Clarification was sought regarding the original motion of October 14<sup>th</sup> containing wording regarding required maintenance of the building. The CAO advised that it was part of the discussion however, confirmed that it was not required to be part of the motion as there is a duty of care that any required maintenance be undertaken.

The vote on the amending motion carried with *Councillors Cooper, Johnson, Patton and Parker opposed.*

The amending motion having carried, the original motion was voted on and carried unanimously.

*At this point, Mayor Blair resumed the role of Chair.*

#### Stewiacke Library

Moved by Deputy Mayor Stewart and seconded by Councillor Boutilier

“That Council approves that staff begin drafting a Memorandum of Understanding between the Municipality and Town of Stewiacke for the Stewiacke Library, subject to further review by Council.” Carried unanimously.

#### ***Flood Advisory Committee - Minutes of Meeting Held on October 12, 2021***

Moved by Councillor Johnson and seconded by Councillor Patton

“That the Flood Advisory Committee minutes of the meeting of October 12, 2021, be received.” Carried unanimously.

### **ACTION ITEMS**

#### **Cobequid Veterans Memorial Park**

Craig Burgess, Recreation Manager, advised that this item relates to the request from the Cobequid Veteran’s Memorial Park Society for the Municipality to take over the maintenance and costs to manage the Park. An overview of staff’s investigation was provided which included background information on the property; municipal roles and responsibilities for County owned lands and non-municipally owned lands; past funding contributions to the Society; staffing and financial resource implications of taking over maintenance of the Park; potential for unintended consequences; and, options for consideration.

During discussion, Council acknowledged the beauty and importance of the Park and efforts of the volunteers. Options were also discussed with concerns being raised about the current workload of existing Recreation staff; other requests that may come forward if this is approved; and the request before Council going against existing policies and programming.

Moved by Councillor Parker and seconded by Councillor Johnson

“That Council approves continuing with status quo as it relates to the Cobequid Veterans Memorial Park.” Motion carried (*Mayor Blair, Councillors MacKenzie and Benoit opposed*).

### **Funding Confirmation for Municipal Solar Projects**

This item relates to the Municipality’s commitments for Municipal Solar Projects funding applications. Joanna Burris, Sustainability Planner, provided an overview of the applications being submitted for solar photovoltaic installations at the Central Colchester Wastewater Treatment Facility, the Tatamagouche Library, North Shore Recreations Centre, and the West Colchester United Arena. Also included was a breakdown of projects and eligible costs; source of municipal funds; return on investment; and reduction estimates of the Municipality’s emissions annually.

Moved by Councillor Boutilier and seconded by Councillor Sandeson

“That Council commits to financing the Municipality’s contribution of \$558,733, for the proposed solar projects, pending successful grant applications to the Investing Canada Infrastructure Program.” Carried unanimously.

### **Debert Airport Plowing – Award of Tender**

Michelle Boudreau, Director of Public Works, advised that the former provider of the plowing service at the Debert Airport is no longer able to provide the services so staff issued a public tender for a three-year term. One submission was received in response to the tender, details of which were included in the Action Item as presented.

Moved by Councillor Johnson and seconded by Councillor Benoit

“That Council approves the award of tender for snow plowing services at the Debert Airport for the next three years to Will-kare Paving and Contracting Ltd.” Carried unanimously.

### **Deer in Colchester County**

Councillor Parker advised that deer in Colchester County is still an issue and requested an update on what the Town of Truro is doing to address the deer situation, specifically about the work with Lands and Forestry and butchers to have deer meat donated to the local food bank. He has been approached by a couple of hunters inquiring about whether the County could do something similar. The CAO advised that in anticipation of this discussion, he followed up with the Town CAO concerning their partnerships regarding the deer issue and suggested that any inquiries received should be referred directly to the Town CAO.

Devin Trefry, Research, Policy and Community Engagement Officer, informed Council of a provincial program, working with Feed NS, called Hunters Helping the Hungry. There is a list of pre-identified butchers that will assist with butchering deer meat, at the hunter's expense, keeping a portion of the meat for donation to Feed NS.

Discussion was held on curbing the deer population in Colchester County and the past motion of Council to work with the Village of Bible Hill to promote this through education and awareness.

### **County Vaccine Policy**

Councillor Boutilier raised the issue of various municipalities in the Province developing vaccination policies and requested an update on what Colchester is doing and whether Council should be included. The CAO provided a brief update on efforts of the Covid working group to gather information, taking an informed and measured approach. An update was also given on efforts of our Emergency Management/Protective Services Coordinator regarding the availability of test kits as part of the groups' analysis.

Moved by Councillor Boutilier and seconded by Councillor Sandeson

"That Colchester County Council be involved in the County vaccine policy as described by our CAO." Carried unanimously.

The CAO advised that staff would proceed with the analysis of vaccine policy for staff and Council and will report information back to Council.

### **Electronic Voting at Council Meetings**

Referring to voting at Council meeting, in an effort to be more efficient as well as assist the Recording Secretary, Councillor Boutilier suggested electronic voting where Council would press one of two buttons, either in favour or opposed to the motion on the floor. Results of the vote could be shown on a display board which would clearly indicate the outcome of the vote.

Brief discussion was held on how this would work for members of Council participating in meetings from home. Tim Smith, IT Manager, advised that when the microphone system was upgraded, there was an option for voting. Further investigation would be required on the possibility of integrating Zoom meeting with the existing hardware.

Moved by Councillor Boutilier and seconded by Deputy Mayor Stewart

"That staff investigate the possibility of electronic voting at future Council meetings." Carried unanimously.

### **Appeals Committee – Commercial Dog Care Kennel Facility By-law**

The Municipal Solicitor advised that the Commercial Dog Care Kennel Facility By-law allows an appeal process, which is generically defined in the By-law. There has been no Appeals Committee appointed to date or designation of another existing Committee to handle appeals. It has come to the attention of staff that there might be a need for this in the near future and given time sensitivities around the appeal process, the request this evening is to have Council grant authority to November Council Committee to make a

designation under this By-law. Staff will prepare an item with options for consideration.

Moved by Councillor Parker and seconded by Councillor Cooper

“That Council grant authority to November Council Committee to make a designation under the Commercial Dog Care Kennel Facility By-law for handling of appeals.” Carried unanimously.

### Correspondence - ACTION

**Cheryl Antoski, Councillor,  
Brantford, ON**

An email to the Mayor concerning the Year of the Garden 2022 Proclamation.

Moved by Councillor Cooper and seconded by Councillor Parker

“That Council proclaims the Year of the Garden 2022.” Carried unanimously.

**Tiffany Ward, Nova Scotia  
Remembers Legacy Society**

An email to Mayor Blair dated October 5, 2021, regarding a request for the Municipality to hold memorial funds in trust due to the dissolution of the Society. Scott Fraser, Director of Corporate Services, advised that this is permitted under the Municipal Government Act.

Discussion was held on legalities of the Municipality doing this and whether input from the families is required regarding disbursement of funds. Mr. James advised that the key thing is having documentation with clarity of what the funds are used for; having an agreement in place should Council decide to accept the funds; and language within the agreement concerning use of funds fitting within the mandate of the legacy. Also during discussion, a number of Council members expressed concern regarding comments made about Council’s lack of support in the past on requests from the Nova Scotia Remembers Legacy Society.

Moved by Councillor Parker and seconded by Councillor Johnson

“That Council take over the funds from the Nova Scotia Remembers Legacy Society for uses as outlined in the correspondence of October 5, 2021, and that staff and the Municipal Solicitor draft an agreement to allow for distribution of the funds accordingly.” Motion carried (*Councillors Boutillier and Cooper opposed*).

**Serena Lewis and Dr. Karen  
Ewing**

A letter dated October 10, 2021, from Serena Lewis and Dr. Karen Ewing concerning trauma and grief in Colchester County.

This letter is a result of Council’s request seeking clarification from Ms. Lewis and Dr. Ewing concerning what is being asked of the Municipality regarding trauma and grief in Colchester. Points of discussion included their request being support for their vision; this being a federal and provincial responsibility and not a municipal mandate; concerns relative to supporting resources; there still being some confusion around the ask; and, providing letters of support to other levels of government.

Moved by Deputy Mayor Stewart and seconded by Councillor Patton

“That the Municipality provide non-financial support, as referenced in the first bullet of page two of the letter from Serena Lewis and Dr. Karen Ewing dated October 10, 2021.” Carried unanimously.

**Pam Macintosh, Planner**

Memo to Mayor and Council dated October 18, 2021, regarding a MPS amendment and potential development agreement application by Alan McNutt.

Moved by Councillor Parker and seconded by Councillor Gregory

“That the memo to Mayor and Council dated October 18, 2021, regarding a MPS amendment and potential development agreement application by Alan McNutt be referred to the Tatamagouche Planning Advisory Committee.” Carried unanimously.

*Councillor Sandeson was not available during the vote on this item.*

**Rotary Club**

An email dated October 25, 2021, regarding the annual ad in the Rotary Yearbook.

Moved by Councillor Boutilier and seconded by Councillor Patton

“That Council place a one-third page ad in the 2022 Rotary Yearbook.” Motion carried (*Councillor Sandeson abstained from voting on this matter*).

**Kevin Kennedy, Chair, Village of Bible Hill Commission**

A letter to Mayor Blair and Councillors Boutilier and Parker requesting funding under the Safe Restart Program.

Clarification was sought on whether this was permissible and what other municipalities in the Province were doing. The Director of Corporate Services advised that confirmation has been received from the Province that Villages can apply to municipalities for funding under the Program, however, he is unsure of what other municipalities are doing.

Moved by Councillor Parker and seconded by Councillor Boutilier

“That Council support the request for Safe Restart Funds in the amount of \$44,500 from the Village of Bible Hill, conditional upon receiving the required supporting documentation.” Carried unanimously.

**Correspondence - INFORMATION**

**Development Officer**

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

**Tiffany Bartlett, CEO Colchester-East Hants Public Library** A copy of the Colchester-East Hants Public Library Annual Report for 2020-21. Council agreed to receive the report for information purposes.

### **INFORMATION ITEMS**

**Community Trail Funding Program – Summer 2021 Applications UPDATE** This item provides an update on previously reported information on Community Trail Funding Program Summer Applications. Two applications were received with one being approved and the second, from the Fundy Trail Snowmobile Club, requiring further investigation by staff.

The request was for \$75,000 for the purchase of new trail grooming equipment. Staff’s review concluded that the purchase of trail grooming equipment does not fall within the scope of the Policy. This decision is consistent with one previous request similar in nature. This decision will be communicated to the Fundy Trail Snowmobile Club along with information about applying through the Grants to Non-profit Organizations.

**Northern Pulp Misinformation** The Director of Public Works indicated that this item provides information on the wastewater being hauled from Northern Pulp to the Central Colchester Wastewater Treatment Facility (CCWWTF). Included in the Information Item as distributed in the package for this evening’s meeting was details on how the Municipality became involved with Northern Pulp; timelines; when the issues were provided/discussed at Council; policy and by-law implications and adherence; source and volumes of wastewater being shipped; testing information and affects on CCWWTF and effluent; and financial information.

**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. Referring to the Tatamagouche Source Water Protection Advisory Committee meeting as listed in her report, Mayor Blair noted that she was unable to attend this meeting.

### **CLOSED SESSION**

Moved by Councillor Gregory and seconded by Councillor Johnson

“That the meeting go into closed session at 10:07 pm.” Carried unanimously.

Moved by Councillor Johnson and seconded by Councillor Boutilier

“That the meeting reconvene in open session at 10:42 pm.” Carried unanimously.

**Property Matter – Sale of Lot 2018, Lancaster Crescent** Moved by Councillor Johnson and seconded by Councillor Benoit

“That Council approves the sale of Lot 218 Lancaster Crescent to Hub Excavation & Diesel Ltd. for \$70,000; and,

That the Mayor and CAO be authorized to execute the purchase and sale agreement prepared by Legal Counsel for this transaction.” Carried unanimously.

**Negotiations – MRF Contract  
Negotiations**

Moved by Councillor Cooper and seconded by Councillor Patton

“That Council approves the renewal terms for Municipal Recycling Contracts as discussed in Closed Session.” Carried unanimously.

**ADJOURNMENT**

Moved by Councillor Johnson and seconded by Councillor Patton

“That the meeting adjourn at 10:46 pm.” Carried unanimously.

Tracey Veno  
Recording Secretary