

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 26, 2022, at 6:00 pm.

In peace and friendship, and in the spirit of truth and reconciliation, Mayor Blair began by acknowledging 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	(virtually)
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 (virtually)
Councillor Lisa Patton	District 8
Councillor Marie Benoit	District 9
Councillor Victoria Lomond	District 10
Councillor Wade Parker	District 11

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/Acting Director of Solid Waste
 Dennis James, Municipal Solicitor
 Devin Trefry, Research, Policy, and Community Engagement Officer
 Tracey Venno, Recording Secretary
 Jenn Martin, Economic Development Officer
 Craig Burgess, Recreation Manager
 Mollie MacBurnie-Haas, IT Support Technician

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 2022-23.” Carried unanimously.

Approval of Agenda

Moved by Councillor Benoit and seconded by Councillor Cooper

“That the agenda be approved with the following amendment:
 - Move Closed Session Item #17 to Open Session, new Item #14b.” Carried unanimously.

Approval of Minutes

A revised copy of the minutes of April 28, 2022, was distributed on table for this evening’s meeting.

Moved by Councillor Johnson and seconded by Councillor Sandeson

“That the minutes of the meeting held on April 28, 2022, 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 12, 2022:

Safe Restart Funding

Moved by Deputy Mayor Stewart and seconded by Councillor Parker

“That Council approves Safe Restart funding to arenas in Colchester County in the following amounts:

- \$48,856.00 to the Don Henderson Memorial Sportsplex;
- \$46,429.41 to the North Shore Recreational Centre;
- \$104,849.00 to the West Colchester United Arena; and,
- \$23,583.00 to the Brookfield Curling Club.” Carried unanimously.

Lower Truro Spring Parking Lot Paving

Moved by Deputy Mayor Stewart and seconded by Councillor Sandeson

“That the parking lot at the Lower Truro Spring be maintained status quo until the current lease expires; and,

That the \$20,000 be put in the Special Operating Reserve for possible future use.” Carried unanimously.

Councillor Sandeson thanked the Public Works Department for tending to the work recently done to the parking lot.

TAAC Revitalization Project

Moved by Deputy Mayor Stewart and seconded by Councillor Patton

“That Council support the TAAC Revitalization Project in the amount of \$350,000 over three years, with the same conditions as the original approved funding in 2018; and,

That progress reports on the project be provided on a regular basis.” Carried unanimously.

Flood Advisory Committee – minutes from Meeting Held on May 11, 2022

Referring to the section on Retson Drive on page two of the minutes, Councillor Parker requested that the last sentence be struck from this section. He indicated that this sentence made it seem like there was a lack of interest of the residents and himself for not being in attendance, however,

concerns from all parties were clearly expressed prior to this meeting. Dennis James, Municipal Solicitor, advised that changes to the minutes would have to be made by the Flood Advisory Committee (FAC). This was noted and would be brought to the FAC for consideration at their next meeting.

Moved by Councillor Sandeson and seconded by Councillor Johnson

“That Council receives the minutes of the Flood Advisory Committee meeting held on May 11, 2022.” Carried unanimously.

ACTION ITEMS

Area Rates and Budgets 2022/23

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. There were no changes being recommended in the area rates for fiscal 2022/23.

Councillor MacKenzie requested information on the Urban Service Rate as shown on Schedule “D” and what amounts of this budget go back into the urban area, specifically District 6. Mr. Fraser indicated that he would look into this and get back to her with this information. Other discussion included changes/upgrades to street lights in Debert and where crossing guards are located. On the Debert street lights, the Director of Public Works advised that due to the costs involved, this project would belong in the capital budget rather than the operating budget.

Moved by Councillor Parker and seconded by Councillor Gregory

“That Council approves the 2022/23 Area Rate Budgets, as presented.” Carried unanimously.

Bonaventure Place, Road Ownership

Michelle Boudreau, Director of Public Works, advised that a request has been received from the Condo Corp. for the County to take over the privately owned section of Bonaventure Place, a looped road in Debert, owned partially by the County with a small portion, 200 m, being owned by the Condo Corp. Staff is unsure why this small portion of the road remained privately owned when the County took over lands in Debert in 2008.

The condition of the entire loop is constructed in the same manner and is in fair condition, with some potholes on both the County and privately owned sections. For the last number of years, the County has plowed the private section of the road, mainly because there is no area for the plow to turn. Survey and legal costs to subdivide the private section would be in the range of \$8,000 to \$12,000.

Concern was raised on going against policy and take over of the road without it being brought up to standard. With the number of private roads in the County, this could open the door for many more future requests. Further discussion included the request being for a small portion of the road that was not taken over in error, at the time of land transfer in 2008; plowing of

Bonaventure Place; condo fees and associations; condition of the road; and process for evaluating road condition.

Moved by Deputy Mayor Stewart and seconded by Councillor Sandeson

“That Council maintain status quo and decline taking over the 200 metre section of Bonaventure Place.” Motion carried (*Councillor Benoit opposed*).

**Hilden Sidewalk Phase 2 –
Authority to Award**

Moved by Deputy Mayor Stewart and seconded by Councillor Cooper

“That Council authorizes June Council Committee to award the tender for the construction of Phase 2 of the Hilden Sidewalk on Highway 2.” Carried unanimously.

**2022 Art Selection Committee
Representatives**

Craig Burgess, Recreation Manager, indicated that after cancellations of the Art Purchase Program in 2020 and 2021 due to Covid-19, a date has been set and a venue secured to proceed with holding the event. It will run from June 9 – 29, 2022 at the NSCC McCarthy Hall, with judging taking place on June 16th. One piece of art will be purchased for each missed year and the Program will be back on track for November 2022. Staff is looking for two members of Council to serve on the Art Selection Committee.

Moved by Councillor Boutilier and seconded by Councillor Cooper

“That Councillors Sandeson and Patton serve on the Art Selection Committee for the Municipality of Colchester’s Art Purchase Program being held in June.” Carried unanimously.

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

Due to adverse weather, Councillor Gregory lost connection during discussion on this item and was not available for the rest of the meeting.

Devin Trefry, Research, Policy and Community Engagement Officer, advised that the proposed amendments to the Neighbourhood Nuisance By-law incorporates authority under Section 318 of the Municipal Government Act (MGA) to deal with obstructions on streets.

Clarification was sought on whether Section 4b) which deals with obstructions causing damage to streets would include other damages such as curbs and oil leakages. Mr. James indicated that it is intended to be broad, covering other damages, as defined under Section 307 of the MGA. Further discussion was held regarding ability to enforce on privately owned roads. Mr. James advised that the definition only excludes provincially owned roads but would give this some consideration before it is brought back for Second Reading.

Mr. Trefry noted that the amendments were reviewed by S/Sgt. MacKinnon and he was supportive of the proposed amendments. Concern was expressed about how well informed officers are about the By-law. Councillor Parker, as Chair of the Police Advisory Board (PAB), indicated that this would be brought forward to the next PAB meeting.

Moved by Councillor Parker and seconded by Councillor Lomond

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

Colchester Courage Award Policy

During discussion regarding the Colchester Courage Award Policy at the May Committee meeting, interest was expressed in extending the timeframe for nominations submissions beyond two years and the draft Policy was referred back to staff. A number of options were considered to allow flexibility around timeframe for nominations. Staff recommends including wording that would allow exceptions to be considered under special circumstances at Council’s discretion. Also, to address confidentiality of nominations throughout the process, the Municipal Solicitor suggested the addition of Section 12 which would read “That all appropriate steps are taken to protect the confidentiality of nominations and the evaluation of the nominations”.

Moved by Councillor Parker and seconded by Councillor Patton

“That Council adopts the Colchester Courage Award Policy with amendments to allow flexibility for timeframe and confidentiality of nominations, as discussed.” Carried unanimously.

Correspondence - ACTION

Pam Macintosh, Acting Manager of Planning Services

A memo to the Mayor and Council dated May 9, 2022, concerning an application by Ged Stonehouse for a multi-unit residential Development Agreement in Truro Heights.

Moved by Councillor Boutilier and seconded by Councillor Patton

“That the memo from Pam Macintosh, Acting Manager of Planning Services, regarding an application by Ged Stonehouse for a multi-unit residential Development Agreement in Truro Heights be referred to the Planning Advisory Committee.” Carried unanimously.

Truro Pride Society Board of Directors

Letter to the Mayor and Council regarding a proclamation for Pride week.

Moved by Deputy Mayor Stewart and seconded by Councillor Sandeson

“That the Municipality proclaim June 24-30, 2022, as Pride Week.” Carried unanimously.

Referring to the request for flag raising, the Deputy Mayor suggested that the current policy be maintained with only three flags being flown – Canadian, Nova Scotian and County.

Jack Gallant

A memo to the Mayor requesting the renaming of a park in Lower Onslow.

Moved by Councillor Benoit and seconded by Councillor Patton

“That the email from Jack Gallant requesting the renaming of a park in Lower Onslow be referred to staff.” Carried unanimously.

Correspondence - INFORMATION

Development Officer A copy of the Development Activity Report received from the Development Officer for the month of April 2022.

Building Inspector A copy of Building Permit Statistics received from the Building Inspector for the month of April 2022.

Moved by Councillor Parker and seconded by Councillor Benoit

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

Minister John Lohr, Municipal Affairs and Housing Copy of a letter addressed to Amanda McDougall, NSFM President, regarding 12-months’ notice of any provincial legislation, regulation, or administrative action that could affect municipalities.

Moved by Councillor Benoit and seconded by Councillor Patton

“That the letter from Minister Lohr regarding 12-months’ notice of any provincial legislation, regulation, or administrative action that could affect municipalities be received for information.” Carried unanimously.

INFORMATION ITEMS

Debert Aviation Centre – Project Update Ms. Boudreau advised that this report provides an update and status of renovations and expenditures at the Debert Aviation Centre; and potential future projects.

Brief discussion took place on the amount of money invested to date; lack of interest of prospective tenants; and concern with investing any further funding at this time.

Wild Blueberry Research Centre Jenn Mantin, Economic Development Officer, advised that this item provides information on a former lease agreement with the Wild Blueberry Research Centre (WBRC), an entity of Dalhousie University. The agreement allows the WBRC use of five parcels of land on Dakota Road, for research that is very valuable to the agriculture sector. The agreement expired on March 31, 2021, and WBRC is interested in entering into some type of new agreement. The WBRC is scheduled to make a presentation in June to provide information on their research. Following that presentation, staff will bring back options for a new lease agreement for Council consideration.

Reports from Councillors Appointed to Outside Boards and Agencies Copies of reports from the Mayor and Councillors were circulated in the package and ‘On Table’ for this evening’s meeting.

Deputy Mayor Stewart acknowledged and congratulated Councillors Gregory, Benoit, and Lomond on being recipients of the Queen Elizabeth II Platinum Jubilee Pins recently.

CLOSED SESSION

Moved by Councillor Parker and seconded by Councillor Cooper

“That the meeting go into closed session at 7:24 pm.” Carried unanimously.

Moved by Councillor Benoit and seconded by Councillor Johnson

“That the meeting reconvene in open session at 7:41 pm.” Carried unanimously.

**Property Matter – Sale of Lot VD
14-4 Ventura Drive, Debert**

Moved by Councillor Benoit and seconded by Councillor Patton

“That Council approves the sale of Lot VD14-4 Ventura Drive as outlined in Closed Session; and,

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

ADJOURNMENT

Moved by Councillor Benoit and seconded by Councillor Patton

“That the meeting adjourn at 7:42 pm.” Carried unanimously.

Tracey Veno
Recording Secretary