

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, June 23, 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:

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|------------------------------|-------------|
| 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 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 Veno, Recording Secretary
 Jenn Mantin, Economic Development Officer
 Dave Westlake, Protective Services/Emergency Management Coordinator
 Craig Burgess, Recreation Manager
 Phillip Redden, Wastewater Treatment Manager
 Mollie MacBurnie-Haas, IT Support Technician

Approval of Agenda

Moved by Councillor Sandeson and seconded by Councillor Cooper

“That the agenda be approved as presented.” Carried unanimously.

Approval of Minutes

Moved by Councillor Johnson and seconded by Councillor Lomond

“That the minutes of the meeting held on May 26, 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 June 9, 2022:

Council Virtual Meetings Policy

Moved by Deputy Mayor Stewart and seconded by Councillor Gregory

“That Council approves the amended Council Virtual Meetings Policy as presented in alternative #2, with clarification on defining 12-month period, and that ‘meetings’ includes both Council and Council Committee.” Carried unanimously.

Negotiations – Funding for Electric Vehicle Charging Stations

Moved by Deputy Mayor Stewart and seconded by Councillor Sandeson

“That Council approves a maximum contribution of \$65,000 toward the installation of EV charging stations, sourced from the Special Operating Reserve, to match the contribution from the funding program discussed in closed session; and,

That authority be granted to the Mayor and/or CAO to sign a contribution agreement with the funder.” Carried unanimously.

Council noted previous discussion regarding location of charging stations and that modified locations be provided to Council.

Negotiations – Air Show

Clarification was sought and concern expressed on total cost of requested repairs vs. anticipated ticket sales.

Moved by Deputy Mayor Stewart and seconded by Councillor Johnson

“That Council approves that requested upgrades for the Air Show, including sweeping services before/during the event; 15-acre tree clearing; and, patching large crack on the runway ramp near the Debert Aviation Centre be completed: and,

That the Municipality receive an increase of \$.50 from the sale of each ticket, with no maximum cap.” Motion carried (*Councillor Boutilier opposed*).

Debert Business Park (DBP) Advisory Committee – report from June 7, 2022, meeting

Brief discussion was held on purpose for the temporary parking area and type of washroom on site.

Moved by Councillor Benoit and seconded by Councillor Johnson

“That Council direct staff to explore DBP signage improvement options and to investigate the possibility of a temporary gravel parking area in the entry of DBP, to accommodate needs of long-haul truckers.” Carried unanimously.

Planning Advisory Committee (PAC)– report from June 8, 2022, meeting

Councillor Sandeson advised that the PAC met on June 8th and discussed an application made by Justin Gloade which will be addressed later in this meeting, as well as the review of the Wind Turbine By-law. Dennis James, Municipal Solicitor, advised the existing moratorium will expire in August. As per the original motion on the moratorium on Wind Turbines, Council can extend the period for an additional six month.

Moved by Councillor Sandeson and seconded by Councillor Johnson

“That the moratorium on wind turbines be extended six months, to the end of February 2023.” Carried unanimously.

Flood Advisory Committee – report from June 15, 2022, meeting

Moved by Councillor Sandeson and seconded by Councillor Parker

“That the draft minutes from the Flood Advisory Committee meeting held on June 15, 2022, be received.” Carried unanimously.

ACTION ITEMS**First Reading – Civic Addressing By-law**

Dave Westlake, Protective Services/Emergency Management Coordinator, provided a brief overview of the proposed Civic Addressing By-law which was presented in detail at June Committee. As suggested by legal, a provision was added regarding any associated fees be addressed through the Municipal Fees Policy.

Moved by Councillor Johnson and seconded by Councillor Patton

“That Council approve, by way of First Reading, the Civic Addressing By-law as presented, and that the By-law be advanced to Second Reading.” Motion carried. (*Councillor MacKenzie opposed*).

First Reading – Rezoning Application by Justin Gloade

Moved by Councillor Sandeson and seconded by Councillor Johnson

“That Council approves at First Reading, the rezoning application by Justin Gloade as presented, for purposes of forwarding this document to a Public Hearing, reserving consideration of the rezoning until Second Reading following the Public Hearing.” Carried unanimously.

Second Reading – Neighbourhood Nuisance By-law Amendment

Devin Trefry, Research, Policy, and Community Engagement Officer, advised that this item is to consider Second Reading of amendments to the Neighbourhood Nuisance By-law. These amendments are being proposed to enable addressing issues of parking on municipally owned roads.

Due to noise complaints stemming from extended hours at campgrounds, concern was raised regarding this By-law having no specified time limits. Mr. Trefry indicated that the definition of 'appropriate' in the By-law deals with intensity, frequency, duration, and timing of activity, should enable the ability to address such complaints. Dennis James, Municipal Solicitor, advised that the amendments before Council are intended to deal with a specific issue and that should Council wish to impose timelines, new proposed amendments would have to be introduced. Having been the Councillor raising this issue, Councillor Gregory indicated that given the explanation on the definition of appropriate, he would decline advancing this at this time.

Referencing the good neighbour and the definition of appropriate in the By-law, Councillor Benoit raised the ongoing rooster crowing issue and indicated that something needs to be done, either through this By-law or amendments to the Livestock Control By-law to deal with birds. Mr. James indicated that this may be a matter of the judgement of the enforcement officer. The S/Sgt. had input on both the original By-law, and this proposed amendment and felt that it was a tool that could be worked with. There may be a need for more dialogue with the RCMP concerning the By-law and whether things need to be clarified. A letter will be sent to the owner of the rooster and Council suggested that the RCMP be copied on this correspondence.

Brief discussion was held on whether the issues regarding the Nuisance By-law were raised at the Police Advisory Board (PAB) meeting. Councillor Parker, PAB Chair, indicated that it was discussed and was advised that it seems to be working great.

Moved by Councillor Parker and seconded by Councillor Cooper

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

Truro Heights Sewer Upgrade Project

Michelle Boudreau, Director of Public Works, advised that this item is to seek approval of Council to proceed with a three-phase project of the Truro Heights Sewer upgrades in the current fiscal year. Main reasons for this approach are to avoid digging up new asphalt after 2023 and to accommodate the surge in development.

Brief discussion was held on source of funds for the project and total anticipated project costs. Ms. Boudreau advised that pricing would be up over last years costs. Staff is recommending proceeding with tendering this project with results being brought back in August for consideration.

Moved by Councillor Sandeson and seconded by Councillor Patton

"That Council authorizes staff to proceed with a tender for all three phases of the Truro Heights Sewer Upgrade project in fiscal 2022-23." Carried unanimously.

Interim Capital Budget – Fundy Discovery Site

Paul Smith, Director of Community Development, provided an overview of interim capital budget for the Fundy Discovery Site (FDS) which included

progress to date and future plans. This year plans include a modest improvement whilst waiting on the bridge funding application. The incremental improvement of a picnic/shade shelter will enhance existing features and signify Council's commitment to the FDS. Details of the shelter were provided including proposed materials, anticipated costs, and funding sources. Given former Councillor Masters commitments to Colchester and the Fundy Discovery Site, it would be fitting to dedicate the structure to his memory, especially given the donations received from friends, family, and colleagues.

Moved by Deputy Mayor Stewart and seconded by Councillor Sandeson

"That Council approves the proposed Fundy Discovery Site construction program for the 2022-2023 fiscal year and allocates \$46,000 to an interim capital budget for this purpose; and,

That upon completion, the shelter be dedicated to former Councillor Masters." Carried unanimously.

Tatamagouche Clothing Bank – Tax Exemption

Scott Fraser, Director of Corporate Services, provided background information on this item noting that the property was previously tax exempt, however, because the property is leased from Sobeys, and exemptions for leased properties are not permitted under the Municipal Government Act (MGA), it was removed from the tax exemption list a couple of years ago. The Tatamagouche Clothing Bank has clarified that the building is owned by the Food Bank but sits on property leased from Sobeys. After dealing with Property Valuation Services Corporation, proper adjustments have been now made to the account. Staff is recommending that the full tax exemption be reinstated and a retroactive adjustment for balances owing be approved.

Brief discussion was held regarding ownerships of building and lands and taxes. Mr. Fraser advised that the building has been owned by the Food Bank and the exemption would apply to the building. The lands are owned by Sobeys, and they will continue to be taxed on the lands.

Moved by Councillor Gregory and seconded by Councillor Patton

"That Council approves that the Tatamagouche Clothing Bank be added to the Tax Exemption By-law Property List for the property located at 27 Blair Avenue (assessment acct #05368383), and grant retroactive tax account adjustment for 2021 and 2022 balances owed." Carried unanimously.

RECC Capital 2022-23

The Director of Corporate Services advised that this item deals with the capital request from the RECC for a score clock and an electric Zamboni, as presented by General Manager Matt Moore earlier this year. Included as part of the overview was useful life for each item and advantages of replacement at this stage; total costs; other funding sources; and source of funds for municipal contributions. Responding to a query about contributions from Town of Truro, the CAO advised that Town Council has passed a motion approving their portion of the costs.

Moved by Councillor Parker and seconded by Councillor Lomond

“That Council authorizes funding for RECC capital requests for the purchase of a Score Clock and an electric Zamboni.” Carried unanimously.

Asphalt Hot Box, Award of Tender

The Director of Public Works advised that this item is to award the tender for the purchase of an Asphalt Hot Box for Wastewater Collection operations. Council’s five-year capital budget includes \$40,000 for the purchase of an Asphalt Hot Box in 2022/23. A request for quotations was issued and results are listed in the Action Item. The lowest bid submitted by Saunders Equipment, deemed to be complete, was slightly over the approved budget.

Moved by Councillor Gregory and seconded by Councillor Patton

“That Council authorizes staff to purchase an Asphalt Hot Box from Saunders equipment for a total financial commitment of \$54,661 including rebated tax, with source of funds being the Public Works Vehicle Reserve.” Carried unanimously.

Authority to Award, Debert STP2 Elimination Tender

Moved by Councillor Benoit and seconded by Councillor Sandeson

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

Bonaventure Place, Debert

Councillor Patton advised that she requested this item be brought to the table again as there is new information for consideration. Initially when this item was raised, like other members of Council, had concerns about taking over the privately owned portion of Bonaventure Place. However, this is unlike other private roads in the County. It is a horseshoe shape with both straight portions of the road being owned by the County. The new information is that this road has every visual indication that it is County owned including being identified as such on the County website, as well as having blue road signage on each end of the road. She thinks this was an oversight when the province transferred lands to the County in 2008. Councillor Patton did note that the parking to the sides should not be included and should remain the responsibility of the Condo Corporation.

Mr. James advised following previous discussions on this matter, he and staff from Patterson looked into this file to see if there was a mistake in the sub-division plan. Nothing could be found on file and no records indicating why this was done. Records show that it was all included in the transfer and intended to go to the Condo Corporation. A sub-division plan would have been required to carve out a section of the road. Speaking of past experience with a waterline in Tatamagouche, the Municipal Solicitor advised that it is concerning that the Municipality has it marked as County owned. It was suggested that this matter be referred back to staff for further investigation.

Brief discussion was held on the reason for the previous decision of Council and the need to follow policy regarding bringing roads to standard before consideration is given to taking over.

Moved by Councillor Patton and seconded by Councillor Gregory

“That the issue regarding ownership of Bonaventure Place be referred to staff and legal for further investigation.” **Motion defeated** (Mayor Blair, Deputy Mayor Stewart, Councillors Cooper, Johnson, MacKenzie and Parker opposed).

Correspondence - ACTION

None

Correspondence - INFORMATION

Development Officer

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

Building Inspector

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

Moved by Councillor Sandeson and seconded by Councillor Cooper

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

INFORMATION ITEMS

Boundary Review

Mr. Trefry provided a brief overview of the Boundary Review which included requirements under the Municipal Government Act; the process for the review; current stats and comparable municipalities; results of the last study in 2014; and, next and final steps of the review process. A detailed presentation was included in the package for this evening’s meeting.

Update on Solar Colchester & Cozy Colchester PACE Programs

Joanna Burris, Sustainability Planner, provided a detailed update on recent changes to the Solar Colchester & Cozy Colchester PACE Programs including the significant uptake in the programs and contributing factors for the uptake; enrollment stats to date; approved loan and grant information; and funding delays at FCM and NS Municipal Finance Corporations resulting in a decision to pause the programs.

Discussion was held on a number of Council members receiving complaints from constituents; net metering and introduction of new legislation; other companies offering low interest rates for similar programs; establishing guidelines for such programs on a go forward basis; processes for applicants already in the queue and the Municipality’s obligations now that the program has been suspended; and being able to better manage the administration of the program.

Debert Housing Development – Project Update

This item provided an update to Council on the Debert Housing Development Project. As part of staff’s report, information was provided on the proposed development of 41.5 acres off Hudson Street including number and types of units; plans for amenities, trails, commercial space and stormwater management; cost of servicing development, approximately 1.8 km, with

sewer and water estimated at \$4 million; undertaking capacity assessments of existing infrastructure and conducting traffic studies; total value of vacant land, estimated tax assessment and potential tax revenues; and, submission of funding applications to date to support the development. Staff will continue to provide updates as more information is available and when decisions are required to move the project forward.

Active Transportation Projects Review

The Director of Community Development indicated that this item provides an update of established Active Transportation (AT) projects for review prior to Council's consideration of the five-year capital budget. As per the directive of Council in August 2021, an Action Item for the construction of a sidewalk on Ice Pond Drive will be prepared and presented for Council consideration prior to the capital budget item. Council was reminded that current financial and staff capacity allows for one reconstruction and one new project per year. Any additional sidewalk would have a direct impact on previously approved projects.

Salmon River School Property Update

The Director of Community Development provided an update on the public engagement efforts relative to the former Salmon River School Property including results of the survey from last 2021, as well as the feedback received from the virtual and in-person open house sessions held in May. Further information will be brought back to Council in late August or September once staff have opportunity to further investigate the outcomes of the information received.

Interest was expressed and Council unanimously agreed to receiving presentations from potential developers for this property.

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.

Referring to recent FCM Elections, Mayor Blair extended congratulations to Deputy Mayor Stewart on his position as a FCM Table Officer, moving up to 2nd Vice President.

CLOSED SESSION

Moved by Councillor Patton and seconded by Councillor Gregory

"That the meeting go into closed session at 9:05 pm." Carried unanimously.

Moved by Councillor Gregory and seconded by Councillor Lomond

"That the meeting reconvene in open session at 10:07 pm." Carried unanimously.

Personnel

Moved by Deputy Mayor Stewart and seconded by Councillor Sandeson

"That Council approves the recommendations regarding the CAO review as discussed in Closed Session, retroactive to April 16, 2022." Carried unanimously.

ADJOURNMENT

Moved by Councillor Patton and seconded by Councillor Gregory

“That the meeting adjourn at 10:08 pm.” Carried unanimously.

Tracey Veno
Recording Secretary