

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, November 24, 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	
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 (virtual)
Councillor Michael Gregory	District 7 (virtual)
Councillor Lisa Patton	District 8
Councillor Marie Benoit	District 9
Councillor Victoria Lomond	District 10
Councillor Wade Parker	District 11

Regrets

Councillor Eric Boutilier	District 1
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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
 Phillip Redden, Director of Solid Waste
 Dennis James, Municipal Solicitor
 Devin Trefry, Research, Policy, and Community Engagement Officer
 Tracey Veno, Recording Secretary
 Jenn Martin, Economic Development Officer
 Pam Macintosh, Manager of Planning Services
 Craig Burgess, Recreation Manager
 Tim Smith, IT Manager

Approval of Agenda

Moved by Councillor Gregory and seconded by Councillor Cooper

“That the agenda be approved with the following additions:

- Item 10b, Private Roads;
- Item 10c, Deer Population in Valley;
- Item 10d, NS Remembers Legacy Society Funds;
- Property Matter in Closed Session;
- Colchester Courage Awards in Closed Session.” Carried unanimously.

Approval of Minutes

Moved by Councillor Johnson and seconded by Councillor Sandeson

“That the minutes of the meeting held on October 27, 2022, be approved as presented.” Carried unanimously.

Business Arising from Minutes

Councillor Sandeson requested an update from the Council members involved in judging art submissions at the recently held Art Show.

A brief recap was provided by Councillors Patton, Lomond and Mayor Blair. There were 27 pieces of art from 14 artists. The selected piece was a chair that we thought would display nicely on the second-floor landing. Positive comments regarding youth participation/involvement were noted.

Standing Committee Reports and Recommendations

Deputy Mayor Stewart, Chair of Council Committee, presented the report from the meeting held on November 9, 2022:

Personnel Policy – Drugs and Alcohol in the Workplace

Moved by Deputy Mayor Stewart and seconded by Councillor Boutilier

“That Council adopts the new Personnel Policy entitled Drugs and Alcohol in the Workplace, as presented.” Carried unanimously.

Personnel Policy - Pregnancy and Parental Leave

Moved by Deputy Mayor Stewart and seconded by Councillor Sandeson

“That Council approves the amended Pregnancy and Parental Leave Personnel Policy, as presented.” Carried unanimously.

Personnel Policy – Illness or Disability

Moved by Deputy Mayor Stewart and seconded by Councillor Johnson

“That Council approves the amended Illness or Disability Personnel Policy, as presented.” Carried unanimously.

EDI Committee – Statement for Job Postings

Moved by Deputy Mayor Stewart and seconded by Councillor Cooper

“That Council approves the following Equity, Diversity, and Inclusion statement for job postings:

The Municipality of Colchester is committed to treating people fairly, with respect and dignity. Our goal is to continue to move forward as a diverse and inclusive workforce representative of the citizens we serve by offering equal opportunities free of biases. We have formed an Equity, Diversity, and Inclusion Committee to keep us accountable and to help us reach this goal.

The Municipality supports the principles of the NS Human Rights Act and the principles of inclusion for persons with disabilities in

the Nova Scotia Accessibility Act. Applicants are encouraged to contact Human Resources at 902-843-4193 should assistance be required throughout the application and hiring process.” Carried unanimously.

Municipal Boundary Review

Moved by Deputy Mayor Stewart and seconded by Councillor Patton

“That Council approves that staff begin the public consultation process for possible boundary changes in districts 1, 6, 8 and 11; and,

That staff be directed to request an extension for the application deadline through the NS Utility and Review Board.” Carried unanimously.

Personnel Matter – Salary Review

Moved by Deputy Mayor Stewart and seconded by Councillor Sandeson

“That Council approves that the amended non-union salary scales be adopted, as outlined in Closed Session on November 9, 2022.” Carried unanimously.

Nominating Committee

Council Appointments

Moved by Councillor Patton and Seconded by Councillor Benoit

“That Council approves the Council appointments to the various Committees, as presented.” Carried unanimously.

Debert Business Park Advisory Committee

Moved by Councillor Johnson and seconded by Councillor Benoit

“That Council approves Paul Garbes from Specialty Steel Inc. as the business representative on the Debert Business Park Advisory Committee; and

That David Webber of Oceanside Aviation Limited be approved as a business representative, contingent upon the second position being vacant.” Carried unanimously.

Citizen Appointments – Carbon Free Colchester Implementation Committee

Moved by Councillor Patton and seconded by Councillor MacKenzie

“That Council approves that Dr. Richard LeBrasseur and Ian McIsaac be appointed as citizen representatives on the Carbon Free Colchester Implementation Committee.” Carried unanimously.

Committee Chairs

Councillor Boutilier moved and Councillor Cooper seconded the nomination of Councillor Sandeson for Chair of the Planning Advisory Committee. Councillor Sandeson accepted the nomination. Mayor Blair called three times for further nominations and on hearing none, nominations ceased. With no further nominations, Mayor Blair declared Councillor Sandeson Chair of the Planning Advisory Committee.

Councillor Cooper moved and Councillor Johnson seconded the nomination of Councillor Gregory for Chair of the Dangerous and Unsightly Committee. Councillor Gregory accepted the nomination. Mayor Blair called three times for further nominations and on hearing none, nominations ceased. With no further nominations, Mayor Blair declared Councillor Gregory Chair of the Dangerous and Unsightly Committee.

Councillor Patton moved and Councillor Sandeson seconded the nomination of Councillor Johnson for Chair of the Flood Advisory Committee. Councillor Johnson accepted the nomination. Mayor Blair called three times for further nominations and on hearing none, nominations ceased. With no further nominations, Mayor Blair declared Councillor Johnson Chair of the Flood Advisory Committee.

Councillor Gregory moved and Councillor Boutilier seconded the nomination of Councillor Patton for Chair of the Livestock Control Advisory Committee. Councillor Patton accepted the nomination. Mayor Blair called three times for further nominations and on hearing none, nominations ceased. With no further nominations, Mayor Blair declared Councillor Patton Chair of the Livestock Control Advisory Committee.

Councillor MacKenzie moved and Councillor Johnson seconded the nomination of Councillor Cooper for Chair of the Sewer Use Appeals Committee. Councillor Cooper accepted the nomination. Mayor Blair called three times for further nominations and on hearing none, nominations ceased. With no further nominations, Mayor Blair declared Councillor Cooper Chair of the Sewer Use Appeals Committee.

Tatamagouche Source Water Protection Advisory Committee

Referring to the vacancy on the Tatamagouche Source Water Protection Advisory Committee left by the resignation of Doug Bastow, Councillor Gregory advised that Alex Feix has agreed to serve as the representation from the North Shore River Restoration Association.

Moved by Councillor Gregory and seconded by Councillor Johnson

“That Alex Feix be appointed to serve as the representative from the North Shore River Restoration Association on the Tatamagouche Source Water Protection Advisory Committee.” Carried unanimously.

Debert Business Park Advisory Committee

Moved by Councillor Benoit and seconded by Councillor Patton

“That the minutes of the Debert Business Park Advisory Committee meeting of November 8, 2022, be received for information.” Carried unanimously.

Flood Advisory Committee

Moved by Councillor Johnson and seconded by Councillor MacKenzie

“That the minutes of the Flood Advisory Committee meeting of November 15, 2022, be received for information.” Carried unanimously.

Debert Source Water Protection Advisory Committee

Moved by Councillor Benoit and seconded by Councillor Johnson

“That the minutes of the Debert Source Water Protection Advisory Committee meeting of November 16, 2022, be accepted for information.” Carried unanimously.

Tatamagouche Source Water Protection Advisory Committee

Moved by Councillor Gregory and seconded by Councillor Benoit

“That the minutes of the Tatamagouche Source Water Protection Advisory Committee meeting of November 16, 2022, be accepted for information.” Carried unanimously.

ACTION ITEMS

**Dog By-law Amendments –
Second Reading**

Paul Smith, Director of Community Development, provided a brief overview of proposed amendments to the Dog By-law. These recommended amendments are a result of previously addressed concerns of Council as well as discussions with the SPCA, that will allow better administration of the By-law. Highlights of the amendments include clarification of definitions; inclusion of leashing requirements on municipal property; clarification around fierce and dangerous; processes to better manage persistent and repeat offences; and improves enforcement options. As per requirements under the Municipal Government Act, a Notice of Intent was advertised in the November 8th and 17th in the Chronicle Herald and Truro News respectively, as well as on the Municipality’s website.

Moved by Councillor Benoit and seconded by Councillor Cooper

“That Council approves, by way of Second Reading, the amended Dog By-law as presented.” Carried unanimously.

**CUPE 3945 Union Contract –
Authority to Approve**

Moved by Councillor Boutilier and seconded by Councillor Patton

“That Council authorizes December 2022 and January 2023 Council Committee to approve a Collective Agreement with CUPE 3945 and authorizes the Mayor and CAO to sign the agreement.” Carried unanimously.

**5-Ton Dump Truck Tender –
Authority to Award**

Moved by Councillor Benoit and seconded by Councillor Sandeson

“That Council grants authority to December Council Committee to award the tender for the purchase of a 5-ton dump truck for Public Works.” Carried unanimously.

Bussing Situation

Councillor Lomond advised of a concern regarding school bussing. There were a high number of days in both October and November where bussing was not available to schools in her area causing stress and anxiety for parents having to find last-minute alternatives or childcare. It is also affecting the children who have a right to an education. The Transportation Policy stipulates that they have a right to access for bussing. She is requesting that a letter be written to the Minister of Education expressing the seriousness of the issue.

Moved by Councillor Lomond and seconded by Councillor Benoit

“That a letter be written to the Minister of Education and copied to the three Colchester MLAs and School Superintendent, acknowledging the seriousness of the inconsistencies with student transportation currently being experienced.” Carried unanimously.

**Liveable Cities Sensor
Technology**

Councillor Patton advised that she visited the Liveable Cities Sensor Technology booth at the recent NSFM Fall Conference. If cost efficient, she would like to see the Municipality invest in this technology, specifically the speed sensors, which collects data that could be passed along or go directly to the RCMP.

Moved by Councillor Patton and seconded by Councillor Benoit

“That staff investigate the costs and annual software subscription of Liveable Cities Sensor Technology and report findings back to Council.” Carried unanimously.

Private Roads

Councillor Gregory advised that collection of funds for maintenance on private roads is an issue that has been raised a number of times with the last time being in May of 2017. At the request of a constituent, he would like to see this revisited.

Key points of discussion were that it is not our mandate; it is a civic/private matter; and the Municipality should not get involved.

Moved by Councillor Gregory and seconded by Councillor Boutilier

“That the issue of collection of funds for maintenance on private roads be referred to staff.” Motion **DEFEATED** (*all opposed with the exception of Councillor Gregory*). It should be noted that Councillor Patton stepped away from the table and was not available for the vote.

Deer Population in Valley

Councillor MacKenzie advised that she has received two complaints regarding the deer population in the urban area of Valley. One particular constituent has spent \$2,500 trying to fence in his gardens to no avail. The Department of Natural Resources has been contacted and they can try to relocate the deer but that doesn't prevent them from coming back. The cull that the Town did was referenced and questioned whether the County had any plans to control the deer population in the urban core.

The CAO advised that following the cull initiated by the Town, this was brought to the table for discussion and there was no interest in the County doing this. The general consensus was to let nature take its course.

NS Remembers Legacy Society Funds

Deputy Mayor Stewart assumed the role of Chair so Mayor Blair could address Council on this matter.

Mayor Blair indicated that the NS Remembers Legacy Society transferred \$90k to the Municipality to be held in trust with intended uses as laid out in an agreement. Of the \$90k, \$20k was intended for a grief and trauma project consistent with a presentation received by Council in the Fall of 2021 made by Serena Lewis and Dr. Karen Ewing. Mayor Blair also noted that as per the agreement, the Municipality has discretion to reallocate unused funds for other uses as outlined in the agreement.

Other intended uses of funds included \$10k for the memorial park in Debert, \$50k for a permanent memorial in the communities of West Colchester, Wentworth, Shubenacadie and Enfield and \$10k for a memorial in Portapique. Due to uncertainties around whether a memorial is wanted in Portapique and the joint permanent memorial, these projects are on hold.

Councillors Lomond and Benoit recused themselves from the discussion on the memorial park.

Moved by Mayor Blair and seconded by Councillor Patton

“That the \$10,000 intended for the Memorial Park honouring those lost in the tragedy in Debert, be released to the Heart's Haven Memorial Park.” Carried unanimously.

Referring to the funding for grief and trauma consistent with the presentation to Council in the Fall of 2021, clarification was sought on that presentation and what was being asked of Council. Discussion was held on finding ways to get the funds to the community for trauma and grief; how to operationalize and direct the \$20k as per section 1d) of the agreement; how to optimize the funds to meet the needs of communities; reaching out to communities to find out what is needed; and, playing an advocacy role and continuing conversations with other levels of government to move this initiative forward.

Regarding the funds for a memorial in Portapique, it was suggested that the Municipality reach out to the community to see if their thoughts on having some type of memorial has changed.

Moved by Mayor Blair and seconded by Councillor Gregory

“That staff explore how to proceed with the use of NS Remembers Legacy Society funds that are intended for grief and trauma, consistent with the presentation made in the Fall of 2021.” Carried unanimously.

At this point, Mayor Blair resumed the position of Chair.

Correspondence - INFORMATION

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

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

Moved by Councillor Boutilier and seconded by Councillor Sandeson

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

Julie Hay, Stewiacke Visitor Information Centre A copy of a letter received from Ms. Julie Hay dated November 16, 2022, providing an update on the Stewiacke Visitor Information Centre, and thanking Council for their continued support. The letter was received for information purposes.

INFORMATION ITEMS

Insurance for Not-for-Profit Organizations – Grant Applications 60 applications were received under the Insurance for Not-for-Profit Organizations Grant Program for 2022, totalling \$30,307.25. This is slightly under the allotted \$32,000 budget. The next deadline for application under this program is October 27, 2023.

Sidewalk Costing Information, Cornerstone and Vimy Roads This item provided Council with preliminary costings for the sidewalk extensions on Vimy Road and Cornerstone Drive. Staff will complete an evaluation of these sidewalks based on criteria in the Active Transportation Strategy in June and report back to Council ahead of the capital budget process.

County Wide Planning Update The Director of Community Development provided a brief update on County-wide Planning including components undertaken to date and timelines for completion. A copy of the detailed update was provided in the package for this evening’s meeting.

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 and seconded by Councillor Benoit

"That the meeting go into closed session at 8:17 pm." Carried unanimously.

Moved by Councillor Gregory and seconded by Councillor Benoit

"That the meeting reconvene in open session at 9:15 pm." Carried unanimously.

Negotiations – Air Show Atlantic

Moved by Councillor Benoit and seconded by Councillor Sandeson

"That Council approve the agreement to host the 2023 Air Show Atlantic in Debert with a contribution of \$37,500, contingent on an equal contribution from the Town of Truro; and

That the Mayor and CAO be authorized to execute a Facility Management Compensation Agreement that identifies:

- a. That \$3 from every ticket sold will be reimbursed to Colchester for use of the facility; and,
- b. That the facility (the Debert Airport) will be used "as is", meaning no facility upgrades will be required to host the 2023 show; and,
- c. Other items as described in the Action Item presented in Closed Session and recommended by Legal Counsel." Carried unanimously.

**Nominating Committee -
Colchester Courage**

Moved by Councillor Sandeson and seconded by Councillor Patton

"That Council approves recipients of the inaugural Colchester Courage Awards as presented by the Nominating Committee in Closed Session." Carried unanimously.

Other

Mayor Blair reminded Council of recent changes to the Council Proceedings and Committees Policy relative to the addition of repeat items to agenda which would have repeat items being added only if new information is available and with the approval of Council.

ADJOURNMENT

Moved by Councillor Patton and seconded by Councillor Gregory

"That the meeting adjourn at 9:20 pm." Carried unanimously.

Tracey Venio
Recording Secretary