



Naturally Yours

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REGULAR SESSION OF THE 52nd COUNCIL  
OF THE  
MUNICIPALITY OF THE DISTRICT OF SHELBURNE  
November 29, 2023 | 6:00 PM  
AGENDA

	<u>TIME</u>	<u>PAGES</u>
1. <u>Call to Order</u>	6:00 pm	
2. <u>Approval of Agenda</u>		
a. November 29, 2023		1
3. <u>Approval of Minutes</u>		
a. November 15, 2023		2-7
4. <u>Business Arising</u>		
5. <u>Administration</u>		
a. Municipal Election 2024* - Erin Hartley		9-10
6. <u>Operations &amp; Protective Services</u>		
a. Write off Tipping Fees – 1. Red Head Roofing, 2. Hemeon Brothers Construction, 3. Ocean Refit* - Marcia d'Eon		11-12
b. Extended Producer Responsibility (EPR) Program* - Ryan Jamieson		13-14
7. <u>Other</u>		
a. Additional Funding Request from Sou'West Nova Transit		15
b. December Meetings Dates		
8. <u>Committee Reports/Warden's Update</u>		
a. Committee Reports		
b. Warden's Update 2023		
9. <u>Adjournment</u>		



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**REGULAR SESSION OF THE 52nd COUNCIL  
OF THE  
MUNICIPALITY OF THE DISTRICT OF SHELburne  
Wednesday, November 15, 2023**

The Regular Session of the 52nd Council of the Municipality of the District of Shelburne was held on Wednesday, November 15, 2023, at 6:00 pm in the Municipal Council Chambers.

**THOSE IN ATTENDANCE:**

Warden Penney Smith  
Deputy Warden Dale Richardson  
Councillor Doris Townsend  
Councillor Sherry Thorburn Irvine  
Councillor Ron Coole  
Councillor Heidi Wagner  
Councillor Anthony Gosbee

**ALSO IN ATTENDANCE:**

Warren MacLeod, CAO  
Carolann Atwood, Recording Secretary  
Erin Hartley, Deputy CAO via Microsoft Teams  
Marcia d'Eon, Director of Operations & Protective Services  
Val Kean Director, of Economic & Community Development  
Adam Dedrick, Director of Recreation & Parks  
Robin Smith, Community Development Coordinator  
Darrell Locke, By-Law Enforcement Officer

**1. CALL TO ORDER:**

The meeting was called to order at 6:00 pm by Warden Smith.

**2. APPROVAL OF AGENDA:**

a. November 15, 2023

**2(a) MOTION: APPROVAL OF AGENDA – November 15, 2023**

Being duly moved and seconded, be it resolved that the Agenda for November 15, 2023, be approved.

- **MOTION CARRIED**

Warren MacLeod, CAO

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Penny Smith, Warden

[warden@municipalityofshelburne.ca](mailto:warden@municipalityofshelburne.ca)

**3. APPROVAL OF MINUTES:**

- a. October 25, 2023

3(a) **MOTION: APPROVAL OF MINUTES – October 25, 2023**

Being duly moved and seconded, be it resolved that the Minutes of October 25, 2023, be approved as circulated.

- **MOTION CARRIED**

**4. BUSINESS ARISING:**

There was no business arising.

**5. Recreation & Parks**

- a. Jordan River Bridge Inspection RFP Award - Adam Dedrick

5(a) Adam Dedrick, Director of Recreation & Parks, presented Council with the Jordan River Bridge Inspection RFP Award staff report

Mr. Dedrick advised Council of the importance of the Jordan River bridge for recreational use, and that the Municipality recently received a letter of Authority for the Jordan River Trail to allow Motorized use. He also advised Council that an inspection hasn't been completed since 2019, and wouldn't be due until 2024, but with the request to allow motorized use it would be important to ensure safety of the bridge as soon as possible.

A Request for Proposals (RFP) for the engineering inspection of the Jordan River Bridge was advertised October 11-30, 2023. Mr. Dedrick advised Council that four proposals were received and were scored based on five factors. Only two proposals met requirements of the RFP request, one exceed expectations.

**MOTION: JORDAN RIVER BRIDGE INSPECTION RFP AWARD**

Be it resolved that Council of the Municipality of the District of Shelburne award CBCL Limited the RFP for the Condition Review and Underwater Inspection of the Jordan River Trail Bridge for the amount of \$25,808 plus HST. – and –

Be it further resolved that Council of the Municipality of the District of Shelburne approve up to \$22,916 from the 2023-2024 Operating Reserve budget for the engineering inspection of the Jordan River Bridge, which includes the \$5,000 previously approved at the July 26, 2023, meeting of Council.

- **MOTION CARRIED**

**6. Administration**

- a. Appointment of Community Member – RCMP Advisory Board – Erin Hartley

6(a) Erin Hartley, Deputy Chief Administration Officer, presented Council with Appointment of Community Member – RCMP Advisory Board staff report

Ms. Hartley advised Council that the Shelburne County East RCMP Advisory Board has a vacant position for a Municipality of Shelburne Community Member. Pam Mingo is currently a member of the Board as a Town community member but has recently moved to the Municipality of Shelburne. She has requested that she be permitted to continue on the Board as a Municipal community member filling the Municipality's vacancy.

**MOTION: RCMP Advisory Board – Committee Appointment**

Be it resolved that the Council of the Municipality of the District of Shelburne appoint Pam Mingo as one of the Municipality's community members on the Shelburne County East RCMP Advisory Board.

- **MOTION CARRIED**

**7. Operations & Protective Services**

- a. RFQ Award Demolition – 4619 Hwy 103, Jordan Falls – Darrell Locke
- b. Repeal of Municipal Bins Policy – Marcia d'Eon
- c. C&D Site Redesign RFP Award – Marcia d'Eon

7(a) Darrell Locke, By-Law Enforcement Officer, presented Council with the RFQ Award Demolition – 4619 Hwy 103, Jordan Falls staff report.

Mr. Locke advised Council that a Request for Quotes was sent out with a deadline of Friday, November 3, 2023. Two RFQ's were received. The RFQs were scored on three criteria, both scored similar but one was able to start and finish sooner.

**MOTION: RFQ AWARD DEMOLITION - 4619 HWY 103, JORDAN FALLS**

Be it resolved that the Council of the Municipality of the District of Shelburne award the RFQ to Harlow Construction Limited based on the details outlined in their proposal at a cost of \$34,725.00 + HST.

- **MOTION CARRIED**

7(b) Marcia d'Eon, Director of Operations & Protective Services, presented Council with Repeal of Municipal Bins Policy staff report.

Ms. d'Eon advised Council that there are communal bins provided at private road locations as part of our Municipal Bins Policy. Maintenance and repairs to these bins result in significant cost and time to municipal staff. All Municipal bins have been repaired or replaced to date, it is being recommended that the municipality no longer retain ownership of the bins.

**MOTION: REPEAL OF MUNICIPAL BINS POLICY**

Be it resolved that the Council of the Municipality of the District of Shelburne repeal the Municipal Bins Policy.

Be it further resolved that these changes come into effect on December 31, 2023.

- **MOTION CARRIED**

7(c) Marcia d'Eon, Director of Operations & Protective Services, presented the C&D Site Redesign RFP Award staff report.

Ms. d'Eon advised Council the RMRF site requires a permit to operate under new Nova Scotia Department of Environment and Climate Change (NSECC) specifications. The original permit application deadline was September 5, 2023; however, the Municipality received an extension to the permit deadline until March 31, 2024. An RFP was posted on August 2, 2023, asking for a review of its Regional Materials Recovery Facility (RMRF) site design.

There were no submission by the deadline. After the deadline four companies were directly contacted, Two Companies made a submission, neither could satisfy all components of the original RFP but both were able to satisfy the requirements for the site re-design; however, there was a substantial price difference.

**MOTION: C&D SITE REDESIGN RFP AWARD**

Be it resolved that The Council of the Municipality of the District of Shelburne award the C&D Site Re-Design RFP to Fracflow Consultants Inc based on the details outlined in their proposal at a cost of \$17529.25 with the cost of Autocad drawings to be paid separately. Funds to come from the Sustainable Services Growth Fund.

- **MOTION CARRIED**

**8. Economic & Community Development:**

- a. Housing Needs & Development Support - Val Kean
- b. Shared Solar Program – Project Update - Val Kean
- c. Lease of Municipal Property - Robin Smith

8(a) Val Kean, Director of Economic & Community Development, presented to Council the Housing Needs Assessment & Development Solutions staff report.

Ms. Kean advised that current housing crisis is being experienced all over Canada. Council plays an important role in working with the community to examine the challenges associated with the housing crisis. A public meeting is scheduled for November 24, 2023, at 1pm, with representation from Department of Municipal Affairs and Housing, to inform our community of our current housing situation. Councillors and community members are encouraged to attend as well. Based on research for solutions. Council are actively working to address the housing shortage.

8(b) Val Kean, Director of Economic & Community Development, presented to Council the Shared Solar Program – Project Update staff report.

Ms. Kean provided Council with an update on the terms of the Memorandum of Understanding with other interested municipal units and/or for the purpose of engaging Alternative Resource Energy Authority ("AREA") to prepare a solar farm proposal as and when the Province of Nova Scotia re-opens the Solar Electricity for Community Buildings (SECB) program. During discussion with AREA the opportunity to join Municipality of the District of Lunenburg's shared solar program arose. After careful consideration, it was agreed this would still provide the same project benefit. With District of Lunenburg as a partner the project is ramped up from 5MW to 10 MW and although our percentage interest drops to 21.93%, our investment remains the same.

8(c) Robin Smith, Community Development Coordinator, presented to Council the Lease of Municipal Property staff report.

Ms. Smith advised Council that the committee has had a successful first season utilizing the already established community garden at Shelburne Regional High School, but there is a need for a larger area to ensure food security.

**MOTION: Lease of Municipal Property**

Be it resolved that The Municipality of the District of Shelburne approve the lease of land, PID 8011350, 2.77 acres, located on Woodlawn Drive, for one dollar (\$1.00), inclusive of HST, per annum, to the Community Garden and Foodshare Association of Shelburne County for the purposes of conducting activities that support food security; – and –

Be it further resolved that the Municipality of the District of Shelburne authorizes the Chief Administrative Officer to sign the attached lease agreement on behalf of Council.

- **MOTION CARRIED**

**9. Other:**

- a. Monthly Building Report – October 2023

9(a) The Monthly Building Report was reviewed.

**10. Committee Reports/Warden's Update:**

- a. Committee Reports
- b. Warden's Update 2023

10(a) Councillor Gosbee advised that he has attended the following:

- Arena Meeting November 13, 2023

10(b) Warden Smith advised she attended, and provided updates on, the following events:

- Out of Country October 18 – 28, 2023
- Union Contract Negotiations – October 30, 2023
- Trunk or Treat – October 31, 2023
- Roseway Manor Board Meeting – November 2, 2023
- NSFM – November 7 – 10, 2023

**11. IN-CAMERA**

- a. Acquisition, Sale, Lease, and Security of Municipal property as per MGA 22 (2)(A)
- b. Personnel Matters as per MGA 22 (2)(C)
- c. Personnel Matters as per MGA 22 (2)(C)

**MOTION: ENTER "IN-CAMERA"**

Being duly moved and seconded, be it resolved that the Council of the Municipality of the District of Shelburne enter "In-Camera" at 7:18 pm

- **MOTION CARRIED**

**MOTION: EXIT "IN-CAMERA"**

Being duly moved and seconded, be it resolved that the Council of the Municipality of the District of Shelburne exit "In-Camera" at 8:05 pm.

- **MOTION CARRIED**

**MOTION: UNION AGREEMENT 2023 – 2027**

Be it resolved that the Council of the Municipality of the District of Shelburne approve the changes to the union agreement between the Municipality of the District of Shelburne and IBEW local 1928 as negotiated and presented.

- **MOTION CARRIED**

**12. ADJOURNMENT**

There being no further business, the meeting was adjourned at 8:06 pm. The next Council meeting will be held on Wednesday, November 29, 2023.

**Carolann Atwood  
Recording Secretary**

\_\_\_\_\_  
**Date**

\_\_\_\_\_  
**Penny Smith, Warden**

\_\_\_\_\_  
**Erin Hartley, Deputy Chief Administrative Officer**

**Municipality of the District of Shelburne  
November 29, 2023 - Council Meeting  
MOTIONS**

**5(a) Municipal Elections 2024**

Be it resolved that Council of the Municipality of the District of Shelburne conduct an electronic election in 2024; - and -

Be is further resolved that Council of the Municipality of the District of Shelburne begin the hiring process for a returning officer and assistant returning officer for the 2024 election.

**6(a) Write off Tipping Fees – 1. Red Head Roofing, 2. Hemeon Brothers Construction, 3. Ocean Refit**

Be it resolved that the Council of the Municipality of the District of Shelburne write off the tipping fee balance for the accounts of Red Head Roofing, Hemeon Brothers Construction and Ocean Refit in the amount of \$1677.53 reflective of \$1162.20 in principle and \$515.33 in interest.

**6(b) EPR Program**

Be it resolved that the Municipality of the District of Shelburne authorize staff to register for Extended Producers Responsibility on or before January 1, 2024.





**STAFF REPORT**

**TO:** Council

**FROM:** Erin Hartley, Deputy CAO

**APPROVED BY:** Warren MacLeod, Chief Administrative Officer

**DATE:** November 29, 2023

**SUBJECT:** **Municipal Elections 2024**

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**ORIGIN**

October 2024 Municipal Elections

**RECOMMENDATION**

THAT Council of the Municipality of the District of Shelburne conduct an electronic election in 2024;

THAT Council of the Municipality of the District of Shelburne begin the hiring process for a returning officer and assistant returning officer for the 2024 election.

**DISCUSSION**

There are three election formats for Council to consider for the 2024 Municipal Elections

1. Electronic Voting (e-voting)
2. Paper Ballot Election
3. Hybrid Election (combination of e-voting and paper ballot)

It is being recommended that Electronic Voting or e-voting be considered as it was successfully implemented for the 2020 election and the 2021 bi-election.

Electronic voting includes several methods such as remote e-voting (internet), telephone, and e-voting stations. Remote and telephone e-voting allow individuals to vote from anywhere, provided they have their voter credentials (typically through an assigned PIN), and access to internet or a phone. E-voting polling

stations are similar to traditional stations but with electronic balloting. We had one e-voting station during the last election at the Municipal Office. It was not well used, but did offer an avenue to support residents who were unsure of electronic voting processes.

The Municipality would engage a service provider for electronic voting. During the last election it was done province-wide, based on Halifax Regional Municipality's Request for Proposal covering all Nova Scotia municipalities that wish to engage electronic voting services. We hope something similar will happen for this election.

The *Elections Act* requires that the Returning Officer and Assistant Returning Officer be appointed on or before March 15, 2024. Staff would like to start the hiring process by posting the positions in January 2024.

Training and information sessions for the 2024 Municipal Elections in Nova Scotia will begin in December and January. Council can expect to see a number of staff reports on this topic over the next few months.

### **BUDGET IMPLICATIONS**

Early estimates are \$25-30,000. Detailed budget amounts will be determined for budget deliberations.

### **ALTERNATIVES**

Choosing a traditional paper election or a hybrid process (not recommended).



### STAFF REPORT

**TO:** Warden and Members of Shelburne Municipal Council

**FROM:** Marcia d'Eon, Director of Operations & Protective Services

**APPROVED BY:** Erin Hartley, Deputy CAO

**DATE:** November 29, 2023

**SUBJECT:** Write off the Tipping Fees – 1. Red Head Roofing  
2. Hemeon Brothers Construction  
3. Ocean Refit

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### ORIGIN

There is significant staff time dedicated to monthly tipping fee notifications as well as time to record the attempts to notify the delinquent account holders. Finance has advised that some of these accounts have been in arrears for several fiscal years which requires explanation to our auditors.

### RECOMMENDATION:

THAT the Council of the Municipality of the District of Shelburne write off the tipping fee balance for the accounts of Red Head Roofing, Hemeon Brothers Construction and Ocean Refit in the amount of \$1677.53 reflective of \$1162.20 in principle and \$515.33 in interest.

### DISCUSSION:

Despite our ongoing efforts to collect on the delinquent accounts we are facing significant resource allocation and minimal progress in recovering the owed funds. This time-consuming process includes multiple attempts to contact the debtors through various communication, such as phone calls, emails, and written notices. Additionally, each interaction must be documented to maintain a clear record of our efforts, which further consumes staff time and resources. In some cases, the companies with outstanding balances are no longer in business. Staff has considered small claims court as a means of recovering the funds, however, this avenue would have costs of both money and time. Considering the small chance of successfully recovering the funds and factoring in the significant staff time required for continued attempts and/or small claims court it is staff's opinion that it is not a financially practical course of action to continue to attempt to collect on these accounts. Based on our thorough assessment of the situation, we recommend that the Council consider writing off these three accounts.

BUDGET IMPLICATION:

An amount of \$1677.53 will be taken from C&D Waste Tipping Fees G/L #00-29360-000.

Redhead Roofing	\$ 502.80
Hemeon Brothers	\$ 789.60
Ocean Refit	\$ 3.60
Interest	<u>\$ 515.33</u>
Total	\$ 1677.53



## STAFF REPORT

**TO:** Municipal Council

**FROM:** Ryan Jamieson, Waste Diversion Coordinator

**APPROVED BY:** Marcia d'Eon, Director of Operations & Protective Services

**DATE:** November 29, 2023

**SUBJECT:** EPR Program – Information Report

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### ORIGIN

Extended Producer Responsibility (EPR) was introduced into Provincial legislation under the Environment Act effective August 1, 2023. The purpose of EPR is to ensure that the costs and management of the specific waste/recyclables become the responsibility of the producer who generates this waste.

The option to participate allows us an opportunity to significantly reduce our costs related to collection, transportation, and processing of blue bag materials.

### DISCUSSION

In 2019 a proposal for EPR was submitted to NS Environment as it was an area of priority for municipalities, which benefits both the economy and the environment. In Canada, many provinces have already implemented EPR which is said to represent 82% of the Canadian population.

The costs producers will be responsible for include costs for collection, administration, education of recycling as well as processing of the materials produced. There have recently been online information sessions offered to elected officials via NSFPM and the Regional Solid Waste Chairs (Sept 20/27<sup>th</sup>). The sessions were to assist officials in understanding the implications of these regulations within their Municipality.

Commercial waste is not included under this program and the producers will not pay for any collection or processing of their materials; therefore, we will not be reimbursed for any Solid Waste/Recyclables for the businesses that utilize the Municipal Solid Waste pickup.

Circular Materials will act as the Producer Responsibility Organization (PRO), supporting our producers in meeting the regulatory targets and would be the point of contact with regards to any issues or concerns that arise throughout the transition.

Becoming a service provider is a choice, not a requirement. Although it will be a reduction in costs, it does not guarantee that costs are fully covered. PRO may wish to contract out local education, curbside collection etc. These details will be provided for consideration, and we will have the opportunity to withdraw from the program before EPR comes into operation on December 1, 2025.

#### **Timeline for Roll-out of Extended Producers Responsibility legislation:**

**January 1, 2024:** Municipalities will be required to register with the administrator Divert NS (RRFB) and submit household and service level information. The data required includes:

1. Household data (number of households, addresses, maps (define whether on private/non-private road))
2. Collection costs (annual costs and collection contract details)
3. Service Level data (materials collected, frequency of collection, day of week, quantities collected)

**October 1, 2024:** Producers/PRO will be required to consult with Municipalities and submit a program plan. After a plan is approved, they will establish contracts with service providers. Municipalities interested in continuing services will negotiate contracts.

**December 1, 2025:** EPR implementation and program underway.

#### **RECOMMENDATION**

Be it resolved That the Municipality of the District of Shelburne authorize staff to register for Extended Producers Responsibility on or before January 1, 2024.

#### **BUDGET IMPLICATIONS**

Unknown at this time.



## SOU'WEST NOVA TRANSIT ASSOCIATION

Box 84 / Barrington, Nova Scotia / B0W 1E0  
 (844) 637-2572 / [info@souwestnovatransit.ca](mailto:info@souwestnovatransit.ca)

*Serving the Communities of Shelburne County*

November 9, 2022

To the council of the Municipality of the District of Shelburne,

At Sou'West Nova Transit, we are proud to have provided Shelburne County residents with accessible, affordable, and supportive transportation services for over a decade. Our mission is to connect individuals with barriers to transportation with their communities and each other, fostering a sense of belonging and independence while providing access to essential services. Your partnership continues to be crucial to our sustainability and longevity!

From the \$15,000 we received from your council to support our operations in 23-24, we allocated \$5000 for fare reduction, allowing us to offer a 40% automatic discount to any riders living within the Municipality of Shelburne. (Note that the 40% subsidy base rate for all Municipal residents is only a portion of the help we provide. Many riders accessing our services are living with extremely low incomes and are eligible for additional fare assistance (from fundraising dollars and other subsidy grants) on a sliding scale based on income. To date in our 2023-24 fiscal year, Municipality of Shelburne residents have been granted over \$11,500 in fare reductions!)

As these allocated funds are nearly expended, we are writing to request that your council consider an additional grant of \$2000 to allow us to continue to offer automatic reductions to riders in your Municipality. While this will not fully meet the need for the fiscal year based on ridership trends, it will take some pressure off of other subsidy sources to allow them to stretch further while we continue this important fare reduction program.

Please advise as to whether there is a grant application form that we should complete to formalize this request. Thank you in advance for your consideration, and for your ongoing support!

Sincerely,

Renata Tweedy, Manager, Sou'West Nova Transit Association