



Naturally Yours

414 Woodlawn Drive, PO Box 280 Shelburne, NS BOT 1WO, Phone: (902) 875-3544 - Fax: (902) 875-1278

**REGULAR SESSION OF THE 53rd COUNCIL
OF THE
MUNICIPALITY OF THE DISTRICT OF SHELBURNE
Wednesday, November 13, 2024**

The Regular Session of the 53rd Council of the Municipality of the District of Shelburne was held on Wednesday, November 13, 2024, at 6:00 pm in the Municipal Council Chambers.

THOSE IN ATTENDANCE:

Warden Penny Smith
Deputy Warden Heidi Wagner
Councillor Paula Sutherland
Councillor Sherry Thorburn Irvine
Councillor Ron Coole
Councillor Dale Richardson

ALSO IN ATTENDANCE:

Warren MacLeod, CAO
Erin Hartley, Deputy CAO
Adam Dedrick, Director of Recreation & Parks
Marcia d'Eon, Director of Operations & Protective Services
Nicole Blades, Recording Secretary

REGRETS:

Councillor Anthony Gosbee

1. CALL TO ORDER:

The meeting was called to order at 6:04 pm by Acting Chair, Erin Hartley, Deputy CAO.

2. SWEARING IN OF COUNCILLORS:

Erin Hartley, Deputy CAO, welcomed Council and their guests to the Swearing-In of the 53rd Council of the Municipality of the District of Shelburne.

Ms. Hartley introduced Judge Jim Burrill and expressed appreciation for his administration of the Oaths of Office. Each Councillor was introduced as they were asked to read and sign their Oath of Office, witnessed by Judge Burrill.

Warren MacLeod, CAO

Warren.MacLeod@municipalityofshelburne.ca

www.municipalityofshelburne.ca

Penny Smith, Warden

warden@municipalityofshelburne.ca

Council Meeting
November 13, 2024

District 1 – Paula Sutherland
District 2 – Penny Smith
District 3 – Sherry Thorburn Irvine
District 5 – Heidi Wagner
District 6 – Ron Coole
District 7 – Dale Richardson

Anthony Gosbee, District 4, was not able to attend the meeting on November 13, 2024; however, he did attend the Municipal Office on November 15, 2024 and take his Oath of Office before the Municipal Clerk.

Ms. Hartley thanked Judge Burrill and congratulated the 53rd Council of the Municipality of the District of Shelburne.

3. ELECTION OF OFFICERS:

- a. Warden
- b. Deputy Warden
- c. Destruction of Ballots (if applicable)

3(a) Erin Hartley, Deputy CAO, called for nominations of Warden. Councillor Penny Smith was nominated and accepted the nomination of Warden for the Municipality of the District of Shelburne. Councillor Dale Richardson was nominated and declined the nomination of Warden for the Municipality of the District of Shelburne. There being no more nominations, Councillor Smith was acclaimed as Warden and took her seat as Chairperson of the meeting.

3(b) Warden Penny Smith called for nominations of Deputy Warden. Councillor Dale Richardson was nominated and accepted the nomination of Deputy Warden for the Municipality of the District of Shelburne. Councillor Heidi Wagner was nominated and accepted the nomination of Deputy Warden for the Municipality of the District of Shelburne.

A secret ballot vote was held, and Erin Hartley, Deputy CAO, informed Council of a tie. Following the guidelines of the MGA, one ballot for Councillor Richardson and one ballot for Councillor Wagner were placed in the voting box. Warren MacLeod, CAO, pulled one ballot from the box to determine the Deputy Warden. Councillor Wagner was declared Deputy Warden of the Municipality of the District of Shelburne.

3(c) **MOTION: DESTRUCTION OF BALLOTS**

Being duly moved and seconded, be it resolved that the Municipality of the District of Shelburne approve the destruction of ballots.

- **MOTION CARRIED**

4. APPROVAL OF AGENDA:

- a. November 13, 2024

4(a) **MOTION: APPROVAL OF AGENDA – NOVEMBER 13, 2024**

Being duly moved and seconded, be it resolved that the Agenda for November 13, 2024, be approved.

- **MOTION CARRIED**

5. **APPROVAL OF MINUTES:**

a. October 9, 2024

5(a) **MOTION: APPROVAL OF MINUTES – OCTOBER 9, 2024**

Being duly moved and seconded, be it resolved that the Minutes of October 9, 2024, be approved as circulated.

- **MOTION CARRIED**

6. **BUSINESS ARISING:**

There was no business arising.

7. **RECREATION & PARKS:**

a. RFP Award – Inspection of Trail Bridges – Adam Dedrick, Director of Recreation & Parks

7(a) Adam Dedrick, Director of Recreations & Parks, presented the RFP Award – Inspection of Trail Bridges staff report.

Mr. Dedrick advised Council that an RFP was issued for the inspections of four trail bridges including the Roseway River Trail Bridge, Roseway River Trail Bailey Bridge, Tom Tigney Trail Bridge and the Sable River Footbridge.

Three of the four bridges require inspections to be completed every five years mandated by the Department of Natural Resources and Renewal. The same protocols are followed for the fourth bridge.

The RFP outlined a scope of work that included conducting inspections indicating the general condition of the bridges and a provisional item for maintenance plans with cost estimates for all required repairs for the Roseway River Trail Bridge and the Tom Tingley Trail Bridge.

There were four submissions received and scored based on five factors including adherence to submission requirements, ability to complete the scope of work, timeline, experience, and price/value.

MOTION: RFP AWARD – INSPECTIONS OF TRAIL BRIDGES

Being duly moved and seconded, be it resolved that the Council of the Municipality of the District of Shelburne award the Inspections of Trail Bridges RFP to Stantec Consulting Limited, for the amount of \$28,537.65 plus HST to be taken from the Operating Reserve.

- **MOTION CARRIED**

8. OPERATIONS & PROTECTIVE SERVICES

- a. RFP Award – Design, Supply & Installation of Solar PV Array – Marcia d’Eon, Director of Operations & Protective Services
- b. RFP Award – EV Charging Stations – Marcia d’Eon, Director of Operations & Protective Services
- c. RFP Award – Owner’s Engineer Services – Marcia d’Eon, Director of Operations & Protective Services
- d. Advocacy Letters Requested for Improved Telephone Line Services – Marcia d’Eon, Director of Operations & Protective Services
- e. Monthly Building Report – October 2024

8(a) Marcia d’Eon, Director of Operations & Protective Services, presented the RFP Award - Design, Supply, and Installation of Solar PV Array staff report.

Ms. d’Eon advised Council an RFP was issued for the installation of a solar PV array on the Municipal Administration Building.

There were four submissions received that were evaluated on references, experience, and qualifications. Feedback from Clean Foundation was also considered.

A discussion was held regarding funding, a ground mount system versus a roof mount system, and cost recuperation timeline.

MOTION: RFP AWARD – DESIGN, SUPPLY & INSTALLATION OF SOLAR PV ARRAY

Being duly moved and seconded, be it resolved that the Council of the Municipality of the District of Shelburne award the Design, Supply & Installation of Solar PV Array Request for Proposal to Solar Ascent for technical solution A at a cost of \$228,959.25 with a 15% allowance for contingency. Funds to come from Capital Reserve.

- **MOTION CARRIED**

8(b) Marcia d’Eon, Director of Operations & Protective Services, presented the RFP Award – EV Charging Stations staff report.

Ms. d’Eon advised Council an RFP was issued for the installation of three dual EV charging stations at the Municipal Administration Building.

There were two submissions received that provided comparisons of networked and non-networked chargers. Feedback from Clean Foundations was considered during the evaluation process.

A discussion was held regarding partnership with Sou West Nova Transit, purpose of the intellimeter power monitor, usage and fees.

MOTION: RFP AWARD – EV CHARGING STATIONS

Being duly moved and seconded, be it resolved that the Council of the Municipality of the District of Shelburne award the EV Charging Stations Request for Proposal to VistaCare for non-networked option 1, Leviton 320 dual pedestal with retractable cord including an intellimeter power monitor at an estimated total cost of \$57,702.50 with a 10% allowance for contingency. Funds to come from Capital Reserve.

- **MOTION CARRIED**

8(c) Marcia d'Eon, Director of Operations & Protective Services, presented the RFP Award – Owner's Engineer Services staff report.

Ms. d'Eon advised Council that an RFP was issued for owner's engineering services to support a design-build contract to construct a roof canopy, safety rails, and a new drop point for the Regional Material Recovery Facility.

There was one submission received. Ms. d'Eon reviewed the submission with Management and a Provincial engineer recommended by the Municipal Advisor for the Municipality.

A discussion was held regarding the remaining balance of the Sustainable Services Growth Fund.

MOTION: RFP AWARD – OWNER'S ENGINEER SERVICES

Being duly moved and seconded, be it resolved that the Council of the Municipality of the District of Shelburne award the Owner's Engineer Services Request for Proposal to Vigilant Atlantic at a cost of \$43,700 plus HST with a 10% allowance for contingency. Funds to come from the Sustainable Services Growth Fund.

- **MOTION CARRIED**

8(d) Marcia d'Eon, Director of Operations & Protective Services, advised Council that three fire departments, Little Harbour, Harbour, and Middle Upper Ohio, have voiced concerns regarding poor landline service. Some repairs have been completed and all three lines are currently working, but more work is required.

A discussion was held regarding replacement of lines, the option of fibre op, and the importance of the fire departments having working lines for emergency situations.

MOTION: ADVOCACY LETTER REQUEST FOR IMPROVED TELEPHONE LINE SERVICES

Being duly moved and seconded, be it resolved that the Council of the Municipality of the District of Shelburne direct municipal staff to send a letter of advocacy to Bell Aliant for improved landline telephone service across the Municipality, in particular prioritizing the locations of our Fire Departments to ensure timely access to emergency services.

8(e) Marcia d'Eon, Director of Operations & Protective Services, reviewed the Monthly Building Report for October 2024.

9. ADMINISTRATION

- a. Council Code of Conduct – Erin Hartley, Deputy CAO
- b. Associations, Boards, and Committees – Council Member Appointments – Erin Hartley, Deputy CAO
- c. RSO Award – Municipal Management Consultant Services – Erin Hartley, Deputy CAO
- d. Holiday Information Update – Erin Hartley, Deputy CAO
- e. Exploration of Consolidation/Amalgamation/Unification – Warren MacLeod, CAO

9(a) Erin Hartley, Deputy CAO, presented the Council Code of Conduct staff report.

Ms. Hartley advised Council there is a provincial requirement for the adoption of the Code of Conduct for elected officials that must occur within 60 days following the October election and provide confirmation of the adoption to the province.

NSFM will be the lead organization on the development of a training module that is expected to be available in early 2025. The Municipality's legal team will review the Code of Conduct and its effects on Council at the next orientation session on November 20, 2024.

A discussion was held regarding the sanctions to repay legal fees and investigation fees if a Councillor breaches the Code.

MOTION: COUNCIL CODE OF CONDUCT

Being duly moved and seconded, whereas the Minister of Municipal Affairs and Housing for the Province of Nova Scotia has made the Code of Conduct for Municipal Elected Officials Regulations, N.S. Reg. 220/2024 ("the Regulations"); and,

Whereas municipalities are required to adopt the model code of conduct prescribed by the Regulations on or before December 19, 2024, pursuant to section 4(1) of the Regulations and section 23A of the Municipal Government Act;

Therefore be it resolved that the Municipality's current Code of Conduct for Elected Municipal Officials - Policy 5, effective January 22, 2018, be repealed; and,

Be it resolved that the Council of the Municipality of the District of Shelburne hereby adopt the model code of conduct as set forth in Schedule "A" to the Regulations, which shall be titled the "Code of Conduct for Elected Officials of the Municipality of the District of Shelburne".

- **MOTION CARRIED**

9(b) Erin Hartley, Deputy CAO, presented the Associations, Boards, and Committees staff report.

Ms. Hartley noted that Council was provided a list and relevant background information for each association, board, and committee and that discussion was held on November 12, 2024 during orientation sessions.

MOTION: ASSOCIATIONS, BOARDS, AND COMMITTEES – COUNCIL MEMBER APPOINTMENT

Being duly moved and seconded,

Be it resolved that the Council of the Municipality of the District of Shelburne appoint Councillor Dale Richardson and Warden Penny Smith as the Municipality's Council Representatives and Councillor Ron Coole as the alternate on the on the Audit Committee.

Be it resolved that the Council of the Municipality of the District of Shelburne appoint Councillor Paula Sutherland and Councillor Anthony Gosbee as the Municipality's Council Representatives and Deputy Warden Heidi Wagner as the alternate on the Economic Growth Strategy Committee.

Be it resolved that the Council of the Municipality of the District of Shelburne appoint Councillor Dale Richardson, Councillor Sherry Thorburn Irvine and Councillor Ron Coole as the Municipality's Council Representatives and Warden Penny Smith as the alternate on the Planning and Development Committee.

Be it resolved that the Council of the Municipality of the District of Shelburne appoint Councillor Paula Sutherland and Councillor Dale Richardson as the Municipality's Council Representatives on the Fire Advisory Committee.

Be it resolved that the Council of the Municipality of the District of Shelburne appoint Deputy Warden Heidi Wagner and Councillor Paula Sutherland as the Municipality's Council Representatives on the Shelburne County East RCMP Advisory Committee.

Be it resolved that the Council of the Municipality of the District of Shelburne appoint Councillor Anthony Gosbee as the Municipality's Council Representative and Deputy Warden Heidi Wagner as the alternate on the Shelburne County Arena Association.

Be it resolved that the Council of the Municipality of the District of Shelburne appoint Councillor Sherry Thorburn Irvine as the Municipality's Council Representative on the Regional Library Board.

Be it resolved that the Council of the Municipality of the District of Shelburne appoint Councillor Ron Coole as the Municipality's Council Representative and Warden Penny Smith as the alternate on the Eastern Shelburne County Accessibility Advisory Committee.

Be it resolved that the Council of the Municipality of the District of Shelburne appoint Councillor Anthony Gosbee as the Municipality's Council Representative on the Source Water Protection Committee.

Be it resolved that the Council of the Municipality of the District of Shelburne appoint Warden Penny Smith and Deputy Warden Heidi Wagner as the Municipality's Council Representatives on the Regional Emergency Management Advisory Committee.

Be it resolved that the Council of the Municipality of the District of Shelburne appoint Deputy Warden Heidi Wagner and Warden Penny Smith as the Municipality's Council Representatives and Councillor Sherry Thorburn Irvine as the alternate on the Roseway Manor Board.

Be it resolved that the Council of the Municipality of the District of Shelburne appoint Councillor Dale Richardson as the Municipality's Council Representative and Warden Penny Smith as the alternate on the Region 6 Inter-Municipal Committee.

Be it resolved that the Council of the Municipality of the District of Shelburne appoint Councillor Paula Sutherland as the Municipality's Council Representative and Councillor Dale Richardson as the alternate on the Shelburne County Health Care Professional Recruitment and Retention Committee.

Be it resolved that the Council of the Municipality of the District of Shelburne appoint Councillor Anthony Gosbee as the Municipality's Council Representative and Councillor Sherry Thorburn Irvine as the alternate on the Shelburne Port Authority Committee.

Be it resolved that the Council of the Municipality of the District of Shelburne appoint Deputy Warden Heidi Wagner as the Municipality's Council Representative on Events Committee.

Be it resolved that the Council of the Municipality of the District of Shelburne appoint Warden Penny Smith as the Municipality's Council Representative and Councillor Ron Coole as the alternate on the Roseway Hospital Charitable Foundation.

Be it resolved that the Council of the Municipality of the District of Shelburne appoint Warden Penny Smith as the Municipality's Council Representative on the Shelburne County Mental Health & Wellness Committee.

Be it resolved that the Council of the Municipality of the District of Shelburne appoint Councillor Sherry Thorburn Irvine as the Municipality's Council Representative on the Western Crown Land Stakeholder Interaction (Deforestation) Committee.

Be it resolved that the Council of the Municipality of the District of Shelburne appoint Councillor Sherry Thorburn Irvine as the Municipality's Council Representative on the Climate-Resilient Coastal Community Committee.

- **MOTION CARRIED**

9(c) Erin Hartley, Deputy CAO, presented the RSO Award – Municipal Management Consultant Services staff report.

Ms. Hartley advised Council that an RSO was issued for Municipal Management Consulting Services for a three-year term. The consultant would assist with various municipal sector-specific projects as they arise with the first project being an organizational structure review of the Municipality.

There were six submissions received that were evaluated on relevant experience and qualifications, methodology and approach, work plan and schedule, references, and budget.

A discussion was held regarding the scoring process of the RSO. CAO MacLeod explained one submission's fees were exceptionally lower which would have affected the others' scoring.

MOTION: RSO AWARD – MUNICIPAL MANAGEMENT CONSULTANT SERVICES

Being duly moved and seconded, be it resolved that the Municipality of the District of Shelburne award the Municipal Management Consultant Services Request for Standing Offer to Davis Pier based on the details outlined in their proposal at a cost of \$42,150 + HST.

- **MOTION CARRIED**

9(d) Erin Hartley, Deputy CAO, presented the Holiday Information Update staff report.

Ms. Hartley provided Council with updates on upcoming office closures, cancellations and events.

The Municipal Offices will be closing Friday, December 20, 2024 at 4:30pm and reopening Thursday, January 2, 2025 at 9:00am.

The RMRF site will be closing on Saturday, December 21, 2024 at 4:00pm and reopening on Thursday, January 2, 2025 at 9:30am.

The Council Meeting will be cancelled for December 25, 2024.

Municipal staff and Council will participate in a holiday food bank collection and the Adopt-A-Family Program.

Miracle on Dock Street will be held on Saturday, December 7, 2024 at 5:30pm. Deputy Warden Wagner provided an update on the Miracle on Dock Street.

9(e) Warren MacLeod, CAO, presented the Exploration of Consolidation/Amalgamation/Unification staff report.

CAO Macleod, advised Council that over the past three years, the Municipality, Town of Shelburne and Town of Lockport have expressed interest in exploring consolidations and its variations. In March 2024, the Town of Shelburne suggested that any decisions be deferred until after the October 2024 election. The Municipality publicly aligned with this approach, favoring a similar delay.

With the 2024 elections now concluded, communication between the Municipality, the Town of Shelburne and the Town of Lockport has resulted in mutual agreement to bring forward a motion to continue discussions and educational sessions on consolidation's potential benefits and challenges.

A discussion was held on timelines and the types of education sessions available.

MOTION: EXPLORATION OF CONSOLIDATION/AMALGAMATION/UNIFICATION

Being duly moved and seconded, be it resolved that the Municipality of the District of Shelburne agrees to participate in further educational workshops and discussions regarding the potential benefits and challenges of consolidation and related concepts. Additionally, be it resolved that

the Council authorizes the CAO to collaborate with the CAO of the Town of Shelburne and the Clerk of the Town of Lockeport to organize these workshops and discussions.

- **MOTION CARRIED**

10. CORRESPONDENCE

- a. Department of Fisheries and Oceans Response Letter Re: Concerns Regarding Mediation in Treaty Fishing Rights and Elvers Quota Allocation

10(a) CAO MacLeod reviewed the letter from the Department of Fisheries and Oceans regarding treaty fishing rights and future allocations for the Maritimes elver fishery.

CAO MacLeod advised Council that this letter is going to be discussed by the Ocean's 11 Group, municipalities from Digby to Lockeport, and a response will be formulated.

A discussion was held regarding RCMP concerns, correspondence from residents, and community impact.

11. COMMITTEE REPORTS/WARDEN'S UPDATE

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

11(a) Councillor Thorburn Irvine advised she attended and provided updates on the following:

- November 4-5 – Council Orientation hosted by Municipal Affairs

Councillor Richardson advised he attended and provided updates on the following:

- November 11 – Remembrance Day Ceremony in Lockeport

11(b) Warden Smith advised she attended and provided updates on the following:

- November 8 – Remembrance Day Ceremony at SRHS
- November 11 – Remembrance Day Ceremony at Shelburne Community Centre

12. IN-CAMERA

- a. Acquisition, Sale, Lease and Security of Municipal Property as per the MGA 22(2)(a)

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 7:33 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 7:34 pm.

- **MOTION CARRIED**

12(a) **MOTION: K CLASS SECTION OF ANNAPOLIS ROAD PURCHASE**

Being duly moved and seconded, be it resolved that the Council of the Municipality of the District of Shelburne authorize the Chief Administrative Officer to proceed with the purchase of land, identified as K-Class section of Annapolis Road - PID 82511411, from His Majesty the King in Right of the Province of Nova Scotia based on a transfer agreement in the amount of \$1 plus HST, and all relating legal, survey and any other costs associated with the purchase of the property. Funds to come from Capital Reserves.

- **MOTION CARRIED**

MOTION: ADD IN-CAMERA ITEM TO AGENDA

Being duly moved and seconded, be it resolved that the Council of the Municipality of the District of Shelburne add Agenda Item 12(b) Contract Negotiations as per the MGA 22 (2)(e).

- **MOTION CARRIED**

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 7:36 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 7:44 pm.

- **MOTION CARRIED**

12(b) Items were discussed and direction was given to staff.

13. ADJOURNMENT

There being no further business, the meeting was adjourned at 7:44 pm. The next Regular Council meeting will be held on Wednesday, December 11, 2024.

Nicole Blades
Recording Secretary

Date

Penny Smith, Warden

**Erin Hartley, Deputy Chief Administrative
Officer**