



Naturally Yours

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**REGULAR SESSION OF THE 51ST COUNCIL
OF THE
MUNICIPALITY OF THE DISTRICT OF SHELBURNE
June 29, 2020**

The Regular Session of the 51st Council of the Municipality of the District of Shelburne was held on Monday, June 29, 2020 commencing at 6:31 pm via Microsoft Teams.

THOSE IN ATTENDANCE:

Warden Penny Smith
Deputy Warden John Roscoe
Councillor Roger Taylor
Councillor Norman Wallet
Councillor Doris Townsend
Councillor Terry McIntyre
Trudy Payne, CAO

ALSO IN ATTENDANCE:

Michelle Williams, Director of Finance
Alicia Flowers, Executive Assistant
Val Kean, Community Development Coordinator
Adam Dedrick, Director of Recreation and Parks
Darrell Locke, By-Law Enforcement Officer
Timothy Gillespie, Media

1. CALL TO ORDER:

The meeting was called to order at 6:31 pm by Warden Smith.

2. APPROVAL OF AGENDA:

Being duly moved and seconded, be it resolved that the Agenda of June 29, 2020, be approved as amended.

- **MOTION CARRIED**

3. **APPROVAL OF MINUTES:**

(a) Approval of Minutes – June 15, 2020

It was asked if the Waste Diversion Officer will be bringing back a report pertaining to commercial tipping fees for brush. It was confirmed he will be bringing a report to a future Council meeting.

3(a) **MOTION: APPROVAL OF MINUTES – JUNE 15, 2020**

Being duly moved and seconded, be it resolved that the Minutes of June 15, 2020, be approved as circulated.

- **MOTION CARRIED**

4. **BUSINESS ARISING:**

There was no business arising.

5. **ADMINISTRATION:**

- (a) Community Group Emergency Grant Fund Requests*
- (b) Dog By-law Repeal Report*
- (c) Dangerous and Unsightly Update Report

5(a) Val Kean, Community Development Coordinator presented the COVID-19 Emergency Assistance Grant - Recommendations staff report to Council.

At the May 19, 2020 Council meeting \$15,000 was approved by Council for the New Emergency Assistance Grant for Community Organizations. There were four applicants for this grant within the community including Shelburne Lions Club, Clyde River Busy Bees, Shelburne Historical Society and West Green Harbour Recreation Association. Council and staff agreed on the hard work and dedication that these organizations bring to the community and the long list of benefits for our municipal members.

Community Groups are all aware of the New Emergency Assistance Grant as staff has been reaching out and will continue to do so. Where there is no deadline for the applications for this program, staff will continue to review applications as they are submitted.

MOTION: COMMUNITY GROUP EMERGENCY GRANT FUND

Being duly moved and seconded, be it resolved that Council of the Municipality of the District of Shelburne approve the recommended grant amounts, totalling \$2,000, to come from the Economic Development, GL#00-26210-500.

- **MOTION CARRIED**

- 5(b) Darrell Locke, By-law Enforcement Officer, presented the Dog By-law D-100 – Repeal to Council.

It was noted that since the last amendment in 2012 some issues have arisen and have not been resolved due to the issues not being clearly defined in the current By-law. Council agreed that having fines for offences would be beneficial in helping to rectify the issues as such summary offence tickets would be subject to the by-law. Adopting the new by-law would mean going forward with the Department of Justice to establish an appropriate fine amount. It is recommended that we set the fine at \$237.50 but the fines will ultimately be determined by the Department of Justice.

Council brought forward the concern that serious offences regarding the dog should have more serious repercussions and be more than the base rate of \$237.50. Although agreed that serious offences should have serious consequences, it was noted that registration is more costly for dogs deemed a high risk and there are other costs associated to keeping the dog including cost of fencing the yard.

Mr. Locke stated that he would not discriminate a dog based on breed or even whether the dog had previous history of bites because there are some underlying circumstances like the dog protecting his owner, owner's property, her pups, or being teased or aggravated to the point of retaliating to name a few.

MOTION: DOG BY LAW D-100 – REPEAL

Being duly moved and seconded, be it resolved that Council of the Municipality of the District of Shelburne give Notice of its intention to Repeal the existing Dog By-Law D-100 that was adopted by Council on October 29, 2012 and replace it with a By-law respecting Dog By-Law D-200 and conducts First Reading of same; and further, that it gives notice of Second Reading to consider the repeal of the "Dog By-Law D-100" and approval and adoption of a By-Law Respecting Dog By-Law D-200.

- **MOTION CARRIED**

- 5(c) Darrell Locke, By-Law Enforcement Officer, presented the Dangerous and Unsightly Update Report to Council.

It was noted that the file opened on February 13, 2020 for the property at 262 Black Point Road was completed and cleaned up by March 12, 2020 with great cooperation by registered owners. These

owners were also responsible for the file created for 272 Black Point Road which was also created February 13, 2020 and resolved as well by March 12, 2020.

A file was created February 19, 2020 for 6584 Shore Road, Port Saxon; this is still on-going as there is still an old foundation on the property and all dangerous and unsightly properties require excavation to bring everything back to ground level for safety reasons.

File for property 1464 Shore Road, Gunning Cove has been open since February 19, 2020 and has not been able to move forward because the required documentation that was sent to the registered owners was sent back as undeliverable. We may need to move forward with legal council on this file.

File for property 1481 Sandy Point Road remains open and active since February 19, 2020.

File for 303 Sable River which was previously on a tax sale, was not included in the report but the information package has been sent to the registered owner. Information presented itself this passed week that the property was in fact sold and the new owners are residents of Ontario and will be followed up with for rectifying the situation.

File 5350 Sandy Point Road, Jordan ferry has been concluded.

File for 56 Craigs Road, Little Harbour has been opened since April 15, 2011 and after communicating with our solicitor, it has been agreed that the Municipality of the District of Shelburne proceed with demolition and should be able to have the file concluded by August, 2020. The Municipality of the District of Shelburne will be responsible for the demolition cost to get the work done but this cost will be added to the tax bill of the owner.

The By-Law Enforcement Officer stated that other complaints have been issued and remain as files that need to be opened. These are prioritized based on the conditions of the properties and those considered more dangerous and unsightly; complaints are always received with the highest of confidentiality.

6. **RECREATION:**

(a) MPAL Program Transfer of Administration Request*

- 6.(a) Adam Dedrick, Director of Recreation and Parks, presented the MPAL Program – Transfer of Administration Request to Council.

The MPAL program is a cost shared partnership between the Province at \$35,000, Town of Shelburne at \$10,000, the Municipality at \$10,000 and the Town of Lockport at \$1,000 for a total operational budget of \$56,000. The program is administered through the Town of Shelburne which involves the Physical Activity & Community School Coordinator position, which is responsible for the implementation of the Strategy and Community use of SRHS. Management and oversight of the program is shared among the three municipal partners. In July 2019, a new five-year MOU (April 1,

2019 to March 31, 2024) was signed by the Town of Shelburne, which was approved by the Municipality and Town of Lockeport to indicate their continued involvement in the program.

It has been asked that the Municipality of the District of Shelburne be fully responsible for the administration of the program consisting of things such as invoices, oversight of the operational budget, payroll, hiring, and overall management of the program. Although this will have an impact on the finance and recreation department for the Municipality of the District of Shelburne, it is fully manageable as Recreation has been currently responsible for HR related tasks for the program.

It was stated that although there is a risk for the Town of Shelburne to withdrawal their funding due to on-going stresses on the Town, the MOU does provide a termination clause and the Town has already committed \$10,000 to the program in this fiscal year.

MOTION: MPAL PROGRAM TRANSFER OF ADMINISTRATION REQUEST

Being duly moved and seconded, be it resolved that Council of the Municipality of the District of Shelburne sign the Consent to Assignment Agreement to be named the "assignee" and assume all of the administration obligations of the original five year MOU (April 1, 2019 to March 31, 2024) with the Province of Nova Scotia for the Municipal Physical Activity Leadership Program.

- **MOTION CARRIED**

7 FINANCE:

- (a) Financial Update June 2020
- (b) Temporary Borrowing Resolution Request for Fire Truck*

7(a) Michelle Williams, Director of Finance, presented the Financial Update for June 2020 to Council.

An actual financial update was presented to Council in great detail and sectioned between revenue including the total taxes that have been 97% billed with a due date of July 30, 2020; expenses including the \$4600 deficit for the lock-up facility; aged receivables which include the \$3,818,296 plus interest of uncollected tax/fees.

Since the budget was approved there have been some things added including the \$15,000 from Economic Development for the Emergency Assistance Grant for Community Organizations, \$20,000 for the Sable River Volunteer Fire Department's audit being funded by the Operating Reserves, and the Brush Pile maintenance which has not yet received an approved amount or discussed which reserve the funding will be coming out of.

- 7(b) Michelle Williams, Director of Finance, presented the Town of Lockeport Fire Truck Purchase – Temporary Borrowing Resolution to Council.

The Municipal contribution is in the amount of \$158,788, representing 45% of the purchase price, which will be forwarded to the Town of Lockeport upon receipt of funds from the Municipal Finance Corporation in order for the Town to pay for the vehicle.

The loan payments will be recoverable by the way of an area rate of \$0.036 (3.6 cents)/\$100 of assessment, for a ten-year term for eligible properties in the Town of Lockeport Fire Department's service area.

Warden, Penny Smith, read the full Temporary Borrowing Resolution to all of Council.

MOTION: TOWN OF LOCKEPORT FIRE TRUCK PURCHASE – TEMPORARY BORROWING RESOLUTION

Being duly moved and seconded, be it resolved that Council of the Municipality of the District of Shelburne approve a Temporary Borrowing Resolution in the amount of \$158,788 for the Town of Lockeport 2020 Fire Truck (Pumper), by reading the attached resolution prepared by the Province; and

THAT Council of the Municipality of the District of Shelburne authorize the Director of Corporate Services to sign and seal the Temporary Borrowing Resolution.

WHEREAS Section 66 of the Municipal Government Act provides that the Municipality of the District of Shelburne, subject to the approval of the Minister of Municipal Affairs and Housing, may borrow to expend funds for a capital purpose authorized by statute; and,

WHEREAS the Municipality has determined to borrow the aggregate principal amount of One Hundred Fifty-Eight Thousand Seven Hundred Eighty-Eight Dollars, (\$158,788) for the purposes of purchasing a fire truck; and

WHEREAS the municipality of the District of Shelburne, has adopted a capital budget for this fiscal year as required by Section 65 of the Municipal Government Act and are so authorized to expend funds for this capital purpose as identified in their capital budget;

BE IT THEREFORE RESOLVED

THAT under the authority of Section 66 of the Municipal Government Act, the Municipality may borrow a sum or sums not exceeding One Hundred Fifty-Eight Thousand Seven Hundred Eighty-Eight Dollars, (\$158,788) for the purpose set out above, subject to the approval of the Minister of Municipal Affairs and Housing;

THAT the sum be borrowed by the issue and sale of debentures of the Municipality of the District of Shelburne to such an amount as the Council deems necessary;

THAT the issue of debentures be postponed pursuant to Section 92 of the Municipal Government Act and that the Municipality borrow from time to time a sum or sums not exceeding One Hundred Fifty Eight Thousand Seven Hundred Eighty Eight Dollars (\$158,788) in total from any chartered bank or trust company doing business in Nova Scotia;

THAT the sum be borrowed for a period not exceeding Twelve (12) Months from the date of the approval of the Minister of Municipal Affairs and Housing of this resolution;

THAT the interest payable on the borrowing be paid at a rate to be agreed upon; and

THAT the amount borrowed be repaid from the proceeds of the debentures when sold.

- **MOTION CARRIED**

8. OTHER:

- (a) NSFM – COVID-19 Lost Revenue Report – June 2020*
- (b) Housing NS Correspondence
- (c) Letter of thanks from Sou-West Nova Transit Association
- (d) Letter from Municipal Affairs and Housing regarding municipal election in October

- 8(a) Council viewed the NSFM – COVID-19 Lost Revenue Report – June 2020. Although this was strictly for informational purposes it was stated that the report is showing how COVID-19 affected municipalities financially. 47/49 Municipalities in Nova Scotia submitted financial information that informed this report, the Municipality of the District of Shelburne was one of the 47.
- 8(b) Council reviewed the letter from Housing Nova Scotia stating that the Municipality of the District of Shelburne's share of the Public Housing Net Operating Losses (NOL) for the fiscal year ending March 31, 2020, is \$11,233.86 and the projected NOL for the fiscal year ending March 31, 2021 will be between \$23,073 and \$25, 438. Upon asking for reasons behind the drastic increase, it was stated that there are several aging housing units that will require capital repairs. Due to this, fees will be rising. The Municipality of the District of Shelburne is not the only one who's NOL has risen drastically.
- 8(c) Council reviewed the letter of thanks written by the Sou-West Nova Transit Association.
- 8(d) Council reviewed the letter written by the Minister of Affairs and Housing. Information was given in the letter that the Municipality of the District of Shelburne would not be receiving funding from the Minister of Affairs and Housing to help compensate for a hybrid election which was first noted as a resolution for the upcoming election in October. However, where the Council of the Municipality of the

District of Shelburne has approved a fully electronic election, the Municipality will be able to stay within the approved budget of \$20,000.

9. Committee Reports/ Recommendations:

10. Council Member Updates:

- 10(a) Warden Penny Smith updated Council on the teleconference the CAO and Warden held with the Town of Shelburne and the Yacht Club on June 19, 2020, regarding the Shelburne Harbour Port of Entry issue and next steps. It was decided that the Municipality of the District of Shelburne, the Town of Shelburne and the Yacht Club would all send one letter addressed to Minister Blair requesting that his office confirm in writing that the first lessening of border restrictions or non-essential travel restrictions for foreign flag vessels would result in immediate reinstatement of Shelburne's Port of Entry status and that no other currently closed Port of Entry in Nova Scotia be opened ahead of Shelburne Harbour. Asked for response by June 30, 2020, currently no response has been given

Discussion was held regarding Warden, Penny Smith's, involvement in the Grad Ceremony held on June 22, 2020, representing the Municipality of the District of Shelburne.

Discussion was held that the regularly scheduled Zoom meeting with NSFM was held on June 24 and CAO circulated the notes from the meeting to all of Council.

The Healthcare Stakeholder's meeting discussed at the last Council meeting, was held on June 25, 2020, however there was a limited amount of participants on the call so it was decided that it would be best to reschedule.

The Warden provided an update about the Virtual Grad Ceremony that took place on June 26, 2020 for the residential students in Yarmouth who mainly will be staying in the Yarmouth area.

Discussion was held regarding the Regional Consultation Sessions held on June 29, 2020 with NSFM. Our area was from Yarmouth through to Lunenburg. Topics included Code of Conduct, accessibility, local elected officials running for other elected offices, and affordable housing. Sessions were very well done – a lot of great discussions. CAO will need to work on the workbook for this consultation, have it passed to Council for review and ask that there be a quick turnaround of July 2, 2020 so that it can be sent out by the end of the week. There is one document per municipality that can be submitted.

Discussion was held regarding a meeting scheduled for July 7, 2020 with Minister Delorey, the documents are currently being worked on and will be sent to Council for review by the end of the week. It was mentioned by some Council members that the focus of this discussion with Minister Delorey be focused primarily on physician recruitment and the ER closures. If the Province cannot help us during this crisis, we may need to seek help from the Federal government.

In Camera:

- (a) Labour Relations as per MGA Section 22 (2)(d)
- (b) Lease Agreement as per MGA Section 22(2)(a)

11(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 8:00 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 9:59 pm.

- **MOTION CARRIED**

11. **ADJOURNMENT:**

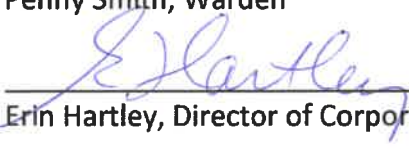
There being no further business, the meeting was adjourned at 10:01 pm.

Alicia Flowers
Recording Secretary

Aug 24/20
Date



Penny Smith, Warden



Erin Hartley, Director of Corporate Services