



Municipality of
Shelburne

Naturally Yours

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**REGULAR SESSION OF THE 52nd COUNCIL
OF THE
MUNICIPALITY OF THE DISTRICT OF SHELburne
Wednesday, July 27, 2022
6:00 pm**

The Regular Session of the 52nd Council of the Municipality of the District of Shelburne was held on Wednesday, July 27, 2022, commencing at 6:00 pm at the Municipal Administration Building, Council Chambers.

THOSE IN ATTENDANCE:

Warden Penny Smith
Deputy Warden Dale Richardson
Councillor Ron Coole
Councillor Heidi Wagner
Councillor Sherry Thorburn Irvine
Councillor Anthony Gosbee
Councillor Doris Townsend via Microsoft Teams
Ken Smith, Interim CAO

ALSO IN ATTENDANCE:

Chana Ross, Executive Assistant
Val Kean, Community Development Coordinator
Warren Macleod, Director of Economic Development

REGRETS:

Trudy Payne, CAO

1. CALL TO ORDER:

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

Ken Smith, Interim CAO

Ken.Smith@municipalityofshelburne.ca

www.municipalityofshelburne.ca

Penny Smith, Warden

warden@municipalityofshelburne.ca

2. APPROVAL OF AGENDA:

- a. July 27, 2022

MOTION: APPROVAL OF AGENDA – July 27, 2022

Being duly moved and seconded, be it resolved that the Agenda for July 27, 2022, be approved as circulated.

- **MOTION CARRIED**

3. APPROVAL OF MINUTES:

- a. July 13, 2022

MOTION: APPROVAL OF MINUTES – July 13, 2022

Being duly moved and seconded, be it resolved that the Minutes of July 13, 2022, be approved as circulated.

- **MOTION CARRIED**

4. BUSINESS ARISING:

There was no business arising.

5. PRESENTATION:

- a. Introduction of Staff Sergeant Mark MacPherson, Detachment Commander, Shelburne Detachment
- b. Green Harbour Development Project – Josh Nikoloyuk, Deep Cove Aqua Farms
- c. Growing Nova Scotia – Building Coastal Communities – Jeff Nickerson & Andrew Lively, Cooke Aquaculture

5(a) Warden Smith advised Council that Staff Sergeant Mark MacPherson will be attending the September Council meeting instead.

To accommodate the delay in the arrival of the presenters for presentation 5(b) Green Harbour Development Project, presentation 5(c) Growing Nova Scotia - Building Coastal Communities was moved up on the agenda.

5(c) Jeff Nickerson and Andrew Lively, Cooke Aquaculture, presented Council with information regarding the Growing Nova Scotia – Building Coastal Communities initiative.

The presenters provided a brief description of the company. Cooke Aquaculture began operations in 1985 and is now one of the largest employers in Atlantic Canada. Cooke Aquaculture is based in New Brunswick. The company's initiative focuses on growing and enhancing coastal communities through economic and conservation initiatives. To maintain a clean environment, Cooke Aquaculture participates in beach clean-up initiatives.

Furthermore, the presenters noted that many positions are currently available within the company, and residents are encouraged to apply.

It was noted during the discussion that Council would like to participate in a boat tour or a tour of local facilities. Staff were instructed to prepare a report containing information regarding the stakeholder liaison committee regarding the beach clean-up initiative.

Council thanked the presenters for their presentation.

5(b) Josh Nikoloyuk, Deep Cove Aqua Farms, presented Council with information regarding the Green Harbour Development Project.

As a multigenerational family business led by its President, Andy Schnare, Deep Cove Aqua Farms (DCAF) has deep roots in the local community. By establishing a strong position in the industry, the company has been able to expand successfully. The management team of the company has successfully completed several projects over the past five years, resulting in significant achievements and milestones.

According to the Department of Fisheries and Aquaculture's Road Map for Aquaculture Investment in NS, the South Shore Region provides many benefits for aquaculture investment. It identifies the South Shore Region as representing the most promising opportunity for future aquaculture development, and Green Harbour has been identified as one of three areas within this region with "great potential for shellfish development." DCAF is seeking a location to produce clams, scallops, mussels, oysters, kelp, and sea cucumbers.

Deep Cove Aqua Farms will complete the project through a 5-Point Plan Development Model:

- Ecosystem Approach to Aquaculture
- Closed Area Harvesting for Relay
- Shoreline Shellfish Cultivation
- Regenerative Ocean Farming
- Community-Based Marine Aquaculture

The timeline for the Green Harbour Development Project is:

- Project kickoff date: May 9, 2022
- Planning and development work: May 9-August 31, 2022
- Fieldwork sessions: May 30-June 3; June 20-24; July 18-20, 25-27; August 15-19
- Undertake Lease + License application process: September 1, 2022-October 9, 2022
- Submit project application to NSDFA: October 10, 2022

During the discussion, Council noted that a site tour would be beneficial. Staff will follow up on this matter.

Council thanked the presenters for their presentation.

6. CODE OF CONDUCT:

- a. Code of Conduct Breaches per Policy 5 - Re: Councillor Thorburn Irvine – Section 5.2 (b) and Section 5.2 (c) – Warden Penny Smith

6(a) Warden Smith advised that she received two code of conduct complaints concerning alleged breaches of the Code of Conduct for Elected Municipal Officials Policy. The respective authorities investigated these complaints, and as part of the investigation, Councillor Thorburn-Irvine was given an opportunity to respond to the allegations. Subsequently, Council determined Councillor Thorburn-Irvine was in breach of Section 5.2 (b) and Section 5.2 (c) of the policy.

Council directed Councillor Thorburn-Irvine to write a letter of apology pertaining to the breach of Section 5.2 (b), which has been received by Council and was included with the public agenda package.

The second code of conduct breach investigation determined that Councillor Thorburn-Irvine violated Section 5.2 (c). This section states, "upholding this Code as a means of promoting the standards and behaviour expected of Members and enhancing the credibility and integrity of Council in the broader community." As a result of comments Councillor Thorburn-Irvine made at the Protect Our Seniors Community meeting pertaining to Roseway Manor, Council has chosen to issue a public reprimand to Councillor Thorburn-Irvine as her comments undermine the integrity and credibility of Council.

Councillor Thorburn Irvine provided the following comment in response:

"To my fellow Councillors and the general public, I sincerely apologize and regret that I was dishonest in comments that I made to Council during in-camera portion of a Council meeting."

MOTION: CODE OF CONDUCT

Be it resolved that Council for the Municipality of the District of Shelburne accepts Councillor Thorburn-Irvine's letter of apology with respect to breach of Section 5.2 (b) of the Code of Conduct for Elected Municipal Officials Policy. Specifically, apologizing for being dishonest in comments made to Council during an in-camera portion of a Council meeting.

- **MOTION CARRIED**

7. COMMUNITY AND ECONOMIC DEVELOPMENT:

- a. Tax Exemptions for Community Organizations – Revised – Val Kean
- b. 2022/2023 Grants to Organizations Recommendations – Val Kean
- c. Fundraising Support for Community Organizations – Recommendations – Val Kean
- d. Chamber of Commerce Signage Project – Warren MacLeod
- e. Roseway River Dam – Warren MacLeod

7(a) Val Kean, Community Development Coordinator, presented Council with the Tax Exemptions for Community Organizations – Revised staff report.

On January 21, 2022, the Municipality received name change information from Property Valuation Services Corporation that AAN #00758191 is now owned under Louis Head Historical Society. Before the name change, the Louis Head Community Church owned this property. Religious institutions are exempt from property tax under the Nova Scotia Assessment Act if the property is used for religious or congregational. However,

because the facility is no longer used for religious services, the group changed the Society's name, which prompted them to no longer receive the tax exemption. In April 2022, the Society received a Tax Invoice from the Municipality of Shelburne for \$722.54. After reviewing the information above, staff recommend that Policy 10 – Tax Exemptions for Community Organizations be amended to include AAN #00758191. Staff also recommend that Council consider a tax write-off of \$722.54, plus interest, for this property.

Discussion was held, and Council noted that this cemetery was neglected over the last few years, so that the funds will go towards clean-up and restoration.

MOTION: TAX EXEMPTIONS FOR COMMUNITY ORGANIZATIONS - REVISED

Be it resolved that the Municipality of the District of Shelburne approve the attached Tax Exemptions for Community Organizations Policy as amended, to include Louis Head Historical Society AAN #00758191 and;

THAT the Municipality of the District of Shelburne write off the tax amount owing, up to \$750.00, on property owned by Louis Head Historical Society, AAN #00758191.

- **MOTION CARRIED**

7(b) Val Kean, Community Development Coordinator, presented Council with the 2022/2023 Grants to Organizations Recommendations staff report.

A total of \$72,250 was approved in the Municipality's 2022/2023 Operating Budget for Grants to Organizations. At the May 11, 2022, Council meeting, a total of \$61,760.75 was approved from the Grants to Organization GL# 00-21950-791, leaving \$5,489.25 for consideration of further requests throughout the 2022/2023 fiscal year. A Grants to Organizations application has been received, requesting \$2,500 for capital upgrades to the Jordan Branch Road Cemetery. As directed by the Municipality's Grants to Organizations Policy, the staff is recommending Council consider approving 70% funding of this capital project for support totalling \$1,750.00, leaving \$3,739.25 for consideration of future applications.

MOTION: 2022/2023 GRANTS TO ORGANIZATIONS RECOMMENDATIONS

Be it resolved that the Municipality of the District of Shelburne approve the recommended grant amount for Jordan Branch Road Cemetery, totalling \$1,750.00, to come from the 2022/2023 Grants to Organization, GL# 00-21950-791.

- **MOTION CARRIED**

7(c) Val Kean, Community Development Coordinator, presented Council with the Fundraising Support for Community Organizations – Recommendations staff report.

The 2022/2023 Operating Budget includes \$15,000 for the administration of Fundraising Support for Community Organizations Grant Program. To date, four applications have been received, all demonstrating

fundraising efforts to support the guidelines of our grant program. It is recommended that Council consider approving the full \$500 funding to each of the following organizations:

- Lockeport July 1 Celebrations
- Ohio Recreation Association
- Sable River Community Hall
- Shelburne County Agricultural Exhibition

MOTION: FUNDRAISING SUPPORT FOR COMMUNITY ORGANIZATIONS - RECOMMENDATIONS

Be it resolved that the Council of the Municipality of the District of Shelburne approve the recommended Fundraising Support for Community Organizations amounts, totalling \$2,000, to come from the ICSP, GL# 00-26621-500.

- **MOTION CARRIED**

7(d) Warren MacLeod, Director of Economic Development, presented Council with the Chamber of Commerce Signage Project staff report.

The Chamber is undertaking several projects, one of which is a signage project looking to change how our area is presented on the 103 highways. As their letter states, there are currently forty-seven signs representing all aspects of private and public sector marketing. These signs are in different conditions and have little strength in branding the area or what we offer. The Chamber is currently creating a new vision for these signs. They continue to collaborate with all councils (the towns as well) to create a new first impression of the area and highlight what we offer.

The Chamber identifies the following key points to the project:

- Working with current sign owners (business operators and others) to highlight the new vision and get buy-in for those to be updated
- Create a new sign for the Town of Lockeport specifically
- Create the overall branding of the area and build out numerous signs to direct travellers to the area. We anticipate this outline to be completed in the coming weeks. We hope to have a completed plan ready for execution by August 1, 2022

The Chamber is currently allocating \$30,000 to sign projects, with \$25,000 allocated to the 103 signs and \$5,000 going towards a Lockeport sign and a Shelburne sign near exit twenty-six.

In discussions with the Chamber, it was noted that the additional \$25,000 requested would increase the project spend to \$55,000. There was no specific breakdown of how the additional \$25,000 would be spent other than to state that it would contribute to the highway 103 signage portion of the project.

Council decided not to fund signage in the economic and development budget in March 2022. However, it is possible to combine the Municipality's future & vision with the current Chamber project to achieve our mutual goals. The economic development department already planned to approach Council at the following budget review in March 2023 for branding. This means that the Municipality is planning to design a new logo. A new sign design for three signs upon entering the Municipality on the 103 from the north and updating our logos

and banners on our new website with the new branding. Our recommendations below are intended to merge the Municipality plans with the current Chamber project.

As part of the discussion, it was noted that partnerships with various organizations and groups are crucial for the growth and prosperity of the area. It was also emphasized that participating in projects such as these benefits the entire area.

MOTION: CHAMBER OF COMMERCE SIGNAGE PROJECT

Be it resolved that the Municipality of the District of Shelburne Council grant \$25,000 to the Shelburne Chamber of Commerce for the proposed signage project and that the funds would only be released once an agreement is in place that is acceptable to the CAO and the Municipal solicitor, and furthermore, give the CAO the authority to sign the agreement on behalf of the Municipality and;

That the funds come from the Economic Development GL # 00-26210-050.

- **MOTION CARRIED**

7(e) Warren MacLeod, Director of Economic Development, presented Council with the Roseway River Dam staff report.

Following the presentation by Leigh Thorburn regarding the Roseway River Dam and the negative impact it is having on the near-shore fishery in its current state, Mr. Thorburn is requesting Council consider advocating on behalf of local near-shore fishermen for actions to be taken as per the recommendations below.

In its present state, the Roseway Dam fish ladder is inoperable. The current free flow is too extreme to allow Diadromous fish passage upriver. As such, these fish cannot pursue their natural spawning cycle, which has a significant negative impact on the sustainability of these species and the near shore fishery that relies on the sustainability of these species.

Discussion was held regarding Council's position on economic sustainability and protecting local fisheries.

MOTION: ROSEWAY RIVER DAM

Be it resolved that the Municipality of the District of Shelburne write a letter to Tim Hallman, Minister of Environment and Climate Change, advocating that:

- The Minister order Nova Scotia Power to immediately restore fish passage technology at the Roseway Dam wall to allow passage of Diadromous fish.
- And, in the event that Nova Scotia Power have no intention of re-opening the Roseway dam and generating power, to not re-issue the license to Nova Scotia Power and to order them to submit a plan to remove the dam and restore the site to its natural state as soon as practically possible.
- In addition, it is recommended to write letters to Steve Craig (Minister of Fisheries & Aquaculture), Joyce Murray (Minister of Fisheries, Oceans & Coast Guard), Rick Perkins (Member of Parliament) and Nolan Young (MLA) explaining the near fisheries predicament on

the Roseway River and requesting their support in writing to Tim Hallman to rectify the situation as per the letter to be addressed to Minister Hallman.

- In addition, write a letter to Nova Scotia Power outlining our concerns and providing them with copies of our letters to the above-mentioned people and invite them to the site to meet with the various stakeholders.

- **MOTION CARRIED**

8. CORPORATE SERVICES:

- a. Waste Diversion Coordinator Report – Ryan Jamieson - For Information Purposes

8(a) Council reviewed the Waste Diversion Coordinator report.

9. BUILDING INSPECTION:

- a. Monthly Building Report – June 2022

9(a) Council reviewed the Monthly Building report.

10. OTHER:

- a. Correspondence – Response from the Office of Minister Craig – Re: Ghost Gear Fund
- b. Correspondence from Shelburne Regional High School – Re: Bursary
- c. Roseway Manor – Response to Presentation by Protect Our Seniors
- d. Proposed Food Security Project in Partnership with the Nova Scotia Community College – Verbal Update – Warden Smith

10(a) Warden Smith advised that Council had received a response from the office of Minister Craig regarding Funding for the Ghost Gear Fund. This was provided for information purposes.

10(b) Warden Smith advised that Council had received correspondence from Shelburne Regional High School regarding this year's bursary recipients. This was provided for information purposes.

10(c) Warden Smith noted that Council's response to Protect Our Seniors Presentation re: Roseway Manor has been forwarded to all parties involved.

10(d) Warden Smith advised of an update from Mary Thompson, Principal of NSCC Shelburne, regarding the proposed food security project.

It was noted that this has been a topic of discussion in the community for several years regarding food security. A brief overview of what is being done regarding this initiative was provided by Ms. Thompson. The issue of food insecurity is becoming increasingly prevalent in the community. There is a significant impact of food insecurity on seniors and those on fixed incomes. This is not just in terms of a lack of sufficient food, but also in terms of a lack of access to nutritious foods. One in six Nova Scotians experience food insecurity.

Developing a community garden would be an excellent way to support the project. In fully accessible greenhouses, community members would be able to grow vegetables for their own consumption. It is estimated that the greenhouse solution will cost approximately \$20,000 per greenhouse. Land preparation and fencing are additional expenses. As part of the project, Nova Scotia Community College will explore and

apply for possible funding opportunities. In addition, this project may benefit from a partnership with the Municipality. In the coming months, Mary Thompson will provide more information to Council.

11. COMMITTEE REPORTS/WARDEN'S UPDATE:

- a. Committee Reports
- b. 2022/2023 Warden's Update

11(a) Deputy Warden Richardson advised that he and the CAO attended a building committee meeting, and the move-in date has been pushed back to December 2022 due to staffing issues. Mr. Smith, the Interim CAO, advised that he had also attended the building site meeting.

Councillor Wagner advised that she attended the RCMP Advisory Committee the previous week, where the new Staff Sergeant was introduced.

11(b) Warden Smith advised that she had attended the following events:

- Shelburne County Mental Health and Wellness Committee – July 19, 2022
- Mayor's, Warden's, and CAO Meeting – July 20, 2022
- Roseway Manor – July 20, 2022
- Met with the new Executive Director for the Black Loyalist Heritage Centre – on July 21, 2022
- Fisheries Stakeholders Meeting – July 21, 2022
- Gave remarks on behalf of Council at the Harmony Bazaar
- Offshore Wind Energy Meeting (virtually) – July 27, 2022
- Will attend Dock Days – July 30-31, 2022

12. ADJOURNMENT:

There being no further business, the meeting was adjourned at 8:24 pm. The next Council meeting will be held on Wednesday, September 14, 2022, in the Shelburne Council Chambers.

Chana Ross
Recording Secretary

Date

Penny Smith, Warden

Erin Hartley, Director of Corporate Services