



Naturally Yours

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**REGULAR SESSION OF THE 52nd COUNCIL
OF THE
MUNICIPALITY OF THE DISTRICT OF SHELburne
WEDNESDAY, SEPTEMBER 28, 2022
6:00 pm**

The Regular Session of the 52nd Council of the Municipality of the District of Shelburne was held on Wednesday, September 28, 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 via Microsoft Teams
Councillor Heidi Wagner
Councillor Sherry Thorburn Irvine
Councillor Anthony Gosbee
Councillor Doris Townsend
Warren MacLeod, CAO

ALSO IN ATTENDANCE:

Erin Hartley, Deputy CAO
Adam Dedrick, Director of Recreation and Parks
RCMP Staff Sergeant Mark MacPherson

REGRETS:

Chana Ross, Executive Assistant

1. CALL TO ORDER:

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

Warden Smith advised that Councillor Coole is attending virtually as he is currently out of the country.

Warden Smith gave a tribute, followed by a moment of silence, to Patricia "Pat" Nickerson, who served two past terms as Warden for the Municipality and served the Town of Shelburne as its first female Councillor.

2. INTRODUCTION:

- a. Staff Sergeant Mark MacPherson – Detachment Commander, Shelburne Detachment

Warden Smith introduced to Council and thanked Staff Sergeant Mark MacPherson, Detachment Commander for Shelburne.

A brief overview of current activities as well as upcoming changes within the Shelburne County RCMP detachment was provided by Mr. MacPherson. He noted that these changes would begin in October-November 2022. As the Shelburne County Detachment Commander, he will oversee all of Shelburne County, merging Barrington and Shelburne Districts. Additionally, Mr. MacPherson stated that these changes would enhance community policing coverage and delivery of services.

Discussions were held about petty crime concerns, a possible new detachment building in the future, communication, and community connections.

3. APPROVAL OF AGENDA:

- a. September 28, 2022

MOTION: APPROVAL OF AGENDA – September 28, 2022

Being duly moved and seconded, be it resolved that the Agenda for September 28, 2022, be approved with the following amendment:

- **RECREATION:**

- 7(d) Shelburne County Arena/ Equipment – added

- **MOTION CARRIED**

4. APPROVAL OF MINUTES:

- a. September 14, 2022

MOTION: APPROVAL OF MINUTES – September 14, 2022

Being duly moved and seconded, be it resolved that the Minutes of September 14, 2022, be approved as circulated.

- **MOTION CARRIED**

5. PROCLAMATION:

- a. Right to Know Week

5(a) Warden Penny Smith read the Right to Know Week Proclamation, formally declaring the week of September 26-30, 2022, as Right to Know Week in the Municipality of the District of Shelburne. This document was included with the meeting package.

6. BUSINESS ARISING:

There was no business arising.

7. RECREATION:

- a. Shelburne County Arena Contribution MOU
- b. Land for Community Garden
- c. Upgrades to Welkum Park-RFP – Verbal Update
- d. Shelburne County Arena/ Equipment

7(a) Adam Dedrick, Director of Recreation and Parks, presented Council with the Shelburne County Arena Contribution MOU staff report.

In exchange for five years of operational funding, the Municipality, Town of Shelburne, and Town of Lockeport have signed a funding contribution agreement, Memorandum of Understanding (MOU). In the MOU, the contribution amount from each municipal unit is specified, along with the terms of the agreement, which require that the funds be used only for operational purposes, and the Shelburne County Arena Association maintains a balanced budget. It is necessary to request capital funding separately. Lockeport, Shelburne and the SCAA have all agreed on the contribution amounts and the terms of the Memorandum of Understanding.

The MOU will be signed by all parties upon approval and receipt of the required documents from SCAA (budget and financial report).

MOTION: SHELBURNE COUNTY ARENA CONTRIBUTION AGREEMENT MOU

Being duly moved and seconded, be it resolved that Council of the Municipality of the District of Shelburne enter into a five-year funding agreement with the Shelburne County Arena Association, the Town of Lockeport and the Town of Shelburne, effective April 1, 2022, with the Municipality's contribution being \$29,500 per year for five years with a two percent increase each year for years two to five.

- MOTION CARRIED

7(b) Adam Dedrick, Director of Recreation and Parks, presented Council with the Land for Community Garden staff report.

To address food insecurity, the NSCC has been discussing the development of a community garden with the Municipality. A potential site has been identified for the community garden on municipal

property. The project is still in its initial stages of development, so it is imperative that a location be identified for the garden. The potential property is well-suited for greenhouses and other amenities.

During the discussion, it was noted that food security concerns would be aided by the establishment of a community garden. Additionally, this initiative would be managed by a non-profit organization within the community and is intended to highlight the municipal commitment to achieving sustainable energy in future.

MOTION: LAND FOR COMMUNITY GARDEN

Being duly moved and seconded, be it resolved that Council of the Municipality of the District of Shelburne allocate land parcel PID 8011350, 2.77 acres, located on Woodlawn Drive, to be utilized for the potential development of a community garden.

- MOTION CARRIED

7(c) Adam Dedrick, Director of Recreation and Parks, presented Council with the Upgrades to Welkum Park-RFP verbal update.

In July-August 2022, Mr. Dedrick issued two Requests for Proposals, for which the deadline was extended, but no submissions were received. There was an interest from the community which was received through verbal confirmations of interest as well as several site visits by contractors. However, community contractors agree that they won't be ready until spring 2023 in terms of completion timelines. Several reasons have been cited, including other obligations, workers, or a lack thereof, and supply chain delays resulting from Covid-19 for replacement playground equipment. In addition, Mr. Dedrick stressed that this initiative would not be possible without submissions. Staff were informed that under the Procurement Policy, alternative methods can be explored to request quotes directly from community contractors. Additionally, Mr. Dedrick explained the Atlantic Canada Opportunities Agency (ACOA) grant process and timelines.

A discussion was held, and questions were raised regarding the most effective way forward.

7(d) Adam Dedrick, Director of Recreation and Parks, informed Council of the Shelburne County Arena Equipment issues for information purposes.

The refrigeration company discovered a leak of ammonia last week when they arrived to get the ice started at the Arena. The current estimate for the clean-up is between \$18-25,000.00. There was also an issue discovered with the chillers. The current estimate for replacement chillers is between \$50-100,000.00. The arena cannot operate without chillers; they must keep the ice frozen to make it possible for the arena to run. The arena has some funds available through a grant to cover the clean-up cost. Despite this, this will use up a significant amount of funding. Depending on factors such as available funding, it may take several months before the Arena can open.

A discussion was held regarding the replacement of parts, the timeline for reopening, and emergency funding.

MOTION: SHELBURNE COUNTY ARENA – FUNDING FORMULA

Being duly moved and seconded, be it resolved that the Council of the Municipality of the District of Shelburne advise that any funding being provided to the Shelburne County Arena be done through the funding formula that has been approved for operation costs.

- **MOTION CARRIED**

8. OTHER:

- a. Covid-19 Council Meeting Restrictions
- b. Yarmouth Ferry – Letter of Support

8(a) Warren MacLeod, CAO, inquired of Council about current restrictions regarding public participation in municipal meetings, which currently limit attendance to five. Mr. MacLeod asked if the restrictions should continue unchanged or how council would like staff to proceed.

During the discussion, it was noted that all provincial gathering requirements, including all federal travel requirements, have been lifted. In addition, it is suggested that public members wear masks when attending meetings. This is a recommendation only and not a requirement.

Council provided directions to staff regarding Covid-19 meeting restrictions.

8(b) Warden Smith updated Council regarding discussions with Mayor Mood with the Town of Yarmouth about recent comments by provincial officials regarding the Yarmouth Ferry. In addition, Warden Smith noted that Mayor Mood would email the Municipality to ask for their support in maintaining the Yarmouth Ferry. This email will contain additional information. The item will be deferred until further information is obtained.

There was discussion concerning the importance of the Ferry for tourism, including the effect that ongoing travel restrictions due to Covid-19 have had on people who typically use the Ferry.

9. COMMITTEE REPORTS/WARDEN'S UPDATE:

- a. Committee Report
 - i. Audit & Internal Control Report to Council 2022/2023
 - ii. Audit & Internal Control Committee Motions
- b. 2022/2023 Warden's Update

9(a)(i) Councillor Thorburn Irvine informed of the recent Audit and Internal Control Committee meeting and reviewed the report.

9(a)(ii) Discussion was held regarding the Audit and Internal Control recommendations.

MOTIONS: AUDIT AND INTERNAL CONTROL COMMITTEE RECOMMENDATIONS

1. Being duly moved and seconded, be it resolved that Council of the Municipality of the District of Shelburne, based on the recommendation from the Audit and Internal Control Committee, not pursue the insurance coverage for the oil tank located at 243 Sandy Point Road but to put a daily logbook in place, as well as to add proper signage and/or security procedures, effectively immediately.

- **MOTION CARRIED**

2. Being duly moved and seconded, be it resolved, it resolved that Council of the Municipality of the District of Shelburne approve the recommendation that the Audit and Internal Control Committee invite the Director of Recreation, Parks and Public Works Staff to a future Audit and Internal Control Committee meeting to discuss the parks and trails insurance and risk.

- **MOTION CARRIED**

Councillor Thorburn Irvine advised that she attended/provided an update for the following events:

- Western County Libraries meeting
- Shelburne Library Building Association meeting
- LBANS – conference in October
- Western Crown Land Stakeholder Interaction Committee (Deforestation) – province is looking to re-engage with this committee.

Councillor Gosbee provided an update on the Shelburne County Arena.

9(b) Warden Smith advised that she attended/provided an update for the following events:

- Leadership Team September 20, 2022
- Mayors, Clerks, and Wardens’ meeting
- NSH Stakeholders meeting
- Met with NSCC Principal regarding Food Security
- Roseway Hospital Charitable Association
- New Building Site Visit - September 28, 2022

Warden Smith encouraged all Councillors to participate in the Code of Conduct survey.

8. IN-CAMERA:

- a. Personnel Matter as per MGA Section 22 (2) (c)
- b. Contact Negotiations as per MGA Section 22 (2) (e)

MOTION: ENTER “IN-CAMERA”

Being duly moved and seconded, be it resolved that the Municipality of the District of Shelburne enter "In-Camera" at 8:18 pm to discuss Personnel Matters and Contract Negotiations.

- **MOTION CARRIED**

MOTION: EXIT "IN-CAMERA"

Being duly moved and seconded, be it resolved that the Municipality of the District of Shelburne exit "In-Camera" at 8:45 pm.

- **MOTION CARRIED**

MOTION: DEPUTY CAO SALARY SCALE

Being duly moved and seconded, be it resolved that Council of the Municipality of the District of Shelburne authorize the CAO to make a salary offer to the DCAO as per the directions of Council.

- **MOTION CARRIED**

MOTION: SHELburne COUNTY FIRE OR EMERGENCY MUTUAL AID AGREEMENT

Being duly moved and seconded, be it resolved that the Municipality of Shelburne authorize the CAO to sign the Shelburne County Fire or Emergency Mutual Aid Agreement as presented.

- **MOTION CARRIED**

9. ADJOURNMENT:

There being no further business, the meeting was adjourned at 8:46 pm. The next Council meeting will be held on Wednesday, October 12, 2022, in the Shelburne Council Chambers.

Chana Ross
Recording Secretary

Date

Penny Smith, Warden

Erin Hartley, Deputy Chief Administrative Officer