



Naturally Yours

136 Hammond Street, PO Box 280 Shelburne, NS BOT 1W0  
Phone: (902) 875-3544 - Fax: (902) 875-1278

---

**REGULAR SESSION OF THE 52nd COUNCIL  
OF THE  
MUNICIPALITY OF THE DISTRICT OF SHELburne  
WEDNESDAY, November 9, 2022  
6:00 pm**

The Regular Session of the 52nd Council of the Municipality of the District of Shelburne was held on Wednesday, November 9, 2022, commencing at 6:00 pm at the Municipal Administration Building, Council Chambers.

**THOSE IN ATTENDANCE:**

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

**ALSO IN ATTENDANCE:**

Chana Ross, Executive Assistant  
Erin Hartley, Deputy CAO/Municipal Clerk  
Carolann Atwood, Records Management Coordinator

**1. CALL TO ORDER:**

Erin Hartley, Acting Chair, Deputy Chief Administrative Officer (Deputy CAO), called the meeting to order at 6:00 pm.

**2. ELECTION OF OFFICERS:**

- a. Warden
- b. Deputy Warden
- c. Destruction of Ballots

Ms. Hartley noted that the Municipal Clerk is responsible for chairing the meeting until the office of Warden is elected. After that, the Warden becomes the chair. The process of electing the Warden and Deputy Warden occurs every two years.

2(a) Erin Hartley, Deputy CAO, called for nominations for the position of Warden. Councillor Penny Smith was nominated and accepted the nomination of Warden for the Municipality of the District of Shelburne. There were no other nominations. Councillor Smith was acclaimed as Warden and took her seat as Chairperson of the meeting.

Warden Smith thanked Ms. Hartley for her assistance with the meeting and the Councillors for their continued support. In her remarks, Warden Smith discussed the progressive projects and partnerships the Municipality has been implementing over the past two years with neighbouring municipalities and the community.

2(b) Warden Smith called for nominations for the position of Deputy Warden. Councillor Dale Richardson was nominated and accepted the nomination of Deputy Warden for the Council of the Municipality of the District of Shelburne. There were no other nominations. Councillor Richardson was acclaimed as Deputy Warden.

2(c) Both positions were acclaimed; therefore, there was no need for a motion regarding the destruction of ballots.

**3. APPROVAL OF AGENDA:**

a. November 9, 2022

**3(a) MOTION: APPROVAL OF AGENDA – November 9, 2022**

Being duly moved and seconded, be it resolved that the Agenda for November 9, 2022, be approved as circulated.

- **MOTION CARRIED**

**4. APPROVAL OF MINUTES:**

a. October 26, 2022

**4(a) MOTION: APPROVAL OF MINUTES – October 26, 2022**

Being duly moved and seconded, be it resolved that the Minutes of October 26, 2022, be approved as circulated.

- **MOTION CARRIED**

**5. PRESENTATION:**

a. Twenty Years of Service Award for Darrell Locke, Bylaw Enforcement Officer

5(a) Warden Smith presented the Twenty Years of Service Award to Darrell Locke, Bylaw Enforcement Officer, who could not accept the award in person due to prior commitments. This award recognizes his commitment, dedication, and service as of November 1, 2022. As a former Lock-Up guard, Lock-Up Supervisor, Public Works, and Bylaw Enforcement Officer, Mr. Locke has worked in various challenging municipal positions. Council thanked Mr. Locke for his service.

**6. INTRODUCTION:**

- a. Carolann Atwood – Records Management Coordinator

6(a) Ms. Hartley, introduced Carolann Atwood, Records Management Coordinator, to Council. She was hired this past summer to implement the new records management process. Ms. Hartley noted that Ms. Atwood has also been helping with the receptionist position and doing an excellent job.

Ms. Atwood provided Council with an overview of her background and experience.

Council introduced themselves to Ms. Atwood.

A discussion was held, and questions regarding records management and the process were asked.

**7. BUSINESS ARISING:**

There was no business arising.

**8. ADMINISTRATION:**

- a. Records Management Policy – Erin Hartley  
b. Terms of Reference Update – Audit & Internal Control Committee – Erin Hartley  
c. Deregistration of Heritage Property Consideration – 4759 Sandy Point Road – Erin Hartley

8(a) Erin Hartley, Deputy CAO, and Carolann Atwood, Records Management Coordinator, presented Council with the Records Management Policy staff report.

To ensure clear and concise records retention, management, and destruction guidelines, it is imperative to develop a policy that follows that of the Association of Municipal Administrators Nova Scotia (AMANS) Records Management Manual and Retention Schedule.

The staff report contains a policy that outlines definitions, management systems, compliance, designated officers, adoption of the AMANS manual, integrity and authenticity of records, authorizations for amending, disposing, or destroying records, and the repeal of the former Records Destruction Policy.

As Per MGA requirements, this policy was sent via email to Council on November 2, 2022.

With the approval of this policy, the process of moving from paper to electronic filing will proceed more rapidly. It was noted that less paper copies of documents will be required to be transported to the new municipal building.

It is expected that this process will be lengthy. The plan is to work department by department to ensure adequate staff training and a comfortable working environment. An updated records management system must maintain the quality and reliability of the records management system. Production and timelines are secondary objectives.

**MOTION: RECORDS MANAGEMENT POLICY**

Being duly moved and seconded, be it resolved that the Council of the Municipality of the District of Shelburne approve the attached Records Management Policy as presented.

- **MOTION CARRIED**

8(b) Erin Hartley, Deputy CAO, presented Council with the Terms of Reference Update – Audit & Internal Control Committee staff report.

As an advisory board, the Audit and Internal Control Committee conducts critical reviews for Council. A vital function of the audit committee is to help Council fulfill its oversight responsibilities related to financial reporting quality and integrity. In addition to recording transactions and protecting assets, appropriate systems and controls must be in place.

The terms of reference indicate that Council must also appoint members. The recommendations reflect motions previously made by Council to appoint Council members and community members to specific committees. The advertisement for an existing community member vacancy will continue until filled. Once applications are received, recommendations will be presented to Council.

**MOTION: TERMS OF REFERENCE RENEWAL– AUDIT AND INTERNAL CONTROL COMMITTEE**

Being duly moved and seconded, be it resolved that the Council of the Municipality of the District of Shelburne approve the Audit and Internal Control Committee's Terms of Reference be renewed until October 31, 2024, and

That the following members be appointed to the Audit and Internal Control Committee:

- Councillor Ron Coole
- Councillor Sherry Thorburn Irvine
- Deputy Warden Dale Richardson (alternate)
- Sandy Hood, Community Member
- Larry Pelletier, Community Member
- One community member vacancy

- **MOTION CARRIED**

8(c) Erin Hartley, Deputy CAO, presented Council with the Deregistration of Heritage Property Consideration – 4759 Sandy Point Road staff report.

Trustees of Jordan Ferry Union Church have requested that 4759 Sandy Point Road be deregistered as a Municipal Heritage Property because it is unsafe and beyond reasonable repair. The church was registered as a municipal heritage property on January 11, 1999.

The Municipality's By-Law Enforcement Officer and Building Inspector provided letters supporting the Trustees' position. The letters indicate that the property appears unsafe and beyond reasonable repair.

In consultation with Provincial Heritage Properties staff, municipal staff have determined that the following process should be followed:

- Upon receipt of a request for deregistration of a heritage property, Council may consider deregistration if it meets specific criteria. In this case, it meets the requirements in 16(1)(a) of the Heritage Property Act of NS, which states that the property has been destroyed or damaged by any cause.
- Council must make this decision. The Heritage Advisory Committee, or in our case, the Planning and Development Committee, does not need to make a recommendation to Council on deregistration.
- A public hearing must be held not less than 30 days after the notice is served on the property owner and circulated in the local newspaper.
- The notice of public hearings and newspaper ads will be published in November 2022.
- Council will hold a public hearing on January 11, 2023. When the Council decides if the property should be deregistered, they may act at the same meeting following the public hearing comments.
- Council may also determine they need more time to consider deregistration if comments made at the public hearing require follow-up or research.

Trustees will be asked to attend the public hearing to defend their position should there be opposition to deregistration from the Community. To avoid additional costs and damage to the property, the trustees are working diligently to deregister this property as soon as possible.

Discussion was held regarding the importance of preservation of heritage properties and it was noted that Council and the property owner will not make this decision lightly. Preserving some of the contents of the church was also discussed.

**MOTION: DEREGISTRATION OF HERITAGE PROPERTY CONSIDERATION - 4759 SANDY POINT ROAD:**

Being duly moved and seconded, be it resolved that the Council of the Municipality of the District of Shelburne consider deregistration of the heritage property located at 4759 Sandy Point Road, based on it being damaged beyond reasonable repair, after holding a public hearing on the matter at its Council meeting on Wednesday, January 11, 2023.

- MOTION CARRIED

**9. COMMITTEE REPORTS/WARDEN'S UPDATE:**

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

9(a) Committee Reports:

- Councillor Thorburn Irvine noted that she had discussions with partners at NFSM regarding the Torchlight initiative. It could be helpful to invite this individual to present to Council to learn more about this initiative. Councillor Thorburn Irvine will forward more information to staff on this matter.
- Councillor Gosbee reported that work on the arena had begun. The ice plant is expected to be turned on next weekend and will then be checked for leaks.

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

- Open House – NSCC Shelburne Campus
- Meeting with Duane Dakin regarding Simulation equipment at NSCC
- Meeting with Mary Thompson, Principal for NSCC, regarding the Food Insecurity Project
- NSFM Conference – November 1-4, 2022
- Nova Scotia Health Authority
- Universal Basic Income Summit – Virtual Meeting
- Upcoming Remembrance Day Service – SRHS – November 10, 2022
- Upcoming Remembrance Day Service – Town of Shelburne – November 11, 2022

There was a discussion regarding the upcoming Provincial Service Exchange Agreement. It was noted that there was limited opportunity to participate in an open forum and to ask questions at the NSFM conference. The Municipality agrees that this agreement could substantially impact residents and municipalities and agree that there should have been more time at the conference to discuss these issues. Therefore, the Municipality will send a letter to NSFM expressing these concerns.

**MOTION: LETTER TO NSFM – SERVICE EXCHANGE AGREEMENT**

Being duly moved and seconded, be it resolved that the Council of the Municipality of the District of Shelburne write a letter to NFSM regarding concerns with respect to the Service Exchange Agreement.

- **MOTION CARRIED**

**10. IN-CAMERA:**

- a. Contract Negotiations as per MGA Section 22 (2) (e) – Warren MacLeod

**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 6:53 pm to discuss Contract Negotiations.

- **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 7:46 pm.

- **MOTION CARRIED**

**MOTION: SHARED SOLAR PROGRAM:**

Being duly moved and seconded, be it resolved that the Council of the Municipality of the District of Shelburne authorize the CAO to negotiate and sign an MOU with those other interested municipal units and/or First Nation band 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. The Council of the Municipality of the District of Shelburne further authorizes the CAO to negotiate a participating interest under the terms of such MOU to as much as \$125,000. The Council of the Municipality of the District of Shelburne further authorizes the CAO to take such steps as are necessary to facilitate the engagement of AREA under the terms of such MOU. Should the proposal produced by AREA under the terms of the MOU be successfully awarded a power purchase agreement by the Province, that the Council of the Municipality of the District of Shelburne authorize the CAO to take such steps as are necessary to negotiate and sign an inter-municipal agreement that accurately reflects the terms of the MOU, and such other steps as are necessary to complete the construction of the solar project.

- **MOTION CARRIED**

**11. ADJOURNMENT:**

There being no further business, the meeting was adjourned at 7:50 pm. The next Council meeting will be held on Wednesday, November 23, 2022, in the Shelburne Council Chambers.

**Chana Ross  
Recording Secretary**

Date

Nov 24/22

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

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