



Naturally Yours

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**REGULAR SESSION OF THE 52nd COUNCIL
OF THE
MUNICIPALITY OF THE DISTRICT OF SHELBURNE
WEDNESDAY, November 23, 2022
6:00 pm**

The Regular Session of the 52nd Council of the Municipality of the District of Shelburne was held on Wednesday, November 23, 2022, commencing at 6:00 pm at the Municipal Administration Building, Council Chambers.

THOSE IN ATTENDANCE:

Warden Penny Smith
Deputy Warden Dale Richardson
Councillor Heidi Wagner
Councillor Sherry Thorburn Irvine
Councillor Anthony Gosbee
Warren MacLeod, CAO

ALSO IN ATTENDANCE:

Chana Ross, Executive Assistant
Erin Hartley, Deputy CAO
Val Kean, Director of Economic & Community Development
Adam Dedrick, Director of Recreation & Parks
Ryan Jamieson, Waste Diversion Officer via Microsoft Teams
Ron Coole via Microsoft Teams

REGRETS:

Councillor Doris Townsend

1. CALL TO ORDER:

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

Warden Smith advised that Councillor Coole would attend virtually as a member of the public and that Councillor Townsend sent her regrets.

2. APPROVAL OF AGENDA:

a. November 23, 2022

2(a) **MOTION: APPROVAL OF AGENDA – November 23, 2022**

Being duly moved and seconded, be it resolved that the Agenda for November 23, 2022, be approved as circulated.

- **MOTION CARRIED**

3. **APPROVAL OF MINUTES:**

- a. November 9, 2022
- b. March 1, 2022 – Special Council Meeting
- c. March 2, 2022 – Special Council Meeting

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

Being duly moved and seconded, be it resolved that the Minutes of November 9, 2022, be approved with the following amendments:

- 9(b) Warden’s Update:
 - Update surname from Decan to Dakin
 - Remembrance Day Service – SRHS becomes Upcoming Remembrance Day Service – SRHS – November 10, 2022
 - Remembrance Day Service – Town of Shelburne becomes Upcoming Remembrance Day Service – Town of Shelburne – November 11, 2022

- **MOTION CARRIED**

3(b) Warden Smith informed Council that the draft Special Council Meeting minutes for the meeting held on March 1, 2022 require approval.

MOTION: APPROVAL OF MINUTES – March 1, 2022 – SPECIAL COUNCIL MEETING

Being duly moved and seconded, be it resolved that the Minutes of March 1, 2022, be approved as circulated.

- **MOTION CARRIED**

3(c) Warden Smith informed Council that the draft Special Council Meeting minutes for the meeting held on March 2, 2022, require approval.

MOTION: APPROVAL OF MINUTES – March 2, 2022 – SPECIAL COUNCIL MEETING

Being duly moved and seconded, be it resolved that the Minutes of March 2, 2022, be approved as circulated.

- **MOTION CARRIED**

4. **PROCLAMATION:**

- a. 230th Anniversary – Year of Black Loyalist Exodus: 15 Ships to Sierra Leone #1792Project – Warden Smith

b. Municipal Awareness Week – Warden Smith

4(a) Warden Penny Smith read the 230th Anniversary – Year of Black Loyalist Exodus: 15 Ships to Sierra Leone #1792 Project Proclamation, formally declaring this the Year of Black Loyalist Exodus: 15 Ships to Sierra Leone in the Municipality of the District of Shelburne. This document was included with the meeting package.

4(b) Warden Penny Smith read the Municipal Awareness Week Proclamation, formally declaring the week of November 21-27, 2022, Municipal Awareness Week in the Municipality of the District of Shelburne. This document was included with the meeting package.

5. PRESENTATION:

- a. Black Loyalist Heritage Centre - Andrea Davis, Executive Director
- b. Barrington Ground Search and Rescue - Jeff Gregory, Treasurer

5(a) Andrea Davis, Executive Director, and Darlene Cooper, President of the Black Loyalist Heritage Society, presented Council with information regarding the 230 Years since the Black Loyalist exodus from Nova Scotia to Sierra Leone in 1792. Ms. Davis and Ms. Cooper provided a brief overview of their experience and knowledge.

A PowerPoint presentation was provided on the Black Loyalist exodus from Nova Scotia to Sierra Leone including the arrival in Nova Scotia, promises for service during the war, broken promises, recruitment, and resettlement to Sierra Leone, the exodus, Freetown, and our continued connection to Sierra Leone.

Discussion was held regarding the information provided, further noted as being impactful and informative, growing community partnerships, and promoting inclusion and Black heritage in the community.

Council thanked the presenters for their presentation.

5(b) Jeff Gregory, Treasurer, and David Nickerson, President of Barrington Ground Search and Rescue, presented Council with information regarding a request for grants from the five Shelburne County Municipal units toward the purchase of a new truck.

Their current equipment includes a command trailer and a logistics trailer. These trailers are equipped with all the necessary equipment for performing an EMO's duties in a civic emergency. This will allow them to serve as mobile EMO command posts in civic emergencies. One of the trailers is now 22 years old and requires replacement. The organization has been preparing for this eventuality for several years and has raised and saved \$30,000 toward the purchase. Smith and Watt have committed to providing them with a brand-new vehicle for \$61,000. The group seeks \$30,000 from the municipal units to complete the purchase. Based on population, this would require the following amounts from each municipal unit:

- Municipality of Barrington \$14,400.00
- Municipality of Shelburne \$9,000.00

- Town of Shelburne \$3,600.00
- Town of Clark’s Harbour \$1,800.00
- Town of Lockeport \$1,200.00

Discussions were held regarding membership levels and the significant work this organization does for the community. It was noted that the financial request would be considered during upcoming budget discussions.

The presenters thanked Council for considering their request. Council also thanked the presenters for their presentation.

6. BUSINESS ARISING:

There was no business arising.

8. ADMINISTRATION:

- c. Shared Solar Program – Motion Clarification – Warren MacLeod

8(c) Warren MacLeod, CAO, informed Council of an addition to be made to the motion made and passed on November 9, 2022, Council Meeting regarding the shared solar program. This addition will clarify the source of funding. Further, this agenda item was moved up on the agenda due to time constraints before the public hearing session of Council.

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 **to come from economic development reserves**. 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**

Warden Smith called a brief recess at 6:57 before the public hearing session at 7:00.

7. PUBLIC HEARING:

- a. Public Hearing – Municipal Planning Strategy Amendment – 7:00 pm – Erin Hartley

7(a) Warden Smith called the meeting back to regular session at 7:00 pm.

MOTION: ENTER “PUBLIC HEARING”

Being duly moved and seconded, be it resolved that the Council of the Municipality of the District of Shelburne enter an open "Public Hearing" at 7:00 pm to discuss adopting a revised Municipal Planning Strategy.

- **MOTION CARRIED**

Erin Hartley, Deputy CAO, advised that the public hearing was pertaining to the adoption of a revised Municipal Planning Strategy.

The advertisement was placed in our local paper for the week of November 2, 2022, including the website and Facebook page. The ad noted that members of the public could provide written submissions before November 21, 2022. Public meetings were held in the Municipal Council Chambers on Tuesday, November 8, 2022, from 11:00 am – 12:00 noon and then again from 6:00 - 7:00 pm. No one attended these meetings.

Ms. Hartley called for comments from the public. There were no comments received. As no public members were present, Ms. Hartley explained the public hearing process for newer Councillors' information.

MOTION: EXIT “PUBLIC HEARING”

Being duly moved and seconded, be it resolved that the Council of the Municipality of the District of Shelburne exit “Public Hearing” at 7:03 pm.

- **MOTION CARRIED**

8. ADMINISTRATION:

- a. Municipal Planning Strategy – Second and Final Reading – Erin Hartley
b. Waste Diversion Officer Update – Ryan Jamieson – For Information Purposes

8(a) Erin Hartley, Deputy CAO, presented Council with the Municipal Planning Strategy – Second and Final Reading staff report.

Council gave consideration and first reading of the amended Municipal Planning Strategy at its Council meeting on October 26, 2022.

- Notice of public meetings was posted on the municipal website and Facebook page (October 27, 2022) and advertised in the local paper for the week of November 2, 2022 (weekly paper goes out Wednesdays).
- Public meetings were held in the Municipal Council Chambers on Tuesday, November 8, 2022 from 11:00 am – 12:00 noon and 6:00 - 7:00 pm. No one attended these meetings.

- The public hearing was held on November 23, 2022, at 7:00 pm.
- Adjacent municipal units were notified of our public hearing on November 10, 2022.
- Notice of the public hearing was posted on the municipal website and Facebook page (November 2, 2022) and advertised in the local paper on November 9 and 16, 2022.
- Members of the public can attend the public hearing to comment themselves or submit comments to the Clerk to be read at the public hearing. None were received.

Discussion was held regarding public engagement.

MOTION: MUNICIPAL PLANNING STRATEGY AMENDMENT – SECOND AND FINAL READING:

Being duly moved and seconded, be it resolved that the Council of the Municipality of the District of Shelburne give second and final reading to the attached Municipal Planning Strategy as amended.

- **MOTION CARRIED**

8(b) Ryan Jamieson, Waste Diversion Officer, presented to Council the Waste Diversion Officer Update report for information purposes only. Highlights of the report include:

- HHW was open for 12 days during this reporting period. Lockeport's HHW/Electronics pickup took place on October 15.
- Over the past two years, we've received more hazardous waste.
- Staff shipped out 40 lab-pack barrels, seven fluorescent light bulbs, and three pallets of 5-gallon pale on July 11. They plan to ship out another 17 lab-pack barrels and four more pallets of chemicals.
- The increased accessibility has been well-received by site users.
- Residents participated in this year's fall HHW/Electronic Depot at the Lockeport Fire Hall, and the trailer was empty one day later.
- Mid-November, Mr. Jamieson will contact the Department of Environment to begin the renewal.
- To provide visibility to customers, RMRF completed brush cutting at the site.
- Technical issues, competing priorities, and scheduling conflicts have delayed the training of the RMRF scale software. Staff will start training in mid-January in preparation for financial reporting in 2023/24.
- If the fishing gear coalition of Atlantic Canada receives additional funding, they will find a new drop area for rope specifically, and FGAC will cover any other costs.
- New RMRF regulations include separating pressure-treated lumber from regular lumber, which has the most significant impact on the site. Staff will develop an education strategy to ensure compliance with pressure-treated lumber by providing separate wood loads to customers at the site.
- Rules around stockpiling of materials may lead to emptying cells more frequently, impacting operations/costs.
- The increase in missed collection stops this summer was addressed. There have been fewer curbside complaints.
- Divert NS Enforcement Report for April-October showed 91 rejections, slightly below the previous reporting average.

- Mr. Jamieson has delivered 41 green carts in this reporting period, eight to new residents and 33 to replace broken carts.
- As of April, we have completed 27km of roadside cleanup, with one group anticipating finishing by November.
- The data call was completed in September of this reporting period. The annual totals for all three streams are up slightly. Commercial (ICI) waste has recently increased.
- Our numbers will now be received and calculated by Divert NS, which has created an online portal. In the past it has been done by Region 6.
- Staff completed the new Data Call this year. A policy and procedures guideline should be in place for 2023.
- During Waste Reduction Week, Mr. Jamieson showed the Continuing Care class a "Don't be a Prick" campaign video.
- During Waste Reduction Week, the Municipality held a costume swap at the McKay Memorial Library. Staff donated the leftover costumes to Hillcrest Academy.

9. RECREATION:

- a. RFQ Award – Accessible Pathway & Amenities Welkum Park – Adam Dedrick
- b. RFQ Award – Playground Accessibility Upgrades Welkum Park – Adam Dedrick
- c. Accessibility Advisory Committee – Verbal Update – Adam Dedrick

9(a) Adam Dedrick, Director of Recreation & Parks, presented Council with the RFQ Award – Accessible Pathway & Amenities Welkum Park staff report.

Initially, a Request for Proposals (RFP) was advertised for this project from July 26 to August 17, 2022. No submissions were received even after interest from several companies and after extending the deadline to September 6, 2022. After consulting with legal and following the MDS Procurement Policy, it was determined that a Request for Quotation (RFQ) could be utilized, and contractors could be invited to submit a quotation. The RFQ was less cumbersome for contractors to prepare a submission and was initially provided to those who expressed interest. It was open from October 18 to November 4 and then extended to November 10, 2022. As a result, one submission was received, which was from Harlow's Construction Limited.

The quotation from Harlow's Construction Limited was reviewed based on the submission requirements but not scored, as there were no other submissions to score it against. It was determined that it met the submission requirements.

Discussion was held, and it was noted that the design plan for the new pathway is well done. It was further stated that Welkum Park is popular amongst Shelburne County as a whole, being the only lake with a public beach and park.

MOTION: RFQ AWARD – ACCESSIBLE PATHWAY & AMENITIES CONSTRUCTION WELKUM PARK:

Being duly moved and seconded, be it resolved that the Council of the Municipality of the District of Shelburne award the Accessible Pathway and Amenities Construction at Welkum Park RFQ to Harlow Construction Limited at a cost of \$23,950 plus HST.

- **MOTION CARRIED**

9(b) Adam Dedrick, Director of Recreation & Parks, presented Council with the RFQ Award – Playground Accessibility Upgrades Welkum Park staff report.

For this project, a Request for Proposals (RFP) was advertised from July 26 to August 17, 2022. Although several companies expressed interest and the deadline was extended to September 6, 2022 no submissions were received. Legal advised using a Request for Quotation (RFQ) and inviting contractors to submit quotes. An RFQ was provided to contractors who expressed interest, and one submission was received from PlayPower LT Canada, Inc. It was determined that the quotation from PlayPower LT Canada, Inc. met the submission requirements but was not scored, as there were no other submissions to compare it to.

The contractor included three free-standing play stations, a two bay swing set with four swing seats, excavating the area for the swing set, cutting down existing swing sets by cutting the legs below grade, and installing rubber playground surfacing and a compacted stone base in the quote.

There was a discussion regarding the new Mobi mats that will be incorporated into the new design plans. The discussion focused on safety and its benefits to the community.

MOTION: RFQ AWARD – PLAYGROUND ACCESSIBILITY UPGRADES WELKUM PARK:

Being duly moved and seconded, be it resolved that the Council of the Municipality of the District of Shelburne award the Playground Site Prep & Equipment Installation at Welkum Park RFQ to PlayPower LT Canada, Inc. at a cost of \$91,472 plus HST.

- **MOTION CARRIED**

9(c) Adam Dedrick, Director of Recreation & Parks, presented Council with the Accessibility Advisory Committee – Verbal Update.

Following some discussion during the last advisory meeting, the committee agreed in principle to endorse pursuing a pilot program to hire an accessibility coordinator jointly for one year. It is planned that the committee will prepare a proposal that each Council will consider.

MOTION: ACCESSIBILITY COORDINATOR

Being duly moved and seconded, be it resolved that the Council of the Municipality of the District of Shelburne endorse the concept of pursuing a one-year pilot project to jointly hire an accessibility coordinator.

- **MOTION CARRIED**

10. ECONOMIC & COMMUNITY DEVELOPMENT:

- a. Fundraising Support for Community Organizations – Recommendations – Val Kean

10(a) Val Kean, Director of Economic & Community Development, 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. At the July 27, 2022, Council meeting, support totalling \$2,000 was approved and distributed to four organizations.

Staff have received four additional applications, all demonstrating fundraising efforts to support the guidelines of program. It is recommended that Council consider approving the full \$500 funding to each of the following organizations:

- SRHS Senior Girls Volleyball
- Sandy Point Recreation Association
- Shelburne Curling Club
- St. Peter’s by the Sea

Discussion was held regarding community volunteerism and ongoing issues surrounding Covid-19.

**MOTION: FUNDRAISING SUPPORT FOR COMMUNITY ORGANIZATIONS –
RECOMMENDATIONS**

Being duly moved and seconded, 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**

11. BUILDING INSPECTION:

- a. Monthly Building Report – October 2022

11(a) Council reviewed the Monthly Building Report for October 2022.

12. OTHER:

- a. Correspondence from the Municipality of the District of Yarmouth – Re: Minister Champagne – Hurricane Fiona and Reliable Cell Service

12(a) Warden Smith advised that the Municipality of the District of Yarmouth had shared correspondence with Council sent to Minister Champagne regarding telecommunications. This was shared for information purposes only.

13. COMMITTEE REPORTS/WARDEN'S UPDATE:

- a. Committee Reports
 - i. Audit Internal Control Report to Council 2022/2023 – Councillor Coole & Councillor Thorburn Irvine
- b. 2022/2023 Warden's Update

13(a) Committee Reports:

- Councillor Gosbee reported that work on the Arena had begun and is going well.
- Mr. MacLeod reported that the Town of Shelburne is requesting a representative on the Water Source Protection Advisory Committee. Councillor Townsend was the appointed member of this committee and will continue.
- Councillor Wagner reported that she attended the Shelburne County East RCMP Advisory Committee meeting. The group will move to the Town of Lockeport for meetings, and the committee will choose a new chair in the new year.

13(a)(i) Councillor Thorburn Irvine informed Council of the recent Audit and Internal Control Committee meeting and reviewed the report. Mr. MacLeod also noted that the auditors felt that the person appointed to do the internal audit was not qualified, so the committee will meet in January to bring back recommendations for Council.

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

- Remembrance Day Service – SRHS – November 10, 2022
- Remembrance Day Service – Town of Shelburne – November 11, 2022
- Shelburne County Mental Health and Wellness Committee Meeting – November 15, 2022
- Community Well Meeting – November 15, 2022
- Shelburne County Leadership Meeting – November 17, 2022
- Municipal Modernization Session – November 17, 2022

14. IN-CAMERA:

- a. Public Security as per MGA Section 22 (2) (h) – Val Kean

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 8:36 pm to discuss Public Security.

- **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 9:21 pm.

- **MOTION CARRIED**

Discussion was held and advice was provided to staff in-camera.

15. ADJOURNMENT:

There being no further business, the meeting was adjourned at 9:21 pm. The next Council meeting will be held on Wednesday, December 14, 2022, in the Municipal Council Chambers.

**Chana Ross
Recording Secretary**

Date

Penny Smith, Warden

Erin Hartley, Deputy Chief Administrative Officer