



Naturally Yours

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**REGULAR SESSION OF THE 52nd COUNCIL  
OF THE  
MUNICIPALITY OF THE DISTRICT OF SHELBURNE  
WEDNESDAY, January 11, 2023  
6:00 pm**

The Regular Session of the 52nd Council of the Municipality of the District of Shelburne was held on Wednesday, January 11, 2023, commencing at 6:00 pm at the Municipal Administration Building, Council Chambers.

**THOSE IN ATTENDANCE:**

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

**ALSO IN ATTENDANCE:**

Chana Ross, Executive Assistant  
Erin Hartley, Deputy CAO via Teams  
Marcia d'Eon, Director of Operations & Protective Services via Teams  
Ryan Jamieson, Waste Diversion Officer via Teams  
Members of the Public

**1. CALL TO ORDER:**

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

Warden Smith advised that Councillor Townsend would participate virtually in the meeting.

**2. APPROVAL OF AGENDA:**

- a. January 11, 2023

2(a) **MOTION: APPROVAL OF AGENDA – January 11, 2023**

Being duly moved and seconded, be it resolved that the Agenda for January 11, 2023, be approved as circulated.

- **MOTION CARRIED**

3. **APPROVAL OF MINUTES:**

- a. December 14, 2022

3(a) **MOTION: APPROVAL OF MINUTES – December 14, 2022**

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

- **MOTION CARRIED**

4. **BUSINESS ARISING:**

There was no business arising.

5. **Presentation:**

- a. Region 6 Budget 2023-24

5(a) Christine McClare, Regional Coordinator for Region 6, presented Council with a presentation regarding the Region 6 2023/24 Budget.

In her presentation, Ms. McClare discussed the budget in detail, including an overview of revenues, expenses, staffing, expected budget, funding sources, and program descriptions.

Discussion was held regarding the revenue summary and approved funds. It was noted that a substantial allocation had been made for stewardship and incentives this year.

Council thanked the presenter for their presentation.

8. **OPERATIONS & PROTECTIVE SERVICES:**

- a. C&D Site Disturbance
- b. Monthly Building Report – December 2022

Warden Smith advised that due to the Public Hearing scheduled for 7:00 pm, items on the agenda will be moved up accordingly.

8(a) Marcia d'Eon, Director of Operations and Protective Services, and Ryan Jamieson, Waste Diversion Officer, presented Council with the C&D Site Disturbance staff report.

The brush pile at the West Green Harbour C&D Site sits on top of an environmentally capped area. The Municipality operated an incinerator here. While reviewing old documents for the C&D site, the CAO noted that the previous incinerator site had been capped after decommissioning. After recognizing that the capped area was the same as where the brush was deposited, Mr. Jamieson was asked to inspect it further.

Staff located the original engineering reports and contacted the engineering company for clarification. In late November, Dillon Consulting toured the site with staff, determining that the cap had been disturbed during the site visit. The brush drop-off, pushback of piles, and clean-up of brush, including chipping and removal with heavy equipment, resulted in the capped materials becoming exposed over time. All site activities were halted once it was discovered that the brush site was the capped area. The public has been notified that brush is not currently being accepted at C&D.

Dillon Consulting has quoted consulting fees for the next steps at \$10,215 plus HST. As the original consultant, Dillon Consulting has access to the approved site cap plan, mapping, and project technical specifications. Reengaging their services is advisable considering their history, access to documents, and the urgency of this issue according to the Municipalities' procurement policy. Legal was consulted and approved of this approach. NS Environment & Climate change has been informed of the possibility of a cap disturbance.

**MOTION: C&D SITE DISTURBANCE**

Being duly moved and seconded, be it resolved that the Council of the Municipality of the District of Shelburne approve the re-engagement of Dillon Consulting as consultants regarding the cap disturbance in an amount not to exceed \$11,000+HST.

- **MOTION CARRIED**

8(b) Council reviewed the Monthly Building Report for December 2022. This was shared for information purposes only.

**9. OTHER:**

**a. Policy 52 – Council Videoconferencing Policy Discussion**

9(a) Councillor Coole expressed concerns regarding the current Council Videoconferencing Policy, which permits Councillors to attend only two virtual Council meetings annually. It was suggested that the policy specify that an exception may be made in cases of illness.

Discussion was held and it was noted that if the reason for not attending in person is due to circumstances such as vacations, the current policy should not permit more virtual attendance than is already allowed. As it has been one year since the policy was implemented, it was determined that staff would investigate the matter further and prepare a staff report.

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

- a. Committee Reports
- b. Warden's Update

10(a) Deputy Warden Richardson advised that he attended the following events:

- Fire Advisory Committee Meeting along with Councillor Wagner – January 10, 2023
- New Building Site Visit Walkthrough – January 11, 2023

Councillor Gosbee noted that the Arena meeting was held on January 10, 2023. The roof will require complete replacement, estimated to cost over \$400,000. Financial avenues and grants are currently being investigated. Additionally, the committee plans to explore green initiatives, including solar panels, which will help lower costs.

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

- Participated along with Councillor Thorburn Irvine with Senior Services to deliver Christmas meals – December 15, 2022
- Roseway Hospital Charitable Foundation Meeting – January 9, 2023
- Municipal Modernization Session – January 11, 2023
- Will attend the upcoming Community Healthcare Conversations be hosted at Black Loyalist Heritage Centre – January 18, 2023

Warden Smith also advised that there has been significant interest in the planned art gallery for the new building from the community. It was noted that ten artists have shown interest so far.

Warden Smith called a brief recess at 6:56 before the public hearing session at 7:00.

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

**6. PUBLIC HEARING:**

- a. Deregistration of Heritage Property Consideration – 4759 Sandy Point Road

6(a) **MOTION: ENTER "PUBLIC HEARING"**

Being duly moved and seconded, be it resolved that the Council of the Municipality of the District of Shelburne enter "Public Hearing" at 7:00 pm to discuss the deregistration of heritage property consideration – 4759 Sandy Point Road.

- **MOTION CARRIED**

Erin Hartley, Deputy CAO, advised that the public hearing concerned the deregistration of the Municipal Heritage Property located at 4759 Sandy Point Road. Based on an application that the structure has deteriorated beyond reasonable repair.

The advertisement was placed in our local paper in November and December 2022, as well as our website and Facebook page. The ad noted that members of the public could provide written submissions before January 9, 2023.

Warden Smith welcomed trustees Mike Peterson and Margo Swim, who were in attendance. Warden Smith called for comments from the public. The trustees stated they would be available to answer any questions. Since no other public members were present during the public hearing portion, the public hearing was closed.

**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**

**7. ADMINISTRATION:**

- a. Deregistration of Heritage Property Consideration – 4759 Sandy Point Road – Erin Hartley

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

It has been requested that 4759 Sandy Point Road be deregistered as a Municipal Heritage Property as it is unsafe and beyond reasonable repair. It was registered as a municipal heritage property on January 11, 1999. Considering the information available to date, including the comments made at the public hearing, Council has two options:

- If Council feels ready to decide on the deregistration of the property. In that case, they may do so at the same Council meeting after the public hearing comments have been considered. A recommendation is prepared for this option.
- Council may also determine they need more time to consider deregistration if remarks made at the public hearing require follow-up or research.

No Comments were heard at the public hearing. The Trustees are working toward demolishing the property as soon as possible to avoid additional damage and costs. This property may be demolished only after being deregistered as a Municipal Heritage Property.

Discussion was held regarding the registered status of the attached cemetery. Even though the cemetery is a part of the church, it can be registered later so that grants for stone maintenance can be obtained. The cultural and historical significance of the cemetery was also discussed. Furthermore, questions were raised regarding removing stained glass windows, an organ, and pews from the church. In addition, the trustees noted that this could be accomplished once the property is deregistered. The trustees also noted that there is a plan to keep the church bell and to honour it at the current church location, pending the availability of funds.

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

Be it resolved that the Council of the Municipality of the District of Shelburne deregister the municipal heritage property located at 4759 Sandy Point Road, based on it being damaged beyond reasonable repair.

- **MOTION CARRIED**

**11. ADJOURNMENT:**

There being no further business, the meeting was adjourned at 7:13 pm. The next Council meeting will be held on Wednesday, January 25, 2023, in the Municipal Council Chambers.

**Chana Ross  
Recording Secretary**

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Date

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Penny Smith, Warden

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Erin Hartley, Deputy Chief Administrative Officer