



Naturally Yours

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

**REGULAR SESSION OF THE 51ST COUNCIL
OF THE
MUNICIPALITY OF THE DISTRICT OF SHELBURNE
November 25, 2019**

The Regular Session of the 51st Council of the Municipality of the District of Shelburne was held on Monday, November 25, 2019, commencing at 5:00 pm in the Council Chambers of the Municipal Administration Building, Shelburne, Nova Scotia.

THOSE IN ATTENDANCE WERE:

Warden Penny Smith
Councillor John Roscoe
Councillor Terry McIntyre
Councillor Doris Townsend
Councillor Norman Wallet
Councillor Roger Taylor
Ken Smith, Interim CAO

ALSO IN ATTENDANCE:

Michelle Williams, Director of Finance/Deputy CAO
Erin Hartley, Director of Corporate Services
Anita DeMings, Executive Assistant
Members of the Public

REGRETS:

Deputy Warden David Levy

1. **CALL TO ORDER:**

The meeting was called to order at 5:00 pm by Warden Smith.

2. **APPROVAL OF AGENDA:**

Being duly moved and seconded, be it resolved that the Agenda of November 25, 2019, be approved.

- **MOTION CARRIED**

3. **APPROVAL OF MINUTES:**

(a) Approval of Minutes – October 28, 2019

MOTION: APPROVAL OF MINUTES - OCTOBER 28, 2019

Being duly moved and seconded, be it resolved that the Minutes of October 28, 2019, be approved with the following amendments:

- Change in the attendance
- 10(a) - Change in wording of Motion

- **MOTION CARRIED**

4. **Presentation:**

(a) Sable River Concerned Citizens Group – Robert Forbes

Warden Smith welcomed Mr. Forbes and residents of Sable River to the meeting. Mr. Forbes thanked Council for the opportunity to present to Council.

Mr. Forbes advised Council of the Concerned Citizens Group's opinion of a number of financial issues with the Volunteer Fire Department as well the importance of transparency of the Board and the Fire Chief.

Discussion was held regarding the Sable River Fire Department financial reporting and it was suggested that the questions being asked be forwarded to the Board for clarification. It was noted that the Board has requested to present to Council on December 9, 2019. Council will request the Board to answer to the various questions posed by the Concern Citizens of Sable River Group.

Council thanked Mr. Forbes for his presentation.

5. **Business Arising:**

There was no business arising.

6. **Administration:**

- (a) Town of Shelburne Fire Services Billing
- (b) Lockport Volunteer Fire Department – Fire Truck Purchase
- (c) Area Rate for Fire Department Policy
- (d) Septage Disposal Policy Amendments
- (e) Fees and Charges Policy Amendments
- (f) Fire Service Review – Information Report

6.(a) Erin Hartley, Director of Corporate Services, presented Council with the Town of Shelburne Fire Services Billing staff Report.

In relation to the operating component of the invoice, Ms. Hartley advised Council that the Town and the Municipality were in negotiations for a Fire Service Agreement at the time of budget deliberations, so an exact amount for operating was not identified. An estimated figure of \$60,000 was determined for the budget. The invoice reflects actuals based on the agreement calculations for operations of \$68,095.94; an average of \$8,095.94.

Staff were requested to inquire with the Town of Shelburne regarding the details of the operating invoice and bring back to December 9, 2019 Council Meeting.

In relation to the capital component of the invoice, a legal opinion was sought on potential issues from TMC Law and a lending opinion was sought on funding options from the Municipal Financial Corporation (MFC).

Discussion was held regarding the area rate process and three potential repayment options were considered.

MOTION: TOWN OF SHELBURNE – FIRE SERVICES BILLING

Being duly moved and seconded, be it resolved that Council of the Municipality of Shelburne begin the area rate process for the Town of Shelburne capital purchase of a 2004 American LaFrance East Can Used Fire Truck in the amount of \$28,750.15 for those Municipal residents serviced by the Town of Shelburne Fire Department; specifics of the proposed area rate to be included on the 2020/21 budget deliberations; and

THAT Council of the Municipality of Shelburne repay the Town of Shelburne for the 2004 American LaFrance East Can Used Fire Truck by way area rate once annually, beginning in 2020/21, after it is billed to the Municipal residents serviced by the Town of Shelburne Fire Department.

- **MOTION CARRIED**

6.(b) Erin Hartley, Director of Corporate Services, presented Council with the Lockeport Volunteer Department Fire Truck Purchase staff report as previously discussed at the October 15, 2019, Committee of the Whole Meeting.

A request was received from the Town of Lockeport for the Municipality of the District of Shelburne to approve the purchase of a fire truck, based on the Fire Services Agreement. It was noted that a legal opinion was sought, and a letter of clarification was received from the Town of Lockeport Fire Chief regarding the reason for choosing a new vs. used truck.

Discussion was held regarding the challenges and borrowing options. Ms. Hartley advised Council that she was awaiting mapping from the GIS department to determine the properties in the service area.

Based on legal advice and operational timelines, amending the agreement is recommended by staff.

MOTION: LOCKEPORT VOLUNTEER FIRE DEPARTMENT - FIRE TRUCK PURCHASE

Being duly moved and seconded, be it resolved that Council of the Municipality of Shelburne authorize staff to work with the Town of Lockeport to amend the current Fire Services Agreement.

- **MOTION CARRIED**

6.(c) Erin Hartley, Director of Corporate Services, presented Council with the Area Rate for Fire Departments Policy staff report, as previously discussed at the October 15, 2019, Committee of the Whole Meeting.

Ms. Hartley advised that this topic was for information and discussion purposes only at this time. Staff sought legal opinion from TMC Law on the compatibility of the Policy and Fire Service Agreements. In summary, the wording of the Town of Lockport's Agreement should be amended to make reference to the Area Rate Policy in place at the time of request.

Discussion was held regarding taxing exempt properties; it was the consensus of Council to make exempt properties exempt from area rate. This includes PVSC exempt properties as well as properties exempt under the MDS Exemptions for Community Organizations Listing. Staff were directed to incorporate the updates and bring back to Council when the Agreement is amended.

6.(d) Erin Hartley, Director of Corporate Services, presented Council with the Septage Disposal Policy Amendment staff report as previously discussed at the October 25, 2019 Council Meeting.

Council requested a reactivation fee be included in the Municipality's Septage Disposal Policy. It was noted that there are a number of deactivations and reactivations made to accounts throughout the year based on compliance with the Septage Disposal Policy. The Director of Finance, Bylaw Enforcement Officer and the Public Works Facilities Operator were all consulted in these amendments.

MOTION: SEPTAGE DISPOSAL POLICY AMENDMENTS

Being duly moved and seconded, be it resolved that Council of the Municipality of Shelburne approve the attached Septage Disposal Policy as amended.

- **MOTION CARRIED**

6.(e) Erin Hartley Director of Corporate Services, presented Council with the Fees and Charges Policy Amendments staff report.

A \$50 reactivation fee was incorporated in the Municipality's Septage Disposal Policy and has been reflected in section 19.2 (j) of the Fees and Charges Policy.

MOTION: FEES AND CHARGES POLICY AMENDMENTS

Bing duly moved and seconded, be it resolved that Council of the Municipality of Shelburne approve the attached Fees and Charges Policy as amended.

- **MOTION CARRIED**

6.(f) Erin Hartley, Director of Corporate Services, presented Council with the Fire Services Review staff report.

This is an information item only seeking consensus from Council to explore options to address concerns related to Fire Services in the Municipality of Shelburne.

The Audit and Internal Control Committee have flagged fire services as one of their major concerns in terms of the Municipality being at risk legally, specifically training of volunteer fire fighters and age of assets. Also, the financial

pieces, specifically equitability of grants, capital purchases, and area rates.

Discussion was held regarding the various aspects of fire services including training, volunteers, assets, grants, fire services agreements, area rates, etc.

Council directed staff to compile an inventory and statistics for municipal fire departments and bring back to a future Committee of the Whole Meeting.

7. **Other:**

- (a) Council Implementation Report
- (b) Assistance with ER Training – Dr. Pierce

7.(a) The Council Implementation Report was reviewed.

7.(b) A request for support was received and discussed at the November Committee of the Whole Meeting. Warden Smith advised Council that she had spoken to Jodi Ybarra and that Dr. Pierce would have to take vacation in order to attend the training which may pose a problem.

MOTION: ASSISTANCE WITH ER TRAINING – DR. PIERCE

Being duly moved and seconded, be it resolved that Council of the Municipality of Shelburne provide assistance to Dr. Pierce in the amount of \$5,552.20 for costs associated with Emergency Room Training Courses.

- **MOTION CARRIED**

8. **Committee Reports/Recommendations:**

- (a) Audit and Internal Control Committee Report – Councillors McIntyre/Wallet
 - 1. Septic Lagoon Update and Presentation Recommendation
 - 2. Fire Service Consultant and Funding Recommendation
- (b) Audit and Internal Control Committee Update Report to Council – November 2019

8.(a) 1. Councillor Wallet updated Council regarding the concerns related to the Septic Lagoon. Discussion was held regarding rates, capacity, policies and controls. The CAO advised that Dan Vincent, Public Works Facilities Operator, will update the status and bring to a future Audit & Internal Control meeting.

8.(a) 2. As discussed at item 6(f).

8.(b) Council reviewed the Audit and Internal Control Committee Update Report – November 2019.

9. **Council Member Updates**

Warden Smith advised that she attended the following events:

- On November 16, 2019 she attended a meeting in Dartmouth with Opportunities to Connect Communities with Dalhousie to support medical students.
- Wednesday, December 11, 2019 - Interview with Global News – Emergency Room Closures.
- On November 17, 2019 she attended a meeting in Bridgewater regrading Lyme Disease.

- On November 19, 2019 she attended Health Care Community Engagement Session at the SRHS.
- Municipal Awareness Week -Free Skate – Spoke to grade 9 students at SRHS.

10. **In-Camera:**

- (a) Contract Negotiations
- (b) Contract Negotiations

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 7:32 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" and return to Regular Session at 8:30 pm.

- **MOTION CARRIED**

10.(b) **MOTION: SHELBURNE MARINE TERMINAL -1ST PHASE REMEDIATION PROJECT**

Being dully moved and seconded, be it resolved that the MDS become engaged in the development of the Terminal in partnership with the TOS and the other two levels of government, by contributing the requested \$143,000 to the project and working with the TOS to create a new governance model for the Port Authority.

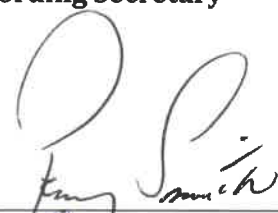
- **MOTION CARRIED**

11. **ADJOURNMENT:**


There being no further business, the meeting was adjourned at 8:35 pm.

Anita DeMings
Recording Secretary

December 9, 2019
Date



Penny Smith, Warden



Erin Hartley, Director of Corporate Services