



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
January 27, 2020**

The Regular Session of the 51st Council of the Municipality of the District of Shelburne was held on Monday, January 27, 2020 commencing at 5:00 pm in the Council Chambers of the Municipal Administration Building, Shelburne, Nova Scotia.

THOSE IN ATTENDANCE WERE:

Warden Penny Smith
Deputy Warden John Roscoe
Councillor Terry McIntyre
Councillor Doris Townsend
Councillor Norman Wallet
Councillor Roger Taylor
Trudy Payne, CAO

ALSO IN ATTENDANCE:

Erin Hartley, Director of Corporate Services
Adam Dedrick, Director of Recreation and Parks
Michelle Williams, Director of Finance
Anita DeMings, Executive Assistant
Members of the Public

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 January 27, 2020, be approved with the following amendments:

- 8.(j) New Civic Building - Added
- 10.(b) Western Crown Lands Committee – Added

- **MOTION CARRIED**

3. **APPROVAL OF MINUTES:**

(a) Approval of Minutes – December 9, 2019

MOTION: APPROVAL OF MINUTES – December 9, 2019

Being duly moved and seconded, be it resolved that the Minutes of December 9, 2019, be approved with the following amendments:

4. (b) wording to Sable River Volunteer Fire Department Presentation

- **MOTION CARRIED**

4. **Presentations:**

- (a) Little Peoples Place Association of Shelburne – Susan Elliott, Executive Director
- (b) NSCC Shelburne Campus, Marine Innovation Centre - Mary Thompson, Principal

4.(a) Warden Smith welcomed Ms. Elliott and Elizabeth Acker to the meeting. Ms. Acker thanked Council for the opportunity to present to Council.

Susan Elliott, Executive Director, presented Council with an overview of the operations, budget, strategic plan, mission, vision and values of the Little People's Place. Topics of their presentation included:

- Stakeholder Engagement
- SWOT Analysis
- Strategic Plan
- Goal Setting

Discussion was held regarding the services the organization provides and collaboration with all levels of government for funding, challenges and concerns were identified. It was noted that the organization works from two locations: Little Peoples Place on Shelburne Waterfront and the King Street Centre on King Street, Shelburne. It was advised that any renovations over the past 26 years have been paid by the tenants.

It was noted that at this time approximately 70% of the children who attend their programs are municipal residents. A contribution of \$25,000-\$30,000/year for the next 5 years was requested of Council.

Warden Smith thanked Ms. Elliott and Ms. Acker for their presentation and advised that the request would be added to the budgetary discussions.

4.(b) Warden Smith welcomed Ms. Thompson to the meeting. Ms. Thompson thanked Council for the opportunity to present to Council.

Mary Thompson presented Council with details regarding the NSCC Cube – Space for Innovation, including opportunities for the fisheries industry to explore business ideas, test prototypes, work on challenges and increase safety awareness and practice. This idea incorporates many of the same goals that the Municipality wanted to accomplish with a Marine Centre of Excellence.

The School of Fisheries is looking to expand and offering greater opportunities to bring innovation to the sector and support the concept of innovation. It is anticipated that this project will attract partnerships to provide greater opportunities.

Discussion was held regarding the key features of the program, such as equipment, design technology access to mapping through COGS, staffing, etc.

Ms. Warden Smith thanked Ms. Thompson for her presentation.

It was noted that Council agreed to use the funds set aside for the Marine Centre of Excellence in July on the contingency that other funding was in place. It was the consensus of Council that the \$50,000 cheque be released to NSCC.

5. Business Arising:

There was no business arising.

6. Finance:

- (a) Preliminary Assessment Role Update 2020
- (b) Financial Update January 2020

6.(a) Ms. Williams, Director of Finance, presented to Council the Preliminary Assessment Role Update 2020 staff report.

Ms. Williams advised Council that this is an annual report given to Council for the Assessment Role.

She reviewed the increase and decrease in market value of properties in detail with Council, including the total dwelling, residential and commercial revenues.

Discussion was held regarding the increased market values of properties. It was noted that the tax office gets weekly updates from PVSC with any changes.

6.(b) Ms. Williams, Director of Finance, presented to Council the Financial Update January 2020 staff report which included the Municipality's financial position as of January 2020.

Ms. Williams reviewed in detail with Council, revenues, expenses, aged receivables and collections.

Discussion was held regarding the accuracy of the properties on the grant in lieu listing from the Province. Ms. Williams advised that this matter would continue to be explored.

7. Recreation:

- (a) Welkum Park Accessibility Design Plan Report

7.(a) Adam Dedrick, Director of Recreation and Parks, presented Council with the Welkum Park Accessibility Design Plan Report staff report as previously discussed at the January 13, 2020 Committee of the Whole Meeting.

Discussion was held regarding the tentative plans of phase 1 in detail which include grants and subsidies.

MOTION: WELKUM PARK ACCESSIBILITY DESIGN PLAN REPORT

Being duly moved and seconded, be it resolved that Council of the Municipality of the District of Shelburne:

- i. accept the Accessibility Design Plan for Welkum Park Report
- ii. acknowledge that it is a multi-year project to improve accessibility at Welkum Park
- iii. commit capital funds to the project in 2020-2021

- **MOTION CARRIED**

8. Administration:

- (a) Nova Scotia Power – Permit for Road Closures
- (b) Fire Service Agreement Amendments – Town of Lockeport
- (c) Area Rate for Fire Departments Policy
- (d) Area Rate Options for Town of Lockeport Fire Truck 2020-21
- (e) Area Rate Option for Town of Shelburne Fire Truck 2020-21
- (f) By-Election – District 6
- (g) Marine Spatial Planning Working Group
- (h) Sable River Volunteer Fire Department Update
- (i) Gas Tax Funding: Marine Terminal and Arena
- (j) New Municipal Building

8.(a) Ms. Payne, CAO, presented Council with a letter received from Nova Scotia Power requesting support as previously discussed at the January 13, 2020, Committee of the Whole Meeting.

MOTION: NOVA SCOTIA POWER – PERMIT FOR ROAD CLOSURES

Being duly moved and seconded, be it resolved that Council of the Municipality of the District of Shelburne approve support be given for a blanket permission for road closures not to exceed 30 minutes for all public road closures to Nova Scotia Power.

- **MOTION CARRIED**

8.(b) Erin Hartley, Director of Corporate Services, presented Council with the Fire Service Agreement Amendments – Town of Lockeport staff report as previously discussed at the November 25, 2019, Council Meeting.

Discussion was held regarding the definition of capital purchases to include only vehicles.

MOTION: FIRE SERVICE AGREEMENT AMENDMENTS – TOWN OF LOCKEPORT

Being duly moved and seconded, be it resolved that Council of the Municipality of the District of Shelburne approve the Fire Services Agreement with the Town of Lockeport as amended.

- **MOTION CARRIED**

8. (c) Erin Hartley, Director of Corporate Services, presented Council with the Area Rate for Fire Departments Policy staff report as previously discussed at the January 13, 2020, Committee of the Whole meeting.

MOTION: AREA RATE FOR FIRE DEPARTMENTS POLICY

Being duly moved and seconded, be it resolved that Council of the Municipality of the District of Shelburne approve the Area Rate for Fire Departments Policy as presented.

- **MOTION CARRIED**

8.(d) Erin Hartley, Director of Corporate Services, presented Council with the Area Rate Options for Town of Lockeport Fire Truck 2020-21 staff report.

Further to the Fire Service Agreement, the Town of Lockeport requested the Municipality of Shelburne cost share on a new fire truck purchase.

The figures are estimated but cannot be guaranteed. It was noted that if the area rate collected is over the amount owed to the Town, staff would ear-mark those funds in capital reserve for the next capital purchase. If the area rate collected is less than the amount owed to the Town, the Municipality would have to absorb the shortage.

Discussion was held regarding rates associated with 5,10 and 15 year terms. It was noted that the current figures are based on the purchase of a 2019 truck, and that the figures will need to be updated to reflect the purchase of a new vehicle. Ms. Hartley advised that she was awaiting an update from the Town of Lockeport.

It was noted the Area Rate for Fire Departments Policy will be followed for this process.

MOTION: AREA RATE OPTIONS FOR TOWN OF LOCKEPORT FIRE TRUCK 2020-21

Being duly moved and seconded, that Council of the Municipality of the District of Shelburne consider the purchase of a 2019 Fire Truck (Pumper)with the Town of Lockeport Fire Department, the Municipal contribution to be approximately \$163,151.55, representing 45% of the purchase price; and

That the proposed area rate to be presented at the Community Information Session be approximately \$0.036 (3.6 cents)/\$100 of assessment, for a ten-year term; and

That an information letter be sent to residents of the service area detailing the need for the expenditure, the amount of the expenditure, and the proposed area rate amount and term, as well the details for the Community Information Session and a ballot for a community vote.

- **MOTION CARRIED**

8. (e) Erin Hartley, Director of Corporate Services, presented Council with the Area Rate Option for Town of Shelburne Fire Truck 2020-21 staff report.

Further to the Fire Service Agreement, the Town of Shelburne requested the Municipality of the District of Shelburne cost share a used fire truck purchase. The Municipality's portion of the fire truck purchase is \$28,750.15. Details were provided for a one-year term and a two- year term area rate.

A letter will be provided to residents affected by the area rate. A vote is not required, as the vehicle has already been purchased by the Town of Shelburne. It was noted for future proposed purchases, a community vote is supported by staff.

MOTION: AREA RATE OPTIONS FOR TOWN OF SHELBURNE FIRE TRUCK 2020-21

Being duly moved and seconded, be it resolved that Council of the Municipality of the District of Shelburne approve an area rate for the 2004 American LaFrance East Can Used Fire Truck, purchased by the Town of Shelburne, in the amount of \$0.017/\$100 of taxable assessment (1.7 cents) for a one-year term; and

That the area rate be applied to the 2020-21 tax bills for eligible municipal properties in the Town of Shelburne's Fire District service area; and

That an information letter be sent to residents of the service area detailing the need for the expenditure, the amount of the expenditure, and the area rate and term.

- **MOTION CARRIED**

8.(f) Erin Hartley, Director of Corporate Services, presented Council with the By-Election – District 6 staff report.

Due to the resignation of Deputy Warden Levy, a by-election is required to fill the vacancy in District 6. Pursuant to the Municipal Elections Act, the following significant dates have been determined:

- The Municipality would advertise for Nominations beginning February 12th.
- Nomination Day would be March 10th.
- If acclamation occurs, notification would be provided on March 11st.
- Advance Polls would be March 26th and 31st.
- Ordinary Polling Day would be April 4th.

MOTION: MUNICIPAL BY-ELECTION 2020 – DISTRICT 6

Being duly moved and seconded, be it resolved that Council of the Municipality of the District of Shelburne hold a by-election for the Councillor vacancy in District 6, with the by-election date being set as April 4, 2020;

That paper ballots only be used for this by-election;

That Erin Hartley be appointed as Returning Officer and Anita DeMings be appointed as Deputy Returning Officer;

That compensation be set as follows:

- Contracted assistance \$2,000
- Returning Officer \$175 each day, plus mileage
- Deputy Returning Officer \$175 each day, plus mileage
- Poll Clerks \$150 each day, plus mileage
- Polling Stations \$150 each day;

That the Municipality sign the Information Sharing Agreement with Elections Nova Scotia to use the Provincial List of Electors as its preliminary list; and

The Municipality approve up to \$5,000 from the 2019/20 budget for the by-election and include potential costs for 2020/21 in upcoming budget discussions.

- **MOTION CARRIED**

8.(g) Ms. Payne, CAO, presented Council with the Marine Spatial Planning Working Group staff report.

On December 9, 2019 representatives from various organizations met at the Nova Scotia Community College to discuss Marine Spatial Planning including: Cooke Aquaculture, Town of Shelburne, NSCC Department of Environment, Municipality of the District of Shelburne and Dalhousie University. Marine Spatial Planning is about sustaining our natural resources-the ocean, which has impacts on the economy, the environment and our social and cultural aspects.

The working group involves various stakeholders partnered with research experts and aligns with the objectives with the Municipality's ICSP.

Discussion was held regarding the time commitment, budget implications, and value the group would have. It was noted that when a terms of reference became available, it would be brought back to Council for information.

MOTION: MARINE SPATIAL PLANNING WORKING GROUP

Being duly moved and seconded, be it resolved that Council of the Municipality of the District of Shelburne appoint Warden Penny Smith and Andrew Goreham, Manager of Inspection Services, to serve on the Marine Spatial Planning Working Group in partnership with Dalhousie University, the Ocean Frontier Institute and various stakeholders to develop a community engagement and decision making process that will guide decisions on how to use our marine resources sustainably. Staff resources to support the Group would be as determined by the CAO.

- **MOTION CARRIED**

8.(h) Ms. Payne, CAO, presented Council with an update regarding the Sable River Volunteer Fire Department as previously discussed at the January 13, 2020 Committee of the Whole meeting.

Discussion was held regarding options for how the Municipality can assist with issues in the community of Sable River, a facilitator is being recommended. This approach would enable Council to hear from its residents to help determine a way forward to further support the Fire Department and the Concerned Citizens Group to ultimately reach a resolution.

MOTION: SABLE RIVER VOLUNTEER FIRE DEPARTMENT UPDATE

Being duly moved and seconded, be it resolved that Council of the Municipality of the District of Shelburne approve up to \$2500 to engage the services of a facilitator to work with the Sable River Fire Department, the Sable River Concerned Citizens Group and the community with the objective to reach a resolution acceptable to all parties.

- **MOTION CARRIED**

8.(i) Ms. Payne, CAO, presented Council with the Gas Tax Funding Marine Terminal and Arena staff report.

Staff was directed to research if gas tax funds could be used towards the capital improvements being proposed for the Shelburne Arena and Shelburne Marine Terminal; staff confirmed that this is possible.

It was noted that, if the Arena requested funding for capital improvements for the upcoming fiscal year (2020-2021) utilizing gas tax funds could be an option.

MOTION: GAS TAX FUNDING: MARINE TERMINAL AND ARENA

Being duly moved and seconded, be it resolved that Council of the Municipality of the District of Shelburne approve to utilize gas tax funds in the amount of \$143,000, the amount that was approved by motion of Council at the November 25, 2019 Council meeting, to be used for the 1st Phase remediation project for the Shelburne Marine Terminal in partnership with the Town of Shelburne.

- **MOTION CARRIED**

8. (j) Further to discussion from the January 13, 2020, Committee of the Whole -In Camera meeting, the following motion was presented to Council.

MOTION: NEW CIVIC BUILDING

Being duly moved and seconded, be it resolved that Council of the Municipality of the District of Shelburne move forward with the new civic building, including the federal tenants, and that we continue negotiations with the Province on leasing space to them in the current building.

- **MOTION CARRIED**

Discussion was held regarding clarifying the administrative process, timeline of architect, finalizing plans, tenders and process.

9. Committee Reports/Recommendations:

There were no Committee Reports.

10. Council Member Updates:

- (a) Health Care Update - Warden Smith
- (b) Western Crown Land

10.(a) Warden Smith presented a press release received from the Nova Scotia Health Authority regarding the Primary Care Clinic for patients without a primary care provider, advising that more appointment times will be available.

Discussion was held regarding the number of appointments, and concerns for residents. Warden Smith gave an update that a letter is being sent to the new CEO of the NSHA to schedule a meeting.

10.(b) Councillor Taylor advised that he attended a Western Crown Lands meeting on January 27, 2020, discussion included planning, process, waste, and lack of markets.

Warden Smith read a letter that she received from a concerned citizen regarding the Crown Land Harvest plan with concerns regarding the affects on the community.

It was suggested that a meeting with the Minister be requested regarding the impact of the Lahey report and importance of forestry. It was agreed that a presentation be requested of John Porter, Executive Director, to inform Council of the process.

11. **Other:** (*Resolution Prepared)

- (a) Deputy Warden Resignation
- (b) Nomination of Deputy Warden
- (c) Council Appointments:
 - Fire Advisory
 - Shelburne County East RCMP Advisory
 - Shelburne Port Authority Committees
- (d) Monthly Building Report – December 2019
- (e) Council Implementation Report
- (f) Municipality of Barrington – Letter of Support
 - Crediting students for volunteer hours with fire departments
- (g) Roseway Hospital Charitable Foundation – Sponsorship Program
- (h) Crown Land Harvest Plans

11.(a) Ms. Payne, CAO, presented Council with the Resignation Deputy Warden staff report as previously discussed at the January 13, 2020 Committee of the Whole meeting.

DEPUTY WARDEN RESIGNATION

Being duly moved and seconded, be it resolved that Council of the Municipality of Shelburne receive the resignation of Deputy Warden David Levy, effective December 31, 2019, and to send a letter to Deputy Warden Levy thanking him for his years of dedicated service to the Municipality.

- **MOTION CARRIED**

11.(b) Ms. Payne, CAO, presented Council with the Deputy Warden Nomination staff report.

As a result of Deputy Warden Levy resigning from Council effective December 31, 2019, the Municipality of the District of Shelburne Council “shall select one of its council members to be the deputy mayor or deputy warden of the council”, as per section 16 (1) of the Municipal Government Act (MGA). Section 16(2) of the MGA states “prior to the selection of a deputy mayor or deputy warden, the council shall decide the term of office of the deputy mayor or deputy warden.”

Warden Smith opened the floor to nominations for the position of Deputy Warden.

Councillor Townsend nominated Councillor Roscoe.

Hearing no further nominations, Warden Smith declared the nominations for Deputy Warden closed.

Warden Smith announced Councillor Roscoe as Deputy Warden for the Municipality of the District of Shelburne.

MOTION: NOMINATION OF DEPUTY WARDEN

Being duly moved and seconded the Council of the Municipality of the District of Shelburne appoint Councillor John Roscoe as Deputy Warden for a term until 2020 election.

- **MOTION CARRIED**

11.(c) Ms. Payne, CAO, presented Council with the Council Appointment staff report.

With the resignation of Deputy Warden Levy from Council, a Council member seat on the Fire Advisory, Shelburne County East RCMP Advisory and the Shelburne Port Authority is now vacant. Council has made the decision to appoint a Council member to these Committees and with the seats now being vacant would need to appoint a Councillor to each Committee to fulfill the Council member's role on these committees.

The Fire Advisory meets twice a year, once in April and once in October. Special meetings may be called by the Chair.

The Shelburne County East RCMP Advisory Committee meets quarterly.

The Shelburne Port Authority meets the third Thursday of each month at 7 p.m.

MOTION: COUNCIL APPOINTMENTS TO FIRE ADVISORY, SHELBURNE COUNTY EAST RCMP ADVISORY AND THE SHELBURNE PORT AUTHORITY COMMITTEES

Being duly moved and seconded, be it resolved that the Council of the Municipality of the District of Shelburne:

Appoint Councillor Doris Townsend to the Fire Advisory Committee to complete the term for this year.

Appoint Councillor Roger Taylor to the Shelburne County East RCMP Advisory Committee to complete the term for this year.

Appoint Councillor Norman Wallet to the Shelburne Port Authority Committee with Councillor Terry McIntyre being an alternate to complete the term for this year.

- **MOTION CARRIED**

11.(d) Council reviewed the December 2019 Building Report.

11. (e) Council reviewed the Implementation Report.

Trudy Payne, CAO, gave a verbal update regarding the Accessibility Advisory Committee. She advised that the three Towns have shown interest, the Municipality of Barrington has declined at this time.

11.(f) Ms. Payne, CAO, presented a letter received from Municipality of Barrington requesting support crediting student's for volunteer hours with fire departments.

The Municipality of Barrington has made application to the Department of Education and Early Childhood Development to be able to provide a personal development credit to students joining a volunteer fire department. It was the consensus of Council to send a letter of support for the application.

11.(g) Warden Smith advised Council that a letter was received from the Roseway Hospital Charitable Foundation – Sponsorship notifying Council that the Student Sponsorship Committee interviewed two physiotherapy students. The CAO informed Council that the installment would be sent to the Foundation shortly.

11.(h) Discussion was held regarding the Crown Land Harvest Plans. As mentioned in 10(b), a presentation will be requested from the Executive Director, John Porter, to inform Council of the process.

12. In Camera:

- a. Contract Negotiations as per the MGA, Section 22 (2) (e)
- b. Contract Negotiations as per the MGA, Section 22 (2) (e)
- c. Litigation or potential litigation – Section 22(2) (f)

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 8:27 pm to discuss Contract Negotiations and Litigation Matters.

- **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 9:06 pm.

- **MOTION CARRIED**

13. ADJOURNMENT:

There being no further business, the meeting was adjourned at 9:07 pm.

**Anita DeMings
Recording Secretary**

Feb 24/20
Date



Penny Smith, Warden



Erin Hartley, Director of Corporate Services

