



Naturally Yours

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**REGULAR SESSION OF THE 52nd COUNCIL
OF THE
MUNICIPALITY OF THE DISTRICT OF SHELBURNE
February 8, 2021**

The Regular Session of the 52nd Council of the Municipality of the District of Shelburne was held on Monday, February 8, 2021 commencing at 6:00 pm at the Courthouse, Shelburne NS.

THOSE IN ATTENDANCE:

Warden Penny Smith
Deputy Warden Dale Richardson
Councillor Heidi Wagner
Councillor Ron Coole
Councillor Terry McIntyre, via Microsoft Teams
Councillor Doris Townsend, via Microsoft Teams
Councillor Sherry Thorburn Irvine
Trudy Payne, CAO

ALSO IN ATTENDANCE:

Erin Hartley, Director of Corporate Services
Alicia Murray, Executive Assistant
Val Kean, Community Development Coordinator, via Microsoft Teams
Adam Dedrick, Director of Recreation and Parks
Darrell Locke, Bylaw Enforcement Officer
Michelle Williams, Director of Finance via Microsoft Teams

1. CALL TO ORDER:

The meeting was called to order at 6:01 pm by Warden Penny Smith.

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 6:01 pm to discuss legal advice.

- 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 6:30 pm.

- MOTION CARRIED

Discussion was held regarding legal advice and direction was given to the CAO in camera.

2. **APPROVAL OF AGENDA:**

MOTION: APPROVAL OF AGENDA – FEBRUARY 8, 2021

Being duly moved and seconded, be it resolved that the Agenda of February 8, 2021, be approved as amended:

- Adding to the Agenda 9(f) Letter from Minister Jordan in response to the letter sent from Warden, Penny Smith regarding the events in St. Mary's Bay.
- Moving 7(a) Trail Use Report – Adam Dedrick, Director of Recreation and Parks to follow 4(d) Woodland Multi-Use Trail Association Presentation.

- MOTION CARRIED

3. **APPROVAL OF MINUTES:**

MOTION: APPROVAL OF MINUTES – JANUARY 25, 2021

Being duly moved and seconded, be it resolved that the Minutes of January 25, 2021 be approved with the following amendments:

- Item 10 first paragraph, remove "if she gets permission from the original sender."
- Item 10 fourth paragraph; remove "Lunenburg". Add Municipal Building in Lunenburg on January 14, 2021 and the Municipal Building tour in Yarmouth and Argyle on January 20, 2021.

- MOTION CARRIED

4. **PRESENTATIONS:**

- (a) Shelburne Historical Society – Christopher Sharpe, President
 - (b) Dangerous and Unsightly – 533 West Sable Road – Darrell Locke, Bylaw Enforcement Officer
 - (c) Dangerous and Unsightly – 1824 West Sable Road – Darrell Locke, Bylaw Enforcement Officer
 - (d) Woodland Multi-Use Trail Association – Sherman Embree, Treasurer and Dana Dares, Secretary, Brian Camp, Director of SCATVA and Laura Barkhouse, Parks and Trails Manager from MODL joining via Microsoft Teams.
- 4(a) Christopher Sharpe spoke to Council thanking them for the previous generosity of their \$10,000 funding. Mr. Sharpe explained that the funds were not used for the proposed purpose of hiring a Manager but were put to good use. He explained that COVID-19 led to a severe restriction in museum activity and as a result a significant reduction in revenue.

Mr. Sharpe asked Council to consider approving another \$10,000 for the Shelburne Historical Society to aid in the maintenance/repairs to the steeple of the Cox Warehouse and to convert the former rope room in the northeast section of the second floor into a facility for the display and study of boatbuilding plans.

CAO, Trudy Payne, informed Mr. Sharpe that they will need the financial statements including the revenue and expenditure reports if they have not already been submitted to staff with the Grants to Organizations application. Council inquired about the ownership of the Dory Shop, Cox Warehouse, Shelburne Museum and The Ross Thompson House where it was clarified that the Shelburne Historical Society has ownership of Cox Warehouse and The Shelburne Museum but the other two are provincially owned.

Mr. Sharpe was advised that his request will be discussed during budget deliberations.

Council voiced concerns about the previous funds not being delegated to their proposed use when granted the monies and asked staff to review the Policy.

- 4(b) Darrell Locke, Bylaw Enforcement Officer, presented Council with the Dangerous and Unsightly – 533 West Sable Road staff report. The registered owner of the property did not accept the invitation to attend the meeting however a written response was received at 4:01 February 8, 2021.

Mr. Locke reviewed steps that have been followed since the first complaint on September 17, 2020. Council asked about the timelines between each step of the Dangerous and Unsightly process.

Council noted that a correspondence received at 4:01 pm on the day of the Council meeting was not enough notice as Council would not have had time to review the correspondence and would like to amend a policy stating that all correspondence be received no later than a week before a Council meeting if it is to be included as part of the agenda.

MOTION: DANGEROUS AND UNSIGHTLY – S33 WEST SABLE ROAD

THAT the Municipality of the District of Shelburne holds that the condition of the property located at 533 West Sable Road justifies that the property is in violation of the provisions of the Municipal Government Act, S.N.S. 1998, c. 18 because the structure requires completion of the exterior construction and clean-up of various types of material that is distributed around the exterior of the building and hereby issues an order as per Section 507 of the Municipal Government Act; and authorizes the Warden to sign off on this clean-up order.

- **MOTION CARRIED**

- 4(c) Darrell Locke, Bylaw Enforcement Officer, presented Council with the Dangerous and Unsightly – 1824 West Sable Road staff report. The registered owner of the property was in attendance.

Mr. Locke reviewed the steps that had been taken since the initial complaint received September 17, 2020. Mr. Amonson, registered owner of the property, spoke to Council about the building's history stating that he took possession in the last two years and has been meaning to refurbish the building to its original outdoor appearance although he does not plan on making it a residence to live in. Council stated that there was a big difference between a property being unsightly and a property being dangerous and from the photographs presented, they are fearful that someone could get injured by the deteriorating building.

Council suggested that the prepared motion for demolishing the property be tabled until the next Council meeting on February 22, 2021, and during this time Darrell Locke, Bylaw Enforcement Officer, registered owner, Brian Amonson and Manager of Inspection Services, Andrew Goreham go to the property and report back with any structural dangers. Council then will decide as to whether to pass the motion for a demolition order or to provide the property owner a time frame in which to repair the structure. A date of July 15, 2021 was discussed as a possibility to have substantial improvements made to the building.

The report and a plan for remedy will be discussed at the February 22, 2021 council meeting.

- 4(d) Sherman Embree, Treasurer of the Woodland Multi-Use Trail Association, presented Council with the review of the southshoreconnect.ca website, the map of Eastern Shelburne County Trails, the work underway on Ogden Creek Bridge, Sable River Trestle Bridge, Trail Construction in East Jordan, Barrington Bay Damage, Barrington Bay resurfacing, trail maintenance and trail users.

Mr. Embree and Mr. Dares asked Council to consider a \$20,000 annual budget for the trail development capital, maintenance, equipment, and enhancement as well as the aid of assigning trail management responsibilities to a municipal staff member. Noting the benefits of the Trails within the Municipality and that the current members have been doing the entirety of the work themselves for 15 years.

Discussion was held regarding the positive work of this group, ATV trail licence fees, and connectivity between the trails. Currently, a 6.3 km section is already underway and there is hope in the future for the remaining 36.7 kms for more connectivity.

Mr. Embree was advised that the financial request would be considered during budget deliberations.

5. **BUSINESS ARISING:**

None.

7. **RECREATION:**

(a) Trail Use Report – Adam Dedrick, Director of Recreation and Parks

7(a) Adam Dedrick, Director of Recreation and Parks, presented Council with the Trail Use Report staff report. The Recreation and Parks Department conducted a survey to gather data on the use of local trails, specifically those located in the Municipality that are regularly maintained by a trail group or organization.

Survey results showed that the majority of respondents were between the ages of 35-54, nearly a 50% split between genders and that the majority of activities were walking for fitness or to be outside and ATV use even on the trails not designated for OHV use. Overall ratings for the trails suggested that most were happy with the condition of trails but there is still room for improvement. When asked how to encourage more people to use the trails, the top survey answers were connectivity to other trails, more amenities, and educational signage.

Council praised Mr. Dedrick for his thorough survey review of the trails and how important the information is; it was asked if there are any apps for the trails. Right now, the best connection is southshoreconnect.ca for all information about the trails. The main reason for the survey was to show the value of these expenditures and the survey results showed the trails are most definitely worth the investment.

Going forward the Recreation and Parks department would like to explore the conversion of the Jordan River Trail and the Roseway River Trail to include OHV use; explore the development of trails in the western side of the Municipality; work on projects to create connectivity within the Municipality and also connect to existing trail systems in neighbouring municipalities, among other recommendations.

6. **ADMINISTRATION:**

- a. Emergency Assistance Fund Request – Sable River Volunteer Fire Department and BBMAS Pet Projects – Val Kean, Community Development Coordinator
- b. Community Litter Clean-Up Program Budget – Erin Hartley, Director of Corporate Services
- c. Fire Advisory Committee – Budget 2021-22 – Erin Hartley, Director of Corporate Services
- d. Fire and Emergency Services Registration Policy – Liability Insurance Coverage – Erin Hartley, Director of Corporate Services
- e. January 2021 Building Report

6(a) Val Kean, Community Development Coordinator, presented Council with the Emergency Assistance Fund Request for Sable River Volunteer Fire Department and BBMAS Pets Project.

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Council discussed that Fire Departments were entitled to apply for the COVID-19 Emergency Assistance Grant as they would generally have fundraisers to raise funds and due to COVID they were unable to do so. Council also questioned whether or not BBMAS had their own building yet and after further discussion learned that they do not but they still continue to do a spay and neuter program and they do help with funding to those with pets that require assistance.

MOTION: EMERGENCY ASSISTANCE FUND REQUEST – SRVFD AND BBMAS

Being duly moved and seconded, be it resolved that the Municipality of the District of Shelburne approve the recommended grant amounts totaling \$1,000, \$500 to Beulah Burman Memorial Animal Shelter (BBMAS) and \$500 to Sable River Volunteer Fire Department to come from the Economic Development, GL # 00-26210-500.

- **MOTION CARRIED**

- 6(b) Council decided to move this item to the budget meeting due to time constraints.
- 6(c) Council decided to move this item to the budget meeting due to time constraints.
- 6(d) Council decided to move this item to the budget meeting due to time constraints.
- 6(e) Council reviewed the building report as per the agenda.

8. **FINANCE:**

a. Preliminary Assessment Role Update 2021 – Michelle Williams, Director of Finance.

- 8(a) Michelle Williams, Director of Finance, presented Council with the Preliminary Assessment Role Update 2021 staff report. Discussion was held regarding the increase in market value and the CAP program for residential assessments and resource assessments and noted the decrease in the Commercial Assessment.

The decrease in Commercial Assessment was due to the Black Loyalist Heritage Society now being owned by Her Majesty the Queen. This has also allowed the Municipality to receive a Fire Protection in Lieu grant of \$3,400.

Council questioned how long it took for taxes to come due on properties that are being built in the area with high assessment values. Ms. Williams, answered that it all depends on the completion date of construction and that in some circumstances the Municipality does lose a year of taxes.

Ms. Williams and CAO, Trudy Payne, agreed that PV5C would be invited to Council and they can further discuss the details of assessment values and help with future questions.

9. **OTHER:**

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- a. Letter from Minister of Municipal Affairs and Housing – Tri-County Regional Planning Services Project
- b. Letter from the Office of the Minister, Attorney General – Safe Restart Agreement
- c. Letter from the Office of the Minister, Municipal Affairs and Housing – Extension of Accessibility Plan Deadline
- d. Letter of Support for Former YMCA Pool and Community Centre
- e. Request for Letter of Support for Application of New Land-Based Aquaculture Licence in Digby County – Cooke’s Aquaculture Inc.
- f. Letter from Minister Jordan in response to the letter sent from Warden, Penny Smith, regarding the events at St. Mary’s Bay.

- 9(a) Council decided to move this item to the next meeting, February 22, 2021 due to time constraints.
- 9(b) Council decided to move this item to the next meeting, February 22, 2021 due to time constraints.
- 9(c) Council decided to move this item to the next meeting, February 22, 2021 due to time constraints.
- 9(d) Council decided to move this item to the next meeting, February 22, 2021 due to time constraints.
- 9(e) Council decided to move this item to the next meeting, February 22, 2021 due to time constraints.
- 9(f) Council decided to move this item to the next meeting, February 22, 2021 due to time constraints.

10. COMMITTEE REPORTS/RECOMMENDATIONS:

Council decided to move this to the next Council Meeting, February 22, 2021 due to time constraints.

11. COUNCIL MEMBER UPDATES:

Council decided to move this to the next Council Meeting, February 22, 2021 due to time constraints.

12. IN CAMERA:

- a. Legal Advice as per MGA Section 22(2)(g)

Discussed in the beginning of the Minutes.

13. ADJOURNMENT:

There being no further business, the meeting was adjourned at 9:45 pm. The next Council meeting will be held on February 22, 2021 at 6pm at the Courthouse in Shelburne, NS.

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Alicia Murray
Recording Secretary

February 24, 2021
Date



Penny Smith, Warden



Erin Hartley, Director of Corporate Services