



Naturally Yours

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**REGULAR SESSION OF THE 51<sup>ST</sup> COUNCIL  
OF THE  
MUNICIPALITY OF THE DISTRICT OF SHELburne  
July 22, 2019**

The Regular Session of the 51<sup>st</sup> Council of the Municipality of the District of Shelburne was held on Monday, July 22, 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  
Deputy Warden David Levy  
Councillor Roger Taylor  
Councillor John Roscoe  
Councillor Doris Townsend  
Councillor Norman Wallet

**ALSO IN ATTENDANCE:**

Michelle Williams, Director of Finance/Deputy CAO  
Adam Dedrick, Director of Recreation and Parks  
Val Kean, Community Development Coordinator  
Anita DeMings, Executive Assistant  
Members of the Public

**REGRETS:**

Councillor Terry McIntyre  
Tom MacEwan, CAO  
Erin Hartley, Director of Corporate Services

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 July 22, 2019, be approved as circulated.

- **MOTION CARRIED**

3. **APPROVAL OF MINUTES:**

Being duly moved and seconded, be it resolved that the Minutes of June 24, 2019, be approved with the following amendment:

7.(d) change "Rare" to Rate

- **MOTION CARRIED**

4. **Presentation:**

(a) Forest Management/ Climate Forests – Warden Timothy Habinski & Councillor Grey Heming of the Municipality of the County of Annapolis

Warden Smith introduced Warden Habinski and Councillor Heming, from the Municipality of the County of Annapolis. Warden Habinski thanked Council for the invitation to present to Council.

Warden Habinski informed Council on issues critical issues that surround Forest Management and Climate Forests as well as the importance of maintaining local resources for the future of rural communities.

Discussion was held regarding information gathering, municipal climate change action plan, economic development, forestry practices on Crown land and private land.

Council thanked Warden Habinski and Councillor Heming for their presentation.

5. **Business Arising:**

There was no business arising.

6. **Finance:**

- (a) Tender Results of May 31, 2019 Tax Sale
- (b) 2018-2019 Financial Statements
- (c) Management Letter – Auditors

6.(a) Michelle Williams, Director of Finance/Deputy CAO, presented Council with the Tender Results of May 31, 2019 Tax Sale staff report as previously discussed at the June 24, 2019, Council Meeting.

Per Section 134 of the Municipal Government Act, if a property has outstanding taxes for the preceding three fiscal years, it shall be put up for tax sale. As per the Municipality of the District of Shelburne's Tax Sale Policy, when the tender tax sale list was produced in the 2018/2019 fiscal year, a "property shall be sold for tax sale if taxes are in arrears for the proceeding two fiscal years."

For the week of April 1, 2019, and May 20, 2019, a tender ad was posted in the local newspaper, as well as on Municipal website. Eight properties were available. Six received bids and two did not receive any bids. The total write-offs would be \$35,627.95. Currently, the Municipality has \$68,012.26 available for write-offs.

As requested on June 24, 2019, Council Meeting, staff provided more details on the properties up for tender through additional photographs and information on each property.

Council thanked the staff for their efforts with this matter.

It was noted that section 149(1) of the Municipal Government Act allows municipalities to reject tenders if:

- (a) the price tendered is less than the taxes, interest and expenses; and
- (b) the council considers that the best price offered is inadequate, and may again put the land up for sale, by tender or by public auction.

Discussion was held regarding the options and procedure for tenders.

**MOTION: TENDER RESULTS OF MAY 31, 2019 – AAN 01024531**

Being duly moved and seconded, be it resolved that the Council of the Municipality of the District of Shelburne accept the tender bid of \$1,000.00 including HST from Todd Johnson for property identified as AAN 01024531 with the purchaser being required to pay a fee of \$575.00 to cover legal costs associated with preparation and registration of the Certificate of Sale and Tax Deed.

- MOTION CARRIED

**MOTION: TENDER RESULTS OF MAY 31, 2019 – AAN 04301439**

Being duly moved and seconded, be it resolved that the Council of the Municipality of the District of Shelburne accept the tender bid of \$3,250.00 including HST from Penny Roberts & Duncan Roberts-McBride for property identified as AAN 04301439 with the purchaser being required to pay a fee of \$575.00 to cover legal costs associated with preparation and registration of the Certificate of Sale and Tax Deed.

- MOTION CARRIED

**MOTION: TENDER RESULTS OF MAY 31, 2019 – AAN 04339088**

Being duly moved and seconded, be it resolved that the Council of the Municipality of the District of Shelburne accept the tender bid of \$2,000.00 including HST from Tim Henneberry for property identified as AAN 04339088 with the purchaser being required to pay a fee of \$575.00 to cover legal costs associated with preparation and registration of the Certificate of Sale and Tax Deed.

- MOTION CARRIED

**MOTION: TENDER RESULTS OF MAY 31, 2019 – AAN 04757424**

Being duly moved and seconded, be it resolved that the Council of the Municipality of the District of Shelburne accept the tender bid of \$1,000.00 including HST from Todd Johnson for property identified as AAN 04757424 with the purchaser being required to pay a fee of \$575.00 to cover legal costs associated with preparation and registration of the Certificate of Sale and Tax Deed.

- MOTION DEFEATED

**MOTION: TENDER RESULTS OF MAY 31, 2019 – AAN 08417202**

Being duly moved and seconded, be it resolved that the Council of the Municipality of the District of Shelburne accept the tender bid of \$1,675.00 including HST from David Butler for property identified as AAN 08417202 with the purchaser being required to pay a fee of \$575.00 to cover legal costs associated with preparation and registration of the Certificate of Sale and Tax Deed.

- **MOTION CARRIED**

**MOTION: TENDER RESULTS OF MAY 31, 2019 – AAN 08419027**

Being duly moved and seconded, be it resolved that the Council of the Municipality of the District of Shelburne accept the tender bid of \$ 25.00 including HST from Deborah Hamilton for property identified as AAN 08419027 with the purchaser being required to pay a fee of \$575.00 to cover legal costs associated with preparation and registration of the Certificate of Sale and Tax Deed.

- **MOTION CARRIED**

**MOTION: TENDER RESULTS OF MAY 31, 2019**

Being duly moved and seconded, be it resolved that the Council of the Municipality of the District of Shelburne write off any differences using GL#0028211000 and GL#0045100000.

- **MOTION CARRIED**

**MOTION: PROPERTIES OUT TO TENDER**

Being duly moved and seconded, be it resolved that the Municipality of the District of Shelburne put out to tender, AAN 04757424 for a minimum bid of \$10,000, as well other two properties, AAN 04393376 and AAN 04874269.

- **MOTION CARRIED**

6.(b) Michelle Williams, Director of Finance/Deputy CAO, presented Council with the 2018-2019 Financial Statements as previously discussed on July 8, 2019, Committee of the Whole Meeting.

**MOTION: 2018-2019 FINANCIAL STATEMENTS - ADOPTION**

Being duly moved and seconded, be it resolved that the Council of the Municipality of the District of Shelburne adopt the Financial Statements for the 2018/19 fiscal year.

- **MOTION CARRIED**

**MOTION: 2018-2019 FINANCIAL STATEMENTS - SURPLUS**

Being duly moved and seconded, be it resolved that the Council of the Municipality of the District of Shelburne approve transferring the surplus for the 2018/19 fiscal year to the Operating Reserve Fund.

- **MOTION CARRIED**

**MOTION: 2018-2019 FINANCIAL STATEMENTS - REALLOCATE FUNDS**

Being duly moved and seconded, be it resolved that the Council of the Municipality of the District of Shelburne reallocate the general amount for broadband from the General Administrative and Financial Management line to the General Government Services Broadband Upgrade line.

- **MOTION CARRIED**

6.(c) Michelle Williams, Director of Finance/Deputy CAO, presented Council with the Management Letter – Auditors.

Discussion was held and it was noted that the finance department is doing a good job as per the recommendations noted in the Management Letter – Auditors.

7. **Recreation:**

- (a) Sable River Footbridge Repairs Update
- (b) RFP - Inspections for Trail Bridges
- (c) RFP - Accessibility Design Plan for Welkum Park

7.(a) Adam Dedrick, Director of Recreation and Parks, presented Council with the Sable River Footbridge Repairs Update.

The final draft of the Asset Purchase and Sales Agreement between the Nova Scotia Department of Transportation and Infrastructure Renewal and the Municipality of the District of Shelburne was reviewed and approved for execution by Council at the April 23, 2019, Council Meeting. The agreement was executed by the Municipality and mailed to the Nova Scotia Department of Transportation and Infrastructure Renewal (NSTIR) in early May 2019. As of July 2019, the Municipality is still waiting to receive the final report and recommendation package from the Province.

Don Coulter, District Bridge Engineer, Nova Scotia Department of Transportation and Infrastructure Renewal (NSTIR), reviewed the proposed repairs on June 9, 2019, and made recommendations. A final report will be submitted to the Municipality at a later date. Mr. Coulter noted that repairs should begin in August 2019.

Discussion was held and clarification provided on minor repairs being made to the footbridge.

7.(b) Adam Dedrick, Director of Recreation and Parks, presented Council with the RFP – Inspections for Trail Bridges staff report.

A cursory inspection of the trail bridges was completed in March 2018 followed by a report recommending full engineering inspections and underwater inspections for all the bridges needing repairs within the next two years.

Subsequently, Council approved an estimated \$20,000 in the 2019-2020 budget and an RFP was issued for condition reviews for the Tom Tigney Trail Bridge, Jordan River Trail Bridge, and Roseway River Trail West Bridge. Underwater inspections were issued for the Tom Tigney Trail Bridge and Jordan River Trail Bridge. The RFP was advertised on the Nova Scotia Procurement website from June 19, 2019, to July 17, 2019. Three proposals were submitted, and the successful tender bid was awarded to Mitchelmore Engineering Company (MECO) for \$15,474.50 plus HST.

Discussion was held regarding contacting local associations for a contribution towards repairs to trails.

**RFP - INSPECTION FOR TRAIL BRIDGES**

Being duly moved and seconded, be it resolved that the Council of the Municipality of the District of Shelburne award the Condition Reviews & Underwater Inspections for Trail Bridges tender to Mitchelmore Engineering Company (MECO) at a cost of \$15,747.50 plus HST.

- **MOTION CARRIED**

7.(c) Adam Dedrick, Director of Recreation and Parks, presented Council with the RFP - Accessibility Design Plan for Welkum Park staff report.

An accessibility audit was done for Welkum Park in 2018, which provided recommendations for upgrades to the park that would make it completely accessible. Council approved an estimated project budget of \$10,000 in the 2019-2020 budget so a RFP was issued for an Accessibility Design Plan for Welkum Park. The RFP was advertised on the Nova Scotia Procurement website from June 19, 2019, to July 17, 2019. Three proposals were submitted, and the successful tender bid was awarded to Jeremy Banks for \$7,500 no HST.

**MOTION: RFP - ACCESSIBILITY DESIGN PLAN FOR WELKUM PARK**

Being duly moved and seconded, be it resolved that the Council of the Municipality of the District of Shelburne award the Accessibility Design Plan for Welkum Park tender to Jeremy Banks at a cost of \$7,500 (no HST).

- **MOTION CARRIED**

8. **Administration:**

- (a) Physician Recruitment - Promotional Video
- (b) Dog Bylaw
- (c) Roseway Hospital Re: ER Closures
- (d) Agreement between Dr. McFarlane and Roseway Hospital Charitable Foundation
- (e) Council Implementation Report

8.(a) Val Kean, Community Development Coordinator, presented Council with the Physician Recruitment - Promotional Video staff report as previously discussed on July 8, 2019, Committee of the Whole Meeting.

At the June 24, 2019, Council meeting, Council approved a motion for the creation of a nurse practitioner promotional video, which was presented to over 80 graduating nurse practitioner students at the University of Toronto. Staff will continue to work with Roseway Hospital, Nova Scotia Health Authority (NSHA) and local healthcare professionals to identify venues where our promotional video can be utilized. Staff are recommending to Council to consider creating content to produce a second video which will focus on doctor recruitment.

Staff have received competitive quotes from DNA Design House (Harbourtone), Shelburne and Picnic Studios, Bridgewater. Staff have reviewed the quotes and have concluded that DNA Design House (Harbourtone) would provide the best value to the Municipality of Shelburne. The quote from DNA Design House was \$2,100 plus HST.

**MOTION: PHYSICIAN RECRUITMENT - PROMOTION VIDEO**

Being duly moved and seconded, be it resolved that the Council of the Municipality of the District of Shelburne approve funding in the amount of \$2,100 plus HST for the creation of a physician recruitment video with the funds to come from the Health Care GL #00-24970-000; and

That Council approve the purchase of services to DNA Design House for \$2,100 plus HST as quoted.

- **MOTION CARRIED**

8.(b) Warden Smith advised Council of the Dog Bylaw (D-100) staff report as previously discussed at July 8, 2019, Committee of the Whole Meeting.

**MOTION: DOG BYLAW (D-100)**

Being duly moved and seconded, be it resolved that the Council of the Municipality of the District of Shelburne direct the CAO to prepare a draft Dog By-Law that includes the offence of being an owner of a dog that persistently disturbs the quiet of the neighbourhood by barking, howling or otherwise.

- **MOTION CARRIED**

8.(c) Warden Smith informed Council of the Roseway Hospital Emergency Department Closures, as previously discussed at the July 8, 2019, Committee of the Whole Meeting.

**MOTION: ROSEWAY HOSPITAL: EMERGENCY DEPARTMENT CLOSURES**

Being duly moved and seconded, be it resolved that the Council of the Municipality of the District of Shelburne have the Warden meet with the Health Minister to discuss solutions to the closures of the Emergency Department at Roseway Hospital.

- **MOTION CARRIED**

8.(d) Warden Smith presented Council with the Agreement between Dr. McFarlane and Roseway Hospital Charitable Foundation staff report as previously discussed at the July 8, 2019 Committee of the Whole Meeting.

**MOTION: AGREEMENT BETWEEN DR. MCFARLANE AND ROSEWAY HOSPITAL CHARITABLE FOUNDATION**

Being duly moved and seconded, be it resolved that the Council of the Municipality of the District of Shelburne accept the position of Dr. McFarlane that her APP contract with NSHA coupled with the Agreement of the Foundation are sufficient evidence of her commitment to practice in Eastern Shelburne County for the period from October 2018 to October 2020; and

That Council confirm that it is satisfied that clause 2 of the Agreement has been satisfied; and

That Council advise the Foundation that Council approves the release of funds to Dr. McFarlane.

- **MOTION CARRIED**

8.(e) The Council Implementation report was reviewed.

9. **Other:**

(a) Proposed Change in Funding: Shelburne County Marine Centre of Excellence to Marine Innovation Centre

9.(a) Warden Smith presented the Proposed Change in Funding: Shelburne County Marine Centre of Excellence to Marine Innovation Fund staff report as previously discussed at the July 8, 2019 Committee of the Whole Meeting.

The project intends to work with community partners to grow the Nova Scotia Community College (NSCC) School of Fisheries into a centre of Marine Innovation which provides training and opportunities to grow, develop and attract new entrants to the fishing sector. The Municipality has allocated \$50,000 for the Shelburne County Marine Centre of Excellence (SCMCE).

It is recommended that Committee repurpose the \$50,000 allocated to the Shelburne County Marine Centre of Excellence (SCMCE) to support the Nova Scotia Community College's (NSCC) application to the Innovative Communities Fund.

Discussion was held regarding the local benefits of the Innovation Centre.

**MOTION: PROPOSED CHANGE IN FUNDING: SHELBURNE COUNTY MARINE CENTRE OF EXCELLENCE TO MARINE INNOVATION CENTRE**

Being duly moved and seconded, be it resolved that the Council of the Municipality of the District of Shelburne repurpose the \$50,000 allocated to the SCMCE to support the NSCC application to the Innovative Communities Fund.

- **MOTION CARRIED**

10. **Committee Reports/ Recommendations:**

There were no Committee Reports or Recommendations.

11. **Council Member Updates:**

Warden Smith advised that she is attending or attended the following events:

- Attended the Shelburne County Mental Health and Wellness Association Meeting on July 16, 2019
- Attended the "Ignite Labs" open house in Yarmouth, NS on July 18, 2019
- Provided remarks at the Journey Back to Birchtown event on July 20, 2019
- Attended a dedication ceremony at Camp Jordan along with Councillor Roscoe on July 20, 2019, for a new wheelchair ramp.
- Attended the Fisherman's Memorial Ceremony on July 21, 2019

12. **In-Camera:**

(a) Contract Negotiations

**MOTION: ENTER "IN CAMERA"**



Council Meeting  
July 22, 2019

Being duly moved and seconded, be it resolved that the Council of the Municipality of the District of Shelburne enter "In Camera" at 7:13 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 7:23 pm.

- **MOTION CARRIED**

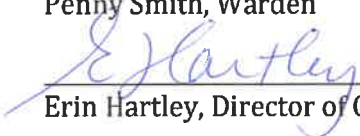
**13 .ADJOURNMENT:**

There being no further business, the meeting was adjourned at 7:25 pm.

**Chana Ross**  
**Recording Secretary**

Oct 2/19  
Date

  
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Penny Smith, Warden

  
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Erin Hartley, Director of Corporate Services