



Naturally Yours

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REGULAR SESSION OF THE 51ST COUNCIL
OF THE
MUNICIPALITY OF THE DISTRICT OF SHELBURNE
December 9, 2019

The Regular Session of the 51st Council of the Municipality of the District of Shelburne was held on Monday, December 9, 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
Trudy Payne, CAO
Ken Smith, Interim CAO

ALSO IN ATTENDANCE:

Erin Hartley, Director of Corporate Services
Adam Dedrick, Director of Recreation and Parks
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 December 9, 2019, be approved with the following amendments:

- 4.(a) Mary Thompson – Principal – NSCC Shelburne Campus Re: Marine Innovation Centre – **Rescheduled**
- The order of the agenda was changed to accommodate those in attendance.

- **MOTION CARRIED**

3. **APPROVAL OF MINUTES:**

(a) Approval of Minutes – November 25, 2019

MOTION: APPROVAL OF MINUTES – November 25, 2019

Being duly moved and seconded, be it resolved that the Minutes of November 25, 2019, be approved with the following amendments:

- Change wording in 7. (a)
- Councillor Taylor expressed that he would like to see more detail included in the minutes.

- **MOTION CARRIED**

5. **Business Arising:**

There was no business arising.

6. **Recreation:**

- (a) Physical Activity Strategy Plan 2020-2022
- (b) Kids Fair Play FUNd – December Review
- (c) Shelburne County Arena – Compressor Funding

6.(a) Adam Dedrick, Director of Recreation and Parks and Joel d'Entremont, Physical Activity Community School Co-ordinator, presented Council with the Physical Activity Strategy Plan 2020-2022 staff report and proposed strategy.

A requirement of the Municipal Physical Activity Leadership (MPAL) Program MOU is to develop a new Physical Activity Strategy Plan to be approved and adopted by all three municipal units.

The MOU (April 1, 2019 to March 31, 2024) was renewed this past spring by all the partners and included a five-year annual contribution of \$10,000 to the MPAL Program from the Municipality. This was approved by the Municipality at the April 10, 2019 Council meeting.

Background, physical activity guidelines, trends, strategy and action plan goals were reviewed with Council.

MOTION: PHYSICAL ACTIVITY STRATEGY PLAN 2020-2022

Being duly moved and seconded, be it resolved that Council of the Municipality of the District of Shelburne approve the Physical Activity Strategy Plan 2020-2022.

- **MOTION CARRIED**

6. (b) Adam Dedrick, Director of Recreation and Parks, presented Council with the Kid's Fair Play FUNd December 2019 Application Review staff report.

Kids Fair Play FUNd is a confidential sport recreation and cultural assistance program that provides a valuable service for children and youth of Shelburne County. It addresses the financial barriers faced by some families whose children want to participate in sport, recreation and cultural opportunities.

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There were 57 applications received and approved by the Kids Fair Play FUNd Application Review Committee totaling \$8,385.

MOTION: KIDS FAIR PLAY FUNd- DECEMBER REVIEW

Being duly moved and seconded, be it resolved that Council of the Municipality of the District of Shelburne authorize the release of \$8,385 from the Kids Fair Play FUNd based on the recommendations from the Kids Fair Play FUNd Application Review Committee Meeting of December 4, 2019.

- MOTION CARRIED

6.(c) Adam Dedrick, Director of Recreation and Parks, presented Council with the Shelburne County Arena Compressors Funding staff report.

Mr. Dedrick informed Council that this report was for information purposes only, to update the Council on the status of the Shelburne County Area Phase 4 Capital Upgrades.

Discussion was held regarding secured funding that would cover 80% of the total project costs. It was anticipated that the secured funds could be used to leverage funding from Investing in Canada Infrastructure Program, as it was announced a few years ago that recreation infrastructure would be eligible. However, the program has not yet opened. An updated compressor quote was obtained this October, and it indicated an increase of \$12,500, which leaves about 25% of the project not funded. Council requested staff research to see if Gas Tax Funding could be used for this project.

7. Administration:

- (a) Sable River Volunteer Fire Department – Mediation Update
- (b) Town of Shelburne Fire Services Billing - Update
- (c) Elections 2020
- (d) Dangerous or Unsightly Premises Policy
- (e) Enforcement of Summary Offense Tickets Policy
- (f) Town of Shelburne Source Water Protection Committee – Councillor Appointment
- (g) Western Regional Housing Authority – Appointment
- (h) Accessibility Advisory Committee
- (i) School Bus Safety

7.(b) Erin Hartley, Director of Corporate Services, presented Council with the Town of Shelburne Fire Services Billing update as previously discussed at the November 25, 2019, Council Meeting.

Ms. Hartley presented Council the answers requested in relation to operation before payment was sent. It was agreed that staff prepare the cheque requisition and send payment.

4. Presentation:

- (a) Mary Thompson, Principal - NSCC Shelburne Campus Re: Marine Innovation Centre - **Rescheduled**
- (b) Sable River Concerned Citizens Group – Marg Dawe and Todd Sisk

4.(b) Warden Smith welcomed Ms. Dawe and Mr. Sisk and residents of Sable River to the meeting. Ms. Dawe thanked Council for the opportunity to present to Council.

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Ms. Dawe read an overview to Council regarding the history of the Sable River Volunteer Fire Department. They advised that there is a need to replace and aging pumper tanker. Discussion was held regarding the mediation settlement between the Sable River Fire Department and the Concern Citizens Group.

Discussion was held regarding the Fire Department Strategic Plan, organizational background, vision of the organization, mission statement, values, key performance indicators, equipment, and infrastructure.

They advised that there is a need to replace and aging pumper tanker. Discussion was held regarding the mediated settlement between the Sable River Fire Department and the Concerned Citizens Group. The Fire Chief indicated that he felt the Concern Citizens Group did not represent the community and that all the questions asked of the department had been answered and forwarded to the Municipality.

Number of Councillors expressed their opinion that the Sable River Fire Volunteer Fire Department and the Concerned Citizens of Sable River will need to work together to ensure the needs of the community are met.

Council thanked Ms. Dawe and Mr. Sisk for their presentation.

7. (a) Ken Smith, Interim CAO, presented Council with the Sable River Fire Department Mediation Update, staff report.

Mr. Smith advised Council that after several meetings of the working group, including four members of the Society and four members of the Concerned Citizens Group, the process has stopped.

Discussion was held regarding possible options to address the issues at hand, how to provide the resources required by the fire department to serve the needs of the community within the financial capacity of the residents, and if the Municipality should remain involved in this process and in what capacity. It was agreed that a staff report be prepared for a future meeting to determine how to move forward.

8.(b) Since members of the public were in attendance, this item was moved up on the agenda. Warden Smith informed Council that several letters were received regarding clear cutting in Shelburne County that has been authorized by the Provincial Department of Lands and Forestry.

Trudy Payne, CAO has declared a conflict of interest.

Discussion was held regarding the impact of clearcutting on our area.

MOTION: SHELBURNE COUNTY FORESTS

Being duly moved and seconded, be it resolved that Council of the Municipality of Shelburne write a letter to the Minister of Lands and Forestry and attach a copy of Robert Bancroft's letter as our position.

- **MOTION CARRIED**

7.(c) Erin Hartley, Director of Corporate Services, presented Council with the Elections 2020 staff report.

Ms. Hartley advised Council regarding the upcoming October 17, 2020 Municipal Elections. The *Election Act* requires that the Returning Officer and Assistant Returning Officer be appointed on or before March 15, 2020.

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Discussion was held regarding the three election formats, pros and cons, and costs associated with each format. It was recommended by staff that offering e-voting at advance polls only and paper ballots only at election day.

After careful deliberation Council agreed to go with paper ballot only.

MOTION: MUNICIPAL ELECTIONS 2020

Being duly moved and seconded, be it resolved that Council of the Municipality of the District of Shelburne conduct a paper ballot election in 2020; and

That the Municipality of the District of Shelburne begin the hiring process for a returning officer and assistant returning officer for the 2020 election.

- **MOTION CARRIED**

7.(d) Erin Hartley, Director of Corporate Services, presented Council with the Dangerous or Unsightly Premises Policy staff report as previously discussed at the November 12, 2019, Committee of the Whole Meeting and deferred pending the new CAO opinion.

Ms. Hartley advised that there is a need for clear roles, responsibilities, procedures, administration and oversight for the investigation and enforcement of dangerous and unsightly properties in the Municipality of Shelburne.

It was also noted that the Bylaw Enforcement Officer will be delegated authority by the CAO to act as Dangerous or Unsightly Premises Administrator pursuant to the MGA.

MOTION: DANGEROUS OR UNSIGHTLY PREMISES POLICY

Being duly moved and seconded, be it resolved that Council of the Municipality of the District of Shelburne approve the attached Dangerous or Unsightly Premises Policy.

- **MOTION CARRIED**

7.(e) Erin Hartley, Director of Corporate Services, presented Council with the Enforcement of Summary Offense Ticket Policy staff report.

Since Council approved the Dangerous or Unsightly Premises Policy, amendments to the Enforcement of Summary Office Tickets Policy are required.

It is staff's position that Dangerous or Unsightly Premises matter are complex and should be dealt with in a more in-depth policy of its own; therefore, they have been removed from this policy.

ENFORCEMENT OF SUMMARY OFFENCE TICKETS POLICY AMENDMENT

Being duly moved and seconded, be it resolved that Council of the Municipality of the District of Shelburne approve the attached Enforcement of Summary Offence Tickets Policy as amended.

- **MOTION CARRIED**

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7.(f) Erin Hartley, Director of Corporate Services, presented Council with the Town of Shelburne Source Water Protection Committee – Council Member Appointment staff report.

A request was received from the Town of Shelburne for a Municipal Council Member to sit on the Source Water Protection Committee.

The Municipal CAO is also being asked to act as a non-voting member for this committee.

MOTION: TOWN OF SHELBURNE SOURCE WATER PROTECTION COMMITTEE – COUNCIL MEMBER APPOINTMENT

Being duly moved and seconded, be it resolved that Council of the Municipality of the District of Shelburne appoint Councillor John Roscoe to the Town of Shelburne Source Water Protection Advisory Committee.

- **MOTION CARRIED**

7.(g) Erin Hartley, Director of Corporate Services, presented Council with the Western Regional Housing Authority - Appointment staff report.

A nomination request was received from the NS Department of Municipal Affairs and Housing for Council to nominate a community member to the committee.

Discussion was held regarding the frequency of meetings, term and objectives. After discussion it was suggested that Tami Crosby be contacted to see if she accepts the nomination.

MOTION: WESTERN REGIONAL HOUSING AUTHORITY – COUNCIL MEMBER APPOINTMENT

Being duly moved and seconded, be it resolved that Council of the Municipality of the District of Shelburne recommend contacting Tamie Crosby to see if she accepts the nomination to the Western Regional Housing Authority.

- **MOTION CARRIED**

7.(h) Erin Hartley, Director of Corporate Services, presented Council with the Accessibility Advisory Committee staff report.

Correspondence was received from the Department of Justice advising that municipalities must form an Accessibility Committee by April 1, 2020 and have a Plan in place by April 1, 2021. It is anticipated that staff from recreation, building, community development, administration and finance will be needed to support that Committee and the development of the Plan.

In 2017, Bill No. 59, "An act Respecting Accessibility in Nova Scotia", was proclaimed in the Legislature with a goal of making Nova Scotia accessible by 2030. This legislation once prescribed, will be applicable to municipalities as public bodies. The Act clearly outlines the actions municipalities must take.

It is being recommended that the Municipality establish a Joint Municipal Accessibility Committee to develop an Accessibility Plan for all the municipalities in Shelburne County.

Discussion was held regarding mandates, specific plans, principles, and budget.

MOTION: ACCESSIBILITY ADVISORY COMMITTEE

Being duly moved and seconded, be it resolved that Council of the Municipality of the District of Shelburne approve the formation of an Accessibility Advisory Committee; and

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That the Municipality of the District of Shelburne invite the other Shelburne County municipal units to join to form a Joint Accessibility Advisory Committee.

- **MOTION CARRIED**

7.(i) Warden Smith updated Council regarding School Bus Safety that was previously discussed at the November 12, 2019, Committee of the Whole Meeting.

Councillor John Roscoe declared a conflict of interest.

Warden Smith advised that she had been in contact with the RCMP regarding the issue of vehicles passing school buses when red lights are flashing.

Discussion was held regarding offences under the Motor Vehicle Act, demerit points on the driver's license, second offence and third offence, as well the importance of cameras being installed in all school buses so that a picture of the vehicle and license plate of who commits this offence can be sent to the RCMP by the school bus driver.

MOTION: SCHOOL BUS SAFETY

Being duly moved and seconded, be it resolved that Council of the Municipality of Shelburne write a letter to the Minister of Education.

- **MOTION CARRIED**

8. Other:

- (a) Council Implementation Report
- (b) Shelburne County Forests
- (c) Roseway Hospital Charitable Foundation – X-Ray Machine Funding Request
- (d) Building Report – November 2019

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

Interim CAO updated Council on Rural Internet, rental for existing tenants and health care.

8. (c) Trudy Payne, CAO, presented Council with a letter received from the Roseway Hospital Charitable Foundation requesting funding for an X-Ray Machine.

The Roseway Hospital Charitable Foundation is working with the Nova Scotia Health Authority to replace a 20-year-old analog x-ray machine. The existing unit is under a service contract; however, it is increasingly challenging to source parts.

They are asking for support to fund the purchase in the amount of \$53,000.

Discussion was held regarding available funds, allocating funds, timelines, and budget consideration.

It was the agreement of Council that this be deferred to an upcoming Committee of the Whole Meeting.

8.(d) Council reviewed the November 2019 Building Report.

9. Committee Reports/Recommendations:

Discussion was held regarding the lack of activity on the Committees of Council, due to a lack of volunteers as community members. It was advised that now that the new CAO is in place, we will take a more in-depth look at these committees.

10. **Council Member Updates**

Warden Smith advised that she, the CAO and two staff attended a meeting at NSCC on Marine Spatial Planning on Monday, December 9, 2019.

11. **In-Camera:**

- (a) Contract Negotiations as per MGA S. 22 (2) (e)
- (b) Personnel Matters as per MGA S. 22 (2) (c)

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 7:36 pm to discuss Contract Negotiations and Personnel 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 8:04 pm.


- **MOTION CARRIED**

12. **ADJOURNMENT:**


There being no further business, the meeting was adjourned at 8:05 pm.

**Anita DeMings
Recording Secretary**

January 29/20.
Date



Penny Smith, Warden



Erin Hartley, Director of Corporate Services