



Regular Meeting of Council

March 24, 2021

PRESENT

Warden Eleanor Roulston
Deputy Warden John A. MacDonald

Councillors: Sandra Garden-Cole Michael Perry
Norval Mitchell Elie Moussa
Eldon Hebb Tom Isenor
Ian Knockwood
Keith Rhyno

STAFF

Ms. Kim Ramsay, Chief Administrative Officer
Mr. John Woodford, Director of Planning & Development
Mr. Adam Clarkson, Director of Parks, Recreation & Culture
Mr. Jesse Hulsman, Director of Infrastructure & Operations
Ms. Sue Surrette, Director of Finance
Ms. Jody MacArthur, Communications Officer
Mr. Tom Gignac, Manager of Information Systems
Ms. Sheralee MacEwan, Assistant Municipal Clerk
Ms. Alana Mosher, Administrative Assistant

REGRETS

Councillor Wayne Greene

CALL TO ORDER

Warden Roulston called the meeting to order at 7:00 p.m.

LAND ACKNOWLEDGEMENT

Warden Roulston respectfully acknowledged that East Hants is in Mi'kma'ki and the District of Sipekne'katik, the ancestral and unceded territory of the Mi'kmaq people.

MOMENT OF SILENT CONTEMPLATION

A moment of silent contemplation was observed.

The Warden advised Council that the new live streaming system is now in place and will be used for the first time this meeting.

APPROVAL OF OR AMENDMENTS TO THE AGENDA

C21(79) On the motion of Councillors Moussa and Perry:

00:03:47

Moved that the Agenda be approved as presented.

MOTION CARRIED

APPROVAL & SIGNING OF THE MINUTES

C21(80) On the motion of Councillors Rhyno and Mitchell: 00:04:06

Moved that the minutes of the February 16th and February 24th, 2021 Regular Meetings of Council be approved.

MOTION CARRIED

CORRESPONDENCE FOR INFORMATION

00:04:26

A complete copy of “Correspondence for Information” is attached to and forms part of the minutes.

ITEM 68 - DEPARTMENT OF MUNICIPAL AFFAIRS - CHANGES SUPPORT MAKING NOVA SCOTIA BARRIER FREE

Concerns were raised concerning a recent announcement from the Province regarding Legislative changes to allow Municipalities to provide funds to private businesses for accessibility purposes.

C21(81) On the motion of Deputy Warden MacDonald and Councillor Knockwood: CAO

Moved that staff be directed to write a letter to the NSFM asking what input was made and expressing concerns regarding the proposed legislative changes concerning the Municipalities providing funds to private businesses for accessibility purposes.

MOTION CARRIED

CORRESPONDENCE FOR DECISION

A complete copy of “Correspondence for Decision” is attached to and forms part of the minutes.

Item 60 - Temporary Borrowing Resolution - Enfield Water Treatment Plant Refinancing & East Hants Sportsplex

A Temporary Borrowing Resolution (TBR) is required to borrow from Municipal Finance Corporation (MFC) for two capital projects: 00:07:56

- Enfield Water Treatment Plant - Refinancing (10 years) = \$1,107,615
- East Hants Sportsplex - 21-012 = \$2,320,872

C21(82)

On the motion of Deputy Warden MacDonald and Councillor Hebb:

Surette

Moved that Council approve the Temporary Borrowing Resolution for the Enfield Water Treatment Plant refinancing in the amount of \$1,107,615 as attached to the Council agenda dated March 24th, 2021 and;

That Council approve the Temporary Borrowing Resolution for the East Hants Sportsplex in the amount of \$2,320,872 as attached to the Council agenda dated March 24th, 2021 and;

That the average interest rate of the debenture not exceed the rate of 6.5%

MOTION CARRIED

[Item 59 - Correspondence from the Woodland Park Property Owners' Association request to delay and present Re: Johnson Road easement petition](#)

The Municipality previously received a petition package from the property owners of Johnson Road, East Uniacke seeking approval to a full and proper review of the lack of vehicular and emergency access to the peninsula of Lewis Lake. Council is asked to consider the Private Ways Act to allow road access to be extended from Johnson Road/Woodland Park. There is a recommendation coming forward from Planning Advisory Committee later in the meeting.

The Woodland Park Property Owners' Association and property owners on Woodland Park Road expressed opposition and request a delay of the decision on the Johnson Road easement petition and request an opportunity to make a presentation to Council.

Council agreed to deal with this item later in the meeting.

Councillor Perry gave notice that he would be declaring a conflict of interest during discussion of this topic (Items 59 & 58).

[Item 58 - Correspondence from Peter M. Rogers, Q.C. on behalf of Richard and Karen Long Re: Private Ways Act - Johnson Road, Lewis Lake](#)

Mr. Rogers wrote a letter on behalf of Richard and Karen Long expressing opposition and requested a delay of the decision on the Johnson Road easement petition and request an opportunity to make a presentation to Council.

Council agreed to deal with this item later in the meeting.

[Item 38 - Municipal Alcohol Project opportunity - Nova Scotia Health Authority](#)

The Nova Scotia Health Authority are seeking representation from staff and Council in order to initiate a Municipal Alcohol Project working group in East Hants, with a goal of de-normalizing the misuse and inclusion of alcohol in our community events and culture, encouraging safe and inclusive events, and increasing public safety and health.

The Director of Parks, Recreation and Culture and CAO provided additional comments and considerations.

- C21(83) On the motion of Councillors Rhyno and Mitchell: CAO
Clarkson
- Moved that Council direct staff to include this request (Municipal Alcohol Project opportunity from the Nova Scotia Health Authority) to a future agenda as part of the Strategic Plan for consideration.***

MOTION CARRIED

[Item 26 - Letter from the Nova Scotia Firefighters Benevolent Fund seeking financial assistance.](#)

Nova Scotia Firefighters Benevolent Fund is seeking financial support for firefighters and their families during times of acute crisis. The purpose of the fund is to provide financial resources and practical assistance to support any firefighter in Nova Scotia.

The Deputy CAO provided additional background information.

- C21(84) On the motion of Deputy Warden MacDonald and Councillor Moussa: 00:22:36
- Moved that Council direct staff to include this request (Nova Scotia Firefighters Benevolent Fund funding support request letter) at a future Fire Advisory Committee meeting for further consideration.*** Friars

MOTION CARRIED

[FIRST READING - BYLAW F-100-7, AN AMENDMENT TO BYLAW F-100, LOCAL IMPROVEMENT BYLAW](#)

- C21(85) On the motion of Deputy Warden MacDonald and Councillor Mitchell: 00:23:52
- Moved that Council give first reading to Bylaw F-100-7, an amendment to Bylaw F-100, Local Improvement Charges Bylaw to add:*** Surrette
MacEwan
- *prior local improvements for Hwy 214 and Kali Lane not previously included; and,*
 - *the extension of sidewalks from the Elmsdale Superstore property to the subject property PID 45085248*

MOTION CARRIED

[SECOND READING - BYLAW P-100-1, AN AMENDMENT TO BYLAW P-100, COMMUNITY STANDARDS BYLAW](#)

- C21(86) On the motion of Councillors Moussa and Rhyno: Woodford
MacEwan

Move that Council give second reading to Bylaw P-100-1, an amendment to Bylaw P-100, Community Standards to regulate noise from forestry operations; And that, the bylaw includes the recommended setback distance at 300 meters;

And to remove the exemption to the Municipality of East Hants; And to exempt trucking activities related to forestry harvesting (Referencing Section 7.3.6 of Bylaw P-100-1).

Discussion was held and Staff addressed questions from Councillors.

Six (6) voting in favour. Four (4) voting against. Deputy Warden MacDonald and Councillors Moussa, Knockwood and Perry voting Nay.

MOTION CARRIED

PUBLIC HEARING - ASHFORD PLACE APPLICATION

00:47:22

Note: All comments/questions have been summarized and are not to be considered a verbatim transcript.

Warden Roulston noted that there was one (1) item on the public hearing agenda. The purpose of the hearings is to hear input from the public, prior to making a decision on the application. The Clerk noted when and where the public notices were published.

There were no members of the public in attendance. Warden Roulston noted Council's Procedural Policy. She advised that Council may approve, reject or defer its decision on the proposal to a later date. Council approval is required for the proposal to proceed.

Staff recommend that Council give second reading and approve amendments to the MPS and LUB to enable the property to be used for residential uses and recommend that Council approve the disposal of the open space parcel in exchange for an alternative piece of land.

The Vice-Chair of the Planning Advisory Committee presented the Planning Advisory Committee report and asked staff to present their final report.

The Project Planner presented the final staff report titled "Proposal to change the designation and rezone PID 45354396, Ashford Place, Lantz" dated March 3, 2021 which as attached to the agenda and available to all Council members.

The Warden opened the floor for comments and questions from members of Council. Staff addressed questions.

The Warden opened the floor for comments and questions from the public. There were none.

The Warden opened the floor for final comments from Staff. There were none.

The Warden asked the Vice-Chair of the Planning Advisory Committee to present the Planning Advisory Committees' recommendation.

C21(87) On the motion of Councillor Moussa and Deputy Warden MacDonald:

Moved that Council:

- ***give second reading and approve amendments to the MPS and LUB by changing the designation of PID 45354396, Ashford Place, Lantz to Established Residential Neighbourhood (ER) Designation and rezone the same to Established Residential Neighbourhood (R1) Zone, to enable the property to be used for residential uses, and;***
- ***approve the disposal of the open space parcel identified as PID 45354396, Ashford Place, Lantz, in exchange for an alternative piece of land to allow for the connection of the proposed AT bridge over the Nine Mile River.***

The Warden opened the floor for final questions or comments from members of Council. There were none.

MOTION CARRIED

The Warden concluded the Public Hearing.

LIVESTREAMING/WEB CONFERENCING FUNDING:

00:49:27

The nature of the Livestreaming/Web Conferencing project changed from when staff originally brought this forward to Council based on funding availability. All associated costs can now be considered for the COVID-19 Safe Restart funding and a Capital Project is no longer required. As a result, the funding direction in Motion C20(370) below should be superseded by a new motion and C20(273) should be repealed.

C21(88) On the motion of Deputy Warden MacDonald and Councillor Perry:

Surette

Moved that Council approve that Staff fund all costs associated with the livestreaming and web conferencing equipment upgrades from the COVID-19 Safe Restart Funding;
And to approve that the funding direction in Motion C20(370) be superseded by this motion;
And repeal Motion C20(273).

MOTION CARRIED

DECEMBER 2020 PENSION COST CERTIFICATE

In July 2020, Council received the results of the December 31st, 2019 annual actuarial review of the pension plan; this review is now done every 3 years with interim Cost Certificates required at each year end (a new requirement under pension legislation

in 2020). The cost certificate, prepared by an external actuary, does not have an impact on funding requirements for the Plan. It is simply an updated estimate of the Plan's funded position for the pension regulator.

The CAO is seeking approval for the filing of the December 31, 2020 Cost Certificate and the extension of Council's definition of earnings clause for retirees.

C21(89) On the motion of Deputy Warden MacDonald and Councillor Moussa: 00:54:50

Moved that Council authorize:

CAO

1) *The filing of the December 31, 2020 actuarial cost certificate attached to the March 24, 2021 Council Agenda;* Surrette

2) *That the definition of average earnings for service prior to January 1, 2020, be upgraded to December 31, 2019 earnings, with no pension being greater than the best five years income of the employee, for those employees who are retiring between January 1, 2020 and September 30, 2023, and that these special payments, as they arise, be funded through the pension reserve fund;*

3) *That Plenus Consultants be appointed as the Actuary for the Municipality of East Hants pension plan.*

MOTION CARRIED

COMMITTEE REPORTS:

CORPORATE & RESIDENTIAL SERVICES COMMITTEE

Deputy Warden MacDonald, as Chair, presented the Corporate & Residential Services Committee report from the meeting held on March 9, 2021. The minutes from that meeting were made available to all members of Council. The following motions came forward as a result of that meeting:

MUNICIPAL TAX ASSISTANCE POLICY (MTAP)

C21(90) On the motion of Deputy Warden MacDonald and Councillor Mitchell: 00:57:03

Move that Council approves the changes to the Municipal Tax Assistance Program (MTAP) Council Policy as attached to the Executive Committee agenda dated March 9th, 2021. Surrette

MOTION CARRIED

FIRST READING - F-100-7, AMENDMENT TO BYLAW F-100, LOCAL IMPROVEMENT BYLAW

Dealt with earlier in the meeting.

C21(91) On the motion of Deputy Warden MacDonald and Councillor Mitchell: 00:57:25

Moved the adoption of the report.

MOTION CARRIED

PLANNING ADVISORY COMMITTEE

Councillor Moussa, as Vice-Chair, presented the report on the Planning Advisory Committee from the meeting held on March 9, 2021. The minutes from that meeting were made available to all members of Council. The following motions came forward as a result of that meeting:

ASHFORD PLACE - REDESIGNATION AND REZONING - FINAL REPORT

Was dealt with during the Public Hearing earlier during this meeting.

MAPLE RIDGE STABLES - AMENDMENT TO OFFICIAL COMMUNITY PLAN AND DA - FIRST READING

C21(92) On the motion of Councillors Moussa and Mitchell: Woodford

Move that Council:

- *give first reading to text amendments to the MPS and LUB to enable horse stables, boarding and training facilities to be considered by development agreement on lands zoned Established Residential Neighbourhood (R1) and Two Dwelling Unit Residential (R2), where there are no Municipal water or wastewater services available; and*
- *give initial consideration to entering into a development agreement with Maple Ridge Stables (Shonda-Lyn Burt and Trevor Kramer) to enable horse stables, boarding and training facilities on lands located at 224 Etter Road, Mount Uniacke; and*
- *enable a public hearing and authorize staff to schedule a public hearing.*

Discussion was held and Staff addressed questions from Councillors.

Two (2) voting in favour. Eight (8) voting against. Councillors Hebb and Mitchell voted in support. The remaining Councillors voted Nay.

MOTION DEFEATED

GAIL SLOANE AND PETER MACDOUGALL - REDESIGNATION AND REZONING - FIRST READING

C21(93) On the motion of Councillors Moussa and Rhyno: 00:76:21

Move that Council:

Woodford

- **Give first reading to the proposal from Gail Sloane and Peter MacDougall to change the designation and zone of 3 properties on Barr Settlement Road from Agricultural Reserve (AR) to Rural Use (RU); and**
- **Authorize staff to schedule a public hearing.**

MOTION CARRIED

JOHNSON ROAD PETITION

Councillor Perry declared Conflict of Interest, signed the Book of Disclosure, and sat in the Gallery.

C21(94)

On the motion of Councillor Moussa and Deputy Warden MacDonald:

00:79:44

Moved (later tabled) that Council:

Woodford

- **accept the petition for right-of-way access from East Uniacke Road, East Uniacke to the properties on the Johnson Road peninsula as outlined as the petitioning properties on the map in Appendix C of the February 25, 2021 Staff Report, including PID 45146206 pending approval; and**
- **to authorize staff to enter into an agreement with the applicants for reimbursement to the Municipality of any and all expenses incurred by the Municipality as the result of the petition. appoint the Municipal Solicitor, Marc Dunning as Commissioner pursuant to Section 17 of the Private Ways Act, to consider the petition of the Johnson Road peninsula property owners.**

C21(95)

On the motion of Councillors Rhyno and Garden-Cole:

Woodford

Moved that Motion C21(94) be tabled and will be lifted at a future meeting following presentations (from the Woodland Park Assoc., Johnson Road Petitioners and Mr. & Mrs. Long) as requested.

MOTION TABLED

C21(96)

On the motion of Deputy Warden MacDonald and Councillor Knockwood:

MacEwan

Move that Staff be directed to arrange presentations at the May Executive Committee Meeting from the Woodland Park Road Assoc., Johnson Road Petitioners and Mr. & Mrs. Long.

MOTION CARRIED

(It was noted that a tabled Council Motion can only be lifted at a Council Meeting)

C21(97) On the motion of Councillors Moussa and Hebb:

Moved the adoption of the report.

MOTION CARRIED

Councillor Perry returned to his Council Seat.

PARKS, RECREATION & CULTURE

Councillor Rhyno, as Chair, presented the report on the Planning Advisory Committee from the meeting held on March 9, 2021. The minutes from that meeting were made available to all members of Council. The following motion came forward as a result of that meeting:

DISTRICT RECREATION FUND (DRF) - INTAKE 1

C21(98) On the motion of Councillor Rhyno and Deputy Warden MacDonald: 00:86:49

Moved that Council approve the District Recreation Funding 2021-2022 (Intake 1) totaling \$17,773, as follows: Clarkson

***Enfield District School Parent Teacher Association, District 1 - \$9,799
EH Horne School Preservation Society, District 10 - \$7,974***

MOTION CARRIED

C21(99) On the motion of Councillors Rhyno and Hebb: 00:87:20

Moved the adoption of the report.

MOTION CARRIED

POLICE ADVISORY COMMITTEE

Councillor Rhyno, as Chair, presented the report on the Police Advisory Committee from the meeting held on March 9, 2021 and the extension held March 11, 2021. The minutes from that meeting were made available to all members of Council. The following motions came forward as a result of that meeting:

POLICING MODEL

C21(100) On the motion of Councillor Rhyno and Deputy Warden MacDonald: 00:88:00

Move that Council direct staff to begin the process of working with the Department of Justice (DOJ) to move towards hiring two Detachment Assistants and a Corporal as soon as possible, one additional constable on April 1, 2022, with the intent to staff 28 officers by April 1, 2024 through municipal budgets as available. CAO

MOTION CARRIED

PUBLIC MEMBERSHIP TERM

To be dealt with later in the meeting.

C21(101) On the motion of Councillor Rhyno and Deputy Warden MacDonald:

Moved the adoption of the report.

MOTION CARRIED

PUBLIC MEMBERSHIP TERM

The current three-year term for the three public members of the Police Advisory Committee expires on April 30, 2021. The three current members are all interested in serving another term and have put their names forward for reappointment consideration. The provincial appointment seat remains vacant and the province is aware.

The Department of Justice previously confirmed that if Council is satisfied with the current citizen appointees and wishes to re-appoint them, they would not be required to go through the full advertising and selection process, as long as the stated qualifications continue to be met. All three current members wishing to continue serving on the Committee have proven to be reliable and valuable members. All members are eligible for re-appointment.

C21(102) On the motion of Councillor Rhyno and Deputy Warden MacDonald:

MacEwan

Moved that Council reappoints the following public members to the Police Advisory Committee for a three-year term ending April 30, 2024:

Reuben Hatt

Greg Densmore

Ralph Quade

Discussion was held regarding re-advertisements seeking new members and lengths of terms.

Eight (8) voting in favour. Two (2) voting against. Councillors Hebb and Knockwood voting Nay.

MOTION CARRIED

FIRE ADVISORY COMMITTEE

Councillor Mitchell, as Vice-Chair, presented the report on the Fire Advisory Committee from the meeting held on March 4, 2021. The minutes from that meeting

were made available to all members of Council. The following motion came forward as a result of that meeting:

FIRE SERVICE REQUEST FOR FUNDING - MENTAL HEALTH PROGRAM

C21(103) On the motion of Councillors Mitchell and Hebb:

Friars

Moved that Council support the East Hants Fire Service in the administration of a \$25,000 grant from the Mental Health Foundation Community Grant Program and that the Municipality manage the financial elements of the project, both payments to vendors and grant receipts.

MOTION CARRIED

C21(104) On the motion of Councillor Mitchell and Deputy Warden MacDonald:

Moved the adoption of the report.

MOTION CARRIED

Deputy Warden MacDonald assumed the Chair.

NOMINATING COMMITTEE

Warden Roulston, as Chair, presented the report on the Nominating Committee from the meeting held on March 9, 2021. The minutes from that meeting were made available to all members of Council. The following motions came forward as a result of that meeting:

FIRE ADVISORY COMMITTEE - PUBLIC MEMBERS (FIRE SERVICE)

C21(105) On the motion of Warden Roulston and Councillor Hebb:

102:07

Moved that Council appoints the following members to the Fire Advisory Committee for a term ending March 31, 2025:

Kory Orchard - Urban member

Terry Frail - Rural member

Shawn Darby - Undesignated member

Mac Noble - East Hants Fire Service Association Representative Member

Discussion was held and Staff addressed questions from Councillors.

MOTION CARRIED

FIRE ADVISORY COMMITTEE TERMS OF REFERENCE

C21(106) On the motion of Warden Roulston and Councillor Hebb:

MacEwan

Moved that Council direct staff to facilitate a review of the Fire Advisory Committee Terms of Reference and other Committees with public members.

MOTION CARRIED

C21(107) On the motion of Warden Roulston and Councillor Moussa:

Moved the adoption of the report.

MOTION CARRIED

The Warden resumed as Chair.

AUDIT COMMITTEE

Deputy Warden MacDonald, as Chair, presented the report from the Audit Committee from the meeting held on March 23, 2021. The minutes from that meeting will be made available to all members of Council. No recommendations are coming forward to Council.

C21(108) On the motion of Deputy Warden MacDonald and Councillor Mitchell:

Moved the adoption of the report.

MOTION CARRIED

MUNICIPAL VOLUNTEER RECOGNITION NOMINATIONS AND MODEL VOLUNTEER 2021

The Director of Parks, Recreation & Culture presented the report titled “Municipal Volunteer Recognition Nominations and Model Volunteer 2021” dated March 18, 2021 regarding the volunteer nominations received and provided a recommendation for the recipient of the Municipality’s Model Volunteer of the Year Award.

C21(109) On the motion of Deputy Warden MacDonald and Councillor Mitchell:

113:15

Moved that Council;

Clarkson

- 1. Approval of the “Shining Star” nominees provided to date.***
- 2. That the nomination forwarded by email to Council be approved for the “Model Volunteer Award” and be designated to represent the Municipality of East Hants at the 2022 Provincial Volunteer Awards.***

MOTION CARRIED

WARDEN’S REPORT

Deputy Warden MacDonald assumed the chair.

The Warden provided a verbal report on her recent activities.

Warden Roulston resumed the chair.

BUSINESS FROM COUNCILLORS

Councillors provided verbal reports on their recent activities and had their questions answered by staff.

The following Motions resulted:

NO PARKING SIGNS SHUBENACADIE

Concerns were raised about cars parking alongside the Shubenacadie River for fishing access, causing safety concerns.

C21(110) On the motion of Councillor Knockwood and Deputy Warden MacDonald: Hulsman

Moved that the Council direct Staff to write a letter to the Department of Transportation and Active Transportation to investigate possible installation of no parking signs along the Shubenacadie River as a result of safety concerns due to cars parked for fishing access.

MOTION CARRIED

LETTER REGARDING SOUTH UNIACKE ROAD

Concerns were raised regarding poor road and bridge conditions on South Uniacke Road.

C21(111) On the motion of Councillors Moussa and Perry: Hulsman

Moved that the Council direct Staff to write a letter to the Department of Transportation and Active Transportation to investigate poor road and bridge conditions on South Uniacke Road.

MOTION CARRIED

BREAK

Council agreed to take a break at 9:25 pm.

Warden Roulston called the meeting back to Order at 9:40 pm.

IN CAMERA SESSION

C21(112) On the motion of Councillors Hebb and Mitchell:

Moved that Council move to an In-Camera Session regarding a contractual matter at 9:40 pm.

MOTION CARRIED

The Council returned to an open meeting at 10:25 pm.

The Warden reported that Council met In-Camera to discuss a contractual matter and Staff was given direction. No motions resulted.

SETTING DATE & TIME OF NEXT REGULAR MEETING OF COUNCIL

C21(113) On the motion of Councillor Rhyno and Deputy Warden MacDonald:

Moved that the next Regular Meeting of Council (Policy) be held on April 20, 2021 and the Regular Meeting of Council April 28, 2021.

MOTION CARRIED

ADJOURNMENT

C21(114) On the motion of Councillor Rhyno and Deputy Warden MacDonald:

Moved that Council adjourn at 10:30 p.m.

MOTION CARRIED



Approved By: Kim Ramsay, Chief Administrative Officer
Date: March 25, 2021



Approved By: Eleanor Roulston, Warden
Date: April 28, 2021

/AM