



NOTICE

MEETING: St Mary's Municipal Council
Committee of the Whole

DATE: Wednesday, July 3rd, 2024

TIME: 4:00 pm

PLACE: St. Mary's Municipality
Council Chambers, Sherbrooke, NS

Please advise if unable to attend



Municipality of the District of St. Mary's

Committee of the Whole Meeting Agenda

Wednesday, July 3rd, 2024 at 4:00pm

We acknowledge that we are gathering in Mi'kmaqi the traditional unceded territory of the Mi'kmaq people.

1. Call to Order
2. Roll Call
3. Additions to the Agenda
4. Approval of the Agenda
5. Approval of Minutes: COTW held May June 19th, 2024
6. Business Arising from Minutes
7. Correspondence:
 - a. Letter from Minister J-Class roads
 - b. Letter for 12 Months' Notice - NSFM
8. Other Matters of Business
 - a. Water Treatment Plant Electrical Upgrades
 - b. Election Update: Verbal Update
9. In-Camera: Personnel

Adjournment



Municipality of the District of St. Mary's

Committee of The Whole (COTW) Meeting

Wednesday, June 19th, 2024

We acknowledge that we are gathering in Mi'kma'ki the traditional unceded territory of the Mi'kmaq people.

1. Meeting, Date & Time:

Warden Wier called the COTW Meeting of the St. Mary's Municipal Council to order on Wednesday, June 19th, 2024, at 4:00 p.m. in the Council Chambers, Sherbrooke, N.S.

2. Attending:

Warden Greg Wier

Deputy Warden James Fuller *attending via teams.*

Councillor Everett Baker

Councillor Courtney Mailman

Councillor Beulah Malloy

Councillor Charlene Zinck

Absent with Regrets:

Councillor James Harpell

Also Attending:

Doug Patterson, Chief Administrative Officer (CAO)

Marian Fraser, Director of Finance (DOF)

Jadzia Graham, Interim Municipal Clerk

Mallory Fraser, Director of Community Development and Recreation

Teddy Stevens, Director of Public Works

3. Additions to the Agenda:

- There were no additions to the Agenda.

4. Approval of the Agenda:

On the motion of Councillor Baker and seconded by Councillor Malloy, the Council approved the agenda as presented.

Motion approved.

5. Approval of Minutes:

On the motion of Councillor Zinck and seconded by Councillor Mailman, the Council approved the minutes of the COTW Meeting held May 29th, 2024.

Motion approved.

6. Business Arising from the Minutes:

- There was no business arising from the minutes.

7. Staff Recognition: 10-Year Service Award: Melanie Mills, Receptionist

- Doug Patterson, Chief Administrative Officer (CAO) informed Council of Melanie Mills, Receptionist 10 years of service to the Municipality. Melanie has shown her dedication to the job through her compassion, knowledge, and expertise in administration. To thank Melanie on behalf of the Municipality, Warden Greg Wier presented Melanie a Certificate for 10 Years of Service.

8. Correspondence:

- Carla Archibald, Owner of Storybrooke Day Home has sent an invitation to Council to join Carla and the kids for a "day in the life" of how the daycare operates and to see the programs taking place, skills that are being learned/taught, to provide Council with information and opportunities to take back to their communities.

9. Other Matters of Business:

a. Public Works Reports:

1.) Water Plant Electrical Work

- See the Agenda/Package for staff report.
- Public Works staff discovered that the main transformer for the Water Treatment Plant is starting to fail and needs to be replaced as soon as possible. This transformer allows power supplied from Nova Scotia Power and generator power to operate the Water Treatment Facility. The failure of this transformer would lead to no power supply (direct generator fed) to any equipment at the Water Treatment Facility until replaced.
- Public Works staff have received pricing on the replacement of the transformer for the Water Treatment Facility. Public Works has received two quotes for the replacement of the transformer.
- Suburban Electric Ltd. was the lowest quote with a delivery time of 2-3 days.
- Suburban Electric Ltd. is going to start the work at 10:00 p.m. to minimize the disruption to residents.

On recommendation of Councillor Baker and seconded by Councillor Mailman, Council approve the quote of \$3,947.84 plus HST from Suburban Electric Ltd, to replace the transformer to ensure a safe and reliable power source for the Water Treatment Plant.

Recommendation adopted.

2.) Hospital Road LIFT Station Repair

- See the Agenda/Package for staff report.
- Public Works staff routinely monitor and operate all equipment within the Wastewater Treatment and Collection System. With the age of the piping, there is currently two significant leaks on the piping of the Hospital Road Lift Station discharge piping.
- During recent inspections, Public Works discovered that the check valves and piping in the lift station has partially failed and now leaking sewer water back into the lift station. This lift station is where all the wastewater from Hospital Road and West Side Sherbrooke flows before being pumped to the Village Lift Station.
- Public Works staff have reached out to numerous companies to get pricing for this work but Partner Construction who operates out of New Glasgow, Nova Scotia have been the only company willing to complete this work. The repair requires specialized training which is covered by the contractor.

On recommendation of Councillor Malloy, and seconded by Councillor Zinck, Council approve the award of the Hospital Lift Station repair to Partners Construction, Further, the municipal council approve the

award of the lift station preparation and cleaning to BL Environmental. Further, that the total approved funds for the repair shall be quoted joint totals of \$14,00 plus a maximum contingency of an additional \$10,000 for a maximum of \$24,000 with any additional amounts beyond the approved capital budget to be charged to the Capital Reserve Fund.

Recommendation adopted.

3.) RecPlex Revitalization Project Siding and Window Award

- See the Agenda/Package for staff report.
- In May 2024, the Municipality of the District of St. Mary's issued a tender for the phase 2 of repairs to the Recplex Facility at 164 Old Road Hill, Sherbrooke Ns. Phase 1 was completed in the fall of 2023 and was approximately half of the exterior siding, the back half of the facility.
- Phase 2 of the repairs includes material and labor for the following; Removal and disposal of current Recplex siding and replaced with "Heron Blue" 29 gauge steel siding (approx. 450 linear feet), replacement of approximately 83 feet of soffit and fascia, replacement of 5 windows, removal of 3 windows and closing in one window openings prior to steel being installed.
- The tender stated that if rotten sections are found under the siding that need to be replaced prior to installation a change order must be submitted, and a price was to be included as part of the tender to supply a cost per linear foot for sections that need to be repaired.

On recommendation of Councillor Baker, and seconded by Councilor Zinck, Council award "Phase 2 Recplex Revitalization" tender to A.T. Home Construction in the amount of \$77,000 plus HST with any unexpected additional repairs at a cost of \$1,500 per 10 X 10 square foot and in accordance with the terms outlined in the request for proposal document and specified on the bid form.

Recommendation adopted.

4.) RecPlex and Library Accessibility Project Tender Award. (Update)

- See the Agenda/Package for staff report.
- During final inspection and measurements of the St. Mary's Recplex for the accessibility tender, Admiral Glass and Sign Ltd. suggested that instead of plain steel doors, the curb appeal and aesthetics of the main door could be improved by installing aluminum doors with frosted glass panels instead. This would make the main entrance of the Recplex more inviting and more attractive for the public. The picture in the staff report is the doors which were originally quoted. The doors on the right are the proposed doors by Admiral Glass and Sign Ltd.

On recommendation of Councillor Zinck, and seconded by Councillor Mailman, Council approve the additional quote of \$4,750 plus HST to the original tender approved at the COTW on May 29th from Admiral Glass and Sign Ltd. to further upgrade the main doors of the St. Mary's Recplex.

Recommendation adopted.

5.) Verbal Update: Port Bickerton Lighthouse Road Maintenance Work

- Teddy Stevens, Director of Public Works informed Council of the work completed at the Port Bickerton Lighthouse Road to fix and maintain the quality of the road. Waternish Construction did the work and the road is now ready for the summer season.

- b. Recreation Report: Canada Day Festivities: Verbal Update
 - Mallory Fraser, Director of Community Development and Recreation informed Council of her acceptance of the position and the events and activities she has planned. Mallory is presently working on Canada Day festivities, which include a parade, music, games, family fun, and fireworks, weather permitting.

- c. Extended Producer Responsibility (EPR). Verbal Update on Timeline and Next Steps
 - Doug Patterson, Chief Administrative Officer (CAO) informed Council of the timeline and next steps on the Extended Producer Responsibility. The province is going to start reaching out to Municipality's, CAOs, and Warden's for feedback and public engagement.

- d. Housing: Next Steps for the Neighborhood Concept Plan
 - See the Agenda/Package for staff report.
 - St. Mary's, May 29th, 2024 – In a momentous step towards addressing the on going housing crisis, the Municipality of the District of St. Mary's is announcing actionable measures aimed at turning its commitment to challenging the housing crisis into action. Specifically, the Municipality is committing an approximately 50-acre piece of municipal property on the edge of Sherbrooke between Stonewall Park and the St. Mary's education Centre/Academy for housing development.
 - The Municipality will be launching a request for proposal (RFP) to have a neighbourhood concept plan developed for the land. The neighbourhood concept plan will facilitate public feedback on best development and housing solutions and support the engagement of developers.

- e. Policy: Flag Raising Policy Parameters
 - See the Agenda/Package for staff report.
 - The Municipality recognizes that flags are important symbols of honor and pride and must be treated in a respectful and consistent manner.
 - The purpose of working to develop a policy is to provide standards for flags flown on the municipal property including procedures for raising and lowering flags, as well as procedures for lowering the flags to half-mast, to provide public awareness and support of equity-seeking

groups in the Municipality. This policy is also in place to ensure flag raisings honoring St. Mary's diversity occur in a fair, inclusive, and equitable manner.

- The Municipality has identified a need to create a Flag Policy that can define what flags are flown, when and where.

On the recommendation of Councillor Baker, and seconded by Councillor Malloy, Council agree to purchase and install a new 25-foot flagpole for the location as stated in the Flag Policy section 3.2.5.

***Recommendation adopted.
Deputy Warden Fuller – Nay***

On recommendation of Councillor Malloy, and seconded by Councillor Mailman, Council agree to adopted the Flag policy as presented.

Recommendation adopted.

f. Business Support: Verbal: Council Discussion on Community Business Needs

- Council discussed ways in which they can help and support local businesses in the municipality. Some ideas Council had are advertising businesses in the Newsletter, and contacting DEANS to see if they can help advertise and promote the businesses. Creating a business commerce group, and making brochures to pass out to residents, visitors and tourists.

g. Low Carbon Communities Fund: Project Opportunity

- See the Agenda/Package for staff report.
- Solar Gardens are large arrays of solar panels installed in a single location, such as on open land or expensive rooftops. These installations generate electricity that is fed into the provincial grid, providing power to multiple homes. Individuals and businesses can subscribe to receive energy from this communal source. Investing in community solar offers several significant benefits such as Revenue, Energy Affordability, Energy Security, and GHG Reduction.
- The Low Carbon Communities grant is a 75% funded grant, It is suggested that the municipality apply to receive the maximum amount of funding of \$75,000, the municipality will be responsible for contributing \$25,00, totaling a \$100,00 project.
- Although the capital solar planning project was not part of the 2024-2025 Capital Budget staff are recommending it can be funded through the Capital Reserve Fund in the amount of \$25,000.

On the recommendation of Deputy Warden Fuller, and seconded by Councillor Baker, Council approve and support the application for the 2024 Low Carbon Communities grant to conduct a community solar feasibility study with funding for the project to be allocated from the Capital Reserve Fund.

Recommendation adopted.

h. Memorandum of Agreement between the Municipality and the Sherbrooke Village

- See the Agenda/Package for staff report.

- The Municipality of the district of St. Mary's and the Sherbrooke Restoration Commission have a Memorandum of Agreement for both parties effective for five years beginning on the date of both party's signatures. In this agreement, it covers access, maintenance, and security of the property. The Municipality will be able to offer events and programming to the public on museum grounds.

On the recommendation of Councillor Zinck, and seconded by Councillor Mailman, Council accepts the new Memorandum of Agreement with the Nova Scotia Museum & Sherbrooke Village Restoration Commission, operating Sherbrooke Village and the Municipality of the District of St. Mary's as presented. Further the municipal council authorizes Warden Greg Wier to sign the agreement on behalf of the Municipality.

Recommendation adopted.

i. August Council and COTW Date Review. Verbal Review

- Council was informed that staff are recommending rescheduling the July 17th, 2024 COTW Meeting to July 31st, 2024.
- There will be no meetings in August for a summer recess.

On recommendation of Councillor Malloy, and seconded by Deputy Warden Fuller, Council agree to reschedule the July 17th, 2024 COTW meeting to July 31st, 2024, and to have no meetings in the month of August for a summer recess.

Recommendation adopted.

Adjournment

On motion of Councillor Baker, and seconded by Councillor Malloy, there being no further matters of business, Council adjourned at 5:25 p.m.

Motion approved.

Recorded By
Jadzia Graham, Interim Municipal Clerk

Approved By
Warden Wier



**Public Works
Office of the Minister**

P.O. Box 186, Halifax, Nova Scotia, Canada B3J 2N2

Warden Gregory Wier
Municipality of the District of St. Mary's
Box 296
Sherbrooke, NS B0J 3C0

Dear Warden Wier:

Re: Cost Shared Program for Paving of Subdivision (J Class) Streets for fiscal year 2024-25.

Thank you for your Municipality's submission under the Cost Shared Program for Paving of Subdivision (J Class) Streets for fiscal year 2024/25.

Due to program limits, the Department will not be able to proceed with Cameron Road, Bennetts Loop, and Restoration Drive. The Municipality may wish to re-submit these candidates for the 2025-26 program under the terms outlined in the Cost Share Agreement.

Yours sincerely,

Kim D. Masland
Minister of Public Works

c: Doug Patterson, Chief Administrative Officer, Municipality of St. Mary's
Paul Colton, District Director, Eastern
Andrew MacPherson, Construction Manager, Eastern
Laura Cunningham, Capital Program Administration Officer



Municipal Affairs and Housing Office of the Minister

PO Box 216, Halifax, Nova Scotia, Canada B3J 2M4 • Telephone 902-424-5550 Fax 902-424-0581 • novascotia.ca

April 22, 2024

Your Worship Carolyn Bolivar-Getson
President, Nova Scotia Federation of Municipalities
Suite 1106, 1809 Barrington Street
Halifax, NS B3J 2K8
Via email: president@nsfm.ca

Dear President Bolivar-Getson:

Under the provisions of the *Municipal Government Act*, the Minister of Municipal Affairs and Housing must provide to the Nova Scotia Federation of Municipalities (NSFM) 12-months' notice of any provincial legislation, regulation, or administrative actions that could have the effect of decreasing revenues or increasing the required expenditures of municipalities. This letter is intended to provide notice of such changes for fiscal year 2025-2026 and beyond.

The Department of Municipal Affairs and Housing (DMAH) canvassed all other provincial departments to seek information on plans for legislative, regulatory, and policy changes in the coming fiscal year. Below you will find a summary of the results of that process.

Communities, Culture, Tourism and Heritage*

Review of the *Libraries Act Funding Regulations*

Public regional libraries receive annual operating funding from the Province, municipalities, and their regional library boards. The *Libraries Act Funding Regulations* stipulate a sharing ratio that requires a contribution from municipalities. Currently, for libraries outside Halifax Regional Municipality (HRM), the Province contributes 71%, municipalities contribute 26%, and library and boards contribute 3%, while within HRM, the Province contributes 26%, the municipality contributes 71%, and the board contributes 3%.

The department is currently conducting a funding review that may have an impact on the municipalities on April 1, 2025. However, at this time, the impact on the municipalities is not known, as this work is underway and will require Executive Council approval.

We will provide further updates on any potential impacts as we get closer to a decision on this initiative.

Department of Intergovernmental Affairs

Procurement Thresholds and Free Trade Agreements

Intergovernmental Affairs would like to advise that there are procurement thresholds under several free trade agreements that could impact municipalities.

Every two years, Global Affairs Canada updates its thresholds for covered procurements under the Canada-Europe Trade Agreement (CETA), the Canada-UK Trade Continuity Agreement (TCA) and the Canada Free Trade Agreement (CFTA). Municipal procurements are covered under these obligations. All procurements above the thresholds must be publicly tendered unless subject to an exemption.

The threshold values in Canadian dollars for the period of January 1, 2024, to December 31, 2025, are as follows:

FTA	Goods	Services	Construction
CFTA	Province		
	\$33,400	\$133,800	\$133,800
	Municipalities and MASH		
	\$133,800	\$133,800	\$334,400
	Crowns, Utilities, etc.		
	\$353,300	\$668,800	\$6,685,000
CETA/TCA	Province, Municipalities and MASH		
	\$353,300	\$353,300	\$8,800,000
	Crowns		
	\$627,200	\$627,200	\$8,800,000
	Utilities, etc.		
	\$706,700	\$706,700	\$8,800,000

Department of Justice

The Department of Justice are aware of the following changes:

1. The current RCMP labour contract for regular members and reservists below the rank of inspector expires on March 31, 2023, and new labour negotiations began on April 1, 2023. The negotiations remain ongoing and are moving to mediation as of January 2024. The cost implications cannot be determined at this time.
2. RCMP Multi-Year Financial Plan (MYFP) of Nova Scotia's RCMP "H" Division includes RCMP salary increases, fleet requirements, accommodation, and business cases in 2023-24. The total financial impact for the new Provincial Police Service Agreement to Municipalities is \$6.231 million.

3. Biological Casework Analysis Agreement provides municipalities with DNA analysis arising from criminal investigations. Costs will be determined upon the release of the "Total Uniform Assessment" by Municipal Affairs.
4. Work is underway for the development of the accessibility standards and compliance of the Act. The cost implications cannot be determined at this time. At a minimum, one-year notice will be given to municipalities and villages of any policy and regulation change related to obligations under the *Accessibility Act* and standards that impact revenue or expenditures.
5. The *Dismantling Racism and Hate Act* enables the Minister to require prescribed public sector bodies, including municipalities and villages to develop equity and anti-racism plans to address systematic hate, inequity, and racism. The provincial government is providing municipalities and villages with \$1.185 million to support this work. It is anticipated that plans will be required by April 1, 2025.
6. The Attorney General and Minister of Justice's Mandate Letter of September 14, 2021, directs the Minister to amend the *Freedom of Information and Protection of Privacy Act* to give order-making ability to the Privacy Commissioner. The Department of Justice is undertaking a comprehensive review of access and privacy legislation with the goal of modernization. To ensure consistency in access and privacy legislation, Part XX of the *Municipal Government Act* is included in this review and will be updated at the same time. The Department of Justice is undertaking engagement with municipalities and villages as part of the review.

Department of Labour, Skills and Immigration

Firefighters' Compensation Regulations

This item is regarding the Firefighters' Compensation Regulations under the *Workers' Compensation Act*, and the expanded cancers included in the presumption in Nova Scotia. The estimated financial cost of this amendment was determined via an actuarial assessment. The Workers' Compensation Board of Nova Scotia (WCB) will need to determine if the impact of cancer claims on the liability requires a rate increase for municipalities, as they are considered employers for volunteer firefighters in the *Workers' Compensation Act*. The WCB will communicate the 2025 rates to employers by September 2024.

Department of Municipal Affairs and Housing

Statement of Provincial Interest

The Department of Municipal Affairs and Housing (DMAH) has initiated a review of the Statement of Provincial Interest (SPI) Regarding Housing and the Statement of Provincial Interest (SPI) Regarding Infrastructure. The current SPIs have not been amended since their inception in 1999. Municipalities are required to have a comprehensive land use plan for the entire extent of their municipality and new municipal planning documents, as well as

amendments made after these statements come into effect, must be reasonably consistent with them. Municipalities are also required to review their planning documents every 10 years, at a minimum. It is difficult at this time to determine if there will be a potential financial impact on municipalities, in the form of additional studies to support their planning work, as this will be dependent on the results of the review.

Department of Emergency Management

Regulations to support the new Act to Establish a Department of Emergency Management and Authorize the Establishment of a Nova Scotia Guard will be developed in the coming year which may have a financial impact on municipalities. This includes regulations respecting regional emergency management offices; the relationship between municipalities and regional emergency management offices; the provision of fire dispatch services through regional emergency management offices; vulnerable persons registries and their implementation; and a regional emergency alert system and the participation of municipalities in the system.

Department of Economic Development

The Department of Economic Development has two initiatives underway that could potentially have financial impacts on municipalities:

Review of the *Peggy's Cove Commission Act*

This review is seeking to modernize the role and administration of the Peggy's Cove Commission. Given the location of Peggy's Cove within the boundaries of HRM, any proposed changes to the Act or its administration could have an impact on the municipality, for example shifting responsibility for planning approvals.

Regional Enterprise Networks (RENs)

In 2023 the department engaged in a series of interviews, interactive sessions, and discussions around our vision for economic growth, the existing tools and partnerships that support this shared work, and opportunities to support continued economic growth in Nova Scotia. This, in part, involved municipalities and the Regional Enterprise Networks (RENs). There were common themes that emerged from the sessions, most notably the need for consistent service delivery across the province, complete geographical coverage, and improved navigation of existing programs and services for businesses. The outcome of addressing these challenges has the potential to impact the existing REN model, and therefore our municipal partners.

Sincerely,



Honourable John A. Lohr
Minister of Municipal Affairs and Housing

Electrical Upgrades of the Water Treatment Facility

Installation of Automatic Switch Gear and Surge Protection

SUMMARY

Contained in the capital budget is funding for the automatic switch gear and activation of the back up generator in case of power failures. This helps ensure the functioning of the facility, lower risk of service problems and more capability of the plant. Currently cut over to the generator has to wait until staff can start the generator.

Further, with the high level of power outages and power bumps and risk of accompanying surges, it is suggested by Public Works that surge protection for the Water Treatment Plant would be an important addition for the integrity of the water plant and its sensitive equipment and that this surge protection be installed along with the planned automatic switch for the back up generator.

BACKGROUND

During recent inspections of the electrical components and their operation at the Water Treatment facility, Public Works staff discovered that the sensitive equipment within the water treatment plant are at great risk with the increased number of power outages and power bumps. The sensitive microchips and smart board within the PLC (programmable logic control) and associated equipment currently has no protection against power surges. Currently, the generator at the water treatment facility has manual switch gear. In the instance of a power outage, the operator on duty must come to sight and manually start the generator and operate the manual switch gear. This process can take 10-15 minutes. The ten to fifteen minutes is a best-case scenario. Given the range of issues that can cause a power outage there are multiple related possibilities that could mean significant arrival time delays for staff and potential consequences for plant operation beyond the initial outage for the power interruption. Any power outage leads to consumers without water for this time. This delay in starting is also a major cause in discolored water as the time it takes to come to site allows the lines to drain and depressurize. When the plant is started by up, the inflow of water into the semi drained lines causes discoloration and consumers and businesses without water.

CONSIDERATIONS

Public Works staff have received pricing on the installation of automatic switch gear and surge protection for the water treatment plant from two companies. Suburban Electric Ltd is the lowest quoted price with the automatic switch gear costing \$7,397.60 plus HST and the surge protection costing \$3,004.13 plus HST for a total price of \$10,401.73 plus HST. This price includes all materials and labor.

The budget for this project was approved as part of the 2024-2025 Capital Projects in the amount of \$20,000 funded by Capital Reserve Fund.

RECOMMENDATIONS

That municipal council approve the bid in the amount of \$10,401.43 plus HST from Suburban Electric Ltd to install the automatic switch gear and surge protection at the water treatment facility to provide an undisturbed water supply to consumers and to protect the sensitive equipment within the water treatment facility.