



Municipality of the District of St. Mary's

Committee of The Whole (COTW) Meeting
Wednesday, February 16th, 2022

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

1. Meeting, Date & Time:

The COTW Meeting of the St. Mary's Municipal Council was called to order on Wednesday, February 16th, 2022, at 4:00 pm in the Council Chambers Sherbrooke, N.S.

2. Attending:

Warden Wier	Councillor Malloy
Deputy Warden Fuller	Councillor Mailman
Councillor Baker	Councillor Zinck
Councillor Harpell	

Also Attending:

Marissa Jordan, CAO
Mallory Fraser, Municipal Clerk
Marian Fraser, Director of Finance

3. Additions to the Agenda:

- No additions to the agenda.

4. Approval of the Agenda:

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

Motion approved.

5. Approval of Minutes:

On motion of Councillor Harpell and seconded by Councillor Malloy, Council approved the minutes of the COTW Meeting held Wednesday, February 2nd, 2022.

Motion approved.

6. Business Arising from the Minutes:

- Figures provided in the presentation from St. Barbara are conflicting. Staff will confirm with St. Barbara which figures included in the presentation are correct.

7. Presentations

a. St. Mary's River Association (SMRA) – Scott Beaver & Charles MacInnis

- Scott Beaver introduced himself as president of the Saint Mary's River Association.
- The SMRA has been operating for 43 years supported largely by volunteer efforts.
- Mission Statement: provide leadership and engage partners to enhance, protect and promote the St. Mary's River as a healthy ecosystem for Atlantic Salmon and other native animals and plant species, as well as a rich community resource.
- Charles MacInnis is the Project Manager on all work done on the habitat on the river system.

- Charles owns MacInnis Natural Resources which is a habitat restoration consultant firm based out of Antigonish. Services provided include project design and management of well over 50% completed in Nova Scotia over the last decade. Prior to working as a consultant Charles spent 30 years working for the Department of Fisheries and Oceans as a Habitat Biologist. The final decade of his career was spent working as Regional Manager of the Gulf Region Fish Habitat Compliance Program where he would provide expert testimony on cases pertaining to Fishing Act Violations. He was also instrumental in bringing fish habitat restoration into Nova Scotia's salmon conversation work. Together with Bob Rutherford, he implemented the first large scale fish habitat restoration project on Briley Brooke from 1994 to 1998; the work was monitored in partnership with the St. FX Biology Department. The success of the project ushered in the creation of the Nova Scotia Sport Fish Habitat Program and the Adopt the Stream Program. Charles was involved in the design of fish habitats across NS and is nationally recognized as an expert in his field. Charles and his son also run a farm and works with farmers.
- To date SMRA has completed 25 linear km or 6600 square metres on the West Bench Project of habitat restoration work.
 - SMRA is seeing 200 percent returns on the red count.
 - A Red is an area of the river bottom where Atlantic Salmon lay their eggs in the fall.
 - Since they've started, over the past 8 years they've monitored a five-kilometer stretch of the river in the Caledonia Road area. Over the 8 years they've seen a 600% increase in reds.
 - SMRA has been informed that DFO will do more monitoring on the river and will look at adult stock return; conduct general fishing to across 25 – 30 sites across the whole river to gain a picture of what the health of the river looks like currently.
 - Parts of the St. Mary's are starting to look like Margaree with Salmon spawning. The East Branch has really taken off. There is a lot of spawning going on at the tributaries including Barron Brooke and Bryden Brooke.
- 3 million dollars worth of habitat work has been completed to date on this river system with funds coming from the Provincial & Federal government as well as other sources.
- There is a lot of interest of the river system from many different people.
- A lot of funding for SMRA projects comes from the Adopt a Stream Program.
- The river is 450 square kilometres. It is the largest project in the province within the last eight years. It has a design bankful width of 30 to 40 metres depending on the location.
- At Upper Bryden Brooke, you can see grind structures, rock sills which is the main structure, a berm. The sills are the main restoration feature that are used. There are usually 100 sills along a 25 kms. They are designed to dig the pools and build the gravel bars. These structures cost approximately \$10,000 each; they take about 1 to 2 days to put in. The difficulty is getting the material to the location, trying to keep the site clean while doing the work, and balance working around the wood turtles. A wood turtle survey must be completed before any restoration work begins so that they can identify the nests, stay a certain distance away from them. Wood Turtles are a protected species.
- SMRA was the first eight years ago to use drones to start this project. All the areas are flown and documented prior to restoration and after restoration.
- Charles pointed out a sill structure which he explained is basically an artificial ripple. For every kilometer they try to put in approximately six of these structures and a pool that is 3 to 3.5 metres deep.

- Rocks that are inserted naturally disappear after a few years.
- As you go down the river one sill will point to the right and the next sill will point to the left. This is done for water flow and bedload which means how much gravel will come down the river.
- Charles explained the process of how a deflector was working in the river.
- Charles pointed out Upper Bryden Brook; dark areas which are pools; a pool that increased it's depth by three times; a spawning area; and where vegetation was planted to support the project.
- A lot of pre work was conducted sampling areas to collect data on colder areas in the river water which are known as cold water refuges.
 - A lot of the big pools which are built are developed around areas with cold water coming in including Barron Brook, Bryden Brook, Upper Bryden Brook, Chisholm Brook, where work was finished of this year.
- The amount of time it takes to dig a pool depends on how much gravel is in the area. If there is a lot of gravel it will dig faster. Planting trees over pools is also used to help cool the water temperature and groins and reflectors are used to narrow the channel to a defined width.
- The channel has cooled about four degrees since the project started; and are staying cold enough the fish will hold in them.
- SMRA has completed a plan for the east branch of the river which is a gravel-based river.
 - They have submitted a proposal to DFO for over one million dollars in funding, they don't expect to hear any results for a month or two.
 - They are hopeful as the new budget is being presented that there will be funds included for salmon as the mandate letter from the minister discussed it.
 - The funding would go towards farming areas for erosion.
 - The East Branch does not require liming. They are liming wetlands and small tributaries that are flowing into the baron. Two years of liming has been complete in the Barron water shed; the pH was raised from 5.0 to 6.8.
 - The East Branch has gravel, deep pools, big lakes at the top where fish can sit for the summer and good spawning habitat.
 - It does have erosion, there has been a proposal for funding submitted to complete work over the next 4 to 5 years.
- The Nova Scotia Salmon Association is doing water quality monitoring over the complete water shed.
- Berms and deflectors are designed to be flood resistant; they are no higher than 3 feet tall. They are to collect sediment not to interfere with flood or ice flows.
- Scott explained the capture program that they work on in partnership with the Department of Fisheries and Oceans. Last year 16 salmon were tagged acoustically; 23 salmon went to the Cold Brook Hatchery; eight were satellite tagged. The tags allow for data to be collected on what where the salmon are going.
- To release salmon, they are transported to the location in a big blue tank on the back of a truck, put in a salmon sock, carried to the lake, and released out of the sock into the water. The idea is to keep the fish in the water as much as possible.
- Nova Scotia Nature Trust currently has 16 properties or approximately 16,060 acres protected along the St. Mary's River, mostly on the West Branch.
- Ducks Unlimited has also taken an interest in the area and purchased a property.
- SMRA has conducted BioBlitz's over the Archibald's Lake Area: this is the opportunity for interested individuals to get out for the day.

- Eastlink has also taken an interest in the project. SMRA will be featured in two episodes coming up March 13th and April 10th on Eastlink TV.
- Scott distributed a letter to Council asking for a letter in support of the protection of Archibald's Lake to the Premier and the Minister of the Environment.

8. Correspondence

a. NS Power – Rate Increase

- Nova Scotia Power has submitted a general rate application to the Nova Scotia Utility and Review Board requesting a rate increase in 2022, 2023 and 2024. This is the first application submitted since 2012. NS Power explains the increase is due the requirement to deliver 80 percent renewable energy by 2030; Nova Scotia's changing weather which requires the continued strengthening and modernizing of the electrical system; and the growing demand for electricity. The request if approved would result in three average increases of 3.3% per year.
- Marian Fraser, Director of Finance reported that over a three-year period, the proposed increases could potentially increase the cost to the Municipality by \$5,000.00 per year up to \$ 15,000.00 in a year three.

b. MOU Request – Alcohol, Gaming, Fuel & Tobacco

- Service Nova Scotia and Internal Services inquired about the Municipality of the District of St. Mary's would like to join a Memorandum of Understanding with their department to streamline the process for clients obtaining zoning confirmation for Liquor Licensing.
- Council advised CAO, Marissa Jordan to sign the MOU.

9. Other Matters of Business:

a. Municipal Recreation Programming & Covid Regulations Update

- At the COTW Meeting on January 19th, 2022, Council agreed to re-start recreation programs following provincial regulations and continue to review the situation at future COTW Meetings.
- The Director of Community Development Kerri Penney explained the changes to Provincial Covid-19 regulations and how they impact recreation programs. The province is currently in Phase 1 as of Monday, February 14th; spectators are now permitted at the Recplex; the capacity for sports at the Recplex is 60 individuals; the capacity for Free Skate is 75% of the maximum capacity equaling 303 people. The Director of Community Development and Recreation is going to explore the regulations for food and drinks within a rink.
- The capacity for Community Centres under Phase One is 50% of the maximum capacity.
- The capacity for Special Events is 50% of the maximum capacity both indoors and outdoors.

b. Municipal Planning Strategy & Land Use By-Law Update

- Marissa Jordan, CAO gave Council an update on the Municipal Planning Strategy and Land Use By-Law
- Upland Consultants visited. They did a half morning of site visits in the area to become familiar with the community. They held a workshop and consultation with staff for an afternoon.
- Currently Upland has reviewed the current by-laws, the planning documents, and the draft form of by-laws and planning documents that we're having updated.
- Upland has suggested some considerations for Council including adding a dedication of public parks and open spaces when a subdivision happens. Under the MGA, when a subdivision occurs Municipalities can require a developer dedicate land or in way of cash or combination of both to provide public parks or open spaces within the subdivision. The Municipality can require up to five

percent by default up to ten if the MPS gives reasons as to why regarding the dedication percentage. In the case of land, the percentage would be percentage of the area of land being subdivided; in the case of cash, it would be a percentage of the value of the lots being created; the cash can be literal cash or in the form of an investment into parkland infrastructure; if the cash is given to the municipality, it must be used towards investments in parks and recreation.

- Council agreed to add Park Land Dedication in the way of land, with the default of five percent.
- Council requested the CAO to follow up with the consultant to determine the size of land of a subdivision which would be too small to require a Park Land Designation.

c. Community Transportation Study

- Director of Community Development and Recreation, Kerri Penney will follow up with Council with any important dates and information as it arises regarding the project.

d. Third Quarter Finance Review

- The Director of Finance Marian Fraser highlighted key components of the Third Quarter Finance Review to Council including:
 - Under revenue all the provincial and federal grants have been applied for and they have all been received. The provincial component was received in January, that will be seen at the next update.
 - Under the Deed Transfer Tax increases are still being seen. It is expected to be at \$228 000 by year end, with \$75,000 budgeted.
 - It is important to note that these figures are actuals to December 31st and year end projections are included in this report.
 - An overage to be reported included an estimate from Eastern Mainland Housing Authority from the Department of Municipal Affairs regarding the fee to be paid for housing for this year between the range of \$28,856.00 to \$33,317.00. The usual range is \$8,000.00 to \$17,000.00. This is an unbudgeted increase. Council has requested that Eastern Mainland Housing Authority be invited to present to council on this budget increase.
 - In revenue, miscellaneous revenue is up over budget; a grant has been received to offset summer employment costs for public works. Elections Nova Scotia also contributed to funds in the miscellaneous revenue. Scrap metal tipping fees have been received in the amount of \$14,485.00. The double up payment of the Equalization Grant from the provincial government has been received, providing \$175,000.00; this was not a budgeted additional revenue.
 - In expenses, general administration and employee cost savings have been realized; the solicitor expense is over budget due to court cases.
 - In building inspection, The Municipality is under the expected budget for this point in the year.
 - Projections for the Sherbrooke Library have increased due to building repairs including roof leaks.
 - All equipment for the Seeds of Literacy Program will be purchased by the end of this fiscal year.
 - In Recreation & Community Development grants which were received were highlighted which include: CPRA: Gender Equity Grant, Building Vibrant Communities Fund, and the Active Living Fund. The Recreation Master Plan is included in the year end projections for a net of \$35,000.00.

- The Recplex year end projections will be down from the lack of rentals due to Covid-19. Recplex expenses are up due to repairs to the Brine Pump and other infrastructure.
- In Public Works / Maintenance the snow clearing contract is over budget.
- The Transfer Station expenses include maintenance to the backhoe and the overhead doors.
- The Sewer Utility is on budget. The power cost is up, the cost for chemicals is down.
- The Water Utility expenses included chemicals which have increased in cost, water testing which have increased in cost and repairs. It's expected to end the year with a surplus.
- CAO, Marissa Jordan recommended Council consider projects that could be completed by the end of this fiscal year including the Boundary Review project. The CAO asked for direction for additional projects to consider.

On recommendation of Deputy Warden Fuller, and seconded by Councillor Zinck, Council agreed to have staff issue an RFP for the 2022 Municipal Boundary Review.

Recommendation adopted.

- The Director of Finance updated Council that under the Capital Gas Tax Reserve many projects were delayed due to various reasons included the paving, sidewalks, and drainage issues.
- The CAO updated Council that the storm sewer drainage is not adequate on Main St. The catch basins and infrastructure are too small to operate efficiently. The representative from NS Public works advised that an engineered design be generated to fix the infrastructure before proceeding with paving.
- Council agreed to have staff have an engineered design done to fix the infrastructure.
- The Director of Finance proposed Council make the recommendation to transfer \$5,000.00 to Water Utility from Operating; and to have any surplus left from the 2021-22 fiscal year Operating Surplus to Capital Reserve on March 31st.

On recommendation of Councillor Baker, and seconded by Councillor Malloy, Council agreed to transfer \$5,000.00 from the Operating Budget to the Sherbrooke Water Utility due to the one-time provincial Equalization Fund received for the 2021-22 fiscal year.

Recommendation adopted.

On recommendation of Councillor Malloy, and seconded by Councillor Baker, Council agreed to transfer any Operating Surplus above \$5,000.00 into the Capital Reserve on March 31st, 2022.

Recommendation adopted.

e. Resident Concern: Nova Scotia Power

- Councillor Mailman had a request from a resident for Council to bring forward resident concerns regarding the lack of service and the outdated mode of providing power to St. Mary's area. They have requested Council draft a letter to send to NSP.
- Council agreed to send a letter to Nova Scotia Power and the Provincial and Federal representatives regarding the lack of service and the outdated mode of providing power to our rural area.

f. In Camera Session: Tax Sale & Contract Negotiations - ECRL

On motion of Councillor Baker and seconded by Councillor Harpell, Council moved into an in-camera session for Tax Sale and Contract Negotiations - ECRL at 5:25 pm.

Motion approved.

On motion of Deputy Warden Fuller and seconded by Councillor Malloy, Council reconvened to regular session at 5:54 pm.

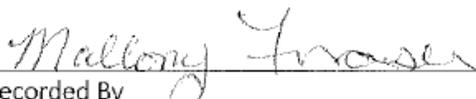
Motion approved.

- Council has agreed to send a letter to the Honourable Patt Dunn, Minister of Communities, Culture, Tourism & Heritage regarding the service provided by Eastern Counties Regional Library at Sherbrooke Public Library.

10. Adjournment

On motion of Councillor Mailman and seconded by Deputy Warden Fuller, there being no further matters of business, Council adjourned at 5:55 pm.

Motion approved.


Recorded By
Mallory Fraser, Municipal Clerk


Approved By
Warden Wier