

**Region of Queens Municipality Regular Council
Tuesday, October 10, 2023
9:00 a.m.**

Agenda

1.0 Call to Order

2.0 Changes / Approval of Agenda

3.0 Presentation

4.0 Tabling of Petitions

5.0 Public Question / Comment Session

6.0 Approval of Minutes

6.1 Regular Council – September 26, 2023

7.0 Recommendations

7.1 Trucking of Bulk Salt Tender

7.2 Ice Resurfacers

7.3 J Class Road Subdivision Street Paving

7.4 UARB Application for Rate Adjustment

7.5 Dangerous and Unsightly – Property at 9777 Highway 8, Caledonia,
Queens County, NS PID #70154539

8.0 Discussions

8.1 Grey Boxes on Private Roads – Labelle area

8.2 Homelessness in Queens

9.0 In-Camera Items

10.0 Adjournment

Region of Queens Municipality Regular Council Tuesday, September 26, 2023 6:00 p.m.

Minutes

Present: Mayor Darlene Norman, Chair
Deputy Mayor Jack Fancy
Councillor David Brown
Councillor Vicki Amirault
Councillor Kevin Muise
Councillor Ralph Gidney
Councillor Maddie Charlton
Councillor Carl Hawkes
Dan McDougall, Interim CAO
Christine Watson, Admin. Assistant – Planning & Development

1.0 Call to Order

Mayor Norman called the meeting to order at 6:00 p.m.

2.0 Changes / Approval of Agenda

Add Item 7.4 – Milton Centennial Pool
Add Item 7.5 – Condenser Replacement, Queens Place Emera Centre
Remove Item 8.1 – Update Public Hearing Intervenor Status – Nova Scotia
Aquaculture Review
Item 8.2 Water Utility becomes Item 8.1
Remove In Camera Item 9.1 – Contract Negotiations

It was moved by Councillor Gidney and seconded by Councillor Brown that the Agenda be approved as amended.

MOTION CARRIED unanimously.

Mayor Norman welcomed Municipal Advisor, Andrea Hyslop, who was present in the gallery.

3.0 Presentation

There were no presentations to come before this meeting.

4.0 Tabling of Petitions

There were no petitions to come before this meeting.

5.0 Public Question / Comment Session

David Huskins, 160 Church Street, Liverpool – Mr. Huskins asked if there was documentation available on the water utility discussion. A copy of the discussion paper which had been circulated was provided to him.

6.0 Approval of Minutes

6.1 Regular Council – September 12, 2023

It was moved by Councillor Amirault and seconded by Councillor Hawkes:

THAT the minutes of the Regular Council meeting held September 12, 2023 be approved as circulated.

MOTION CARRIED unanimously.

6.2 Special Council – September 21, 2023

It was moved by Councillor Gidney and seconded by Councillor Muise:

THAT the minutes of the Special Council held September 21, 2023 be approved as circulated.

MOTION CARRIED unanimously.

7.0 Recommendations

7.1 Policy 82 – Fire Department Capital Purchases and Operating Grants

It was moved by Councillor Gidney and seconded by Councillor Muise:

THAT Council of Region of Queens Municipality adopt revised Policy 82 – Fire Department Capital Purchases and Operating Grants as presented.

Joanne Veinotte, Director of Corporate Services, stated this was discussed at the September 12th council meeting and that the policy be updated to enable the distribution of the incremental funding for the Fire Departments that was passed in the 2023/2024 budget.

A new formula will be based on 5 cents on the tax rate each year as agreed upon by all Chiefs.

MOTION CARRIED unanimously.

7.2 Appointments as Building Official

It was moved by Councillor Amirault and seconded by Councillor Charlton:

THAT Council of Region of Queens Municipality appoint Graham Hopkins, Bruce Parks, Kyle Whynot, Ryan Whynot, Earl Woodworth and Amanda Esterbrooks to the position of Building Official for Region of Queens Municipality.

Dan McDougall, Interim CAO, stated Building Officials are required to be appointed by Council in order to administer and enforce the Nova Scotia Building Code.

Nova Scotia Building Officials Association establishes three levels of qualification for Building Officials. The Region's current Building Officials have yet to attain all the necessary requirements to carry out Level 2 inspections, which are the most complicated.

MOTION CARRIED unanimously.

7.3 CAO Hire

It was moved by Councillor Brown and seconded by Councillor Charlton:

THAT the Council of Region of Queens Municipality authorize Mayor Darlene Norman and Deputy Mayor Jack Fancy to sign the employment agreement for the hiring of Cody Joudry for the Chief Administrative Officer position for the Region of Queens Municipality.

Mayor Norman provided background on the hiring process of Mr. Joudry. She stated Mr. Joudry comes with 16 years municipal experience and worked in various departments. He has strong communication skills and understands the importance of public engagement.

She further thanked Dan McDougall who filled the position as Interim CAO and the Region's Directors who were appointed as Acting CAO during a period of time Mr. McDougall was not available.

MOTION CARRIED unanimously.

7.4 Milton Centennial Pool

It was moved by Councillor Gidney and seconded by Councillor Amirault:

THAT the Council of the Region of Queens Municipality approve a budget for repair of the Milton Centennial Pool facility at a cost of up to \$50,000 plus HST.

Adam Grant, Director of Engineering and Public Works, stated during the rain event in July 2023, the pool and surrounding area had considerable damage.

The base for the pool requires substantial work to repair and the liner cannot be installed until the spring of 2024. The pool walls will need to be braced over the winter.

MOTION CARRIED unanimously.

7.5 Condenser Replacement, Queens Place Emera Centre

It was moved by Councillor Amirault and seconded by Councillor Charlton:

THAT the Council of the Region of Queens Municipality approve the purchase of a replacement condenser for Queens Place Emera Center at a cost of \$255,000 plus HST, 10% contingency, plus installation to be funded from operations.

Director Grant stated in late summer early September the refrigeration equipment began to malfunction and staff diagnosed

the condenser had a minor ammonia leak. Cimco Refrigeration were hired to repair and identified several more that were compromised.

The condenser has been severely reduced and needs immediate replacement. Nova Scotia Department of Labour has requested a long-term plan be submitted by September 29, 2023.

Staff are recommending the stainless steel as it will mitigate future issues and provide a longer useful life.

MOTION CARRIED unanimously.

8.0 Discussions

8.1 Water Utility

Director Veniotte stated Region of Queens residents have been under a boil water advisory since August 7, 2023. Staff have been asked to provide options for possible one-time reductions in water bills for water utility customers.

The Utility and Review Board must approve any change to the rates as outlined in their order. Staff will have to apply to the UARB should Council wish to proceed in this direction. The Utility is expected to post a significant deficit this year with the increase in supply costs and the significant investment in equipment repairs. This may impact the decision of the UARB.

The Utility does have an operating reserve that was set up for periodic sediment removal costs. The reserve balance is approximately \$180,000. If Council decides to apply for a one-time reduction to the UARB the use of this reserve could be explored.

Staff have asked the Municipal Solicitor to determine if the Council has the authority to use municipal general revenue for a one-time reduction. If there is authority to do so Council would have to decide if this is an option they would consider.

Staff have looked at options for reducing a future bill. There are two fees charged each quarter; base rate and consumption. Base rates range from \$39 (for a 5/8 inch meter) to \$1867 (6 inch meter) per

quarter and are based on the size of the meter serving the property. There are 8 different base rates.

The consumption rate is the same for all users and the current rate is \$1.24 per cubic meter (1,000 liters).

There are a variety of uses of potable (drinking) water depending on the use of the property being serviced. Residential uses would typically be drinking, cooking, and hygiene such as brushing teeth, etc. Commercial uses would include residential uses and may also include use in beverages for resale such as soft drinks and coffee, etc., process water for food products, etc. Staff do not have detailed information for each property served with respect to the percentage of water consumed for drinking/potable uses.

Staff have developed an estimate of the cost to the utility for a variety of scenarios based on the consumption rate, as follows:

- A 25% reduction would range from approximately \$11.00 to \$54.00 for the customer base and would cost the utility approximately \$20,000.
- A 40% reduction would range from approximately \$16.00 to \$87.00 and would cost the utility approximately \$32,000.
- A 70% reduction would range from approximately \$31.00 to \$153 and would cost the utility approximately \$56,000.00.

The higher end of the range reflects commercial users.

Please note that the water bills include an amount for Sewer also, which will not be affected by any one-time reduction.

Councillors offered suggestions to approach this issue:

- A reduction of 50% which would equate to \$40,000,
- Use a different approach if this issue happens again,
- Businesses receive a bigger reduction than residents,
- Reduction to be paid from the water utility reserve and note paid from the general reserve,
- The percentage reduction the same for both residents and businesses and keep the formula simple,
- Reduction of 70% for all users.

Mayor Norman noted RQM water rates are the lowest in the province.

Consensus given to Director Veinotte to proceed with applying to the UARB to issue a 70% reduction on the consumption charge for the next quarterly invoice for all utility users, source of funds to be the Utility's operating reserve for all utility users. She will bring a recommendation forward at the next council meeting.

9.0 In-Camera Items

There were no In Camera items to come before this meeting.

10.0 Adjournment

The meeting adjourned at 7:02 p.m.

Mayor Darlene Norman, Chair

Dan McDougall, Interim CAO

Christine Watson, Administrative Assistant – Planning & Development

Date Approved: _____

Region of Queens Municipality Staff Report

7.1

To: Council
From: Adam Grant, Director of Engineering & Public Works
Date: October 10, 2023
Re: Trucking of Bulk Salt Tender

Background

The Region of Queens Municipality called for Tenders for the trucking of bulk salt for the 2023/2024 winter season.

Details

One tender submission was received.

<u>Name of Contractor</u>	<u>Price Per Metric Tonne Plus HST</u>
Van Dyk Excavation & Truckin'	\$78.76

Van Dyk Excavation & Truckin' was the successful tenderer the previous year at a price of \$49.95 plus HST/tonne.

Applicable Legislation

N/A

Budget Impacts

N/A



Recommendation

THAT Council of the Region of Queens Municipality approve that Tender PW09-2023/2024 – Trucking of Bulk Salt be awarded to Van Dyk Excavation & Truckin' for the tendered price of \$78.76 per metric tonne, plus HST for the 2023/2024 winter season.

Communications

The tenderer will be notified.

Region of Queens Municipality Staff Report

7.2

To: Council

From: Adam Grant, Director of Engineering & Public Works

Date: October 10, 2023

Re: Ice Resurfacer

Background

The Region of Queens Municipality called for proposals for the replacement of its 2009 Zamboni 445 Ice Resurfacer at Queens Place Emera Centre.

Details

The 2023/2024 Capital Budget included the replacement of Queens Place Emera Centre's 2009 Zamboni 445 Ice Resurfacer. Request for Proposal PW10 – 2023-2024 was issued on the Nova Scotia Provincial Procurement Portal and closed on September 22nd.

Details of the request required the provision of a fully electric ice resurfacer including charging with specified requirements, as well as pricing options for the supply and installation laser-guided level system for the ice resurfacer and the trade-in of the existing 2009 unit.

Two proposals were received before closing, and one additional late submission was returned. Staff reviewed the proposals and eliminated one due to multiple non-compliance.

Pricing summary, including trade-in:

Saunders Equipment Ltd	\$156,500 +HST	2024 Zamboni 450
	Delivery June 2024	

Company #2 (disqualified)	\$152,350 + HST	2024 Olympia Millenium E
	Delivery December 2024	

Company #3 (disqualified)	Proposal was returned unopened.	
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The Director of Recreation and Healthy Communities was able to secure a grant through the Nova Scotia Department of Communities, Culture, Tourism and Heritage at a value of \$205,000 for this project.

Remaining project budget allocation is required to install additional equipment such as EV charging station and laser-guided conditioner to improve quality and relieve operator strain during re-surfacing.

Applicable Legislation

Section 47 (5) of the Municipal Government Act sets out that the council may make and carry out a contract, perform an act, do anything, or provide a service for which the municipality or the council is authorized by an Act of the Legislature to spend or borrow money.

Budget Impacts

The purchase is included as part of the 2023/2024 capital budget at an estimate of \$205,000 + HST for the machine and additional equipment and requirements not part of the proposal to be funded by a CCTH grant.



Recommendation

THAT Council of the Region of Queens Municipality approves the purchase of a 2024 Zamboni 450 from Saunders Equipment Ltd, Fredericton NB at a price of \$156,500 + HST.

Communications

Upon approval, the purchase order will be issued.

Region of Queens Municipality Staff Report

7.3

To: Council

From: Joanne Veinotte, Director of Corporate Services

Date: October 10, 2023

Re: J class Road Subdivision Street Paving

Background:

Each year the Municipality and the Province partner to pave selected J Class roads. This partnership is outlined in agreement 2020-017.

Details:

Oliver Street was selected to be paved as part of this partnership in the 23/24 fiscal year. Section 6.2 of that partnership agreement states that in cases of cost overruns of more than 10%, the Province is required to notify the Municipality. The Municipality must then decide if it wishes to proceed or decline participation in the project. A letter was received on September 26, 2023 from the Province giving notice that the cost overrun on this project is estimated to be \$40,000 or 66.7%. The new estimate is \$100,000. The fiscal 23/24 budget included an allocation of \$31,285 for this project, the new cost share amount is \$50,000.

Applicable Legislation:

Section 65 of the *Municipal Government Act* states:

Procedures for non-budget expenditures:

65B The council shall establish procedures to authorize and verify expenditures that are not included in an operating budget or capital budget.



Budget Impacts:

Should Council approve the overage to pave Oliver Street, operating costs will increase by \$18,715.

Recommendation:

THAT the Council of the Region of Queens Municipality approve the overage for the Oliver Street paving project of \$18,715.

Communications:

Council's decision will be shared with the Department of Public Works by the CAO.

MEMO - URGENT

To: Mayor Darlene Norman
CC: Mr. Chris McNeill
From: Laura Cunningham
Email: laura.cunningham@novascotia.ca
Date: September 26, 2023
Re: 2023-24 J-Class Subdivision Street Paving
of Pages: 2

As per section 6.2 of the cost share agreement 2020-017, the Province is required to notify the Municipality in writing of any cost overruns of more than 10% on approved project(s) for the current fiscal year.

The Department is prepared to proceed with this work, but the Municipality's approval of the cost is required to award the contract. An immediate response is requested so that the project may proceed within the current construction season.

Please indicate on the attached list whether the Municipality wishes to accept or decline the new tender (and cost share) amount. The Department will proceed to award the project that has been accepted by the Municipality. Sign the attached page and scan and email this document back to laura.cunningham@novascotia.ca.

Yours truly,

Laura Cunningham

Laura Cunningham
Capital Program Administration Officer

Page 2
2023-24 J-Class Subdivision Street Paving

Dear Ms. Cunningham

The Region of Queens Municipality agrees to proceed/cancel project(s) as indicated on the list below.

Road Name	Original Estimate	Tender Amount	New Cost Share Amount	% Over original estimate	Municipality to proceed with project (Y/N – please write in)
Oliver Street, paving	\$60,000	\$100,000	\$50,000	+66.7%	

Signature

Name and Title (Print)

Date

Region of Queens Municipality Staff Report

7.4

To: Council

From: Mallory Plummer, Manager of Finance

Date: October 10, 2023

Re: UARB application for rate adjustment

Background:

Region of Queens residents have been under a boil water advisory since August 7, 2023. Staff were asked to provide options for possible one-time reductions in water bills for water utility customers.

Details:

At the September 26th Council meeting, staff were directed to prepare an application to the UARB requesting a one-time reduction in the consumption rate for one quarter only of 70%. This reduction will be funded from the Utility Reserve, which had been funded by operations from 2009-2020 for Sediment Removal. This reserve has a balance of \$180,000 and has never been used. The estimated cost of the reduction to the utility is \$56,000.

The respective billing cycle is from August 22 to November 30, 2023 (dependant on meter reading completion). Invoices are completed and mailed before the Christmas break, dated January 1, 2024. If the application is granted in time, staff will apply the reduction to this billing.



Budget Impacts:

Should the request be granted by the UARB, there will be no impact on the Utility operating statements, the reserve balance will be reduced by the amount of the credit.

Recommendation:

THAT the Council of the Region of Queens Municipality apply to the Nova Scotia Utility and Review Board for a one-time reduction of the consumption rate of 70% for one quarter only to be funded from the Utility Reserve.

Region of Queens Municipality Staff Report

7.5

To: Council

From: Jason Hartung, S. Cst, Bylaw Enforcement Officer
Kelley-Anne Hurley, S. Cst, Bylaw Enforcement Officer

Date: Tuesday, October 10, 2023

Re: Property at 9777 Highway 8, Caledonia, Queens County, NS
PID# 70154539

Background

This property has been on the Region of Queens Bylaw Enforcement Roster for Dangerous and Unsightly Premises on and off since 2012. In June of this year, the mobile home situated on the property sustained catastrophic damage from an undetermined fire. The damages rendered the property as an “Immediate Threat to Public Safety” as the structural integrity was totally compromised. As the property owner is deceased, Bylaw Enforcement made immediate contact with the tenant presently residing on the property, who advised that there was a “life lease” on the property and that there was a person in charge thereof. The representative, Patrick McInnis, was immediately contacted and a clean-up commenced slowly.

Details

To this date, the dwelling has been fully demolished via Demolition Permit #116-23 – issued in July 2023. The property, now considered as “Unsightly”, requires a full clean-up.



Applicable Legislation

Section 346(1) of the *Municipal Government Act* states that where a property is dangerous or unsightly, the council may order the owner to remedy the condition by removal, demolition, or repair, specifying in the order what is required to be done.

Section 348(3) further specifies that where the owner fails to comply with the requirements of an order within the time specified in the order, the administrator may enter upon the property without warrant or other legal process and carry out the work specified in the order.

Budget Impacts


Any costs incurred by Region of Queens Municipality will become the responsibility of the parties of interest, and a lien will be placed against the property to ensure the collection of these costs.

Recommendation

THAT Region of Queens Municipal Council declare the property located at 9777 Highway 8, Caledonia, Queens County, Nova Scotia and identified as PID #70154539 as dangerous or unsightly as defined in the *Municipal Government Act of Nova Scotia*.

AND THAT Region of Queens Municipal Council cause an Order to be served upon the Estate of Wallace Meade, and the person in charge thereof, Patrick McInnis, located at 9777 Highway 8, Caledonia, Queens County, Nova Scotia requiring that, within (30) days of the date of the service of the Order, the following work be carried out:

1. Clean-up of all metals, plastics, toys, tires, recyclables, household garbage, construction and demolition materials strewn about the property or noted as remnant remains (OR PROPERTY STORED THEREOF).

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2. Demolition of one small makeshift outbuilding/chicken coop that is falling over.
 3. Leveling of property accordingly removing holes and tripping hazards.

AND THAT if the Estate of Wallace Meade, and the person in charge thereof, Patrick McInnis, fails to comply with the Order, the Administrator may cause the requirements of the Order to be carried out and all expenses incurred by Region of Queens Municipality become the responsibility of the parties of interest.