



**REGULAR MEETING
MUNICIPAL COUNCIL
MUNICIPALITY OF THE DISTRICT OF YARMOUTH
Wednesday, September 18, 2024**

A Regular Meeting of the Municipal Council for the Municipality of the District of Yarmouth was held in Council Chambers on Wednesday, September 18, 2024.

1. The meeting was called to order at 6:03 p.m. by Warden John Cunningham with the following in attendance: Deputy Warden Trevor Cunningham, Councillor Patti Durkee, Councillor Daniel Allen, Councillor Loren Cushing, Councillor Nick Hilton, Councillor Sheri Hurlburt, Victoria Brooks, CAO, and Jenny Porter, Municipal Clerk.

Also, in attendance for a portion of the meeting was Danny Jackson, Capital Projects & Asset Management Coordinator.

2. **Land Acknowledgement** – I would like to begin by acknowledging that we are on the traditional lands of the Wasoqopa'q First Nation, part of Mi'kma'ki (meeg-ma-gee), the ancestral territory of the Mi'kmaq people.
3. **Singing of O Canada**

Councillor Hilton arrived at 6:05 p.m.

4. **Approval of Agenda (Additions/Deletions)**

It was moved by Councillor Patti Durkee, seconded by Councillor Loren Cushing to approve the agenda as circulated.

Motion carried.

5. **Declarations of any conflicts of interest**

Councillor Hilton declared a conflict with item 8.1.1 Yarmouth Curling Club.

6. **Approval of Minutes**

- 6.1 **August 7, 2024 Regular Council**
- 6.2 **August 7, 2024 Public Hearing – CDDI By-Law**
- 6.3 **August 7, 2024 Public Hearing – Port Maitland Fog Alarm Building**

It was moved by Councillor Daniel Allen, seconded by Councillor Sheri Hurlburt to approve the minutes as presented.

Motion carried.

7. Old Business

7.1 Rotary Centre Tender Award

Danny Jackson presented a request for decision to Council regarding the accessibility renovations at the Rotary Centre in Hebron.

It was moved by Councillor Sheri Hurlburt, seconded by Councillor Daniel Allen;

WHEREAS the Municipality of the District of Yarmouth has provisioned a total of \$1,450,000.00 for the accessibility renovations of two of Municipally owned buildings;

AND

WHEREAS Bill 59, the Accessibility Act requires Prescribed Public Sector Bodies to bring their buildings to meet accessibility standards per the Act;

AND

WHEREAS the Council for the District of Yarmouth is committed to providing safe, equitable access to services;

AND

WHEREAS the Council for the District of Yarmouth has received and accepted an accessibility Audit for the Administration and Rotary buildings – endorsed by the Accessibility Advisory Committee;

AND

WHEREAS the District of Yarmouth seeks to secure additional funding under the Enabling Accessibility Fund of \$125,000;

THEREFORE, BE IT RESOLVED THAT the Municipality of the District of Yarmouth accept the bid of Delmar Construction Limited in the amount of \$439,967.00 plus HST for the ROTARYCENTREACCESSIBILITYUPGRADES Tender;

AND further, direct the CAO to negotiate the construction contract accordingly.

Motion carried.

Danny Jackson left the meeting at 6:14 p.m.

8. New Business

8.1 Recommendations from COTW

8.1.1 Yarmouth Curling Club

Councillor Hilton declared a conflict of interest and exited the meeting.

It was moved by Deputy Warden Trevor Cunningham, seconded by Councillor Patti Durkee to approve the request from the Yarmouth Curling Club for \$300,000 over three years, along with a letter of support.

Amendment

It was moved by Deputy Warden Trevor Cunningham, seconded by Councillor Daniel Allen to amend the motion by adding that the funding from the Municipality will be provided only if the project as presented is fully funded.

Motion carried.

Amendment

It was moved by Councillor Daniel Allen, seconded by Councillor Sheri Hurlburt to further amend the motion that the funding contribution begin in 2025-2026 fiscal years.

Motion carried.

Amended Motion

It was moved by Deputy Warden Trevor Cunningham, seconded by Councillor Patti Durkee to approve the request from the Yarmouth Curling Club for \$300,000 over three years, beginning in the 2025-2026 fiscal year, subject to the project being fully funded as presented at the September 5th COTW meeting and that a letter of support be provided.

Motion carried.

Councillor Hilton returned at 6:23 p.m.

8.1.2 2024 Councillor Code of Conduct

It was moved by Deputy Warden Trevor Cunningham, seconded by Councillor Loren Cushing to approve the 2024 Councillor Code of Conduct as presented.

Motion carried.

8.1.3 Mariners Centre Board of Directors Request – Capital Priorities 2024-2025

It was moved by Councillor Daniel Allen, seconded by Councillor Loren Cushing to approve the capital fund contribution to the Mariners Centre Capital Priorities in the amount of \$46,585 as budgeted in the 2024-2025 Operating Budget.

Motion carried.

8.1.4 Letter to Mariners Centre Board re: Capital Priorities

It was moved by Councillor Sheri Hurlburt, seconded by Councillor Daniel Allen that a letter be sent to the Mariners Center Management Board inquiring as to why the Capital Priorities submission to Council is six months past due, as prescribed under the Intermunicipal Agreement and request a response within two months.

Motion carried.

8.1.5 Mariners Centre Expansion Conditional Grant for Contingency

It was moved by Deputy Warden Trevor Cunningham, seconded by Councillor Daniel Allen to approve up to \$630,000 (38.67% of \$1,630,000) as a conditional contingency funding grant for the Mariners Centre Expansion project in the event tender bids exceed a 10% estimate overrun.

Motion carried.

It was moved by Councillor Nick Hilton seconded by Councillor Patti Durkee to approve up to \$773,200 in temporary bridge financing to support cash flow during the construction of the Mariners Centre expansion project.

Motion carried.

8.1.6 “Good Neighbour” By-Law Update

It was moved by Councillor Nick Hilton, seconded by Councillor Daniel Allen that staff explore, while drafting the “Good Neighbour” By-Law, adding a section specific to animals not included in the Fences and Detention of Stray Livestock Act and a section for different avenues for resolution, and that these additions be done in an early phase two as an amendment to the By-Law.

Motion carried.

8.1.7 October Regular Council Meeting Date

It was moved by Deputy Warden Trevor Cunningham, seconded by Councillor Sheri Hurlburt that the October Regular Council meeting be held on Thursday, October 3, 2024, at 5:00 p.m.

Motion carried.

Warden Cunningham stepped away at 6:34 p.m., and Deputy Warden Cunningham assumed the Chair.

8.1.8 Private Road Name Request

It was moved by Councillor Nick Hilton, seconded by Councillor Loren Cushing to accept the private road name of Lake Fanning Road as the desired name as a result of the subdivision on PID 90120239, of the Perry Road in Carleton.

Motion carried.

Warden Cunningham arrived back at 6:36 p.m. and assumed the Chair.

8.1.9 Draft Dynamic Speed Display Sign Policy D-0140-18

It was moved by Councillor Nick Hilton, seconded by Councillor Sheri Hurlburt to approve Dynamic Speed Display Sign Policy D-0140-18 as presented.

**Vote in 6 favour, 1 against.
Motion carried.
(Warden Cunningham)**

8.1.10 Letter to Province re: Short-Term Rental Enforcement

CAO Brooks provided an update on the Short-Term Rental discussions happening between municipalities and the province.

Moved by Councillor Patti Durkee, seconded by Councillor Loren Cushing to defer the recommended motion to a future regular Council meeting.

8.1.11 Parkland Dedication

8.1.11.1 File 9986

It was moved by Councillor Sheri Hurlburt, seconded by Councillor Nick Hilton that the Municipality accept \$800.00, equivalent to 5% of the market value of Lot J-1 as a Parkland Dedication on PID 90296989, File 9986.

Motion carried.

8.1.11.2 File 9973

It was moved by Deputy Warden Trevor Cunningham, seconded by Councillor Patti Durkee that the Municipality request \$30,000 which is 5% of the market value of Lots SL-1 to SL-12 as Parkland Dedication, on PID 90319435, File 9973.

Motion carried.

8.2 First Reading of Tax Exemption By-Law

It was moved by Councillor Nick Hilton, seconded by Councillor Daniel Allen to approve first reading of Tax Exemption By-Law T-082-24.

Motion carried.

8.3 Transient Vendors Permit (Councillor Durkee)

Council discussed the timeframe for permits for transient vendors, specifically for food trucks.

It was moved by Councillor Patti Durkee, seconded by Councillor Nick Hilton that staff review the Transient Vendor By-Law regarding the extension of permit timelines for transient vendors, specifically food trucks, beyond 30 days.

Motion carried.

9. Correspondence

9.1 For Action

9.1.1 Grant Application Comite Organisateur des 40 Jeux Regionaux de la Nouvell Ecosse

It was moved by Councillor Daniel Allen, seconded by Deputy Warden Trevor Cunningham to award a grant of \$2,000 from the 2024-2025 Grant Contingency and \$1,000 from the 2025-2026 Grants to Organizations Fund to Comité Organisateur des 40 Jeux Régionaux de la Nouvelle-Écosse.

Motion carried.

9.2 For Information

9.2.1 Municipal Alerts FAQs

9.2.2 Community Led Nova Scotia RCMP Action Plan

10. Reports

10.1 CAO Report

It was moved by Councillor Daniel Allen, seconded by Councillor Loren Cushing to accept the CAO report as presented.

Motion carried.

10.2 Wardens Report

The Warden provided a verbal report.

10.3 Dangerous & Unsightly Report – FYI

10.4 Legal Entities

- 10.4.1 Mariners Centre Expansion Board – Councillor Hilton provided a verbal report.
- 10.4.2 Mariners Centre Management Authority
- 10.4.3 Regional Solid Waste Authority
- 10.4.4 Western Counties Regional Library
- 10.4.5 Yarmouth Area Industrial Commission – Councillor Hilton provided a verbal update.
- 10.4.6 Yarmouth and Acadian Shores Tourism Association – Councillor Durkee provided a verbal update.
- 10.4.7 Yarmouth International Airport Corporation
- 10.4.8 Western Regional Enterprise Network Liason and Oversight Committee

10.5 Advisory

- 10.5.1 Audit Committee
- 10.5.2 Accessibility Advisory Committee
- 10.5.3 CAO Committee – Warden Cunningham provided a verbal update.
- 10.5.4 Diversity, Equity, and Inclusion Advisory Committee
- 10.5.5 Doctor Recruitment and Retention Committee – Councillor Durkee provided a verbal update.
- 10.5.6 REMO Executive Committee
- 10.5.7 Joint Green Energy Committee
- 10.5.8 Joint Police Advisory Committee
- 10.5.9 Planning Advisory Committee
- 10.5.10 Marketing Promotions Levy Advisory Committee
- 10.5.11 Yarmouth Recreation Committee

10.6 Ad-Hoc

- 10.6.1 Fence Arbitration Committee

11. Public Comments

It was moved by Councillor Daniel Allen, seconded by Councillor Loren Cushing hold a 5-minute recess.

Motion carried.

The Chair called the meeting back to order at 7:28 p.m.

12. In-Camera

It was moved by Councillor Daniel Allen, seconded by Councillor Patti Durkee to move in-camera at 7:28 p.m.

Motion carried.

12.1 Contract Negotiations – MGA 22:2 (e) (standing item)

12.2 Contract Negotiations – MGA 22:2 (e)

Consensus was reached by Council at 8:28 p.m. to move out of in-camera.

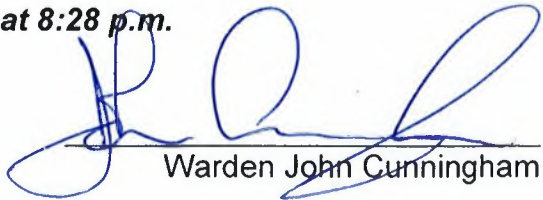
The Chair called the meeting back to order at 8:28 p.m.

13. In-Camera Recommendations

There were no recommendations.

14. Adjournment


The Chair adjourned the meeting at 8:28 p.m.



Warden John Cunningham



Victoria Brooks, CAO



Jenny Porter, Deputy Municipal Clerk

