

**REGULAR MEETING
MUNICIPAL COUNCIL
MUNICIPALITY OF THE DISTRICT OF YARMOUTH
Wednesday, March 5, 2025**

A Regular Meeting of the Municipal Council for the Municipality of the District of Yarmouth was held in Council Chambers on Wednesday, March 5, 2025.

1. Swearing in Ceremony for District 7 Councillor

Councillor Trevor Perry took the oath of office and signed the Code of Conduct and the Confidentiality Agreement.

2. Call to Order

The meeting was called to order at 5:03 p.m. by Warden John Cunningham with the following in attendance: Deputy Warden Trevor Cunningham, Councillor Jim Baxter, Councillor Daniel Muise, Councillor Loren Cushing, Councillor Phil Mooney, Councillor Trevor Perry, Victoria Brooks CAO, and Jenny Porter, Deputy Municipal Clerk.

3. In-Camera

It was moved by Councillor Loren Cushing, seconded by Councillor Daniel Muise to move in-camera at 5:03 p.m.

Motion carried.

3.1 Contract Negotiations – MGA 22:2 (e)

3.2 Parkland Dedication – MGA 22:2 (a)

3.3 Purchase and Sale of Land – MGA 22:2 (a)

3.4 Personnel Matters – MGA 22:2 (j)

3.5 Legal Advice – MGA 22:2 (g)

Consensus was reached by Council at 5:54 p.m. to move out of in-camera.

The Chair called the meeting back to order at 6:05 p.m.

4. Welcome Councillor District 7

Warden Cunningham welcomed the new Councillor for District 7, Trevor Perry.

- 5. 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.

6. Singing of O Canada

7. Approval of Agenda (Additions/Deletions)

CAO Brooks requested to add item 12.2.6 Congratulations Letter from MLA Nick Hilton, item 10.2 YIAC Intermunicipal Agreement, and to move item 11.1.2 Derelict Boat at John's Cove Beach to in-camera.

It was moved by Councillor Daniel Muise, seconded by Councillor Jim Baxter to approve the agenda as amended.

Motion carried.

8. Declarations of any conflicts of interest

Deputy Warden Trevor Cunningham declared a conflict of interest on item 11.2 Gift for Mariners Centre Management Board Chair & Vice Chair.

9. Approval of Minutes

- 9.1 January 22, 2025, Public Hearing re: Short Term Rentals**
9.2 January 22, 2025, Public Hearing re: Accessory Dwellings
9.3 January 22, 2025, Regular Council

It was moved by Councillor Jim Baxter, seconded by Councillor Phil Mooney to approve the minutes as presented.

Motion carried.

10. Old Business

10.1 Draft Amendments to Council Procedural Policy C-028-19

It was moved by Deputy Warden Trevor Cunningham, seconded by Councillor Loren Cushing to approve the amendments to Council Procedural Policy C-028-19 as presented.

Motion carried.

10.2 Yarmouth International Airport Corporation Intermunicipal Agreement

It was moved by Deputy Warden Trevor Cunningham, seconded by Councillor Daniel Muise to approve the Yarmouth International Airport Corporation Intermunicipal Agreement as presented.

Motion carried.

11. New Business

11.1 Recommendations from COTW

11.1.1 Funding Support for Nova Scotia Music Week

It was moved by Councillor Phil Mooney, seconded by Councillor Jim Baxter to approve Yarmouth and Acadian Shores Tourism Association's (YASTA) request for funding to support Nova Scotia Music Week. The approved amount of \$15,667.00 will come from the 2025-26 Grants to Organizations program, with the understanding that some funds may need to be released in the current fiscal year.

Motion carried.

11.1.2 Derelict Boat at John's Cove Beach

Item was moved to in-camera.

11.1.3 Deer Management Inquiry

It was moved by Councillor Jim Baxter, seconded by Councillor Daniel Muise that staff invite the Department of Natural Resources to speak to Council about the management of deer population.

Motion carried.

11.1.4 Memorial Club Monuments Committee

It was moved by Councillor Phil Mooney, seconded by Councillor Daniel Muise to receive legal advice on responding to Maple Grove Memorial Club's request regarding access and ownership to the monument located near Maple Grove Education Centre.

Motion carried.

11.1.5 Yarmouth County Minor Hockey – Championship Tournament

It was moved by Councillor Daniel Muise, seconded by Councillor Loren Cushing to approve Yarmouth County Minor Hockey's request for \$1,500.00 to host the Provincial Championship Tournament from the 2024-2025 Grant Contingency Budget.

Motion carried.

11.1.6 Letter to Yarmouth County Minor Hockey Club re: Tournament

It was moved by Deputy Warden Trevor Cunningham, seconded by Councillor Loren Cushing that a letter of thanks be sent to the Yarmouth County Minor Hockey tournament organizers, recognizing their hard work in organizing the tournament hosted in our region.

Motion carried.

11.1.7 African Heritage Month Gala

It was moved by Councillor Daniel Muise, seconded by Councillor Phil Mooney to make a contribution in the amount of \$180.00 to the African Heritage Month Gala, and that it be funded from the 2024-2025 Council Public Relations Budget.

Motion carried.

11.1.8 Council Remuneration Policy C-029-01

It was moved by Councillor Phil Mooney, seconded by Councillor Loren Cushing to approve Council Remuneration Policy C-029-01 as presented.

Amendment

It was moved by Deputy Warden Trevor Cunningham, seconded by Councillor Phil Mooney to amend the motion to add removing Section 2.3 from Policy C-029-01.

Motion carried.

Amended Motion

It was moved by Councillor Phil Mooney, seconded by Councillor Loren Cushing to approve Council Remuneration Policy C-029-01 with the removal of

Section 2.3 The Warden shall receive an additional allowance of \$250 per month in recognition of the extra demand for travel representing the Council at events within the Municipality.

Motion carried.

11.1.9 Travel and Expense Policy T-088-20

It was moved by Councillor Jim Baxter, seconded by Councillor Loren Cushing to approve Travel and Expense Policy T-088-20 as presented.

Motion carried.

11.1.10 Fees Policy F-044-02

It was moved by Councillor Phil Mooney, seconded by Councillor Loren Cushing to approve Fees Policy F-044-02 as presented.

Motion carried.

11.1.11 Mobile Device Policy M-682-25

It was moved by Councillor Phil Mooney, seconded by Councillor Loren Cushing to approve Mobile Device Policy M-682-25 as presented.

Motion carried.

11.1.12 Request for Decision – Agenda & Minute Software

It was moved by Deputy Warden Trevor Cunningham, seconded by Councillor Phil Mooney that,

Whereas the Municipality of the District of Yarmouth is seeking to modernize and enhance its digital infrastructure in a cost-effective manner that minimizes the impact on taxpayers;

AND

Whereas the Municipality's current agenda and minutes software is being phased out and is no longer compatible with the new municipal website;
AND

Whereas the Council for the District of Yarmouth is committed to ensuring compliance with accessibility

legislation and addressing the needs of individuals with barriers;

Therefore, be it resolved that the Municipality of the District of Yarmouth approve the proposal to adopt the eScribe Digital Readiness Bundle;

Further, be it resolved that an amount of \$14,215.00 be allocated in the 2025-2026 rating Budget for the purchase of the software;

Further, be it resolved that the CAO be instructed to initiate implementation supporting an April 1, 2025 rollout of the system.

Motion carried.

11.2 Gift for Mariners Centre Management Board Chair & Vice Chair

Deputy Warden Cunningham declared a conflict of interest and stepped away at 6:39 p.m.

It was moved by Councillor Daniel Muise, seconded by Councillor Loren Cushing to provide a financial gift to the outgoing Mariners Centre Management Board Chair & Vice-Chair in the amount of \$500.00 from the 2024-2025 Contingency Fund.

Motion carried.

Deputy Warden Cunningham returned at 6:40 p.m.

11.3 Request for Decision – RCMP Resources

It was moved by Councillor Phil Mooney, seconded by Councillor Jim Baxter that the Municipality of the District of Yarmouth, in conjunction with the Municipality of Argyle, make a formal request to the Nova Scotia Minister of Justice for the following additional policing resources: 2 Officers in fiscal year 2025-26; 1 additional Officer in the 2026-27 fiscal year; and in 2027-28 request a review of resource analysis in the 2024 GPPRR.

Motion carried.

11.4 NS Federation of Municipalities – Advocacy Clarification

It was moved by Councillor Phil Mooney, seconded by Councillor Daniel Muise that the Municipality support the work of the Nova Scotia Federation of Municipalities in advocating

Nova Scotia Municipalities to be at the table with provincial legislative and policymakers when legislation that affects municipalities is being contemplated, and that the Warden has autonomy to sign a letter expressing support of the NSFM in representing the needs of the Municipalities that support municipal autonomy, strong decision making, and municipal engagement.

Motion carried.

11.5 Request for Decision – Tax Sale by Tender

It was moved by Deputy Warden Trevor Cunningham, seconded by Councillor Loren Cushing that

Whereas there is significant uncertainty around confirming the location to host the annual tax sale by public auction;

AND

Whereas the MGA sets out provisions for Tax Sale by Tender;

Therefore it be resolved that Council consent to Tax Sale by Tender.

***Vote of 6 in favour, 1 against.
Motion carried.***

12. Correspondence

12.1 For Action

12.1.1 Letter to Mayors and Wardens from Minister John Lohr

It was moved to Deputy Warden Trevor Cunningham, seconded by Councillor Jim Baxter to send the response read into the record to Minister Lohr.

Motion Carried.

12.1.2 B. Harris re Resource Development

It was moved by Councillor Phil Mooney, seconded by Councillor Daniel Muise to send a letter of thanks to Ms. Harris and provide a copy of the response to Minister Lohr.

Motion carried.

It was moved by Councillor Phil Mooney, seconded by Councillor Daniel Muise to extend the meeting until the

agenda is complete.

Motion carried.

12.1.3 Southwest Paddlers Association re Resource Development

It was moved by Councillor Daniel, seconded by Loren to send a letter of thanks to the Southwest Paddlers Association and provide a copy of the response to Minister Lohr.

Motion carried.

12.1.4 M. Wallace re Local Food Production

It was moved by Councillor Phil Mooney, seconded by Councillor Jim Baxter to send a letter of thanks to Ms. Wallace with information from the Municipal planning documents that support local food production.

Motion carried.

12.1.5 Mariners Centre Request

It was moved by Councillor Phil Mooney, seconded by Councillor Loren Cushing to refer the funding request from the Mariners Centre to replace the ice service in Arena One to the budget process.

Motion carried.

It was moved by Deputy Warden Trevor Cunningham, seconded by Councillor Loren Cushing that a letter be sent to the Mariners Centre Management Board indicating support for the ice surface replacement project and that the Municipality will engage in a conversation with the Town of Yarmouth and Municipality of Argyle, of how to fund the project in the most feasible manner.

Motion carried.

12.2 For Information

12.2.1 South Ohio Community Centre 2024 Grant Report

12.2.2 Correspondence from Office of Attorney General and Minister of Justice

12.2.3 Mariners Centre Board Resignation

12.2.4 Pending Legislation from NSF

12.2.5 Letter from TREPA regarding Resource Development

12.2.6 Letter of Congratulations from MLA Nick Hilton

It was moved by Councillor Phil Mooney, seconded by Councillor Loren Cushing to receive the correspondence for information and place on file.

Motion carried.

13. Reports

13.1 CAO's Report

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

Motion carried.

13.2 Warden's Report

The Warden provided a verbal report.

13.3 Legal Entities

13.3.1 Mariners Centre Expansion Board

13.3.2 Mariners Centre Management Authority

13.3.3 Regional Solid Waste Authority

13.3.4 Western Counties Regional Library

13.3.5 Yarmouth Area Industrial Commission – Deputy Warden Trevor Cunnigham provided a verbal report.

13.3.6 Yarmouth and Acadian Shores Tourism Association

13.3.7 Yarmouth International Airport Corporation

13.3.8 Wester Regional Enterprise Network Liason and Oversight Committee

13.4 Advisory

13.4.1 Audit Committee

13.4.2 Accessibility Advisory Committee – Councillor Jim Baxter provided a verbal report.

13.4.3 CAO Committee

13.4.4 Diversity, Equity, and Inclusion Advisory Committee Councillor Jim Baxter provided a verbal report.

13.4.5 Doctor Recruitment and Retention Committee

13.4.6 REMO Executive Committee

13.4.7 Joint Green Energy Committee

13.4.8 Joint Police Advisory Committee – Councillor Daniel Muise provided a verbal report.

13.4.9 Planning Advisory Committee

13.4.10 Marketing Promotions Levy Advisory Committee

13.4.11 Yarmouth Recreation Committee – Deputy Warden Trevor Cunningham provided a verbal update.

13.5 Ad-Hoc

13.5.1 Fence Arbitration Committee

14. Public Comments

Comments were received from the public.

It was moved by Councillor Phil Mooney, seconded by Councillor Daniel Muise to hold a 5-minute recess.

Motion carried.

*The Chair called the meeting back to order at 7:50 p.m.
Councillor Loren Cushing left the meeting.*

15. In-Camera

It was moved by Councillor Daniel Muise, seconded by Councillor Phil Mooney to move in-camera at 7:50 p.m.

Motion carried.

15.1 Quarterly Personnel – MGA 22:2 (c)

15.2 Potential Litigation – MGA 22:2 (f)

Consensus was reached by Council to move out of in-camera at 8:27 p.m.

The Chair called the meeting back to order at 8:27 p.m.

16. In-Camera Recommendations

Parkland Dedication

It was moved by Deputy Warden Trevor Cunningham, seconded by Councillor Trevor Perry that the Municipality accept the sum of \$1200.00, equivalent to 5% of the market value of Lot 1 as Parkland Dedication, PID 90303330, File 10004.

Motion carried.

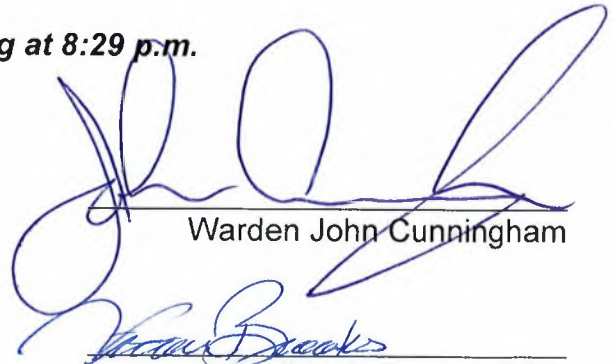
Personnel Matters – MGA 22:2 ()

It was moved by Councillor Jim Baxter, seconded by Deputy Warden Trevor Cunningham to appoint Wanda Doucette as Citizen Representative to the Diversity, Equity, and Inclusion Advisory Committee for a two-year term.

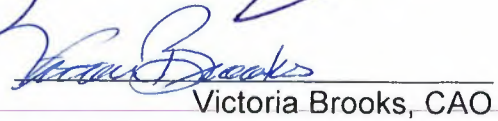
Motion carried.

17. Adjournment

The Chair adjourned the meeting at 8:29 p.m.



Warden John Cunningham



Victoria Brooks, CAO



Jenny Porter, Deputy Municipal Clerk