

Cape Breton Regional Municipality
Committee of the Whole Meeting Minutes
January 14, 2025
10:00 a.m. at City Hall Council Chambers

Council

Mayor Cecil P. Clarke
Councillor Gordon MacDonald
Councillor Earlene MacMullin
Councillor Esmond "Blue" Marshall
Councillor Steve Gillespie
Deputy Mayor Eldon MacDonald
Councillor Glenn Paruch
Councillor Steve Parsons
Councillor Steven MacNeil
Councillor Dave MacKeigan
Councillor Paul Nickituk
Councillor Darren O'Quinn
Councillor Kim Sheppard-Campbell

Staff

Demetri Kachafanas, KC, Interim Chief Administrative Officer
Christa Dicks, Municipal Clerk
Robert Sampson, KC, Solicitor
Jennifer Campbell, Chief Financial Officer
Kirk Durning, Director of Recreation, Parks and Grounds, and Buildings and Facilities
Tyson Simms, Director of Planning and Development
Raymond Boudreau, Director of Water and Wastewater
Robert Walsh, Chief of Police
Mark Bettens, Fire Chief and Director of Fire and Emergency Services
Sean Tobin, Chief of Staff
John Phalen, Senior Manager of Public Works
Matt Viva, Senior Manager Engineering Services
Paul MacDonald, Manager of Facilities
Cory Youden, Supervisor Engineering Services
Jenna MacQueen, Communications Advisor
Spencer Merrill, Information Technology Technician
Nathan Saccary, Information Technology Technician
Kelly McDonald, Administrative Assistant
YueCong Cao, Administrative Assistant
Sharon MacSween, Recording Secretary

The following does not represent a word for word record of the proceedings of this meeting. The agenda, reports, supporting documents, information items circulated, and video (if available) are online at www.cbrm.ns.ca.

Mayor Cecil P. Clarke called the meeting to order.

Land Acknowledgement

Roll Call

1. Approval of Agenda

Motion

Moved by Councillor Gordon MacDonald, seconded by Deputy Mayor Eldon MacDonald, to approve the January 14, 2025, committee of the whole agenda as presented.

Motion Carried

2. Planning Issues

2.1 Appointment of Development Officer

Tyson Simms, Director of Planning and Development reviewed the staff report and recommendation included in the agenda.

Motion

Moved by Councillor Paruch, seconded by Deputy Mayor Eldon MacDonald, that a recommendation be made to Council to appoint Jarrett Gosbee as a Development Officer, pursuant to Subsection 243(1) of the Municipal Government Act, and that this appointment be effective for the duration of their current conditions of employment with the CBRM.

Motion Carried

3. Presentations**3.1 PVSC 2025 Assessment Roll**

Adam Hanna and Laura MacLean, representatives of Property Valuation Services Corporation (PVSC), provided a present on the 2025 CBRM Assessment Roll that was circulated in the agenda package.

Deputy Mayor Eldon MacDonald left the meeting.

Mayor Clarke vacated the Chair and Councillor Gordon MacDonald assumed the Chair.

Mayor Clarke assumed the Chair.

Following the presentation, discussion took place regarding the affordability to pay the residential taxes, the impact property sale transactions have on assessments, capped assessment, assessment criteria and the Assessment Act, assessment appeals, policy and PVSC board representation.

Councillor Gillespie left the meeting.

The following motion was then put forward:

Motion

Moved by Councillor Parsons, seconded by Councillor Gordon MacDonald, that Mayor Clarke write a letter to the provincial department of Municipal Affairs on behalf of council to ask that a review be undertaken as it relates to the specific criteria of PVSC when it comes to setting assessment values for the residential sector.

Motion carried.

For information only.

Councillor Gillespie returned to the meeting.

3.2 Bras d'Or Lakes CEPI & Pitu'paq**a) Bras d'Or Lakes CEPI – What are we Up to?**

Ron Newcombe, CEPI Co-Coordinator provided the presentation included in the agenda package.

b) Pitu'paq – Flowing into Oneness

Stan Johnson, CEPI Coordinator provided the Pitu'paq presentation that was included in the agenda package.

Following the presentations by the coordinators, Committee discussion took place, and the following motion was put forward:

Motion

Moved by Councillor Marshall, seconded by Councillor Parsons, that the funding request by CEPI be deferred to budget deliberations.

Motion Carried**3.3 CBRM Infrastructure Prioritization Framework – An Update to the 2000 Infrastructure Needs Assessment Model**

Matt Viva, Senior Manager of Engineering Services, provided the presentation included in the agenda package followed by a review of the report and overview of the background report to the committee.

Following the presentation, discussion took place regarding asset evaluation, management techniques and technique improvements, data collection and the digital inspection process for different types of infrastructure, i.e. underground pipes, roads; prioritization and service lifespan, current state of infrastructure by division, updates to Council from public works and 311, and the subcontracting of some evaluation services for infrastructure.

For information only.

4. Corporate Services Issues**4.1 Request for Municipal Property – Portion of PID 15140601****Laurier Street, Sydney – District 12**

Sheila Kolanko, Property Manager, reviewed the report and recommendations included in the agenda package. Following the presentation, discussion took place regarding the process followed by staff in consideration of deeming property surplus and property consolidation.

Motion

Moved by Councillor Gordon MacDonald, seconded by Councillor Paruch, that the Committee of the Whole direct Council to convey the subject property to the applicant pursuant to the Municipal Government Act pursuant to the Municipal Government Act.

Motion Carried**4.2 Request for Municipal Property – Portion of PID****151232366, Portion of PID 15656523, PID 15656515 Main
Street, Reserve Mines – District 8**

Sheila Kolanko, Property Manager, reviewed the report and recommendations included in the agenda package.

In response to a question from Council, the property manager advised that a conversation has taken place with the province about when the new school will be built and what will happen to the old school. The property manager indicated that the province would demolish the school at their cost, however the timeline has not been set and that there will not be any move into a new school until the new school is built.

Motion

Moved by Councillor MacNeil, seconded by Councillor MacKeigan, that the Committee of the Whole direct Council to pass a motion to declare the subject property surplus to the needs of the municipality and sell at market value to the applicant for the location for a new P-6 school.

Motion Carried**4.3 Request for Municipal Property – Portion of PID****15489354, 401 Ling Street, New Waterford – District 11**

Sheila Kolanko, Property Manager, reviewed the memo and recommendations included in the agenda package.

Following, the Councillor for District 11 spoke to the importance of the services that the applicant has been providing to the community; requirements under the MGA for subdivision approval. For compliance with the MGA, a survey is required of Ling Street to identify it as road parcel, and it would not be fair for the convey the cost to the purchaser was discussed.

Motion

Moved by Councillor O'Quinn, seconded by Councillor Paruch, that the Committee of the Whole direct Council to pass a motion to convey the subject property to the applicant for \$1.00 pursuant to the Municipal Government Act.

Motion Carried**Council Recess****Council Reconvened****4.4 Expense Related Policies**

Demetri Kachafanas, Interim Chief Administrative Officer, reviewed the recommendations included in the agenda package. In regard to the proposed CBRM Corporate Credit Card Policy, on page two under Prohibited Expenses – All Cards, that the eighth bullet that reference gift cards, would be

changed so that it is not an absolute prohibition as the Mayor's Office occasionally uses gift cards as acknowledgements. The wording will be changed to reflect a ban on gift cards unless authorized the CAO.

Motion

Moved by Councillor Gordon MacDonald, seconded by Councillor O'Quinn, that Committee of the Whole recommend to Council to repeal of the following policies to be replaced with the Employment Expense Reimbursement Policy:

- Travel expense policy for Elected Officials legislatively required for review under Section Municipal Government Act, Section 23(4) and in alignment with DMAH's Financial Reporting and Accounting Manual Section 3(3)(b)(ii);
- Travel expense policy for Staff legislatively required for review under Municipal Government Act, Section 23(4) and in alignment with DMAH's Financial Reporting and Accounting Manual Section 3(3)(b)(ii);
- CBRM Hospitality Policy legislatively required for review under the Municipal Government Act, Section 23(5) and in alignment with DMAH's Financial Reporting and Accounting Manual Section 3(5)(c)(ii); and
- Get Well and Bereavement Policy; and
- To approve the CBRM Corporate Credit Card Policy as a supplementary expense related policy outlining specific requirements of corporate purchase cards and the proposed amendment to Prohibited Expenses – All Cards, that the eighth bullet that reference gift cards will be amended.

Clarification on Council travel expenses approvals was provided.

Motion Carried**4.5 Vacancies on Various Committees**

Christa Dicks, Municipal Clerk, reviewed the report in the agenda.

Nominating Committee will consist of Committee of the Whole and nominations are required.

The Municipal Clerk advised for the Audit Committee, interest was received from Councillor MacMullin, Councillor Sheppard-Campbell, Councillor Parsons and Councillor Paruch.

The Mayor then called for additional nominations and seeing none, the following was put forward:

Motion

Moved by Councillor MacMullin, seconded by Councillor MacNeil, that Committee of the Whole recommend to Council, Audit Committee appointments as presented.

Motion Carried

The Municipal Clerk advised the Accessibility Advisory Committee, two council members are required and interest was received from Councillor MacNeil and Councillor Gillespie.

The Mayor then called for additional nominations and seeing none, the following was put forward:

Motion

Moved by Councillor Paruch, seconded by Councillor Nickituk, that Committee of the Whole recommend to Council, Accessibility Advisory Committee appointments as presented.

Motion Carried

The Municipal Clerk advised the Fences Arbitration Committee, two council members are required, one primary and one alternate. Interest was received from Councillor MacMullin and Councillor Nickituk.

The Mayor then called for additional nominations and seeing none, the following was put forward:

Motion

Moved by Councillor MacNeil, seconded by Councillor Gillespie, that Committee of the Whole recommend to Council, Fences Arbitration Committee appointments as presented.

Motion Carried

The Municipal Clerk advised the Heritage Advisory Committee, a minimum of two and a maximum of two council members are required. Interest was received from Councillor Paruch and Councillor MacMullin.

The Mayor then called for additional nominations and seeing none, the following was put forward:

Motion

Moved by Councillor Paruch, seconded by Councillor MacNeil, that Committee of the Whole recommend to Council, Heritage Advisory Committee appointments as presented.

Motion Carried

The Municipal Clerk advised the Police Commission, three council positions are available on the committee. Based on interested members, a vote was required and the process explained. Interest was received from Councillor Paruch, Councillor Sheppard-Campbell, Councillor Parsons, Councillor MacNeil, Councillor Gillespie and Councillor Nickituk.

The Mayor then called for additional nominations.

Councillor Gillespie withdrew his name from the nominations for the Police Commission.

The Mayor continued to call for additional nominations and seeing none, announced the names for the ballot as follows: Councillor Paruch, Councillor Sheppard-Campbell, Councillor Parsons, Councillor MacNeil and Councillor Nickituk and advised to select not more than three names.

The Clerk and Solicitor administered the vote for the Police Commission representatives.

Mayor Clarke addressed item 7 Correspondence while waiting for the vote results of the Police Commission nominations and responded to questions that typically the mayor or deputy mayor should be present.

7. Correspondence

Mayor Clarke advised that part of the procedure going forward related to correspondence that is received and from the correspondence that council has initiated, the information will be included to the correspondence list. The correspondence is not for debate and is a way to follow up on initiatives going forward.

4.5 Vacancies on Various Committees (Continued)

The Clerk provided the Mayor the results of the vote for the Police Commission. Mayor Clarke announced that the Police Commission nominations as Councillor Paruch, Councillor Sheppard-Campbell and Councillor Nickituk.

Motion

Moved by Councillor Gillespie, seconded by Councillor Paruch, that Committee of the Whole recommend to Council, Police Commission appointments as presented.

Motion Carried

The Clerk advised that Fire and Emergency Services, the Committee, will be Committee of the Whole and no nominations are required. The Appeals Standing Committee is of all council and no nominations are required. For REN Liaison, two council members are required. Interest was received from Councillor MacMullin, Councillor Gillespie and Councillor MacKeigan. The Mayor then called for additional nominations. At this point in the meeting, Councillor MacMullin withdrew her name from the nominations for the REN Liaison. The Mayor continued to call for additional nominations and there were none.

Motion

Moved by Councillor MacMullin, seconded by Councillor MacNeil, that Committee of the Whole recommend to Council, REN Liaison appointments as presented.

Motion Carried

The Municipal Clerk advised the Solid Waste Regional Chairs Committee require one council member. Interest was received from Councillor Gordon MacDonald and Councillor MacNeil.

The Mayor then called for additional nominations and seeing none. The clerk advised that there were two interested parties and a vote is required.

The Clerk and Solicitor administered the vote for the Solid Waste Regional Chairs Committee.

Following the counting of the ballots, the Mayor announced that there is a tie and indicated that another vote would be required.

At this point in the meeting, Councillor Gordon MacDonald withdrew his name from the nomination for the Solid Waste Regional Chairs Committee.

The following was put forward:

Motion

Moved by Councillor MacNeil, seconded by Councillor Gillespie, that Committee of the Whole recommend to Council, Solid Waste Regional Chairs appointment as presented.

Motion Carried

The Clerk advised that three council representatives are required for the Cape Breton Regional Library Board and interest was received from Councillor O'Quinn, Councillor Sheppard-Campbell and Councillor Gillespie.

The Mayor then called for additional nominations and seeing none, the following was put forward:

Motion

Moved by Councillor MacMullin, seconded by Councillor Paruch, that Committee of the Whole recommend to Council, Cape Breton Regional Library Board appointments as presented.

Motion Carried

The Municipal Clerk advised that Pitu'paq, one council representative is required and interest was received from Councillor Marshall.

The Mayor then called for additional nominations and seeing none, the following was put forward:

Motion

Moved by Councillor Gillespie, seconded by Councillor MacNeil, that Committee of the Whole recommend to Council, Pitu'paq appointment as presented.

Motion Carried

The Municipal Clerk advised that the Port of Sydney Development Corporation, one council representative is required and interest was received from Councillor Paruch and Councillor Sheppard-Campbell.

The Mayor then called for additional nominations and seeing none. The clerk advised that there were two interested parties and a vote is required.

The Clerk and Solicitor administered the vote for the Port of Sydney Development Corporation.

Following the counting of ballots, the Mayor advised that the successful nomination was Councillor Paruch.

Motion

Moved by Councillor O'Quinn, seconded by Councillor Nickituk, that Committee of the Whole recommend to Council, the Council appointment to the Port of Sydney Development Corporation as presented.

Motion Carried.

4.3 Mandatory Policy Reviews

Jennifer Campbell, Chief Financial Officer reviewed the memo and recommendation included in the agenda package.

Motion

Moved by Councillor Paruch, seconded by Councillor Parsons, that Committee of the Whole recommend Council to re-adopt the Audit Committee Policy as presented.

Motion Carried

5. Public Services Issues

5.1 Project to Drill a Replacement Well for the Sydney Water Supply

Ray Boudreau, Director of Water and Wastewater reviewed the report and recommendations included in the agenda package.

Motion

Moved by Councillor Paruch, seconded by Councillor Parsons, that the Committee of the Whole:

- Recommend to Council the approval of the project to drill and commission a new well for the Sydney water supply.
- Recommend to Council to authorize the allocation of **\$265,561** from the Water Utility Operating Fund to proceed with the project.
- Recommend that Council direct staff to submit an "Application for Capital Acquisition" to the Utility and Review Board for approval of the project.

Motion Carried

6. Reports

6.1 Winter Operations

John Phalen, Senior Manager of Public Works reviewed the presentation,

Winter Operations, January 2025.

For information only.

6.2 2024-25 Financial Forecast

Jennifer Campbell, Chief Financial Officer, reviewed her presentation included in the agenda package.

For information only.

7. Correspondence

This item was addressed earlier in the meeting.

7.1 Correspondence Municipal Code of Conduct

7.2 Various Correspondence

Meeting adjourned at 2:27 p.m.

Cecil P. Clarke

Mayor

Christa Dicks

Municipal Clerk

/slm