

# Village of Blacks Harbour Regular Meeting Minutes | 12122018



## Village of Blacks Harbour Council Council Chambers – 65 Wallace Cove Road

Present: Mayor James, Deputy Mayor Mahar, Councillors Breau, Chase, & Harris  
CAO, David Gray and Assistant Clerk/Treasurer, Andrea Hawkins

Guests: Staff Sgt. Chris Henderson, RCMP and Dale Shaw, Fire Chief

Absent: Councillor Hatt

1. Call to order at 7:00 p.m.	
2. Recording of guests	
3. Business Arising from Closed Session - nil	
4. <u>Approval Agenda</u>  MOVED BY: Councillor Harris SECONDED BY: Councillor Breau  Be it resolved: That the agenda for the December 12, 2018, Regular Council Meeting be accepted as presented.  CARRIED	121218-01
5. <u>RCMP Report</u>  MOVED BY: Deputy Mayor Mahar SECONDED BY: Councillor Chase  Be it resolved: That the RCMP Report for the month of November 2018 be approved and filed.  CARRIED	121218-02
6. <u>Fire Department Report</u>  MOVED BY: Councillor Chase SECONDED BY: Deputy Mayor Mahar  Be it resolved that based on Chief Shaw's recommendation the old antique Village fire truck be delivered to Kevin Shaw to be restored at his time and convenience with no expense to the Village and that the truck be maintained as a Blacks Harbour antique marked Fire truck and to be kept in his family as long as he wishes, but if it ever comes time to part	

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with or sell, the agreement would be that it either be returned to the Village in the condition it is in or proceeds go to Blacks Harbour Fire Department for its' sale.	
CARRIED	121218-03
MOVED BY: Councillor Chase SECONDED BY: Councillor Breau	
Be it resolved: That the Fire Department Report for November 2018 be approved and filed.	
CARRIED	121218-04
7. <u>Building Inspector's Report</u>	
MOVED BY: Councillor Chase SECONDED BY: Councillor Harris	
Be it resolved: That the Building Inspector's Report for November 2018 be approved and filed.	
CARRIED	121218-05
8. <u>Opening remarks – Mayor James – nil</u>	
9. <u>Disclosure of Conflict of Interest on Agenda Items – nil</u>	
Items moved up on the agenda to allow Councillor Chase who had to leave early to be present for the Budget vote.	
21. <u>New Business</u>	
21.1 <u>General Fund Budget 2019</u>	
MOVED BY: Councillor Harris SECONDED BY: Councillor Chase	
Be it resolved: THIS IS TO CERTIFY that on the 12 <sup>th</sup> day of December, 2018, the Council of the Municipality of Blacks Harbour RESOLVED that the sum of 1,540,595 be the total operating budget of the Municipality, that the sum of \$965397 be the Warrant of the Municipality for the ensuing year, and that the tax rate of the Municipality be \$1.5736.	
CARRIED	121218-06
21.2 <u>Utility Operating Fund Budget</u>	
MOVED BY: Deputy Mayor Mahar	

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<p>SECONDDED BY: Councillor Chase</p> <p>Be it resolved; THIS IS TO CERTIFY that on the 12<sup>th</sup> day of December, 2018, the Council of the local government of the Village of Blacks Harbour RESOVED that pursuant to subsection 11 (4) of the Local Governance Act, the total budget for the Blacks Harbour utility for the ensuing year would consist of total revenues of \$493,017 and total expenditures of \$493,017.</p> <p>CARRIED</p>	121218-07
<p><u>21.3 Year End Transfers</u></p> <p>MOVED BY: Councillor Chase SECONDDED BY: Councillor Harris</p> <p>Be it resolved:</p> <p>That Council transfer \$500 from the Water and Sewer Utility Operating Reserve Fund to the Water and Sewer Utility Operating Fund.</p> <p>Be it resolved:</p> <p>That Council transfer \$150,000 from the Water and Sewer Utility Operating Fund to the Water and Sewer Capital Reserve Fund.</p> <p>CARRIED</p>	121218-08
Councillor Chase retired from the Council Chambers at approx. 8:00 p.m.	
<p><u>10. Approval of Council Minutes</u></p> <p><u>10.1 Approval of Council Minutes – Regular Meeting – November 21, 2018</u></p> <p>MOVED BY: Councillor Breau SECONDDED BY: Councillor Harris</p> <p>Be it resolved: That the minutes from the Regular Meeting of November 21, 2018 be approved and filed.</p> <p>CARRIED</p> <p><u>10.2 Approval of Council Minutes – Special Meeting – December 3, 2018</u></p> <p>MOVED BY: Deputy Mayor Mahar SECONDDED BY: Councillor Breau</p> <p>Be it resolved:</p>	121218-09



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<p>That the minutes from the Special Meeting of December 3, 2018 be approved and filed.</p> <p style="text-align: right;">CARRIED</p>	<p>121218-10</p>
<p>11. <u>Approval: Budget Figures &amp; Accounts Payable</u></p> <p>11.1 <u>Approval of Budget Figures</u></p> <p style="text-align: right;">MOVED BY: Councillor Harris SECONDED BY: Deputy Mayor Mahar</p> <p>Be it resolved: That Council approve the Budget Figures for the month of November 2018.</p> <p style="text-align: right;">CARRIED</p>	<p>121218-11</p>
<p>11.2 <u>Approval of Accounts Payable</u></p> <p style="text-align: right;">MOVED BY: Councillor Harris SECONDED BY: Councillor Breau</p> <p>Be it resolved: Council approve the remainder of Accounts Payable paid and/or payable for the month of November in the amount of \$103,436.63 and Accounts Payable to date for the month of December 2018 in the amount of \$14,349.28.</p> <p style="text-align: right;">CARRIED</p>	<p>121218-12</p>
<p>12. <u>Reading of Petitions/Presentations/Proclamations – nil</u></p>	
<p>13. <u>Community Contacts – nil</u></p>	
<p>14. <u>Correspondence</u></p> <p>14.1 <u>Correspondence for Action</u></p> <p style="text-align: right;">MOVED BY: Deputy Mayor Mahar SECONDED BY: Councillor Breau</p> <p>Be it resolved: That the Correspondence for Action Report be accepted and the actions taken as noted: Fundy High and Middle School student council's request for a donation of 1.5 hrs. of ice time for Sunday, December 23, 2018 be accepted as long as the ice time is available.</p> <p style="text-align: right;">CARRIED</p>	<p>121218-13</p>
<p>14.2 <u>Correspondence for Information – nil</u></p>	
<p>15. <u>Staff Reports</u></p> <p>15.1 <u>Staff Reports - CAO's Report</u></p>	


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<p>MOVED BY: Councillor Harris  SECONDED BY: Councillor Breau</p> <p>Be it resolved:  That the CAO's report as circulated for the month of November 2018 be approved and filed.</p> <p>CARRIED</p>	<p>121218-14</p>
<p>15.2 <u>Approval of the Public Works Report</u></p> <p>MOVED BY: Deputy Mayor Mahar  SECONDED BY: Councillor Harris</p> <p>Be it resolved:  That the Public Works report as circulated for the month of November 2018 be approved and filed.</p> <p>CARRIED</p>	<p>121218-15</p>
<p>16. <u>Committee Reports/Approval of Minutes and Recommendations</u>  16.1 – <u>Recreation Committee Report – deferred to next Regular meeting</u></p>	
<p>16.3 – <u>Personnel Committee Report</u></p> <p>MOVED BY: Councillor Harris  SECONDED BY: Councillor Breau</p> <p>Be it resolved;  Council accept the Personnel Committee report with an addition to the third paragraph where Council recommends we hire a consultant that the scope of the work have a deadline of May 31, 2019.</p> <p>CARRIED</p>	<p>121218-16</p>
<p>17. <u>Other Committees/Agencies Reports</u>  17.1 <u>Regional Service Commission #10 Report</u>  Mayor James updated Council on the work of the RSC over the last month and reported there will be no meeting held in December with the next meeting being held in January 2019.</p>	
<p>18. <u>Business Arising from the Minutes</u></p>	
<p>19. <u>Unfinished Business</u></p>	
<p>19.1 <u>2019 Grants to Organizations</u></p> <p>MOVED BY: Deputy Mayor Mahar  SECONDED BY: Councillor Harris</p> <p>Be it resolved;</p>	

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That Council approve the following 2019 Grants and Contributions:	
Kids Help Phone	\$ 100
Fundy Nursing Home	\$ 250
Blacks Harbour School Programs	\$ 500
Family Worship Centre (Backpack Program)	\$ 500
Blacks Harbour Home & School	\$ 500
Charlotte County Ground Search & Rescue	\$ 150
Blacks Harbour School Library	\$ 250
CARRIED	121218-17
20. Closed Session – nil	
21. New Business – order moved up on agenda	
22. <u>Zoning Matters</u>	
23. <u>Consideration of By-laws</u>	
24. <u>Appointment/s</u>	
25. Next Meeting/s: Hearing of Objections Meeting - December 18, 2018 at 6:00 p.m. & Special Meeting following Next Regular Meeting – January 16, 2019.	
26. <u>Adjournment</u>	
MOVED BY: Deputy Mayor Mahar SECONDED BY: Councillor Breau	
Be it resolved: That the meeting be adjourned at 8:40 p.m.	
CARRIED	121218-18

  
\_\_\_\_\_  
Mayor, Teresa James

  
\_\_\_\_\_  
Asst. Clerk/Treasurer, A. Hawkins



PUBLIC HEARING OF OBJECTIONS held during the Special Meeting of Council held on December 18, 2018.

Mayor James called the Hearing of Objections Meeting to order at 6:10 p.m. reading aloud the Public Hearing Process.

Mayor James advised Council is in the process of revising the Rural Plan for the Municipality of Blacks Harbour pursuant to section 68 of the Community Planning Act, Council will now proceed with a Public Hearing to rezone a property bearing PID #15192586 (126-188 Deadmans Harbour Road) for 698474 NB Ltd./East Coast Atlantic Fisheries Ltd. currently zoned Rural to be zoned Industrial.

Council Members Present: Mayor Teresa James  
Councillor Harris  
Councillor Breau  
Councillor Chase  
Deputy Mayor Mahar

Absent: Councillor Hatt

Guests: Heather Chase, Morris Harris, Mary & Ormond Deveau,  
Zhaoning (Ken) Situ & Louis Debly of 698474 NB Ltd./East Coast Atlantic Fisheries Ltd.

The Clerk indicated that there were no written submissions or registered speakers received for this issue.

Council agreed to hear guests if they wished to speak for or against the rezoning.

Comments:

- (1) Heather Chase of 110 Deadmans Harbour Road stated she was FOR the rezoning – stating anytime we have a chance to diversify, economic development is a good thing, as it creates jobs. Only question was the buffer between the development, stating we have to look at the potential disruption to neighbouring properties.
- (2) Mary Deveau of 106 French Village Road stated she was FOR the rezoning but has concerns regarding the noise from blowers and generators needed to operate the facility
  - It was noted that there is approx. 500 metres from Deadmans Harbour Road and 300 metres from French Village Road residents
- (3) Morris Harris of 619 Wallace Cove Road stated he is FOR the rezoning – stating his only concern was that if they transport shells that they be contained because of the smell.

All concerns were addressed by East Coast Atlantic Fisheries Ltd. representatives and contact information exchanged between parties, if they had any other concerns.

Mayor James stated what she was hearing was that the residents would like East Coast Atlantic Fisheries Ltd. to be good and considerate neighbours, to remember about noise and noise pollution and smells and should that become a problem, the company would be expected to remedy the problem.

Mayor James reminded residents that they may offer written submissions on this issue directly to the CAO and that they will be included with the final deliberation package. The deadline for written submissions is January 10, 2019.

The Public Hearing for By-law Z.1.3, "A By-law to Amend By-law Z.1, Village of Blacks Harbour Rural Plan " is now closed.





**Village of Blacks Harbour Council**  
Council Chambers – 65 Wallace Cove Road

Present: Mayor Terry James, Deputy Mayor Mahar, Councillors Breau, Chase & Harris  
CAO, David Gray and Asst. Clerk/Treasurer, A. Hawkins

Absent: Councillor Hatt

Guests: Heather Chase, Morris Harris, Mary & Ormond Deveau, Ken Situ & Louis Debly, 698474  
NB Ltd./East Coast Atlantic Fisheries Ltd.

1. Call to order	
2. Recording of Attendance	
3. <u>Approval Agenda</u>	
<p style="text-align: right;">MOVED BY: Councillor Breau SECONDED BY: Deputy Mayor Mahar</p> <p>Be it resolved: That the agenda for the December 18, 2018 Special Council Meeting be accepted as presented.</p> <p style="text-align: right;">CARRIED</p>	121818-01
4. <u>Disclosure of Conflict of Interest on Agenda Items</u>	
5. <u>New Business</u>	
5.1 <u>1<sup>st</sup> Reading of By-law Z.1.3, A By-law to Amend By-law Z.1, Village of Blacks Harbour Rural Plan</u>	
<p style="text-align: right;">MOVED BY: Councillor Harris SECONDED BY: Deputy Mayor Mahar</p> <p>Whereas Council wishes to approve the Application for Rezoning/Rural Plan Amendment from 698474 NB Ltd. for the section of PID 15192586 currently zoned Rural (RR) to be zoned Industrial (IND).</p> <p>Be it resolved; That leave now be given to introduce a by-law entitled, "By-law No. Z.1.3, "A By-law to Amend By-law No. Z.1 Village of Blacks Harbour Rural Plan" and that the same be now read a first time by title.</p> <p style="text-align: right;">CARRIED</p>	121818-02

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## 5.2 2<sup>nd</sup> Reading of By-law Z.1.3, "A By-law to Amend By-law Z.1 Village of Blacks Harbour Rural Plan" in its entirety

MOVED BY: Councillor Breau  
SECONDED BY: Councillor Chase

Whereas Council wishes to approve the Application for Rezoning/Rural Plan Amendment from 698474 NB Ltd. for the section of PID 15192586 currently zoned Rural (RR) to be zoned Industrial (IND).

Be it resolved;

That a by-law entitled "By-law Z.1.3, "A By-law to Amend By-law Z.1 Village of Blacks Harbour Rural Plan" be now read a second time in its entirety.

CARRIED 121818-03

## 5.3 Ratify CUPE Local 2818 Collective Agreement and Letters of Agreement

MOVED BY: Councillor Chase  
SECONDED BY: Councillor Breau

Whereas the joint Negotiating Committee for the Outside Workers, Management and CUPE Local 2818 have agreed on the terms of a new four year contract: January 1, 2018 to December 31, 2021;

Be it resolved Council ratify CUPE Local 2818 Collective Agreement and Letters of Agreement upon receipt of the final signed contract and signed letters of agreement.

CARRIED 121818-04

6. Next Meeting/s: January 16, 2019 @ 6:30 pm.

## 7. Adjournment

MOVED BY: Councillor Breau  
SECONDED BY: Deputy Mayor Mahar

Be it resolved:

That the meeting be adjourned at 6:35 p.m.

  
Terry James, Mayor

  
Asst. Clerk/Treasurer, A. Hawkins