

January 7, 2019

The Municipal Council for the Municipality of the County of Pictou met in the Council Chambers of the Municipal Administration Building on Monday, January 7, 2019 at 7:00 p.m.

**PRESENT**

Dist.	1	Clr. Don Butler
	2	Clr. Deborah Wadden
	3	Clr. Darla MacKeil
	4	Clr. Ronald Baillie (arr'd 7:30 p.m.)
	5	Deputy Warden Murray
	6	Warden Robert Parker
	7	Clr. David Parker
	8	Clr. Larry Turner
	9	Clr. Peter Boyles
	10	Clr. Randy Palmer
	11	Clr. Andy Thompson
	12	Clr. Chester Dewar

**IN ATTENDANCE**

Donn Fraser, Solicitor, MacIntosh, MacDonnell & MacDonald  
Brian Cullen, CAO/Municipal Clerk-Treasurer  
Karen Cornish, Deputy Municipal Treasurer  
Carolyn MacIntosh, Deputy Municipal Clerk/Recording Secretary  
Sueann Musick, Communications Officer

**CALL TO ORDER**

Warden R. Parker called the meeting to order and requested that Councillors stand and take a moment in silence to pray or simply reflect, as may be their preference, to help Council focus and properly do the work of the Municipality.

**AGENDA**

It was moved by Clr. Boyles and seconded by Clr. D. Parker that the agenda be approved as circulated.  
Motion carried.

**MINUTES**

It was moved by Clr. and seconded by that the minutes of December 3 and December 19, 2018 be approved with the following corrections:

Dec. 19/18: Page 4 Aberdeen Hospital Guaranteed Resolution: Reverse names of mover & seconder to show David Parker as the mover and Darla MacKeil as the seconder;

Dec. 19/18: Page 3 Winter Snow Clearing Resolution: Change location of Oak, Maple & Pine Streets from MacLellan's Brook to Sylvester;

Dec. 3/18: Page 6: Emergency Resolutions – Chair: Insert the words "(closed to trucks over 3,000 kg. except for local trucks)".

Motion carried.

## **CORRESPONDENCE**

Correspondence was received and acknowledged from the following:

- a) Min. Natural Resources – Addressing Council's concerns on the use of forest products for biomass.
- b) Staff Sgt. Addie MacCallum/RCMP – Advising that an investigation has been opened on the truck traffic issues on Highway 376.
- c) Min. Community Services – Confirming the reappointment of Linda Priske as Council's representative on the Board of Directors for the Eastern Mainland Housing Authority.

Clr. D. Parker referred to the response from the Minister of Natural Resources, noting that the only lens that is ever applied is the economic value of a tree, and questioned what is wrong with leaving a portion of our Acadian Forest to enjoy as opposed to cutting them down and converting them to softwood which flies in the face of climate change.

## **RECOGNITION OF INDIVIDUALS & GROUPS**

There were no recognition of individuals and groups.

## **COMMUNITY ANNOUNCEMENTS**

Clr. Boyles reported that a ceremony recognizing the birth of the Murray Quintuplets is being arranged for February 2<sup>nd</sup>; further details on the event will be forthcoming.

## **FINANCIAL SERVICES COMMITTEE REPORT**

Clr. D. Parker presented the report of the Financial Services Committee as follows:

### **FINANCIAL SERVICES COMMITTEE REPORT**

For information purposes the Financial Services Committee submits the following report on the activities of the Committee for the month of December:

1. Reviewed the report of the Communications Officer for November & December.
2. Approved applications from Clrs. Wadden, D. Parker & Boyles to attend the 2019 conference of the Federation of Canadian Municipalities.
3. Considered several applications for financial assistance. (Resolution to follow)
4. Reviewed the list of Accounts Paid for the month of November.
5. Reviewed a staff recommendation on tenders received for the demolition of the former Linacy School Building and recommended acceptance of the lowest tender to a special meeting of Council.
6. Agreed to recommend approval of a Guarantee Resolution approving the temporary borrowing of \$1,900,000 by the Pictou County Shared Services Authority for Aberdeen Hospital Renovations and the Access Road and the guaranteed repayment of \$905,160 as the Municipality's share of the principal and interest of the borrowing.
7. Agreed to recommend acceptance of staff recommendations on tenders for winter sidewalk maintenance and snow clearing.

8. Reviewed draft text for a Hospitality Policy and agreed to recommend approval to Council.  
(Resolution to follow)

DATED at Pictou, N.S. this 7<sup>th</sup> day of January, 2019.

(Sgd.) David K. Parker  
Darla MacKeil

### **MOTION**

It was moved by Clr. D. Parker and seconded by Clr. MacKeil that the preceding report be adopted as presented.

Motion carried.

### **PROPERTY SERVICES COMMITTEE REPORT**

Clr. Dewar presented the report of the Property Services Committee as follows:

#### **PROPERTY SERVICES COMMITTEE REPORT**

For information purposes the Property Services Committee submits the following report on the activities of the Committee for the month of December:

1. Reviewed the reports of the Building Inspector and Warden for the month of November, and the report of the By-Law/Dog Control Officer for the months of October & November.
2. Received an up-date on the status of capital projects. The MacLellan's Brook Watermain Replacement is 80% complete with approximately 250 metres of pipe remaining to be installed. The Abercrombie Wastewater Extension is complete and connection packages have been sent to property owners. Construction of the 3 sidewalks is complete.
3. Received notification from NS Environment that TIR has registered the Highway 104 Twinning Sutherland's River to Antigonish Project for environmental assessment (38 kms). Project information will be posted on Environment's website and the deadline for receiving comments is January 15<sup>th</sup>.
4. Received confirmation from the Chignecto Central Centre for Education that the former Westville Road School property is now surplus to the needs of the Centre and that operational control has been returned to the Municipality. Staff is arranging for a structural, electrical and mechanical assessment on the building to be completed. In the interim arrangements have been made for heat, insurance and snow removal. Public Works staff are monitoring the building on a regular basis as part of our water testing program.
5. Approved a request for 5 additional streets lights on the River Road in Plymouth and agreed to recommend the installation of an intersection light in District 9. (Resolution to follow)
6. Agreed to support the installation of a traffic ramp in the Broadway area to service the needs of residents in Telford, Broadway, Meiklefield, Blue Mountain, Moose River, the Piedmont Valley and French River.
7. Received an overview on the requirement for Minimum Planning Standards and the need for the Municipality to participate in sessions planned for January on the development of regulations.
8. Met in closed session to discuss matters relating to litigation.

DATED at Pictou, N.S. this 7<sup>th</sup> day of January, 2019

(Sgd.) Chester Dewar  
Peter Boyles

### **MOTION**

It was moved by Clr. Dewar and seconded by Clr. Boyles that the preceding report be adopted as presented.

Motion carried.

### **REN LIAISON OVERSIGHT COMMITTEE**

Clr. Turner thanked the CAO for circulating an update on the status of the Regional Enterprise Network and advised that the REN Board is actively recruiting a CEO and expects to have the interview process completed by February 28<sup>th</sup> with a targeted start date for employment of March 31<sup>st</sup>.

Warden R. Parker ask that the Oversight Committee consider circulating short biographies on the REN Board members so that Councillors are familiar with the individuals serving on the Board.

### **NSFM CONFERENCE REPORT**

Clr. Wadden reported that the NSFM Conference was titled “Rethinking Communities” and the workshops covered various ways councils can rethink about their communities - what may or may not work. The keynote address on the first morning was Charles Marohn who spoke of how so many small North American municipalities have found themselves in decline despite or because of moments of promising growth. He spoke at length on how for example a community will be so excited when a large box store comes to their area and will employ a hundred or so people. They are usually built in a large isolated area of the community, with little or no walking accessibility. When they shut down the municipality is stuck with a great big warehouse in the middle of no where that eventually is tore down and often municipal infrastructure is wasted. He went on to explain some examples of restoring downtown stores and how that can bring life to a town, not to mention how much more prosperous the town looks with a busy cleaned up downtown. It is also more environmentally friendly as people are usually walking through the downtown.

I attended the workshop on Best Practices for Public Safety which presented ways a municipality can focus on investing in preventative approaches to community safety and well being, especially in cities and larger towns where there is a fear of crime which can paralyze entire communities. Normally solutions to these concerns are left to law enforcement but now municipalities can and should play a broader role in their approaches to creating safer communities.

As part of Making Your Voices Heard we had former NDP politician Maureen MacDonald speak on advocacy and effective lobbying which can be key to moving our municipalities forward.

I attended a workshop on Shared Secrets-Economic Development and had three presenters share their experiences with us - Mayor Brenda Chisholm-Beaton from Port Hawkesbury who spoke on “Start Up Port Hawkesbury”. The Town of Bridgewater spoke on their building of a transit system which has had profound effects on their community from an economic, social and community development perspective. Thirdly was Mayor Bill MacDonald from Annapolis Royal who spoke on their Waterfront Amphitheatre project which represented two communities coming together - the L'Sitkuk First Nation and the Town of Annapolis Royal – over a piece of surplus Parks Canada land which is really a lesson in relationship building.

I attended the Minister’s panel which is always interesting. I do prefer the way it is done now with advance knowledge of questions sent into the NSFM and if there is any time left the floor is opened for questions. This portion of the conference is now better organized. I attended “Where’s My Report - Version 2” where managing and understanding information and content is crucial for municipalities. Enabling better citizen engagement, collaborating across silos and responding to regulatory requirements can be challenging to municipalities. I attended the workshop on “Moving Forward with Climate Change Adaptation”. We have to be advocates not activists when dealing with climate change. We all need to have a MCCAP - Municipal Climate Change Action Plan. I am not sure if we have one but need to check on that. We need to improve the down side of climate change and make it a project worth taking on. We need to

change the tone to a positive one. Some of the top impacts (and we are seeing this more and more) rain/snowfall, severe storms and flooding. The FCM's MCIP - Municipalities for Climate Innovation Program is a 5-year Program until March 2021, supporting dozens of programs across Canada – a \$75million dollar investment. This was my favourite workshop. It was well done and very informative.

Our final presentation was on “Import Replacement: Economic Revitalization and Re-localization”. Basically, this spoke to the monetary leakage in our communities which is driven by local consumers and institutional spending patterns. In the atlantic provinces, \$4 out of every \$10 leaks out somewhere else. The NS leakage rate is 35% which basically means our local municipalities are getting poorer. Two big impacts on economic regional imports are food and energy. Each municipality requires a localized economic lens to deal with economic leakage. There are focus groups set up in each province and this issue requires community consultation. The examples used were Fogo Island Newfoundland, the Cape Breton Food Hub and Bridgewater Energy. Warden Timothy Habinski is a huge supporter of this issue

The resolutions which were passed were the Capped Assessment Program, the Extended Producer Responsibility for Printed Paper and Packaging (EPR for PPP), Municipal Funding which included the issue concerning cannabis rather than having cannabis a separate motion, Municipal Modernization, and Roads. Statements were issued for Municipal Responsibilities, Policing, Surplus Schools and Sustainability and Infrastructure Funding Support. Issues being monitored were Connectivity and the Internet, Doctor Recruitment, Affordable Housing, Immigration and Libraries. I was very pleased to hear that the NSFM is taking the lead on the initiative for the Code of Conduct. The timeframe on the review of the Code of Conduct is a bit problematic with the degree of sanctions and the degree sanctions are levied taking the bulk of time. Other discussions include Freezing Education Budget, Review of Service Exchange, Impacts of Cannabis Joint Committees and the role of the NSFM which needs an overhaul. They have lots of committees and they need to be streamlined.

**NSFM BOARD INITIATIVES**

Copies of the NSFM Board Initiatives for December were circulated in advance of the meeting and generated no discussion.

**RESOLUTION – MUNICIPAL GRANTS**

RESOLUTION

BE IT RESOLVED by the Municipal Council for the Municipality of the County of Pictou that Council approve the payment of the following Municipal Grants:

Municipal Services:

D11 Golden Glen Seniors Club	<u>\$ 500.00</u>	Folding Tables
	\$ 500.00	

Recreation:

Kinsmen Club of New Glasgow Power Skate & Learn to Sledge	\$ 915.00	Programming
Pictou Co. Rec & Athletic Soc.	510.00	Programming
Hopewell 4-H	75.00	D12 Clr. Allotment
Hopewell & Area Park & Footbridge Committee	<u>75.00</u>	D12 Clr. Allotment
	\$ 1,575.00	

**GRAND TOTAL:                    \$ 2,075.00**

DATED at Pictou, N.S. this 7<sup>th</sup> day of January, 2019.

(Sgd.) Peter Boyles  
Larry Turner

**MOTION**

It was moved by Clr. Boyles and seconded by Clr. Turner that the preceding resolution be adopted as presented.

Motion carried.

**RESOLUTION – HOSPITALITY POLICY**

Clr. D. Parker presented a resolution to Council as follows:

**RESOLUTION**

BE IT RESOLVED by the Municipal Council for the Municipality of the County of Pictou that Council adopt the following policy with respect to hospitality:



POLICY #2019-01-50

**Hospitality Policy**

**1. Purpose**

- a. The Municipality of the County of Pictou (“Municipality”) recognizes that hospitality-related activities are, at times, necessary and legitimate expenses supporting the effective conduct of government business and for reasons of diplomacy, protocol, business development or promotional advocacy.
- b. The offering of hospitality will be done in such a manner so as to reflect the prudent stewardship of public funds. This policy safeguards the appropriate use of public funds through the establishment of uniform standards and procedures respecting Council member, Chief Administrative Officer (“CAO”) and Municipality employee hospitality claims.

**2. Policy Objectives**

- a. To provide direction and guidance with respect to the appropriate expensing of necessary hospitality expenses that support the Municipality’s objectives.
- b. To ensure hospitality is offered in an accountable, economical and consistent manner in the facilitation of government business and/or for reasons of diplomacy, protocol, business development or promotional advocacy.
- c. To ensure taxpayers’ dollars are used prudently and responsibly with a focus on accountability and transparency.

**3. Hospitality and Hospitality Events**

- a. A hospitality event is a reception, ceremony, conference, or other event that involves hosting individuals from outside the Municipality. Hospitality may be offered under the following circumstances in accordance with this policy:
  - i. Hosting foreign dignitaries;
  - ii. Engaging in official public matters with representatives from other governments, business, industry or labour leaders, or other community leaders;
  - iii. Sponsoring or hosting conferences;
  - iv. Hosting ceremonies / recognition events; and
  - v. Other official functions, as approved by the CAO, their designate or Municipal Council.

**4. Signing Authority**

- a. The following are the Signing Authorities for the positions referred to, and shall be responsible for administering this policy with respect to the individuals in those positions:

<b>Position</b>	<b>Signing Authority</b>
Member of <b>Municipal Council</b>	CAO or designates AND Audit Committee Chair or Vice-Chair
CAO	Warden or designate AND Audit Committee Chair or Vice-Chair
Municipal Employees	Immediate Supervisor or designate AND CAO or designate

- b. The designation of a signing authority shall be in writing and filed with the CAO and shall state the name and position of the designate.
- c. A Signing Authority is prohibited from authorizing payment of hospitality expenses incurred on their own behalf.

**5. Prior Authorization**

- a. Subject to this policy, all hospitality events require prior authorization.
- b. A request for prior authorization for hospitality events requires the following information:
  - i. rationale/purpose of the event;
  - ii. estimated numbers of attendees and their respective affiliations;
  - iii. if alcohol is to be provided at the event, the reasons that the provision of alcohol is appropriate and warranted in the circumstances;
  - iv. estimated itemized costs including gratuities and supplementary expenses.
- c. Requests for hospitality events shall be reviewed by either the CAO or their designate, or Council, who shall consider the value and benefit of the proposed event in relation to its cost in deciding whether to approve the hospitality event.

- d. In instances where a hospitality event has been held without prior approval, claims for reimbursement must provide the details outlined above and also include a document outlining the reasons prior approval was not possible.

6. **Serving of Alcohol**

- a. While the standard for hospitality is the provision of non-alcoholic beverages, the provision of alcohol in the context of hospitality for reasons of diplomacy, protocol, business development or promotional advocacy is deemed an acceptable expense in limited circumstances. Any request for approval to serve alcohol at a hospitality event must have prior approval by either the CAO or their designate, or Council.
- b. The Municipality, its employees and members of Council are expected to act responsibly in the use of public funds and in the care and well-being of themselves, other employees and their respective guests with respect to the serving of alcohol.
- c. The Municipality will demonstrate good judgment in the reasonableness of the quantity and expense of alcoholic beverages offered to guests.
- d. If alcohol is provided at a hospitality event, food must be served.

7. **Gifts**

- a. For reasons of diplomacy, protocol, business development or promotional advocacy, the giving of token gifts to individuals outside of government (value not to exceed \$40.00) is sometimes appropriate.
- b. Any giving of gifts requires prior approval by either the CAO or their designate, or Council.

8. **Claims for Reimbursement of Hospitality Expenses**

- a. Claims for reimbursement of hospitality expenses must be submitted on the form provided from time to time by the Municipality and shall be signed by the Claimant.
- b. Hospitality expense claims must include the following:
  - i. A copy of the signed prior authorization for the hospitality event for which the expense was incurred;
  - ii. The names and positions of the guests at the hospitality event;
  - iii. The business objective for the expense;
  - iv. A detailed itemized receipt for the expense.
- c. In instances where prior approval of the hospitality event was not possible, the hospitality expense claim must also provide the information required in paragraph 8F and an explanation of why prior approval was not possible.
- d. If no receipt is available for a hospitality expense, a written attestation signed by the Claimant must be submitted to explain why the receipt is unavailable, and a description itemizing and confirming the expense must be provided. Debit or credit card transaction records are not acceptable as receipts.



- e. Hospitality expenses incurred by one individual on behalf of another must be attributed to the individual for whom those expenses were incurred.
- f. No hospitality expense claim shall be paid unless the claim is first approved for payment by two Signing Authorities who have authority to approve the claim. Before approving an expense claim, a Signing Authority must ensure that:
  - i. the claim is consistent with this policy;
  - ii. the expenses claimed were necessarily incurred in the performance of municipal business;
  - iii. appropriate receipts are provided to support the claim, and that the claim documentation is appropriately filed;
  - iv. the expenses claimed have appropriate justification; and
  - v. all requirements, as determined by the municipal audit committee, have been fulfilled.
- g. In considering a hospitality expense claim for payment, a Signing Authority may request additional explanations, documentation or justification from the claimant, and may refuse to approve any claim or expense did not have prior authorization and that the Signing Authority decides is unreasonable or not in compliance with this policy.
- h. The use of petty cash to pay a hospitality expense claim is prohibited.

**9. Reporting Requirements**

- a. Pursuant to s. 65A of the *Municipal Government Act*, the CAO shall ensure that the Municipality does the following:
  - i. Within ninety (90) days of the end of each fiscal quarter, prepares and posts a hospitality expense report on the Municipality's website that describes all the hospitality expenses incurred by the Municipality, including purchases of alcohol, during the quarter;
  - ii. By September 30<sup>th</sup> of each year, prepares and files with the Minister of Municipal Affairs an annual summary report that summarizes the hospitality expense reports for the preceding fiscal year that is compliant with the requirements of the Department of Municipal Affairs and the requirements set out in the Financial Reporting and Accounting Manual.

**10. Review Requirements**

- a. The Municipality Audit Committee shall review the hospitality annual summary report by October 31<sup>st</sup> of each year.
- b. By the January 31<sup>st</sup> immediately following a regular election held under the *Municipal Elections Act*, Council shall review this policy and, following a motion by Council, either re-adopt the policy or amend the policy and adopt the policy as amended.

DATED at Pictou, NS this 7<sup>th</sup> day of January, 2019.

(Sgd.) David Parker  
Darla MacKeil

**MOTION**

It was moved by Clr. D. Parker and seconded by Clr. MacKeil that the preceding resolution be adopted as presented.

Motion carried.

**RESOLUTION – D9 INTERSECTION ST. LIGHT**

Clr. Boyles presented a resolution to Council as follows:

**RESOLUTION**

WHEREAS the Municipal Council for the Municipality of the County of Pictou has adopted a policy with respect to the provision of street lighting at intersections in areas where residential street lighting does not exist;

WHEREAS this policy is intended to aid in the safe passage of motor vehicles on public streets or roads and pedestrian traffic at street intersections and other pedestrian infrastructure in a manner which is both affordable and adequate for vehicular and pedestrian traffic;

WHEREAS the Property Services Committee has considered a request for an intersection street light in District #9;

THEREFORE BE IT RESOLVED by the Municipal Council for the Municipality of the County of Pictou that Council approve the installation of intersection street lights, in accordance with Policy #2016-03-34, at the following intersection:

District #09 at the intersection of John Campbell Road & Fraser's Mountain Road.

DATED at Pictou, NS this 7<sup>th</sup> day of January, 2019.

(Sgd.) Peter Boyles  
Larry Turner

**MOTION**

It was moved by Clr. Boyles and seconded by Clr. Turner that the preceding resolution be adopted as presented.

Motion carried.

**RESOLUTION – DESTRUCTION OF DOCUMENTS**

Deputy Warden Murray presented a resolution to Council as follows:

**RESOLUTION**

WHEREAS the Municipal Council for the Municipality of the County of Pictou did, on July 7, 1986, adopt a by-law which provides for the destruction of any documents or records after they are no longer required for municipal purposes;

WHEREAS the aforementioned by-law received the approval of the Minister of Municipal Affairs on October 24, 1986;

WHEREAS administrative staff has undertaken a process of reviewing obsolete files with a view to seeking the necessary approval to destroy those which are no longer required, in accordance with the Destruction of Documents By-Law;

THEREFORE BE IT RESOLVED by the Municipal Council for the Municipality of the County of Pictou that Council authorize the destruction of the documents described in the attached affidavit of the Municipal Clerk which indicates that he has personally examined each document or record and confirms that there is nothing of value therein.

DATED at Pictou, N. S. this 7<sup>th</sup> day of January, 2019.

(Sgd.) Wayne Murray  
Darla MacKeil

**AFFIDAVIT OF CLERK**

IN THE MATTER OF THE DESTRUCTION OF DOCUMENTS AND RECORDS OF THE MUNICIPALITY OF THE COUNTY OF PICTOU.

I, Brian Cullen of New Glasgow, in the County of Pictou, Clerk of the Municipality of the County of Pictou, do make oath and say:

1. That I am Municipal Clerk of the Municipality of the County of Pictou.
2. That I have personally examined each of the documents or records listed immediately below pursuant to a by-law permitting the destruction of documents and records which are no longer required.

**SHELF #**

**CONTENTS**

A1- 7	Feb/2013 – May/2014 Minute CD's
A1-10	2013/14 Correspondence & Duplicate Minute Files
A2-11	1994 – 1999 Area Rate Information
A4-14	2008/09 Payroll
A4-15	2006/07 Payroll & 2007/08 Payroll
A6- 6	2012 – 2014 By-Law & Dog Control Files
A6-16	2009 Building Permits
A7- 4	2011/12 General & Water Cancelled Cheques & Invoices
A7- 5	1998/99 Tax Certificates
A7-14	1998/99 Interim & Final Tax Billing Reports
A7-16	2008/09 Taxes Receivable Report
A7-17	2008/09 Ledgers
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A7-43	2013/14 Mortgage Companies
A7-46	2013/14 Telepayments
A7-48	1995 – 1998 Rebates, 1990 – 1996 Community Organizations, 1996 – 1999 Exemptions, 1991 – 1997 Opening & Closure of Businesses, 1990 – 1998 Tax Write Offs
A7-53	1999 Assessment Roll Changes
1 <sup>st</sup> Floor	2013 & Prior PRDA Operating files

3. That the aforesaid list does not contain any document or record exempt from destruction pursuant to Section 3 of the by-law governing the destruction of documents.
4. That to the best of my knowledge there is nothing of value contained therein.

5. That the said documents and records are no longer required by the said Municipal Council.

Brian Cullen  
Municipal Clerk

SWORN before me at Pictou, in the  
County of Pictou and Province of Nova  
Scotia this 24<sup>th</sup> day of December A.D.,  
2018.

Carolyn MacIntosh  
COMMISSIONER OF THE SUPREME  
COURT OF NOVA SCOTIA

### **MOTION**

It was moved by Deputy Warden Murray and seconded by Clr. MacKeil that the preceding resolution be adopted as presented.

Motion carried.

### **RESOLUTION – BOAT HBR. TREATMENT FACILITY CLOSURE**

Deputy Warden Murray addressed Council to clarify that his up-coming resolution has nothing to do with a new treatment plant or outfall for the Northern Pulp Mill and is directed only at the Boat Harbour Act which was enacted by the Provincial Government in 2015. He expressed his hope that everyone had taken the time to watch the video by Australian videographer Mark Lang. He advised that when he watched the video, he questioned why we had trusted that all of the governments over the past 50 years had been doing the right thing and whether or not we would want a “boat harbour” in our back yards similar to what Pictou Landing First Nations and the property owners in Pictou Landing have experienced. He also questioned why we did not stand up and support PLFN in 2014 when the discharge pipe broke and millions of gallons of effluent into the water. It was at this time that the provincial government passed the Boat Harbour Act, establishing a five-year window for Northern Pulp to develop a future plan for disposing of the effluent that did not include Boat Harbour. Deputy Warden Murray expressed his belief that Council needs to support PLFN and the property owners along the shore that are affected by Boat Harbour so that the clean up of 100 acres of land can begin. He acknowledged that no one wants to see any jobs lost but emphasized that we need to work together to try and help this bad situation come to a positive outcome.

Deputy Warden Murray acknowledged the presence of Chief Andrea Paul from the Pictou Landing First Nations in the Council Chambers and requested Council’s permission for her to speak.

There being no objection from any member of Council, Warden R. Parker invited Chief Paul to address Council:

Chief Andrea Paul thanked the Deputy Warden for the resolution he would be putting forward and acknowledged the presence tonight of 2 members from her Youth Council, members of the Band Council, and residents from her community. She stated that the Boat Harbour Act was passed in 2015 to address the pollution PLFN has been dealing with in their back yard for a long time. The Reserve is surrounded by water, all of which is polluted. A tri-partite table initiative on clean-up of the area was unsuccessful and in 2014 the discharge pipe broke, allowing effluent into an area that included an Indian burial ground, following which the blockade took place in support of remediation of that area. She referred to the video taken by the Australian individual as a powerful depiction of the amount of pollution and the impact it has had on people in that area, not only the indigenous community. She advised that the pollution of Boat Harbour has taken from her people their fishing, recreation, a place of safety, local medicines, and native language and has killed many species. She likened the loss to losing a parent. Instead, the community now has a fear of what is in the soil and the air. Over the past 51 years her people have been hurt tremendously as the Boat Harbour operation has been allowed to continue. She informed Council that when PLFN sat down to negotiate with the Province on a closure date for Boat Harbour PLFN asked for closure in 2018; the Province

chose 2020 as a closure date to give the mill time to prepare. Chief Paul spoke on the importance of the closure date to her Elders and asked that Council respect the Deputy Warden's resolution and respect that there is a legislated date and what has happened to the air, the land, the people and the species. She closed by stating that nothing lives in Boat Harbour because it is so toxic, adding that there has to be an end and the end is January 31, 2020.

Deputy Warden Murray presented a resolution to Council as follows:

#### RESOLUTION

WHEREAS, after a leak of 47 million litres of pulp effluent onto Pictou Landing First Nation land and nearby waters in 2014, the Boat Harbour Act was passed with all party support in the Nova Scotia Legislature in May 2015, ending the use of Boat Harbour for wastewater effluent reception and treatment on January 31, 2020;

WHEREAS Pictou Landing First Nation has consistently stated its desire and expectation that the Boat Harbour Act be honoured and that Boat Harbour close as scheduled on January 31, 2020;

WHEREAS Pictou Landing First Nation welcomes public support for the closing of Boat Harbour as scheduled;

BE IT RESOLVED by the Municipal Council for the Municipality of the County of Pictou that Council support the stated position of Pictou Landing First Nation to honour the Boat Harbour Act and that the Boat Harbour Effluent Treatment Facility close as scheduled on January 31, 2020.

DATED at Pictou, NS this 7<sup>th</sup> day of January, 2019.

(Sgd.) Wayne Murray  
Darla MacKeil

#### MOTION

It was moved by Deputy Warden Murray and seconded by Clr. MacKeil that the preceding resolution be adopted as presented.

Clr. Palmer expressed his agreement with the clean-up of Boat Harbour, but with friends and residents working in both the fishing and forestry industries he had concerns over potential job losses and felt that if a small extension of time was needed by the mill to secure technology that would protect the environment, then he would not want to miss that opportunity.

Clr. Thompson advised that his objection to the motion was not with the intent, but with the potential economic impact to Pictou County. He reported reviewing the record of the debate that occurred when the Boat Harbour Act was introduced in the Legislature and found that Northern Pulp was not consulted on the drafting of the Act. He noted that there was no discussion about where the effluent would be going, just talk of closure. He pointed out that as a municipality we have no jurisdiction over this industrial facility and he felt that the MLA's should be dealing with this issue. Clr. Thompson expressed his respect for Chief Paul, adding that he was appalled by some of the comments that were made about her and her Band members during the blockade.

Clr. D. Parker stated that he felt Council needed to show leadership on this issue. He felt that the Friends of the Northumberland have done a tremendous job of keeping this at the forefront of our attention. He agreed that there were deliberate attempts to mislead during the development of the mill and the mill certainly has not engendered a great deal of trust because it has not been forthcoming with information. In particular he felt that there has been a lack of leadership by the Premier and the importance of the fishery as a livelihood has certainly been understated. He pointed out, however, that in District 7 there are a great many residents who make their livelihood in the forestry industry and that is where his loyalty lies. He does not believe there is any malice between the fishing and forest industries but feels that today's situation will not be resolved short of litigation. He suggested that a great deal of thought needs to be given to our

resources, who owns them, and who benefits from them. Clr. D. Parker advised that while he has a great deal of respect for Chief Paul, he is unable to support the motion because it may result in the closure of the mill.

Clr. MacKeil referred to the video as being very impactful and expressed her agreement with the reference to a lack of leadership by the Premier. She emphasized the need to speak for the environment and while no one wants to see jobs lost it is important to do the right thing, therefore she will be supporting the motion.

Clr. Baillie pointed out that the resolution is simply asking Council to support legislation that has already been passed and if Council had an issue with the closure date then it should have been raised when the legislation was being considered in 2015. He noted that if a request is made for an extension to the closure date of Boat Harbour then it will be to another level of government that has the power to consider that request.

Clr. Turner expressed agreement with the points made by Clr. Baillie and stated that he would be supporting the motion.

Clr. Butler advised that he represents a fishing community that is supportive of the Act, therefore he would be voting in favor of the motion.

Clr. Wadden reminded Council that she represents the Boat Harbour area which is home to both the fishing community and mill workers. She acknowledged that Boat Harbour has to close although she does want the Mill to be able to complete the studies required to complete its environmental assessment. The Premier has stated in his year-end remarks that there will not be a change to the closure date unless First Nations approves a change and she was doubtful that would happen. Consequently, she would be supporting the resolution, although she was disappointed that it was being advanced by two members of Council with close ties to the fishing industry.

Clr. Dewar agreed that the closure needs to happen and he would prefer to see it supported unanimously by this Council.

Clr. MacKeil spoke on her representation of farmers, fishermen and mill workers and explained that she seconded the motion because of her firm belief that she has to stand up for what is right, agreeing with Clr. Baillie that we are supporting legislation that has already been enacted.

Warden R. Parker explained that while his district is essentially land locked, he knows people in the fishing and forest industries including 2 of the 3 core industries that have held Pictou County together for a number of year. He admitted that there is a need for jobs in this County but it is important that rural residents have a voice on this issue and send a message to the Premier and the Federal Government. He stated that there is a lot of economic activity but he did not believe the leadership was there so that jobs are not lost and the people of Pictou Landing are not punished. The agreement reached in 2014 that lead to the Boat Harbour Act is in place and the only ones to break that agreement are the parties to it. He stated that he will be supporting the motion but that should not be construed as opposing the forest industry.

Deputy Warden Murray reminded Council that the resolution has nothing to do with the mill, effluent treatment or outflow. The resolution is specific to support the Boat Harbour Act and is not supporting the loss of jobs.

Motion carried. (Nay votes: Clrs. D. Parker, Palmer & Thompson)

## **EMERGENCY RESOLUTIONS**

There were no emergency resolutions.

## **REFERRALS TO COMMITTEES & NOTICES OF MOTION**

Clr. Wadden asked for a discussion on Lyme disease to be placed on a future agenda.

Deputy Warden Murray asked that a discussion on the Tower Road Wind Turbines be placed on a future agenda.

Clr. Dewar asked that a discussion on the share cost of a development officer for the New Scotland Business Park be placed on a future agenda.

Warden Parker advised that the NSBP issue was being looked at later in January.

**ADJOURN**

It was moved by Clr. Wadden and seconded by Clr. Dewar that the meeting adjourn.  
Motion carried. (8:30 p.m.)

Robert Parker  
Warden

Brian Cullen  
Municipal Clerk