

**COUNCIL MEETING OF
TUESDAY, JULY 12, 2022, 6:00 P.M.
COUNCIL CHAMBERS, TOWN HALL**

In attendance were Deputy Mayor Andrew Black and Councillors Allison Butcher, Sabine Dietz, Matt Estabrooks, Bill Evans, Kenneth Hicks, and Michael Tower. Also, in attendance were CAO Jamie Burke, Clerk Donna Beal, and Assistant Clerk Becky Goodwin.

1. CALL MEETING TO ORDER

Deputy Mayor Andrew Black called the meeting to order.

2. LAND ACKNOWLEDGEMENT

Deputy Mayor Andrew Black acknowledged that we are located within the territory of Mi'kma'ki, the unceded, ancestral territory of the Mi'kmaq people.

3. APPROVAL OF AGENDA

#22-137 MOVED BY COUNCILLOR BILL EVANS AND SECONDED BY
COUNCILLOR MICHAEL TOWER THAT COUNCIL APPROVE THE AGENDA OF THE
REGULAR COUNCIL MEETING OF JULY 12, 2022, AS CIRCULATED AND MOVE INTO
IN-CAMERA. MOTION CARRIED.

(a) HR-2022-05

Deputy Mayor Andrew Black noted a recess until 7:00 P.M.

Public

Senior Manager of Corporate Projects Kieran Miller, Fire Chief Craig Bowser, Manager of Recreation Programs and Events Matt Pryde, Manager of Tourism and Business Development Ron Kelly Spurles, Manager of Parks and Facilities Todd Cole, Assistant Treasurer Elizabeth Hartling and Planner Lori Bickford joined the meeting.

Also, in attendance were two (2) members of the Public.

4. QUESTIONS PERIOD

Deputy Mayor Andrew Black asked if there were any questions from the Public. There were none.

5. DISCLOSURE OF INTEREST

Deputy Mayor Andrew Black asked if there were any Disclosures of Interest to Declare. There were none.

6. MINUTES

Approval of Minutes – Regular Council Meeting – June 14, 2022

#22-138 MOVED BY COUNCILLOR SABINE DIETZ AND SECONDED BY COUNCILLOR BILL EVANS THAT COUNCIL ADOPT THE MINUTES OF THE REGULAR COUNCIL MEETING OF JUNE 14, 2022 AS CIRCULATED. MOTION CARRIED.

Approval of Minutes – Special Meeting of Council – June 27, 2022

#22-139 MOVED BY COUNCILLOR MICHAEL TOWER AND SECONDED BY COUNCILLOR KENNETH HICKS THAT COUNCIL ADOPT THE MINUTES OF THE SPECIAL MEETING OF COUNCIL OF JUNE 27, 2022 AS CIRCULATED. MOTION CARRIED.

Approval of Minutes – Special Meeting of Council – July 5, 2022

#22-140 MOVED BY COUNCILLOR BILL EVANS AND SECONDED BY COUNCILLOR SABINE DIETZ THAT COUNCIL ADOPT THE MINUTES OF THE SPECIAL MEETING OF COUNCIL OF JULY 5, 2022 AS CIRCULATED. MOTION CARRIED.

7. BUSINESS ARISING FROM THE MINUTES

Deputy Mayor Andrew Black asked if there was any business arising from the minutes. There was none.

8. MAYOR'S REPORT

Deputy Mayor Andrew Black noted the mayor's report could be found on page 19 of the Council Package.

9. CAO REPORT

CAO Jamie Burke noted that the CAO Report could be found on page 21 of the Council Package and provided a summary noting that full details could be found in Department Reports.

10. SOUTHEAST REGIONAL SERVICES

i) Regional Service Commission

Deputy Mayor Andrew Black noted that the report could be found on page 23 of the Council Package and provided a brief overview of what was discussed at the meeting.

ii) Planning

Planner Lori Bickford gave a summary of the report, noting that the report could be found on page 24 of the Council package.

11. REPORTS

A) Finance & Administration

i) BILLS AND PAYROLL – JUNE

#22-141 MOVED BY COUNCILLOR BILL EVANS AND SECONDED BY COUNCILLOR SABINE DIETZ THAT COUNCIL ACCEPT THE BILLS AND PAYROLL FOR THE MONTH OF JUNE 2022 AS FOLLOWS: GENERAL GOVERNMENT \$1,102,890.82; GENERAL CAPITAL \$22,488.00; UTILITY GOVERNMENT \$275,376.18; UTILITY CAPITAL \$56,372.71; AND SALARIES \$208,011.11. MOTION CARRIED.

ii) Report from Finance and Administration

Councillor Bill Evans noted that the Finance Report could be found on page 27 of the Council Package and gave details of the Report and noted that the Animal Control Reports were also included.

B) Tourism & Business Development

a. Report from Tourism & Business Development

Councillor Kenneth Hicks gave a summary of the Tourism & Business Development report found on page 35 of the Council Package.

#22-142 MOVED BY COUNCILLOR KENNETH HICKS AND SECONDED BY COUNCILLOR SABINE DIETZ THAT COUNCIL APPROVE THE TRANSFER OF \$8,000.00 FROM THE 2022 OPERATING BUDGET TO RENAISSANCE SACKVILLE TO FUND APPLICATIONS FOR TWO PROJECTS: BLACKHARE INC. IN THE AMOUNT OF \$4,000.00 AND MARITIME PADDLE INC. IN THE AMOUNT OF \$4,000.00. MOTION CARRIED.

C) Public Property & Facilities

Councillor Matt Estabrooks provided a brief overview of the Public Property and Facilities report found on page 37 of the Council Package.

#22-143 MOVED BY COUNCILLOR MATT ESTABROOKS AND SECONDED BY COUNCILLOR KENNETH HICKS THAT COUNCIL ACCEPT THE 5-YEAR CAPITAL PLAN FOR DESIGNATED HIGHWAYS AS PRESENTED AND AUTHORIZE THAT IT BE SUBMITTED TO THE DEPARTMENT OF TRANSPORTATION AND INFRASTRUCTURE. MOTION CARRIED.

D) Recreation Programs & Events

Councillor Allison Butcher provided an overview of the Recreation Programs & Events report found on page 41 of the Council Package.

E) Public Safety

Deputy Mayor Andrew Black provided an overview of the Public Safety report found on page 43 of the Council Package.

F) Policy/By-Law

Deputy Mayor Andrew Black noted that the Policy/By-Law report could be found on page 45 of the Council Package.

#22-144 MOVED BY COUNCILLOR ALLISON BUTCHER AND SECONDED BY COUNCILLOR BILL EVANS THAT COUNCIL GIVE FIRST READING IN NAME ONLY TO BY-LAW NO. 280, A BY-LAW GOVERNING THE FIRE DEPARTMENT OF THE TOWN OF SACKVILLE. MOTION CARRIED.

#22-145 MOVED BY COUNCILLOR ALLISON BUTCHER AND SECONDED BY COUNCILLOR SABINE DIETZ THAT COUNCIL APPROVE POLICY NO. 2022-07 HERITAGE GRANT POLICY. MOTION CARRIED.

G) Human Resources

Councillor Sabine Dietz noted that the Human Resources Report could be found on page 61 of the Council Package.

#22-146 MOVED BY COUNCILLOR SABINE DIETZ AND SECONDED BY COUNCILLOR BILL EVANS THAT COUNCIL DIRECT THE MAYOR TO PREPARE A LETTER TO MINISTER DANIEL ALLAIN, MINISTER OF LOCAL GOVERNMENT AND LOCAL GOVERNANCE REFORM EXPRESSING COUNCIL'S STRONG CONCERNS SURROUNDING THE CAO HIRING PROCESS FOR ENTITY 40 AND REQUEST THE MINISTER MEET TO REVIEW THIS MATTER ON AN URGENT BASES. MOTION CARRIED.

#22-147 MOVED BY COUNCILLOR MICHAEL TOWER AND SECONDED BY COUNCILLOR ALLISON BUTCHER THAT COUNCIL HAS DETERMINED THAT COUNCILLOR BRUCE PHINNEY HAS BREACHED BY-LAW NO. 271, A BY-LAW RELATING TO ESTABLISHING A CODE OF CONDUCT FOR MEMBERS OF COUNCIL BEING IN BREACH OF ARTICLES 4 AND 19 AND ARTICLE 9(D) OF THE CODE. COUNCIL HEREBY ACCEPTS THE RECOMMENDATIONS OF THE INDEPENDENT INVESTIGATOR AND IMPOSES THE FOLLOWING SANCTIONS ON COUNCILLOR BRUCE PHINNEY; SUSPENSION OF REMUNERATION AND BENEFITS PAID TO COUNCILLOR PHINNEY FOR A PERIOD OF TWO MONTHS; THAT COUNCILLOR

PHINNEY TAKE ONE-ON-ONE COACHING TO DISCUSS EFFECTIVE COMMUNICATION STRATEGIES AND THAT COUNCILLOR PHINNEY'S TRAVEL AND REPRESENTATION ON BEHALF OF COUNCIL BE SUSPENDED FOR THE REMAINDER OF HIS CURRENT TERM IN OFFICE. MOTION CARRIED.

#22-148 MOVED BY COUNCILLOR SABINE DIETZ AND SECONDED BY COUNCILLOR MICHAEL TOWER THAT COUNCIL APPROVE SALARY SCHEDULE 2022-01, FIREFIGHTERS REMUNERATION EFFECTIVE JANUARY 1, 2022. MOTION CARRIED.

J) Corporate Affairs & Strategic Development

Councillor Michael Tower provided a brief overview of key points within the Corporate Affairs and Strategic Development Report found on page 62 of the package.

Councillor Sabine Dietz provided an overview of her Report on the Rural Health Action Group. The full report will be provided on the Town of Sackville's [webpage](#).

12. NEW BUSINESS

Deputy Mayor Andrew Black asked if there was any new business. There was none.

13. QUESTION PERIOD

Bruce Wark asked if Councillor Bruce Phinney will still be acting as a Councillor now that there are sanctions placed against him. Deputy Mayor Andrew Black responded that Councillor Phinney will continue to attend Council and Liaison Meetings.

Bruce Wark asked why the sanctions have been taken against Councillor Bruce Phinney. Deputy Mayor Andrew Black responded that it is a Human Resources matter, and that the sanctions were recommendations of the independent report and have been accepted by Council.

Bruce Wark asked if the independent report could be made available to the Public. Deputy Mayor Andrew Black responded that the report will not be made available to the Public as it is a Human Resources matter. Councillor Bill Evans noted that the sections of the Code of Conduct that were violated are indicated in the motion.

Bruce Wark asked why Sackville did not have any representation on the CAO hiring committee. Deputy Mayor Andrew Black responded that he resigned from the committee prior to the hiring process being concluding, feeling that the process was bias and unfair.

Bruce Wark asked what is needed to be done in the Sackville Waterfowl Park to address the current outflow structure and stabilizing the outflow. Manager of Parks and Facilities Todd Cole responded that the issue is the outflow structure is deteriorating and needs to either be repaired or replaced. Ducks Unlimited will manager the project to build a new structure down from the current one so that the Waterfowl Park will not need to be drained.

Bruce Wark asked if there is any additional information available in terms of funding opportunities and Town responsibilities now that the Waterfowl Park has received the Ramsar Wetland Accreditation. Manager of Tourism and Business Development Ron Kelly Spurles responded that those additional details are still outstanding, however there may be potential to apply for additional funding. A meeting will be scheduled soon to discuss the Accreditation in more detail and Mr. Kelly Spurles would report to Council following the meeting.

Erica Butler asked when the investigator was hired and what was the cost associated with the Code of Conduct violation for Councillor Bruce Phinney. CAO Jamie Burke responded that there was a complaint filed against Councillor Bruce Phinney and Consultant Resonance Inc. was hired on behalf of Council in April 2022 which concluded with the report to Council in June. The cost associated with the report was around \$10,000.

Erica Butler asked if a member of Council could officially confirm that the appointed CAO for Tantramar is Ms. Jennifer Borne. Deputy Mayor Andrew Black responded that the Minister has accepted the recommendation of the hiring committee and will accept the appointment of Ms. Borne to the position.

Erica Butler asked if the Provincially appointed Human Resources Consultant report to the hiring committee regarding the CAO appointment was available. Deputy Mayor Andrew Black did not respond to the question and noted that any additional questions regarding the process can be directed to the Minister, Deputy Minister, and Facilitator.

Erica Butler asked Deputy Mayor Andrew Black when he resigned from the hiring committee. Deputy Mayor Andrew Black responded that his resignation from the hiring committee and the Elected Officials Advisory Committee was effective June 15, 2022

14. ADJOURN

#22-149 MOVED BY COUNCILLOR MICHAEL TOWER AND SECONDED BY COUNCILLOR SABINE DIETZ THAT COUNCIL ADJOURN THE REGULAR COUNCIL MEETING OF JULY 12, 2022. MOTION CARRIED.

Mayor

Clerk

Assistant Clerk