



**Village of Belledune
Regular Council Meeting
February 22, 2022**

Time: 7:00 PM
Place: Belledune Council Chambers via Electronic Live streamed on Belledune YouTube
Mayor, Paul Arseneault
Councillor, Lilliane Carmichael
Present: Councillor, Cynthia Robinson
Councillor, Kristie Carrier
Councillor, Marilyn Guitard-McDonnell
Councillor, Ron Bourque
Clerk - Treasurer, Brenda Cormier
Staff Present: Administrative Assistant, Nicole Carrier
Interim, CAO, Scott Ferguson

Call to Order & Welcome

- Acknowledgement of "Treaties of Peace and Friendship"
Mayor, Arseneault called the meeting to Order and commenced the meeting with the Acknowledgement of "Treaties of Peace and Friendship"

- Reaffirm Oath of Office
Council reaffirmed their Oath of Office.

- Moment of Reflection
 - No local deaths to acknowledge.

Adopt Agenda

Deputy Mayor, Bourque lost internet connection.

Mayor, Arseneault advised that the meeting would be on hold until Deputy Mayor, Bourque gets reconnected.

Councillor, Carrier after about 10 minutes asked to have the meeting commence and vote on the agenda with addition.

Councillor, Robinson said that at this point she will object to the addition.

Mayor, Arseneault said they would wait for another 10 minutes to see if Deputy Mayor, Bourque can get reconnected. He also noted the addition needs unanimous consent.

Councillor, Carrier inquired why would Councillor, Robinson object to the addition of getting update on CAO Hiring.

Councillor, Robinson said that if Councillor, Carrier has questions about the hiring, she could submit them to CAO, Ferguson and he would bring them to the Committee. The addition to the agenda has to be unanimous.

Councillor, Carrier noted that additions have been done numerous times before.

Mayor, Arseneault restated additions need unanimous consent.

Councillor, Carrier said that being this close to hiring a CAO, should the Council and public not have an update. The current interim CAO, is done in about a week. She said someone from the hiring Committee should have put it on the Agenda.

At approximately 7:30 P.M., Mayor, Arseneault called the meeting back to Order to proceeded with adoption of the Agenda.

M 2022/02/22-25

Lilliane Carmichael moved that the Agenda be Adopted as Amended with changes; Add under Statements by Member of Council - Councillor Carrier, Hiring of CAO, Questions to Interim CAO, Ferguson, seconded by Marilyn Guitard-McDonnell. MOTION DEFEATED. Require unanimous consent. Against: Cynthia Robinson

	For	Against	COI
Lilliane Carmichael	x		
Cynthia Robinson		x	
Kristie Carrier	x		
Marilyn Guitard-McDonnell	x		
	3	1	0

M 2022/02/22-25B

Lilliane Carmichael moved That the Agenda be Adopted as Presented, seconded by Marilyn Guitard-McDonnell. MOTION CARRIED.

Statements of Conflict-of-Interest Nil

Adoption of Minutes

M 2022/02/22-26

Lilliane Carmichael moved that the Minutes of the Committee of Whole Council Meeting of January 10, 2022 and the Regular Meeting of January 31, 2022 be adopted as presented, seconded by Marilyn Guitard-McDonnell. MOTION CARRIED

Business Arising from Minutes Nil

Presentations / Petitions / Delegations Nil

Statements by Member of Council

Mayor, Arseneault

- Mayor, Arseneault acknowledged a Milestone Birthday for Ethel McGregor - 100 Years on February 20th.

Councillor, Carrier

- Internet Service for residents who do not have options with Bell or Rogers
<https://www.starlink.com/>

Councillor, Carrier would like for Council to look at the idea of helping residents that do not have access to internet services, particularly low-income families with children. She suggested perhaps looking at helping with Starlink; the initial cost is around \$1,000 to get set up. Maybe look into seeing if there are federal or provincial grants or perhaps providing loans to individuals. She would like to have staff research for opportunities out there.

Councillor, Carmichael noted that she is not sure the municipality can loan money, but maybe look into grants for low-income families.

Councillor, Robinson noted the Starlink service works well.

Mayor, Arseneault asked, does Council agree that CAO, Ferguson get the ball rolling with Bell or Rogers.

Councillor, Carmichael noted that she does not think Bell or Rogers will go to the non serviced areas.

Mayor, Arseneault said he will step down from the chair, metaphorically. He stated the provincial government is leaning towards Starlink as they understand there is a need for better internet access and they are leaning towards Starlink. He will request the CAO to look into to see if there is a provincial department looking into this.

CAO, Ferguson said he will contact MLA's office tomorrow to see if he can direct him to the right place.

Councillor, Guitard-McDonnell

- Update on discussions for a youth program in our Village

Councillor, Guitard-McDonnell said she touched on this subject about eight months ago. The goal is to have support programs for our residents. That is currently what Circle of Friends does in Belledune for adults. The plan is to try put something in place for youths. She is having discussions with Darrell Culligan and Nikki from Circle of Friends has given some good information for contacts for program. Our youth are in dire need of something and at some point, have to have an outreach program. Currently she is in talks with Mr. Culligan to see where they can go with this. We are now just scoping it out to see about getting a program in place.

She also wishes to thank Darrell for the New Comers Booklet. It is at the library and municipal office and will also be put out in the community at various locations.

Councillor, Carmichael noted this would be good for youth. She is sure there are a lot of grants out there. She would like to see if the CAO and reach out on this.

Councillor, Guitard-McDonnell said we need someone in place if a youth needs someone to reach out to.

Councillor, Carmichael asked if Darrell Culligan is looking into grants.

CAO, Ferguson said that the Youth Center in Bathurst could be a good contact and suggested that Melissa Harvey could help with contacts.

Councillor, Guitard- McDonnell said she is, that Nikki from Circle of Friends gave a contact person.

- Deputy Mayor, Bourque reconnected to meeting at 7:48 P.M.

Administration Reports

CAO, Ferguson

- Grant Report and Recommendation

M 2022/02/22-27

Lilliane Carmichael moved that the Social and Environmental CAO Grant Report of February 2022 be accepted as presented and the following recommendations approved; \$200 to The Kidney Foundation and \$200 to the MS Society of Canada, seconded by Marilyn Guitard-McDonnell. MOTION CARRIED.

- Request to Name ATV Bridge (Jacquet river)
 - Follow Up from January 31, 2022 meeting, directive from Council and subsequent discussion with Jacques Ouellette

CAO, Ferguson referenced the request for approval to name the ATV Bridge submitted by Mr. Ouellette, is more of a courtesy request as he does not believe they need Council approval, but would like the blessing of the Village. He has confirmed with Mr. Ouellette the money from RH Frenette will go towards the bridge project. He noted that there are various ATV bridges, including those in Bathurst, that have done the same. RH Frenette has worked on many projects and has their name on a number of bridges, as do others. For example, the one near Atlantic Host is called the Atlantic Host bridge, as they made a similar contribution to have it named. These signs are smaller signs, but there are larger signs prior to the bridges, naming all the major sponsors. That would be the same for the bridge over the Jacquet river. Belledune would be named on that sign as a major sponsor.

Deputy Mayor, Bourque raised some concerns regarding not having information on the design, the cost, who engineered, etc.

Councillor, Robinson expressed concerns over RH Frenette being given naming right for the amount of \$30,000. She noted a lot of contractors working on the project have been asked to work at reduced rates or donate. Now RH Frenette, according to CAO, Ferguson, is naming all bridges along the way. She cannot see contractors being as supportive when trails have reneged on their contributions. She does agree with the \$30,000, when The Village of Belledune has contributed such a large amount of money.

Councillor, Carmichael said it is only putting their name on sign. We could ask Mr. Ouellette to put the names of other contractors on the sign. This is just stalling, we need to move forward, perhaps have a discussion with Mr. Ouellette.

Councillor, Guitard-McDonnell asked if any other contractors has made the same request as RH Frenette.

Councillor, Robinson said she was told that all the other contractors have been told they would be treated equally.

Councillor, Carrier said if she understands correctly, that this is a project by the ATV Club and Belledune was asked to contribute. Why are they coming to us to ask this?

CAO, Ferguson said that this request is more out of politeness. He will pass along the message of Council decision. In reference to the questions posted regarding increased costs and where the \$30,000 will go, was clarified by CAO, Ferguson. He can ask about the costs, but it was clarified that he did inquire about the \$30,000 and Mr. Ouellette confirmed it would go toward offsetting the cost for the bridge.

He noted that if Council has other questions, they can send to him and he will ask Mr. Ouellette.

M 2022/02/22-28

Lilliane Carmichael moved that Belledune Council approve the offer of \$30,000 to the Chaleur ATV Club, from R.H. Frenette for the purchase of name for the ATV Bridge over the Jacquet river, seconded by Marilyn Guitard-McDonnell. MOTION CARRIED

Against: Cynthia Robinson

	For	Against	COI
Lilliane Carmichael	x		
Cynthia Robinson		x	
Kristie Carrier	x		
Marilyn Guitard-McDonnell	x		
Ron Bourque	x		
	4	1	0

M 2022/02/22-28B

Ron Bourque moved that the motion M 2022/02/28-28 be tabled until this information he is asking is made available to the Village of Belledune, seconded by Cynthia Robinson. DEFEATED.

Against: Lilliane Carmichael, Kristie Carrier, and Marilyn Guitard-McDonnell

	For	Against	COI
Lilliane Carmichael		x	
Cynthia Robinson	x		
Kristie Carrier		x	
Marilyn Guitard-McDonnell		x	
Ron Bourque	x		
	2	3	0

- Asset Management Update
 - Follow Up to January 31, 2022 - directive from Council

CAO, Ferguson advised he has asked another company and will reach out tomorrow to ask another one. He did find out today that Roy Consultants back in 2020 sent a proposal for Phase 2, to Landon Lee. He noted that Councillor, Robinson is correct, the RV Anderson is a lot of money, Roy Consultants is one half of that, however does not include the water / wastewater component that R.V. Anderson has included in their proposal. He spoke with Roy Consultant today; they have conducted thirteen Phase 1 projects and are now working with some for Phase 2. He will check into it to make sure the guidelines are met and that they do work with FCM to get funds. He will bring all back to Council or the new CAO will bring back. As well, consideration has to be taken that this is a small community with a limited work force to maintain the Capital Asset Plan.

Council member inquires were regarding having use of the work done already on Phase 1 for Phase 2, the deadline date to have completed, requests for proposals -all submitting on the same scope of work and getting specs prepared before going out for quotes.

CAO, Ferguson said the work done on Phase 1 is information belonging to the Village and can be used, the deadline for completion is the end of year 2023 and he will need to find out exact specs so everyone is quoting on same thing.

Clerk/Treasurer, Cormier

- Financial Reports

M 2022/02/22-29

Lilliane Carmichael moved that the Financial Report be accepted as presented and the Accounts Payable be paid, seconded by Marilyn Guitard-McDonnell. MOTION CARRIED.

By-laws and Policies

- By-law No 17-02-2022 concerning the amendment of zoning provisions of the rural plan of Belledune - FULL READING

M 2022/02/22-30

Lilliane Carmichael moved that by-law No 17-02-2022 concerning the amendment of the zoning provisions of the rural plan of Belledune, the entirety of which has been read, be adopted, seconded by Kristie Carrier. MOTION CARRIED.

- By-law No 17-02-2022 concerning the amendment of zoning provisions of the rural plan of Belledune - 3rd reading – TITLE, Adoption

M 2022/02/22-31

Lilliane Carmichael moved that by-law No 17-02-2022 concerning the amendment of the zoning provisions of the rural plan of Belledune, the title of which only has been read, be adopted at third reading, seconded by Cynthia Robinson. MOTION CARRIED.

- Amendment to the zoning provisions of the rural plan for the property bearing PID 50086677 located at 26 Quinn Road
 - Terms & Conditions

Councillor, Carmichael inquired if this was for the spot zoning.

CAO, Ferguson this was for the request from Mr. Surette for his property. He put the request directly to Council and CAO, Ferguson said he worked with planning on this. Everything Mr. Surette requested is in this resolution. The question of animals - chickens is already covered in the mixed zone. The only thing not there is the Bed and Breakfast request, as there is an issue on this.

Councillor, Robinson asked for clarification.

CAO, Ferguson said Mr. Surette is now looking at changing from a Bed & Breakfast to building cottages. CAO, Ferguson spoke to planning today (Benjamin) and he invited both Benjamin and Yvon to meeting tonight, but both had other commitments.

M 2022/02/22-32

Lilliane Carmichael moved that the following Resolution be approved, seconded by Cynthia Robinson. MOTION CARRIED.

**RESOLUTION IN COMPLIANCE WITH THE PROVISIONS OF SECTION 59
OF THE COMMUNITY PLANNING ACT**

WHEREAS the Municipality has received a request from the Owner and his Agent to modify the zoning of a portion of the property bearing PID 50086677;

WHEREAS the main purpose of this rezoning is to allow multiple uses on the subject property;

WHEREAS in compliance with the provisions of Section 59 (2) of the Community Planning Act, this resolution will not take place until a certified copy of the By-law and a certified copy of the resolution have been filed together at the Registry Office.

THAT the following terms and conditions constitute the resolution in compliance with the provisions of Section 59 of the *Community Planning Act*:

- 1. On the subject property, it is permitted to have more than one main use as described in the article 72.1 of the rural plan;**
- 2. All uses occurring on the subject properties shall respect the conditions of the mixed type 1 (MX-1) zone;**
- 3. In addition to the uses listed in the Mixed type 1 (MX-1) zone, it is permitted to have:**
 - Art studio**
 - Galerie (show space, retail space)**
 - Workshop**
 - Garage**
- 4. Where the owner and/or the agent fails to meet the terms and conditions set in this by-law and/or in the Rural Plan of the Village of Belledune, the Municipality may cancel this rezoning in writing pursuant to the provisions contained in the Community Planning Act.**

- Amendment to the zoning provisions of the rural plan for the property bearing PID 50086677 located at 26 Quinn Road

- Public Hearing - Consideration of Objections

The notice was published on the Website, with no copy of the proposed By-law.
No written objections were received.

- By-law No 17-03-2022 concerning the amendment to the zoning provisions of the rural plan for Belledune - PID 50086677 located at 26 Quinn Road
 - First and Second Readings by Title

M 2022/02/22-33

Lilliane Carmichael moved that by-law No 17-03-2022 concerning the amendment of the zoning provisions of the rural plan of Belledune, the title of which only has been read, be adopted at first reading, seconded by Cynthia Robinson. MOTION CARRIED.

M 2022/02/22-34

Lilliane Carmichael moved that by-law No 17-03-2022 concerning the amendment of the zoning provisions of the rural plan of Belledune, the entirety of which only has been read, be adopted at second reading, seconded by Kristie Carrier. MOTION CARRIED.

- Authorization for legal procedure - PID 50086677 - 26 Quinn Road

CAO, Ferguson said he have a conversation with planning (Benjamin) as he had many questions on this one, but as noted he was unable to attend meeting this evening. He suggested that perhaps Council consider tabling the motion until next meeting and he will request that Benjamin be at that meeting. There are issues that need to be cleared up and we need Benjamin to do that.

M 2022/02/22-35

that the following Resolution be adopted

RESOLUTION

CONSIDERING that the following offence: An inspection has revealed that a development has been undertaken without the issuance of a building and/or a development permit. The development is aimed at the alteration of the existing building to operate a restaurant or take-out. This work constitutes a development as per the Community Planning Act thus requiring the development officer having jurisdiction to approve the development as conforming with the rural plan (subsection. 108(1)).

In addition, the rural plan of the Village of Belledune, By-law No. 17-01-2008 stipulates that no person shall undertake or continue a development without having obtained a development permit and no development permit shall be issued unless the proposed development conforms to all provisions of this By-law.

Also, the Building By-law of the Village of Belledune, By-law No.15-90-1998 stipulates that a person shall not undertake or continue the building, locating or relocating, demolishing, altering or replacing of a building or structure unless a building permit therefor has been issued pursuant to this section, was found on the property belonging to Mr. Kevin Joseph Surette, which is located at 26 Quinn Street, in Belledune and identified by the PID 50086677, and that the said offence contravenes:

- (a) the municipality's zoning by-law of Belledune, and**
- (b) subsection 108(1) of the *Planning Act*,**

(c) the municipality's building by-law of Belledune, and

BE IT RESOLVED:

(a) That the Development Officer of the Chaleur Regional Service Commission be authorized to take the necessary measures under subsection 135 of the New Brunswick *Planning Act* to ensure that the by-laws of the municipality of Belledune and the applicable legislative provisions are complied with;

(b) That, if necessary, the Development Officer authorized to retain the services of a lawyer to commence proceedings before the courts for the purposes set out in subsection (a) above;

(c) That, if proceedings before the courts are necessary, such proceedings are brought on behalf of the municipality of Belledune.

M 2022/02/22-35B

Lilliane Carmichael moved that Resolution M 2022/02/22-35 be tabled until information is provided by Benjamin Kocyla, CRSC Acting Planning Director, at the next Council meeting, seconded by Kristie Carrier. **MOTION CARRIED.**

Against: Cynthia Robinson

	For	Against	COI
Lilliane Carmichael	x		
Cynthia Robinson		x	
Kristie Carrier	x		
Marilyn Guitard-McDonnell	x		
Ron Bourque	x		
	4	1	0

Motions and Resolutions

- Fire Rescue Unit Tender VOB FD-01 - Award

Council members had questions regarding which truck this was, was it within the budget, and where funds will come from.

CAO, confirmed that this is the Fire Rescue Vehicle.

Clerk/Treasurer, Cormier explained this was not an item in the General Operating Budget, but the funds will come from either the General Operating Funds, the General Capital Reserve Funds or a combination of both. By year end it will be much easier to determine this. If the projections show a surplus in the General Operating Funds that can be used towards this purchase and if other funds are needed to offset the cost, Council can make a resolution at that time to have funds transferred from the General Capital Reserve Fund for this. Either way, the Council can award the tender this evening as there is money available for this.

Payment will only be made once Vehicle is received, which may only be in year 2023.

It was also mentioned about other vehicles purchases that have been awarded but not yet received; Garbage Truck, and Public Works one ton Truck. As well, it was noted that the Fire Department has also requested a new Fire Truck.

M 2022/02/22-36

Lilliane Carmichael moved that as recommended by Chris Kingston, Procurement Consultant, the Tender for the Fire Rescue Unit - Tender VOB FD-01 be awarded to the sole bidder, Metalfab Ltd. for the amount of \$293,968.75 (HST included), seconded by Marilyn Guitard-McDonnell. MOTION CARRIED.

General Correspondence

Correspondence In:

- Restigouche SPCA - January 2022
- Atlantic Railway - Track Inspection Report - January 2022
- Belledune Library Report - January 2022
- CRSC - Building Permit Report - January 2022

Closed Session Nil

Adjournment

M 2022/02/22-37

Lilliane Carmichael moved that the meeting adjourn at 9:09 P.M., seconded by Marilyn Guitard-McDonnell. MOTION CARRIED.

Mayor

Clerk/Treasurer