



AGENDA
Town Council Meeting
Monday, November 2nd, 2020
5:00 p.m.

- 1) Call to Order
- 2) Swearing In of Mayor
- 3) Swearing In of Council
- 4) Approval of Agenda
- 5) Approval of Minutes from the Council meeting held on October 5th, 2020.
- 6) Delegations: Val Kean, Municipality of the District of Shelburne
- 7) Appointment of Deputy Mayor
- 8) Proclamations:
- 9) Correspondence:
Action Required: Letter to Province on Arena
- 10) Council Items:
 - a) Committee Appointments
 - b) Council Orientation
 - c) Role in Community Festivals & Events
- 11) Staff Reports:
 - a) Staff Report-Water Break adjustment
 - b) Staff Report-Plebiscite Staff Report
 - c) Staff Report- Code of Conduct
 - d) End of Month Tickets/Dangerous & Unsightly
 - e) SVFD Monthly Report
- 12) Committee Reports: none
- 13) New Business:
- 14) In Camera
MGA Section 22 (e) Contract Negotiations
- 15) Upcoming Meetings
- 16) Adjournment



Town of Shelburne
Minutes of the Regular Council Meeting
Monday, October 5th, 2020
Council Chambers, 168 Water Street, Shelburne, NS

Council Members Present

Mayor Karen Mattatall
Deputy Mayor Nolan Young
Councillor Rick Davis
Councillor Harold Locke
Councillor Sheldon Ringer

Staff Present

Ken Smith, CAO
Julie Ferguson, Clerk

Call to Order

Mayor Mattatall called the meeting to order at 5:55pm

Approval of the Agenda

THAT the Agenda for the Regular Town Council Meeting held on October 5th, 2020 be approved.

Davis - Ringer

CARRIED

Approval of the Minutes

THAT the Minutes of the Regular Town Council Meeting held on September 21st, 2020 be approved.

Locke - Ringer

CARRIED

Proclamations

None

Delegations

a) Presentation of the 2019/20 Financial Statement by Ron Chute CPACA
Ron Chute from Belliveau Veinotte Inc. noted that he had reviewed the 2019-20 Financial Statements with the Audit Committee and would entertain any further questions from Council Members. He also acknowledged the excellent work carried out by the 2 Finance Department staff.

Locke – Young

THAT Town Council approve the 2019/20 Financial Statement

CARRIED

Locke – Davis

THAT Town Council agrees to transfer the 2019/20 operating surplus in the amount of 99,206.02 to the Special Operating for Town General.

CARRIED

Correspondence
Action Required:

For Information:

Council Items

Staff Reports

a) CAO – Verbal Update

The Interim CAO verbally updated the status of several significant activities involving Council and the Interim CAO;

1. Upcoming Community Events and Town’s involvement;
2. Fire Service Agreement amendment;
3. Inter-Municipal Agreement respecting HST;
4. Status of Noise By-Law and related SOT registration;

In- Camera Session

Young - Locke

THAT Town Council go In-Camera at 6:07pm

CARRIED

Motions coming out of In-Camera:

THAT Town Council allocate up to \$ 1,500.00 for a traffic report by Roger Boychuk, P. Eng, Senior Transportation Engineer

New Business

None

Adjournment

THAT the Regular Town Council Meeting of Monday be adjourned at 6:20pm

CARRIED

Mayor

Clerk

STAFF REPORT

TO: Members of Shelburne Town Council

FROM: Val Kean, Community Development Coordinator

APPROVED BY: Ken Smith, Interim Chief Administrative Officer

DATE: November 2, 2020

SUBJECT: **Shelburne's Community Christmas Activities**

PURPOSE

To encourage discussion surrounding the community Christmas activities plan in Shelburne for the 2020 holiday season.

BACKGROUND

We recognize that the coronavirus pandemic has had a direct negative impact on the community events and festivals throughout much of 2020 which, has affected the operation of our local community groups and facilities. Following the advice of provincial officials since mid-March, many fundraising events and activities such as suppers, concerts and bingos have been cancelled in an attempt to prevent the spread of the virus.

With the relaxation of public health directives surrounding public gathering limits and event organization, it is now possible for some events and fundraisers to take place with the requirement that organizers and planners must assess the risks associated with their event and determine if they are able to implement the public health measures contained in the Health Protection Order.

DISCUSSION

Over the past weeks, the Community Development Coordinator has been in communication with the Shelburne Chamber of Commerce and local community organizations to determine the presence of community Christmas activities happening in Shelburne. Staff have also researched the current COVID-19 restrictions and requirements for event organizers to determine what events may not be possible to host this holiday season. The following is a list of events that are scheduled to move forward this holiday season:

November 14th

Christmas Craft Market

Sandy Point Lighthouse

November 19th

Kids Craft Activity

Shelburne Community Centre

November 28th

Christmas Craft Show
Shelburne Community Centre

November 29th
Breakfast with Santa
Shelburne Community Centre

December 4th
Christmas Tree Lighting
Black Loyalist Heritage Museum

December 7th
Christmas Stroll Along Dock Street
Dock Street – Shelburne County Museum

December 11th
Virtual Paint Night
Municipality of Shelburne

TBD
Christmas Cookie Decorating Kits
Municipality of Shelburne

Adult Christmas Craft Night
Municipality of Shelburne

Community Skate
Municipality of Shelburne

During discussions with the Chamber it was identified as a priority to have a campaign promoting shop local; we are working together with local industry to organize this. After reviewing the schedule of events for the 2019 Shelburne Celebrates Christmas the following events are currently not planned however, are open for discussion to determine, based on budget, staff/volunteers, and public health measures, if they can be organized again this year:

Santa at the Guide Hall
Shelburne's Christmas Parade
New Years' Levee

ATTACHMENTS

1. Communities, Culture and Heritage – COVID-19 Prevention Guide for event organizers, theatres and performance venues

Communities, Culture and Heritage

COVID-19 Prevention Guide for event organizers, theatres and performance venues

About COVID-19

COVID-19 is most commonly spread from an infected person through respiratory droplets generated by coughing, sneezing, laughing, singing, and talking. It spreads more easily when contact is close (within 2 metres) and prolonged (more than 15 minutes).

COVID-19 can also be spread by close personal contact with someone who is infected -- such as touching, hugging, shaking hands -- or touching an item carrying the virus and then touching one's mouth, nose or eyes before washing one's hands. People who have few or no symptoms can still spread COVID-19.

The most effective measures to reduce the spread of COVID-19 include separating people by maintaining physical distance and the use of physical barriers. Using a layered approach with multiple measures from the areas listed below (e.g., environmental cleaning, frequent hand hygiene) decreases the number of interactions and increases the safety of interactions that occur.

We are confident event organizers will be creative and innovative in implementing the Public Health measures.

About this guide

This document is specifically for organizations, performance venues, live theatres, event organizers, faith-based gatherings, cinemas and drive-in events. It is meant to help you reduce the risks related to COVID-19 and plan to adhere to public health guidelines.

Use this guide to help you build your own plan to mitigate the risks related to COVID-19. Public Health does not require approval of each plan, but staff at Communities, Culture and Heritage can assist and/or provide advice.

Organizers and planners must assess the risks associated with their event and determine if they are able to implement the public health measures contained in the [Health Protection Order](#).

If there is COVID-19 activity in the community, the likelihood of it being introduced during an event or at a theatre/venue is high. Gatherings/events may pose a greater risk of COVID-19 spread if there is a large number of attendees over an extended period of time. Organizers should consider alternative options for an in-person gathering, such as a virtual event, if COVID-19 is present in the community.

Factors for consideration

Some factors to consider while planning your event or performance:

- number of attendees
- size of event/length of event
- activities at event (activities where transmission may be higher – cheering, singing, playing wind instruments)
- location – indoors/outdoors – ventilation; outdoor settings play a role in reducing the risk of COVID-19 disease transmission
- population – will vulnerable individuals be at the event? (designated time/accommodations for vulnerable populations; communication regarding risks associated with COVID-19 and vulnerable populations)
- characteristics of location/venue
- keep detailed lists of attendees and their contact information to facilitate public health investigation in the event of COVID-19 exposure at the gathering/event
- if an attendee becomes symptomatic at the event, they must don a mask (if available) and immediately leave the event
- remove non-essential items and use single use items where possible
- drive-in attendance
- curbside pick-up options for any items for purchase (tickets/merchandise)

- Non-medical masks are mandatory on public transportation as of July 24 and in indoor public places as of July 31. Further details about this measure and definitions of indoor public places can be found [here](#).

You are encouraged to use these guidelines to build your event/performance plan to adhere to public health advice.

Illness

Your plan should address:

- How you will communicate to staff, and attendees that they must stay home if:
 - They are sick or symptomatic
 - They travelled outside of the four Atlantic provinces in the previous 14 days
 - They are a close contact of a confirmed case of COVID-19
 - They are awaiting a COVID-19 test result
- How you will communicate to attendees and staff that some individuals are considered at higher risk of severe illness with COVID-19 (including those over 65 and those with compromised immune systems or underlying medical conditions)
- How attendees and staff will be monitored for signs and symptoms of COVID-19? The most up to date list of symptoms can be found on the [811](#) website
- How you will ensure staff are kept informed of the most [updated list of signs](#) and symptoms of COVID-19 and how they are monitoring for those symptoms daily
 - This list of symptoms should be posted at entrance locations and attendees should be asked to confirm they have no symptoms and are not otherwise required to self isolate
- How you will ensure that staff will not work while ill, even with mild symptoms, and how staff absenteeism will be tracked by your organization

- How a staff member who becomes symptomatic while they are working will immediately wash their hands, don a mask, if they're not already wearing one, tell their supervisor, avoid contact with others and go home to isolate. Staff and volunteers with symptoms should visit 811.novascotia.ca to complete the COVID-19 self-assessment
- How you will immediately isolate an unwell attendee or staff from the event/venue and other attendees
- How you will make masks available for attendees and staff where physical distancing cannot be maintained

Self-screening for symptoms

- Staff and volunteers must not work while ill, even with mild symptoms
- Participants should not attend the event if they are exhibiting symptoms
- Signage should be posted that includes self-screening questionnaire. If a staff or volunteer becomes symptomatic while they are working at the event, they should immediately wash their hands, don a mask, tell their supervisor, avoid contact with others and go home to isolate.
- Staff and volunteers with symptoms should visit 811.novascotia.ca to complete the COVID-19 self-assessment

Crowd control

Physical distancing of 2 metres or 6 feet between all individuals helps reduce the spread of illness. Gatherings make this more difficult, so your plan should implement measures to encourage physical distancing across all facets of your operation., etc.

- A 2 metre / 6 foot physical distance must be maintained
 - Between families or groupings of people (gathering limits can be found in the [Health Protection Act Order](#))
 - Between staff and/or volunteers throughout the venue/event, including back of house
 - Between any booth or vendor spaces
 - Between participants/attendees at all times

- The Order must be followed regarding maximum gathering limits
 - Stagger pick-up times (for food)
 - Have staff monitor line-ups to ensure physical distancing is being maintained
 - Visual cues such as drawing circles in the venue or on the grounds where seating isn't available to encourage family/group physical distancing
- Signage should be posted to promote physical distancing
- Clear directional signage for entry and exit locations, with extra staff to monitor physical distancing
- Signage must be posted to promote and ensure one-way traffic for entering and exiting the venue, as well as the flow of people to and from washrooms and concessions
- Increase the distance between seating, picnic tables and benches to ensure there is a 2 meter/6-foot distance between the participants at one table and participants at another table

Parking, transportation, and traffic flow

- Installing physical distancing controls for queuing for parking, entry to the venue/event
- Assigning staff/volunteers to monitor physical distancing throughout
- Stagger parking spaces to allow for space for physical distancing
- Visual cues, such as floor/ground markings, can be used to encourage physical distancing
- Make narrow walkways one-way to facilitate physical distancing
- Physical barriers can be used when physical distancing cannot be maintained where appropriate. Consider the need for additional cleaning and disinfecting of any barriers or dividers
- Use traffic markers to ensure one-way entry and exit
- Signage to ensure one-way flow of pedestrian traffic to gates or entrance.

Vocalists, singers, public speakers and instrumentalists

Singing, use of wind instruments, speaking loudly and cheering may pose a higher risk of spreading the virus. Gatherings and events should limit the risk by implementing/considering the following:

- Maintain physical distancing between performers, event staff and participants at all times. Length of instruments should be accounted for when determining physical distancing between individuals
 - There is limited evidence to determine exactly what a safe distance would be between singers and others, but greater distances can reduce the risk. Therefore, singers/vocalists should maintain a minimum distance of 2 metres/6 feet and consider an even greater distance from all others (e.g. other vocalists, spectators, etc.) while performing
- Consider adapting activities which would normally require individuals to be in close proximity (i.e. music, dance and theatre) to maintain physical distancing
- Consider having vocalists/musicians face away from others while singing or playing wind instruments
- The number of performers should be limited to soloists or small groups
- Members of a performing group should not mingle with audience members, patrons, venue staff, or volunteers during or after performances
- **Presenters at a conference are required to wear masks, even if social distancing is in place.**
- Officiants and performers are exempt from wearing a mask while they are performing, talking or singing at faith gatherings, social events, weddings and funerals, or arts and culture events. This does not apply to participants or audiences at the event.

Public health guidance for drive-in events

Drive-in events must follow the same public health measures as other events (e.g. hand hygiene, physical distancing, etc.); however, there are some unique considerations for these types of events

- Vehicles must be parked 2m/6 feet apart
- The requirements for maximum numbers at an gathering and physical distancing between groups must be met
- No sharing of items between vehicles
- Only those in your social group can travel in the same vehicle
- Vehicles should be turned off during the event
- Physically distancing must be maintained in common spaces (washrooms, food service areas)
- Consider flow of traffic in and out of event, including the use of unidirectional traffic and visual cues
- Consider contactless entry and payments for admissions, concessions, etc.
- Limit how often individuals leave their car (no loitering outside of car, should only leave to use washroom and purchase food)
- Ensure adequate number of handwashing facilities
- Ensure staffing levels allow for continued monitoring for maximum gathering limits and physical distancing

Seating and management of venues

You must ensure your venue/event doesn't exceed the maximum capacity as per the Order by the Chief Medical Officer of Health.

Please ensure you're considering physical distancing and the impact on seating, capacity, and/or the layout of your indoor facility and available outdoor space.

- How will you ensure the gathering sizes within your event or venue do not exceed the maximum gathering limits set out in the Health Protection Act Order? The most current information on gathering limits can be [found here](#). Gathering limits apply to the facility where the event/activity is happening, not rooms within a facility.
- How will you ensure your attendees find their seats, while maintaining physical distancing? Ushering patrons directly to the appropriate seats gives you maximum control and allows you to load and unload the room/site safely.
- How will you administer tickets and minimize interaction with attendees and staff?

Some suggestions could include:

- Installing partitions to protect staff at box office
- Ensuring non-medical masks are provided to all staff
- Ensuring guests know that masks are required upon entry (people with a valid medical reason for not wearing a mask are exempt, as well as children under 2 and children 2 to 4 when their caregiver can't get them to wear a mask)
- Using electronic ticketing to minimize paper ticketing
- Implementing assigned entry door #s to reduce crowds at main doors
- Installing traffic flow signage
- Installing physical distancing controls for queuing for parking, entry to the venue/event
- Adopting touchless ticket scanning -- guest retains ticket or electronic device during scanning

- Relocate scanning locations away from doorway to increase distancing
- Making alcohol-based hand sanitizers (60%) available to guests at touch points
- Ensuring microphones, headphones, and other personal equipment are not shared, and are sanitized before and after each use

Hygiene practices

Hygiene practices refers to frequent hand hygiene and respiratory etiquette.

- Signage should be posted to promote hand hygiene and respiratory etiquette
- Hand washing with soap and water is the preferred method of hand hygiene, especially when hands are visibly soiled
- Provide alcohol-based hand sanitizers (60%) at the entrances and throughout the event space to encourage hand hygiene
- Consider providing temporary handwashing stations equipped with soap and water for individuals to wash their hands
- Avoid touching your eyes, nose and mouth
- Practice respiratory etiquette by coughing or sneezing into your sleeve or tissue and discard immediately and perform hand hygiene

Environmental Cleaning

Cleaning and disinfecting surfaces and objects help prevent the spread of COVID-19. This will reduce the chance of people becoming ill after touching dirty surfaces. Cleaning does not kill germs but helps remove them from the surface. Disinfecting refers to using chemicals to kill germs on surfaces. This is most effective after surfaces are cleaned. Both steps are important to reduce the spread of infection. Do not mix cleaning agents and disinfectants together or use multiple disinfectants together.

- Areas touched often (e.g. tables, railings, light switches, doorknobs, toilets, cash boxes, etc.) should be cleaned and disinfected at least twice daily and more often as needed
- Disinfectants should be used to eliminate the coronavirus that causes COVID-19. Consult the product's Safety Data Sheets for proper use. For a list of approved disinfectants, refer to: <https://www.canada.ca/en/health-canada/services/drugs-health-products/disinfectants/covid-19/list.html>
- Items used between customers (i.e. point of sale systems) must be disinfected between each use
- Sharing of items used by venue staff, participants or performers (i.e. equipment, instruments) should be avoided
- Equipment, instruments and other items that must be shared or passed between individuals should be cleaned and disinfected at an increased frequency. If this is not possible, individuals touching these props should perform hand hygiene before and after touching the items
- Try to avoid the use and handling of cash by using contactless payment. If not possible, it is recommended you keep the cash you receive separate from the cash you use to make change. Try to round your prices to dollar values that will not require change. Have a designated area on the table for customers to leave cash
- At indoor events, opening windows to increase ventilation when weather permits may help reduce the spread of illness
- Waste should be disposed of regularly. Hands should be washed after waste removal. No-touch waste receptacles should be used

Washrooms

- Consider limiting the number of people who occupy the restroom at one time to allow for physical distancing
- Do not allow lines or crowds to form near the restroom without maintaining a distance of at least 2 metres/6 feet from other people. Clearly post signs or markers to help attendees maintain the appropriate physical distance of at least 2 metres/6 feet

- Ensure open restrooms are:
 - Operational with functional toilets.
 - [Cleaned and disinfected](#) regularly, particularly high-touch surfaces such as faucets, toilets, stall doors, doorknobs, countertops, diaper changing tables, and light switches
 - Clean and disinfect restrooms daily or more often, if possible, with [EPA](#)-approved disinfectants against COVID-19
 - Ensure safe and correct application of disinfectants and keep products away from children
 - Adequately stocked with supplies for handwashing, including soap and water or hand sanitizer with at least 60% alcohol (for staff and older children who can safely use hand sanitizer), paper towels, tissues, and no-touch trash cans

Portable washrooms for outdoor activities

- If you are providing portable toilets, also provide portable handwashing stations and ensure that they remain stocked throughout the duration of the event. If possible, provide hand sanitizer stations that are touch-free
- Organizers should develop a maintenance plan for these items that could include having staff in place to sanitize, determine number of washrooms per person and frequency of cleaning

Food service

- Place minimum 60% alcohol-based hand sanitizer dispensers at booth for customer use
- Have additional water on hand to supply gravity-fed handwashing stations due to increased handwashing
- Use single service condiments to avoid contamination. Avoid contact and maintain physical distance from customers when providing food orders
- All vendors must have a food permit, unless exempt. Information on food permits can be found at <https://novascotia.ca/nse/food-protection/retailers.asp>

- Terms and conditions will be added to permit to require implementation of COVID-19 prevention measures as outlined in this document
- Dedicate one staff person to handling money and one to food service if you are unable to adequately wash hands between tasks

Declarations

Achieving a safe venue/event requires that an effective and responsible social contract be in place with patrons. They need to participate and contribute to achieving a safe event. Events and venues should include a patron declaration step in their safety/reopening plans. By asking basic questions like the following, we can identify individuals with a heightened risk for transmission.

- Is the patron sick or symptomatic?
- Have they traveled outside Atlantic Canada within the last 14 days?
- Are they a close contact of a confirmed case of COVID-19?
- Are they waiting for results of a COVID-19 test?

In an ideal situation, the declaration questions are repeated both at the ticket purchase stage and upon arrival at the venue.

Communication

Communicating your plan to all attendees in advance is critical to ensuring the plan is followed. While there are a variety of ways to communicate your message, including during the purchasing of event/performance tickets, social media and other platforms can be used to:

- Have staff and volunteers model the safety procedures that you are implementing to help set the tone for a safe event
- Inform the public about COVID-19 measures in place
- Inform the public about new COVID-19 measures being implemented
- Inform the public about vendors attending the event and facilitate access to pre-orders through contact with individual vendors, if possible

- Provide a preview of products available at the event to make purchasing efficient
- Provide a platform for vendors to communicate and sell
- Promoting pre-order/prepay and pick-up/ delivery options, if possible



October 26, 2020

Mayor Karen Harris-Mattatall
c/o Town of Shelburne

The African Nova Scotian Decade for People of African Descent Coalition (ANSDPAD) invites you to a meeting to discuss issues of system anti-Black racism in the town of Shelburne and to collaboratively explore solutions.

The African Nova Scotian(ANS) community in Shelburne expresses grave concern in the relationship between the community and its municipal government. Since the creation of the town in 1783 and North America's first race riot in the town in 1784, the racial tensions between the ANS community and the town of Shelburne have gone largely unaddressed and allowed to fester.

Issues such as racist graffiti, unaddressed racist comments, micro-aggressions by town council members, the disbanding of the Anti Discrimination and Racism Committee in 2015, lack of representation from the ANS community on Town Council, the well water contamination and related health issues, Councils lack of acknowledgement of an ANS community, and a lack of the importance of the historical implications and systemic racism in the town of Shelburne need to be collectively addressed.

As the Coalitions' mission is to build strength and health across ANS communities and to forge a renewed collaborative positive working relationship with government(s), ANS organizations and our community that will create conditions for all people of African ancestry in Nova Scotia to thrive; it's imperative to openly, collectively and collaboratively address these issues.

To confirm a possible date and time for this meeting please call our offices or reply to this e-mail at your earliest convenience.

Submitted By:

Vanessa Fells
ANSDPAD Director of Operations
Email: dpadprogramcoordinator@outlook.com
Phone: (902) 462-3273 – office number

cc:

African Nova Scotian Community of Shelburne
Town Council of Shelburne – Mayor's Office
Municipality of Shelburne
Nova Scotia Human Rights Commission
African Nova Scotian Affairs



ANSDPAD

AFRICAN NOVA SCOTIAN DECADE FOR
PEOPLE OF AFRICAN DESCENT COALITION

49 Wilfred Jackson Way
Cherry Brook NS B2Z 1A8
ansdpadassistant@outlook.com
Phone: (902) 462-3723 (DPAD)
Toll Free: 1-833-330-3723 (DPAD)

Municipal Affairs

Black Loyalist Heritage Society

Association of Black Social Workers

Health Association of African Canadians

Shelburne Community Health Board

Department of Education (RCH, SSW's & Principals in Shelburne)

Shelburne & Area Chamber of Commerce

Southwest Employment Services - Nova Scotia Works (Shelburne office)

Nova Scotia Community College (NSCC) – Shelburne – Principal's Office

Canadian Business Development Corporation (CBDC) of Shelburne

STAFF REPORT



To: Council
From: Adam Dedrick, Director of Recreation & Parks
Approved by: Trudy Payne, Chief Administrative Officer
Date: October 13, 2020
Subject: Community Rinks Assistance Resolution

Origin

The Municipality of Pictou County recently approved a resolution and sent correspondence to Premier Stephen McNeil requesting the provincial government to consider providing financial assistance to community rinks due to the negative financial impacts of COVID-19. They circulated this information with other municipal units to gather support where appropriate.

Recommendation:

That Council approve the following resolution:

WHEREAS Community Rinks are a vital part of the recreational infrastructure in small towns and rural areas; and
WHEREAS Community Rinks provide opportunities for walking tracks, recreational skating, and hockey at all levels; and
WHEREAS Community rinks often run on a very tight budget with much volunteer donated labour; and
WHEREAS if Community Rinks close, they may never reopen; and
WHEREAS the restrictions placed by the Public Health Authorities to help control the spread of COVID-19 are significantly impacting the business operations of community rinks causing deficits.
THEREFORE IT BE RESOLVED that the Municipality of the District of Shelburne call upon the government of the Province of Nova Scotia to bring forward a program of support to help Community Rinks survive the 2020-2021 season.
And furthermore, send a letter to Premier Stephen McNeil requesting the provincial government consider providing financial assistance to community rinks due to the negative impacts of COVID-19.

Background

As a result of COVID-19 many community rinks/arenas are facing the challenge of trying to balance the expense of new protocols, the potential decrease in the number of large user groups and a reluctance by the public to put themselves at risk in these environments. There is a real risk that rinks will not be viable for the 2020-2021 season. To see them through the season, rinks will need some measure of financial relief.

Discussion

Our local rink, the Shelburne County Arena, is in this same position as other small town arenas throughout the province. Already facing a shortfall in operational funding for the upcoming season, the potential negative impacts of COVID-19 puts even more strain on the financial situation of the arena. Any financial assistance from the Province to help not only our arena, but all struggling community arenas, would be extremely beneficial.

To support a unified call upon the provincial government, it is recommended that Council send a letter to Premier Stephen McNeil that includes the attached resolution outlining the request for the Province to consider providing financial assistance to community rinks due to the negative impacts of COVID-19.

Budget Implications

None.

Attachments

- Letter to Premier from Municipality of Pictou County
- Resolution passed by Council of Municipality of Pictou County

Administration/C.A.O.
Administration Building
45 Municipal Drive, Pictou
Phone: (902) 485-4311
Fax: (902) 485-8475



Building Inspection: (902) 485-4588
By-Law Enforcement: (902) 485-8840
Fire Inspection: (902) 485-8360
GIS/Civic Addressing: (902) 485-1201
Public Works: (902) 485-4085
Recreation: (902) 485-8528
Fax: (902) 485-8475

Municipality of Pictou County

P.O. BOX 910, PICTOU, N.S.
B0K 1H0
All Offices: (902) 752-1530

October 7, 2020

Honourable Stephen McNeil, Premier
Province of Nova Scotia
PO Box 728
Halifax, NS
B3J 2T3

Dear Premier McNeil:

As Nova Scotians navigate their way through COVID-19 we are all striving for the flexibility and adaptability we need to maintain some semblance of normalcy. This has been particularly difficult for non-profits and community-based organizations who struggle at the best of times to attract volunteers, fundraise, and operate at a break-even point. Community rinks fall in the latter category and they are the subject of this correspondence.

At the time the Pandemic was defined in the spring, rinks were basically at the end of their operating season and saw very little negative financial impact. With fall upon us they are valiantly trying to cope to balance the expense of COVID protocols, a decrease in the number of larger user groups, and a reluctance by the public to put themselves at risk in these environments. From a purely business perspective there is a real risk that rinks will not be viable for the 2020/21 season and a worry that users will not return to rinks in the numbers the facilities are accustomed to and designed to serve. My own Municipal Council believes that this is not a situation unique to Pictou County and we are urging Government to consider the plight of community rinks and provide some measure of financial relief that will see them through the current season.

Enclosed you will find a copy of a resolution passed by Municipal Council earlier this week which captures the essence of our request. We urge Government to look favorable on a program that will support rink operations during this tenuous period.

Yours truly,

Brian Cullen
Chief Administrative Officer

/cm
p.c. NS Municipalities

RESOLUTION

WHEREAS Community Rinks are a vital part of the recreational infrastructure in small towns and rural areas; and

WHEREAS Community Rinks provide opportunities for walking tracks, recreational skating, figure skating and hockey at all levels; and

WHEREAS Community Rinks often run on a very tight budget with much volunteer donated labour; and

WHEREAS if Community Rinks close, they may never reopen; and

WHEREAS the restrictions placed by the Public Health Authorities to help control the spread of COVID -19 are significantly impacting the business operations of community rinks causing deficits.

THEREFORE BE IT RESOLVED that the Municipal Council for the Municipality of the County of Pictou call upon the government of the Province of Nova Scotia to bring forward a program of support to help Community Rinks survive the 2020-2021 season.

DATED at Caribou, NS this 5th day of October, 2020.

Good morning all just a few items and Town Committees which I would like you to look at and send me your preferences. This is not an easy process but we do have to fill all committees.

The swearing in and first council meeting will be on November 2, 2020. Where and how is still up in the air as some of requested it be done in person but not sure if that is allowed by Municipal Affairs.

Town of Shelburne Committees

- 2 - Community Participation & Volunteerism Committee
- 2 - Marine Terminal – Shelburne Port Authority
- 2 – Asset Management Committee
- 1 – Water Resource Protection Committee
- 2 – Arena Commission
- 1 – Region 6 Waste Management
- 1 – Library Western Zone Committee
- 5 – Audit Committee
- 2 – Police Commission

Shelburne & Area Chamber of Commerce

In progress of establishing (County Wide):

Accessibility Committee

Anti-Discrimination & Racism Committee

Harold

Sent from my iPhone



To: Town Council
From: Ken Smith, Interim CAO
Date: October 28, 2020
Subject: Council Orientation

Outlined below are the activities/events forming the core of an orientation program for the new Council. Council members are encouraged to take advantage of the range of training opportunities;

- a) Supporting Meetings Webinar Series-the 2 webinars are available until November 6, 2020 and cover a range of topics related to council meetings. The presenter is a highly skilled and has extensive experience prior to retiring from CBRM. He has been contracted by the Municipality of Shelburne to conduct a workshop. See the Oct 19th email from Robin Smith for details.
- b) New Council Orientation/Training- The Department of Municipal Affairs (DMA) offers a training and orientation program for new and returning elected officials every 4 years subsequent to the election. The training schedule is as outlined:

Tuesday November 17 th	9:30-12pm & 1:45-4pm
Wednesday November 18 th	9:30-12pm & 1:45-4pm
Tuesday November 24 th	9:30-12pm

A range of topics are covered and you must pre-register.

- c) Financial Management for Elected Officials through the AMA. The three 90 minute sessions are spread over 3 dates- November 30th, December 4th & December 7th from 10am to 11:30 on each date. The 2 facilitators are both CPA CAs and each have an extensive background in working with Councils. The cost is \$300 per councilor to take part if registered before November 6th, 2020. I would encourage council members to participate as financial management is a priority in light of the Town's financial status.
- d) In-House Orientation- November 30th at 5pm (tentative)
 1. Review of Council Training Guide –situational/case discussion
 2. Operations Review
- e) In-service with Municipal Advisor-TBA Early December

This memo has been placed on the November 2nd 2020 Agenda for the following reasons:

1. Clarification of the orientation program
2. Confirm those attending Financial Management for Elected Officials session
3. Seek any other ideas/actions for Council Orientation

Appendices:

1. Supporting Meetings Webinar email from Robin Smith
2. New Councillor Orientation Training Email from DMH
3. Financial Management for Elected Officials emails from AMANS

Ken Smith

caj Supporting Meetings Webinars

From: Robin Smith <csr@town.shelburne.ns.ca>
Sent: Monday, October 19, 2020 1:49 PM
To: 'Councillor Locke'; 'Rick Davis'; councilloiringer@town.shelburne.ns.ca; 'Ben Nickerson'; 'Clark Acker'
Cc: cao@town.shelburne.ns.ca
Subject: FW: Supportive Meetings Resources Part I and II
Attachments: 2020-10-05 - AMA Supporting Meetings Webinar Part II.pdf; 2020-09-29 - AMA Supporting Meetings Webinar Part I.pdf

Good afternoon and Congrats to the new council!

I'm forwarding along some training videos that I recently attended online and wanted to share with you all as they are providing them to us until November 6th with the password listed below.
If you can, please take the time to watch/listen to as they were great training on Meetings and also refresher on how meetings should run/etiquette etc.

Thanks and have a great afternoon!

Robin Smith
Customer Service/Admin Assistant
Town of Shelburne
P: (902) 875-2991 ext.1
F: (902) 875-3932
E: csr@town.shelburne.ns.ca
www.town.shelburne.ns.ca

From: Rebecca Kolstee [mailto:RKolstee@amans.ca]
Sent: Thursday, October 08, 2020 11:49 AM
To: undisclosed-recipients:
Subject: Supportive Meetings Resources Part I and II

Good Morning,

Thank you for attending the Supporting Meetings Webinar Series. The webinar recordings and presentations are now available through the links provided below. Please keep in mind that the webinars and presentations are password protected and available to you for 30 days (expiring on November 6th).

Part I

Webinar Recording: <https://www.youtube.com/watch?v=mhxOvYNIFQs&feature=youtu.be>

Presentation Attached: 2020-09-09 AMA Supporting Meetings Webinar Part I. The password is: **decorum**

Part II

Webinar Recording <https://www.youtube.com/watch?reload=9&v=xoSiKnjr-q8&feature=youtu.be>

Presentation Attached: 2020-10-05 AMA Supporting Meetings Webinar Part II . The password is: **incamera**

① Supportive Therapy Review

② FA MHA

MM30

Feb. 2

7

Ken Smith

⑥ NEW COUNCILLOR ORIENTATION / TRAINING

From: Barr, Nick <Nick.Barr@novascotia.ca>
Sent: Monday, October 26, 2020 10:22 AM
To: AMA Maritime List Serve
Cc: Juanita Spencer
Subject: New Councillor Orientation/Training
Attachments: Advisors - Contacts (June 3, 2020).pdf

This email was forwarded via the AMANS listserv. If you reply to this message it will be sent to all members. To reply privately to the sender - please delete the amans@lists.gov.ns.ca e-mail from the To: Make sure you only have the person you wish to see the message in the To: e-mail address.

Hello Everyone!

Congratulations on your recent success in the municipal elections! We look forward to meeting and working with you in the coming years.

As has been custom, the Department of Municipal Affairs and Housing will be offering a training and orientation program for new and returning elected officials. This year, we are pleased to offer the program virtually to ensure alignment with the various public health protocols and guidelines. We will also be offering the sessions to people who work in municipal government; CAOs, Directors of Finance, Clerks, etc.

For your information, the following is our tentative schedule:

Councillor Training Schedule

Tuesday November 17th

9:30 – 12:00

- Training Program Overview and Orientation
- Welcome by the Department of Municipal Affairs and Housing
- Governance in a Municipal Context

1:45 – 4:00

- By-laws/Legislative Framework/Policy Framework
- Meeting Survival Guide: Procedures, Going In-Camera, and Conflicts of Interest
- Financial Conditions Indicators/Budget Planning

Wednesday November 18th

9:30 – 12:00

- Guest Speaker
- Land-use Planning

1:45 – 4:00

- Regulatory Modernization
- Accessibility Planning
- Regional Enterprise Networks

Tuesday November 24th

9:30 – 12:00

- Nova Scotia Federation of Municipalities (NSFM) Orientation
- Association of Municipal Administrators (AMA) Orientation
- Municipal Finance Corporation
- Emergency Management Office (EMO)/Fire Marshall
- Asset Management
- Capital Programs
- Housing Nova Scotia
- Closing Remarks

Please save the dates of November 17, 18, & 24 in your calendars. You will be required to pre-register, so keep an eye out for additional details in the coming weeks.

If you have any questions, please contact your Municipal Advisor (contact information attached).

We look forward to meeting all of you!

Sincerely,

Nick Barr

A/Director of Governance & Advisory Services
Department of Municipal Affairs and Housing

You are currently subscribed to amans as: operations@town.shelburne.ns.ca
To unsubscribe send a blank email to leave-682422-4953824.ada63a8940f4ae47ea3b39ac86e1a56c@lists.gov.ns.ca

(C)

FINANCIAL MANAGEMENT FOR ELECTED OFFICIALS

Ken Smith

From: CAO <cao-bounces@municipal-website-venture.com> on behalf of Rennie Bugley <rbugley@cumberlandcounty.ns.ca>
Sent: Wednesday, October 14, 2020 9:11 AM
To: CAO Mailing List
Cc: Andrew MacDonald; Shelley Hoeg; Brenda Moore; Allie McCormick
Subject: Re: [CAO] Financial Management for Elected Officials Workshop Series

Good morning, Rebecca. Do we register spaces only at this time?

Thanks.

Sent from my iPad

On Oct 13, 2020, at 4:18 PM, Rebecca Kolstee <RKolstee@amans.ca> wrote:

**Financial Management For Elected Officials
 Virtual Training
 November 30th, December 4th & 7th
 Zoom Platform**

The Association of Municipal Administrators, NS is pleased to offer its Financial Management Training Module for Elected Officials virtually.

- A must have for newly elected officials as part of their orientation
- A refresher for more seasoned elected representatives.
- Overview of Council's role in the financial management of the municipality
- Reviews all stages of budgeting from planning, to creating, to monitoring
- Three 90 minute sessions

Important Note: All sessions are interconnected so it is important to attend all three sessions.

Facilitator: Greg Herrett, CPA, CA, CAO, Town of Amherst

Co-Facilitator: Bonnie Coulter, CPA, CA, Director of Corporate Services, Town of Truro

Part I-Setting Operating and Capital Budget Priorities	Part II-Financial Statements and Reports December 4 @ 10-11:30	Part III- Monitoring Budgets December 7 @ 10-11:30
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<p>November 30 @10-11:30</p> <ul style="list-style-type: none"> • Legislative framework and Council's role in municipal finance • Relationship between strategic plan and budget priorities • Identifying and setting priorities • Operating and Capital Budgets • Decision making 	<ul style="list-style-type: none"> • Interpreting Financial Statements & Reports • Ensure proper Financial Controls are in place • Financial Condition Index 	<ul style="list-style-type: none"> • Monitor budgets and making appropriate adjustments • Asking staff important financial questions • Communicating budget decisions to the public
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Registration

To register for the workshop, [please complete our registration form found here.](#) If you are registering more than one individual, please complete one form per individual. Registration numbers will be limited.

Cost

The cost to attend is \$300 if you register before November 6th and \$350 after November 6th. Once you have registered a calendar appointment with a zoom link for each session will be sent to you.

Thanks,

Rebecca

<image003.png>

Rebecca Kolstee Bsc(HP), MPH, CMWA
 Manager, Wellness and Professional Development Programs
 Association of Municipal Administrators, NS
 1304 - 1809 Barrington St. Halifax, NS B3J 3K8
 T: (902)240-1857 | W: nsmunicipalwellness.ca

July to September 2020 quarterly bill	1,645 cm
October 1 st to October 19 th 2020 reading	271 cm
Total	1,916 cm

Average of four quarterly bills (26 / 4)	6.50 cm
Difference	1,909.50 cm

Difference divided by 50% (1909.50 / 2 = 954.75 cm x \$2.50) = **\$2,386.88**

ADJUSTMENT

Financial Analysis:

Adjustment of \$2,386.88 to 1943662 Alberta Limited (water account # 93180)- 126 Water Street

Recommendation:

THAT Council approve an adjustment of \$2,386.88 to 1943662 Alberta Limited water account (#93180) as per the policy approved by Council on September 2, 2015.

Respectfully submitted,
Jennifer Perry, Finance Officer



Town of Shelburne Staff Report Plebiscite Question-Election 2020

To: Town Council
From: Ken Smith, Interim CAO
Date: October 29, 2020
Subject: Plebiscite Question

ORIGIN

A slim majority of eligible voters voted “No” on the plebiscite question ballot during the 2020 Municipal Election- “Should the rail trail as it passes through the Town be open to Off-Highway Vehicles?”

BACKGROUND

As per the November 15th, 2017 minutes of the Town Council meeting a motion was passed that Council give no further consideration to the potential for an Off-Highway vehicle route through the Town, pending the results of a public plebiscite on the subject to be conducted at the time of the next municipal election in 2020.

The decision was the result of the following:

- a) Town staff, at the direction of Council, conducted a thorough public participation program including several public meetings considering the potential for an off-highway vehicle route through the Town
- b) The Council took the additional step of contracting WSP Canada Ltd. to complete an Off-Highway vehicle route plan investigating potential alternative routes as a component of the participation program and;
- c) At the time, it was the opinion of Council that there wasn’t significant support from the Town residents for an Off-Highway Vehicle route through the Town.

At the same meeting, a motion was passed” that staff write to the Department of Natural Resources as a follow-up in the conclusion of our studies on routes and public feedback expressing that the Town will not want Off-Highway vehicles on the rail trail. The motion also noted that the letter should ask for a response that acknowledges the Town’s intention for the Trail.”

ANALYSIS

The intent of Council in requesting the Returning Officer to place the plebiscite question on the 2020 Municipal Election ballot was to obtain an indication whether or not residents were against or for allowing off highway vehicles on the rail trail as it passes through the Town. The results of the plebiscite question weren't meant to be binding on the new Council. 53% of those who voted were against allowing the off-highway vehicles on the rail trail where 47% were in favor. As there were 1334 eligible voters in the Town of Shelburne, this indicates that 31.7% are against and 28% are for.

OPTION

- 1- Defer the topic of off-highway vehicles passing around or through the Town of Shelburne until Feb 15, 2021 Council meeting in order to allow the new Council particularly new Councillors, to be oriented to the background information and reports on the topic. Furthermore, it would allow the Admin staff to become familiar with the topic; or
- 2- Treat the vote on the plebiscite question as the deciding factor. Attached are emails from residents who have communicated with council supporting this approach.

RECOMMENDATION

Option 1

ATTACHMENT

- 1- Copies of 5 emails received from residents
- 2- A copy of the WSP Canada Ltd. report

----- Original Message -----

Subject: Fwd: OHVs ON TOWN TRAIL

Date: Tue, 27 Oct 2020 09:04:22 -0300

From: Suzanne Mahaney <2xmahaney@gmail.com>

To: CAO - Town of Shelburne <cao@town.shelburne.ns.ca>, Karen Mattatall <mayor@town.shelburne.ns.ca>

Further to my e-mail below, I note that Town Council will be discussing and taking a vote on this issue at the 2 Nov Council meeting. I trust that Council will heed the results of the election plebiscite where the Town's citizens clearly stated they do not want OHVs on the Town trail. To do otherwise is to go against the basic tenets of democracy, where the majority rules, pure and simple. I urge Council to vote no and to shelve this issue once and for all. Seriously, don't we have far more pressing matters to deal with right now than OHV users wanting access to the trail?

Suzanne Mahaney

----- Forwarded message -----

From: **Suzanne Mahaney** <2xmahaney@gmail.com>

Date: Tue, Sep 22, 2020 at 12:48 PM

Subject: OHVs ON TOWN TRAIL

To: CAO - Town of Shelburne <cao@town.shelburne.ns.ca>

Cc: Karen Mattatall <mayor@town.shelburne.ns.ca>

I would like to offer some comments on the latest push by the Woodland Multiuse Trail Association to allow OHVs on the Town's walking trail. These comments were submitted by my late husband and I after this issue started in Oct 2016. I'm submitting them again, with a few tweaks and additions, as they are still relevant and nothing has changed.

1. The noise and fumes are the first thing that come to mind. How can anyone consider OHVs healthy and environmentally-friendly? And with all the concerns about climate change, how can we justify toys (and that's all they are) that use up fossil fuels and spew toxic fumes into the air? Certainly doesn't make us look very responsible and eco-conscious as a 21st century community. OHVs also generate noise pollution beyond the recommended safety levels with regard to decibels. According to my research on the internet, the lowest decibel level of any OHV currently manufactured is 96. The safe decibel level for human ears is 85. Anything above 85 creates the potential for hearing loss. If the Town approves the use of OHVs within Town limits, it is intentionally putting the auditory health of its citizens at risk.

2. Damage to the environment is another consideration. Proponents of OHVs claim that the majority of users respect their surroundings and the environment, and that may be so. But no matter how careful users are, OHVs cause damage to trails, roadsides, ditches, etc. This was even acknowledged at the 6 Nov 2017 OHV public consultation when CAO Dylan Heide said that if the Town's rail bed was used as the OHV trail, parts of it would have to be paved to minimize damage from tires.

3. And although the majority of users of any OHV trail through Town might be responsible, just the fact that OHVs would be allowed in Town would basically be a "carte blanche" to every irresponsible yahoo out there who would now think they could use the trail as their own, and any time they felt like it. I refer to a Letter of the Week in The Chronicle Herald of 20 July 2019, where a resident of Chester listed problems he and his family were having with OHVs using the Chester Connection part of the Rum Runner's Trail behind their house. In his letter, the homeowner describes how OHVs are not supposed to use the trail between 11 pm and 6 am and the speed limit is supposed to be 20 km/h, however, OHVs actually go racing through at all hours of the night, doing donuts and revving engines. He laments how the trail has become an after-hours drinking and driving highway for OHVs with empty beer cans and other garbage littering the trail the next morning. He's also concerned that OHVs on the trail behind his house have actually lowered his property value. And his attempts to sell his house and move away from the trail have been unsuccessful as any potential buyers are immediately turned off by the trail. I can provide a copy of that Letter of the Week should you want to look at it.

4. If OHVs are allowed on the rail bed, what will happen to the current users? It's nice to say that pedestrians with dogs, strollers and small children will have right of way, but who will be there to ensure that? Oh right, according to the Woodland Multiuse Trail Association, we can police the trail ourselves. All that will get us are colourful expletives as well as a few obscene hand gestures. I have personally approached an OHV driver on the trail during the day, reminding him very politely that the trail is not for motorized vehicles. He told me to f-off and simply sped away, spinning his tires and leaving ruts behind him. So we know that system will work well. And OHV users know they'll be able to get away with pretty well anything on the trail – there will be no one to enforce any rules or regulations that may be put in place. I have spoken with the RCMP in the past about reporting OHVs on the Town trail. Their response was that they know who the lawbreakers are but can't do anything about it unless they catch them in the act, which is not very likely to happen in the middle of the night.

5. Many times over the years, I have encountered visitors to the Town who are amazed and delighted to discover our walking trail. Whenever we've had family and friends visiting from away, we've always taken them on the trail as part of a walking tour around Town. They can't believe how lucky we are to have this at our disposal and are always envious that we have this beautiful, peaceful and easily accessible place to enjoy nature right in Town. The walking trail is an irreplaceable green resource that contributes to the emotional and physical well-being of the Town's citizens. Why would we want to take that away, especially when the world is becoming louder and uglier around us?

6. This is a Town, not the middle of the woods. OHV stands for Off-Highway Vehicle, not In-Town Vehicle. One of the reasons we moved into the Town of Shelburne from Clyde River 13 years ago was to get away from the OHVs which were zooming around and on our property, at all hours of the day and night.

7. I pay a significant amount of property taxes every year for the privilege of living in Town and to have access to unique resources such as a safe walking trail. I do not pay these taxes to have to put up with OHVs on my doorstep.

8. Supporters of the OHV trail claim there will be countless economic benefits if OHVs are allowed access to the Town. Oh sure, there are lots of anecdotes by OHV proponents, but are there actual financial analyses and data to back up those anecdotes? And if so, I and a few hundred people would like to see them, please. Show us the money.

9. When I recently asked someone from the Woodland Multiuse Trail Association why they don't just put the connecting trail through the Municipality, I was informed that it costs something like \$20K to clear 600 feet of trail and that they can't afford it. Interesting, though, that they can all afford to buy these expensive toys. My comment to him was that if you can't afford to pay, then you shouldn't play. It is not my responsibility or that of any other citizen of Shelburne to provide a "Shelburne Connection" within Town limits for OHV users. I would also suggest that since the majority of OHV proponents actually reside in the Municipality, then they should take their cause and their purported economic benefits to the Municipality and compel it to put in a connecting trail for them, on municipal land.

The threat of OHVs on the Town trail has been hanging over our heads since 2016. I'm sick to death of having to rehash this issue over and over again - and everyone I know feels the same way. They were against it in 2017 and they're still against it in 2020. The majority of the citizens of the Town do not want OHVs running through Shelburne, pure and simple. The Woodland Multiuse Trail Association needs to accept that and

move on. What a monumental waste of human resources to have to deal with this, time and again – this Town has much bigger problems and concerns than self-indulgent OHV users.

I strongly urge the Town Council to nix this issue once and for all. No bringing it back up at the next election or any other time in the future. The Town Council needs to take a stand, say no, and be done with it. There are other far more important matters to attend to.

Thank you.

Suzanne Mahaney, 244 Cornwallis Street, 902-875-2968

----- Original Message -----

Subject: Fwd: October 2020 Town of Shelburne plebiscite

Date: Tue, 27 Oct 2020 11:43:27 -0300

From: Cheryl Bower <cdbower11@gmail.com>

To: cao@town.shelburne.ns.ca

Ken ...would you please forward my email to Mayor Elect Locke and Councillors Elect Acker, Ringer, Davis and Nickerson .

Thank you

----- Forwarded message -----

From: **Cheryl Bower** <cdbower11@gmail.com>

Date: Tue, Oct 27, 2020 at 11:40 AM

Subject: October 2020 Town of Shelburne plebiscite

To: <cao@town.shelburne.ns.ca>

I first offer my congratulations to each of you for your success in our recent election.

Since the plebiscite of October 17, 2020 has indicated that the **majority** of respondents are opposed to using the existing "trail bed" as a "multi use" trail, will council please provide an assurance that our wishes (the wishes of of the majority) will be honoured and that the trail will remain open only for its current use.

I would hope that Council will use it's voice, resources and abilities to fulfil the responsibility to promote lifestyles in our community that include continuing the current use of the trail as a healthy and enjoyable outdoor activity for all citizens.

Your willingness to serve our community is applauded - I will await your response.

Regards
Cheryl Bower

----- Original Message -----

Subject: ATV Plebiscite Vote

Date: Wed, 28 Oct 2020 13:30:08 -0300

From: Cheryl R <clrech12@gmail.com>

To: Dylan Heide <cao@town.shelburne.ns.ca>

Hi Ken,

I would appreciate it if you would kindly forward this email to the Mayor and Town Council.

Thank you.

Cheryl Rech

I expect that you will be discussing the outcome of the ATV plebiscite vote in the near future. I understand that some of you are in favor of opening up town trails to ATV's. I also understand that the plebiscite was non-binding. That being said, however, the majority of townspeople voted "No" to opening up the trails.

As we are all aware, the plebiscite question was brought forward to the election ballot by a motion of town council made on November 15, 2017 "that the town give no further consideration to the potential for an off-highway vehicle route through town **pending the results** of a public plebiscite in 2020".

I would hope that you would respect and listen to the voters and keep the trails as is.

Thank you.

Cheryl Rech

----- Original Message -----

Subject: Fwd: Regarding the proposed use of ATVs on the trail through the Town of Shelburne

Date: Wed, 28 Oct 2020 17:41:58 +0000

From: Barbara Turney <barb_l_turney@hotmail.com>

To: "cao@town.shelburne.ns.ca" <cao@town.shelburne.ns.ca>

Hello

It has come to my attention that the issue of the proposed use of ATVs on the trail through Shelburne is on the agenda for discussion at the next Town Council meeting. I am puzzled as to why this would be on the agenda. The Nays outnumbered the Yes votes in the plebiscite in the recent Town elections- that alone should be enough to put the issue aside and leave the trail the place of peace, quiet and tranquility that it is today.

I certainly wish that I could attend the meeting in person to hear the discussion but we are still away from Shelburne. Is there a transcript of the meeting published after the meeting?

Thank you for listening to our concerns,
Barbara and Michael Turney
140 Water St
Shelburne
NS

902-319-0157

Sent from my iPhone

Begin forwarded message:

From: cao@town.shelburne.ns.ca

Date: September 22, 2020 at 8:17:52 PM EDT

To: Barb_l_turney@hotmail.com, csr@town.shelburne.ns.ca

Cc: svnelleke@gmail.com, barbturney@gmail.com

Subject: Re: Regarding the proposed use of ATVs on the trail through the Town of Shelburne

Thanks for your input!

On Tue, 22 Sep 2020 20:41:22 +0000, Barbara Turney <barb_l_turney@hotmail.com> wrote:

Good day,

We understand that you are soliciting input from town residents about the proposed use of ATVs on the trail through the Town of Shelburne.

My husband and I moved to the Town of Shelburne more than 11 years ago. We are one of the couples that sailed in and bought property in town - for us it was at 140 Water Street. We have been heavy users of the trail over the years when we haven't been away sailing. We walk it daily during all months of the year and in all kinds of weather. We have enjoyed seeing other hikers, runners, bicyclists and dog walkers (even in the midst of politely observing Covid restrictions) and have particularly loved seeing the deer and watching the birds every day this summer. All of these quiet pursuits would be totally destroyed if noisy, speeding ATVs were permitted access. It is not what we expected when we made our decision to make our home in what seemed at first glance to be a quiet and respectful small town. We would rather see the town folks who own horses be permitted to use the trail rather than ATVs.

Indeed, my husband has told me about sightings of people who have lost their drivers licences who work at the Shipyard or VenRez who have already been using parts of the trail to get to work on ATVs. Swell, eh? Not exactly the type of use that we would like the trail to be put to! I don't think so, eh?

If you would like to discuss this further with us please feel free to contact us by email at svnelleke@gmail.com as we happen to be out of the town for the next few weeks.

Best regards as you navigate this issue,
Barb and Mike Turney

Sent from my iPhone

----- Original Message -----

Subject: Fwd: Revisiting the opening of the trail - Again
Date: Wed, 28 Oct 2020 15:37:25 -0300
From: Karen Mattatall <karenharrismattatall@gmail.com>
To: Dylan Heide <cao@town.shelburne.ns.ca>, Julie Ferguson
<clerk@town.shelburne.ns.ca>

Hi Ken and Brian

Julie sent this to me thinking it was going to Council. She would like it added to the agenda please

Thanks

Karen

----- Forwarded message -----

From: **Julie Stewart** <sailonstewart@gmail.com>
Date: Wed, Oct 28, 2020 at 3:09 PM
Subject: Revisiting the opening of the trail - Again
To: <mayor@town.shelburne.ns.ca>

So here we are again.

In 2017 there was a vote on opening up the trail for OHV use. It was voted down. There were more townspeople *against it* than *for it*.

Now it is 2020 and we were asked again in the form of a plebiscite, and once again the nays outnumbered the yays, despite their being backed by a monied lobby with numerous fancy signs encouraging supporters to vote. (Interestingly a number of these voters didn't take an interest in the other voting options on the ballot).

It may be tempting to paint those of us who are against opening up the trail as anti ATV, but that is not the case. I am one of many who would have no problem with a trail being created for the vehicles to pass around the town. As it stands, with OHV's being barred from driving on the streets it is difficult to see how those passing through are going to get around and spend all that money people keep talking about.

Please adhere to the wishes of the majority of people who gave you the positions you now hold on town council. Put this issue to rest and let us walk in peace.

Thank you,

Julie Stewart

1.0 Introduction

1.1 Background

Existing rail bed corridors, owned by the Department of Natural Resources (DNR), are an important resource for many shared-use trail and OHV groups and act as a route for several trail systems throughout Nova Scotia and in Shelburne County. The Shelburne County Rail Trail currently runs across the newly constructed Roseway River Trail Bridge, through the Town of Shelburne, and continues east towards Jordan Falls. Although Off-Highway Vehicle (OHV) use is currently prohibited within the Town's boundaries, the Shelburne Harbour Trail Working Group have identified the need to develop an OHV Route Plan using some of or all of the existing rail bed trail to connect with planned multi-use trail routes adjoining the Town's Boundaries.

In 2016 the Town of Shelburne and Working Trail Group conducted initial public consultations to obtain feedback on the potential to develop OHV routes within the Town and received significant feedback from residents. WSP Canada Inc. (WSP) has been retained by the Town of Shelburne to develop an OHV Route Plan. The project will include assessment of the corridor and possible alternative routes and development of preliminary design and cost estimates.

This report has been prepared to identify relevant challenges and opportunities that should be considered in the planning / design of the trail. The report also develops and compares one or more proposed OHV routes within the Town of Shelburne connecting the multi-use trail gap between the Roseway River Trail Bridge and the existing trail at the Town Boundary near the end of Spa Road.

The primary objectives of the study include the following:

1. Evaluate constraints and opportunities for OHV routing and connections to adjacent facilities to establish a proposed OHV Route Plan within the Town's Boundaries;
2. Prepare preliminary design materials including cost estimates to determine the feasibility of the facility, suitable for construction budget estimation and for presentation to the public.

This report presents the evaluation of OHV alignment options under consideration and provides a recommendation on which option is best suited for further investigation, detailed design and construction.

1.2 Shared-Use Trails on Former Railway Corridors

The development of shared-use trails on former railway corridors – often referred to as 'rails-to-trails', is a practice that has been well used across North America for several years as railway infrastructure has been rationalized. The largely undeveloped linear corridors provide an exceptional opportunity that has been used in major trail projects. The rails-to-trails approach to trail development has been used with success on several facilities in the area including the Beechville-Lakeside-Timberlea (BLT) Trail near Halifax, NS.

Despite the opportunities that the former railway corridors provide for trail development, there are important factors that must be considered:

- In order for a section of former railway corridor to be redeveloped in any manner, a Letter of Authority (LOA) – an agreement with DNR that stipulates the terms of use of its lands – must be obtained from the Province. DNR is responsible for issuing LOAs for former railway corridors. Applications for LOAs, which are most commonly received from local trail associations, off-highway vehicle (OHV) groups, and snowmobile clubs, are intended to be assessed and assigned based on the degree to which a proponent's use of the lands aligns with the values of the local community.



Figure 1-1: Cole Harbour Salt Marsh Trail

- The accommodation of OHVs on trails can be a contentious issue. The position taken by DNR is that rails-to-trails facilities provide an opportunity to develop recreational trails that accommodate all users (including motorized uses), unless public and stakeholder consultation has been completed that establishes community desire to prohibit motorized access¹.

These factors are directly relevant to the proposed development of the Shelburne OHV Route Plan. The Town has been continuing the public consultation process during fall 2017, which will further gauge the local community's interest in the proposed OHV route plan based on the findings presented by WSP.

1.3 Routing Alignment Options

The trail alignment can be broken out into three (3) main segments:

- Segment A) Section of trail between the Roseway River Trail Bridge and the Rail Corridor east of Ohio Road.
- Segment B) Section of Rail Corridor between crossing Wrights Road.
- Segment C) Section of trail between the Rail Bed Corridor near the Nova Scotia Power easement (east of Wrights Road) and the existing Shelburne County Rail Trail near the eastern Town boundary.

Following review of existing property and physical constraints and stakeholder consultation, two (2) main candidate options have been identified for trail segments A and C as part of this Study as shown in Figure 1-2. Each option is described below:

Trail Segment A

Option A1) Falls Lane Crossing (~500 m long): Shared-Use Trail following the abandoned rail corridor from the Roseway River Trail Bridge, across Falls Lane, towards Wrights Road.

¹ DNR have established a 10-step process: *Procedures for Community-Based Trail Planning and Development on Abandoned Railway Corridors* (2005)

Option A2) Ohio Road Crossing (~1.0 km long): Shared-Use Trail connecting the Roseway River Trail Bridge to the rail bed corridor near Wrights Road by crossing Route 3 and Ohio Road.

Trail Segment B

Segment B (~520 m long) is common to all routing options under consideration. Initially, an alternative Wrights Road crossing location further north was considered to reduce the impact and disturbance to Wrights Road residences, however it was found that this option was not feasible due to the additional length and land constraints.

Trail Segment C

Option C1) Rail Bed Corridor (~3.5 km long): Shared-Use Trail following the abandoned rail corridor through town between Wrights Road and the Town boundary near the end of Spa Road.

Option C2) Town Bypass (~3.1 km long): Shared-Use Trail circumnavigating the majority of the Town residential area connecting the rail bed corridor east of Wrights Road to the rail corridor near the end of Spa Road.

Review and evaluation of each option has been completed based on background research (property ownership, GIS mapping information, etc.), site investigations, and stakeholder feedback.

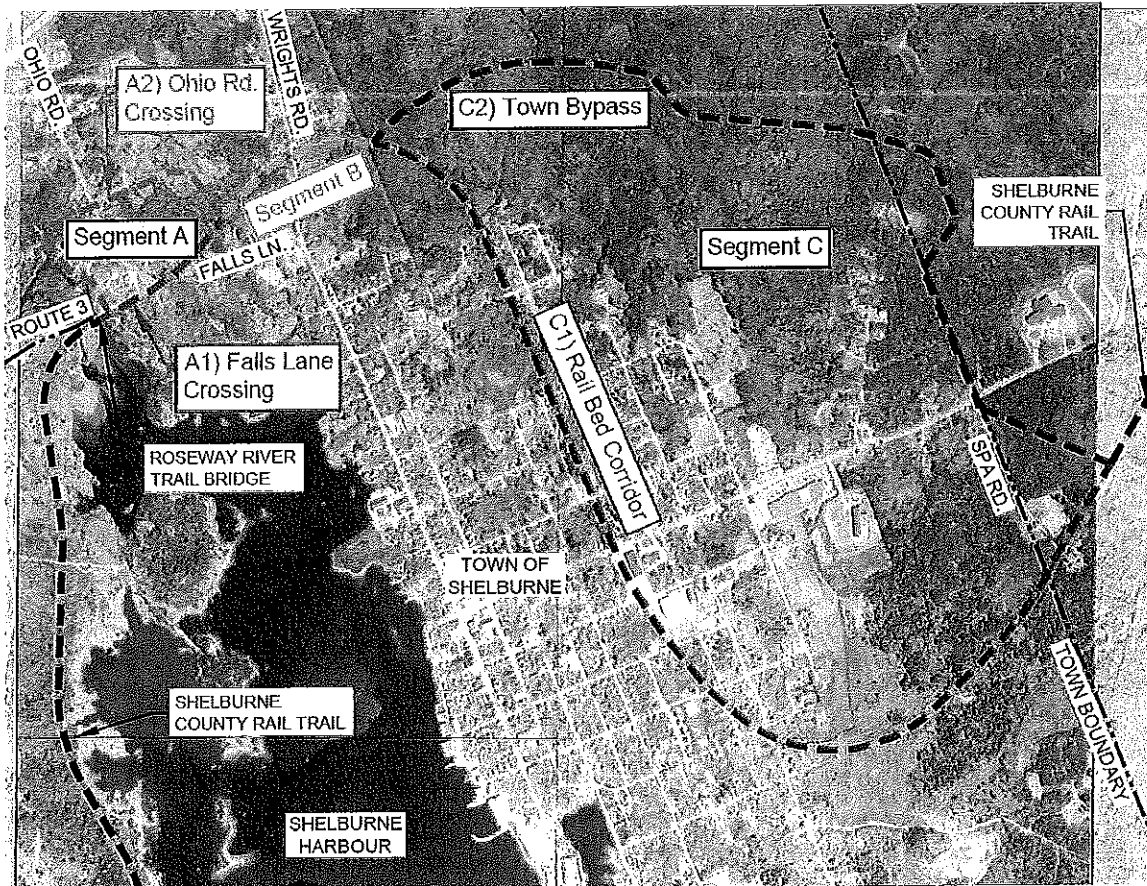


Figure 1-2: Alignment Options

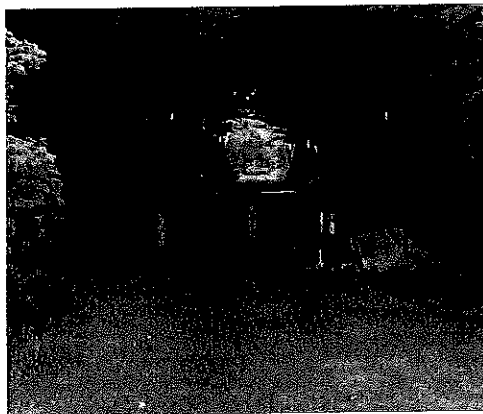
2.0 Background Review

2.1 Data & Information

Digital mapping including property boundary information, Lidar topographical data, GIS layers, and aerial photography were obtained from various sources. Digital mapping was compiled to establish base drawings of the Study Area.

2.2 Site Investigations

WSP completed an initial site visit on August 20, 2017 to view the rail corridor through Town and again on September 15, 2017 to perform a more in-depth investigation of all options under consideration. Candidate locations were explored on bicycle to review potential alignment options and observe the relevant opportunities and constraints expected to dictate the potential for each as an OHV facility.



2.3 Background Material

In order to gain an appreciation for the context of the project and incorporate any pertinent information, a background review of the following documents was completed:

- *Individual Comments and Summary of Feedback from October 18th, 2016 Homeowner's Consultation Trail Meeting and October 25th, 2016 Public Consultation Trail Meeting.*
- *Shelburne Harbour Trail Working Group – Progress Report to Stakeholders (November 2015 – July 2016).*
- *Town of Shelburne Staff Report re OHV Consultations (November 2, 2016 Meeting).*
- *Shelburne Harbour Trail Handout.*
- *Traffic Counts for Falls Lane, King Street and Water Street.*

2.4 Relevant Policies

The Province of Nova Scotia has several policies that need to be considered for this project:

- Department of Natural Resources *A Provincial Policy for Rail to Trails in Nova Scotia (1997)*
 - The Rails to Trails Policy outlines the major principles involved in converting former rail corridors owned by DNR into public recreation trails. The policy details the main principles under which the conversion takes place such as trail development agreements and public consultation processes, as well responsibilities of the Province, municipalities and community groups. Municipalities and/or community based trail organizations are encouraged to take responsibility for trail development in consultation with DNR. A formal agreement (LOA) including a public consultation expressing the interest of the community in the project is required for this acquisition.
- Department of Natural Resources *Standards and Guidelines for the Construction of OHV Trail Bridges on Crown Land (2013)*
 - DNR has standards for the design and construction of trail bridge superstructures on Crown lands in Nova Scotia. The standards outline procedures for designing, building and maintaining the bridges and design construction standards such as design loads, bridge widths, and allowable construction materials. Accompanying the standards are a set of reference tools to utilize when designing a bridge superstructure intended for use on Crown lands. These standards must be consulted for any new bridge structure along the proposed alignment.
- Department of Transportation and Infrastructure Renewal (NSTIR) *Policy PO1033: Trail Policy*
 - Provides guidance on the development of trails and trail crossings within NSTIR highway right-of-way.
- NSTIR Procedure PR5092: *Trail Construction / Maintenance and Trail Crossings*
 - Installation of trail crossings on non-controlled access provincial highways must be done in accordance with the Trail Construction / Maintenance and Trail Crossings Policy, which includes guidance on trail crossing location and configuration along with stipulation of responsibilities of the Province and the trail developer. As part of this policy, NSTIR will prepare a trail crossing signage plan for the identified crossing location.

3.0 Stakeholder Consultation

Consultation sessions were held during September and October 2017 with key stakeholders. The intent of these meetings was to provide project progress updates, help establish routing options, and identify opportunities and constraints related to each option. At each meeting, WSP provided a project status overview, which was followed by questions and discussion that focused on the specific interests of each stakeholder to the project. The following sections summarize the information that was obtained from each stakeholder group.

3.1 Town of Shelburne

The first stakeholder session was held with Town Council with the goal of eliminating some of the many private property routing options to help focus the study area to fewer more viable options. By the end of the session we had established a preliminary preferred route for Segment C, Option 2. Subsequent Town correspondence with individual landowners help further refine this route based on feedback received during these meetings.

3.2 Nova Scotia Department of Natural Resources (DNR)

Rails-to-trails facilities are developed through an agreement between DNR (administrator and provider of land base) and a local trail proponent. DNR was consulted as part of this process, as the proposed facility will link two sections of former railway corridor that are currently used or proposed for use as trail facilities.

3.3 Municipality of Shelburne

The Municipality of Shelburne attended the second stakeholder meeting in October and their key area of interest is near the trail connection along the eastern edge of the route where Municipal land is being considered for trail development. During the meeting, the Municipality indicated that there are future plans to build a municipal building on the land across from the high school. WSP understands there currently aren't any plans or concepts available showing the potential building or site layout for this property, however any shared-use trail should minimize impact on this parcel.

3.4 Nova Scotia Transportation and Infrastructure Renewal (NSTIR)

As the owner of provincial highways in Nova Scotia, NSTIR will play a role in any trail sections along or crossing provincial roads located outside of the Town Boundaries. Of particular interest to NSTIR will be the roadway crossing at the east edge of Route Option C2 at King Street.

- Trail Development within Highway ROW: There are several issues that must be considered when attempting to place a trail within a highway ROW. Examples include user safety, road / trail maintenance, and impacts to drainage. Use of NSTIR right-of-way for trails requires a 'Work Within Highway Right-of-Way Permit', which is a type of agreement between NSTIR and a trail proponent (i.e. municipality, trails organization) that establishes the framework for trail operation including assignment of responsibility for key items such as maintenance, insurance, and liability. Trails developed within NSTIR right-of-way are not granted any ownership of the land (e.g. easement, lease) but rather are issued a permit or license to use the space. At-grade crossing of provincial roadways must meet NSTIR requirements for sight distance, location criteria, etc.

3.5 Shelburne Harbour Trail Working Group

Members of the Shelburne Harbour Trail Working Group attended the second stakeholder meeting in October and provided feedback on the overall routing plan and on some of the preliminary designs at key intersections.

4.0 Key Design Considerations

Appendix A presents drawings showing an overall view of the routing plan as well as individual preliminary drawings of potential trail layouts at key intersections along the various routes.

4.1 Facility Design Standards

4.1.1 User Types

The proposed facility is a shared-use trail to accommodate a range of motorized and non-motorized users. The primary users of the facility are expected to be ATV vehicles, walkers / runners, and cyclists. There is also potential that during winter months the trail could be attractive for cross country skiing and snowshoeing.

4.1.2 Cross Section

DNR has established construction standards for converting former rail beds to multi-use trails. The standards provide guidance related to key features including clearing width / height, trail width, trail surface (material, slope), and grades.

A two-way trail that accompanies pedestrians, cyclists and OHV users is recommended to be minimum 3.5m in width and to be cleared of vegetation, rocks and stumps for a width of 4.5m to a height of 3.0m. A minimum horizontal sight distance of 45m and a gravel or paved surface is recommended for trails where use will be motorized. A maximum longitudinal grade of 5% is recommended, along with a maximum cross-slope of 3%; cross slope should exceed running slope to avoid drainage issues. Ditches should also be installed in selected areas to provide adequate drainage and help prevent ponding or washouts.

Existing rail bed areas that are well compacted with a suitable gravel base and surface may be reshaped to provide adequate cross slope, however it is anticipated that the majority of the existing rail bed does not meet this criteria since the corridor largely contains a layer of organic soil and grass. A 150mm layer of Class 'A' gravel or fine pit run will need to be placed and compacted to a width of 3.5m to provide a suitable base and surface. There may be certain sections that need to be widening to meet the minimum 3.5m width by placing and compacting fill material along narrow sections of the path. A typical cross-section of a shared-use trail converted from an abandoned rail corridor is shown in Figure 4-1.

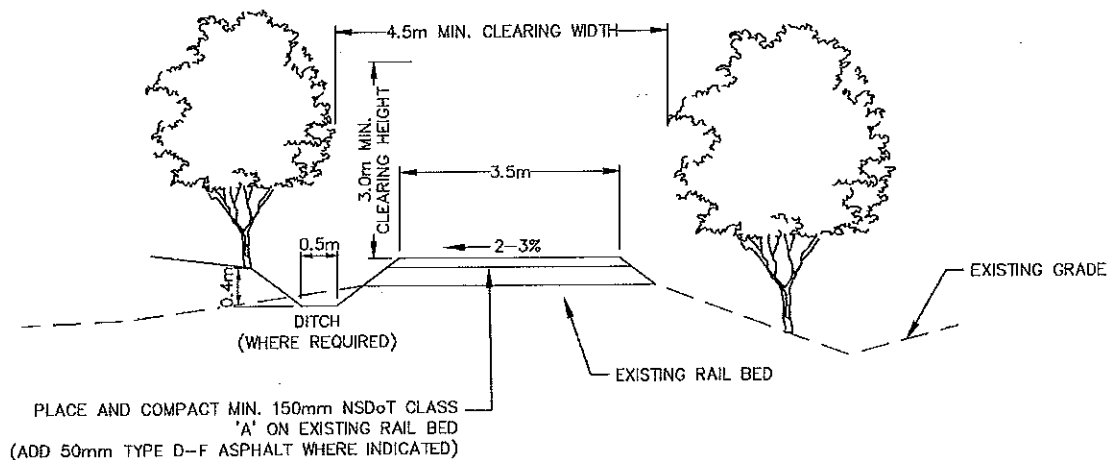


Figure 4-1: Typical Trail Cross Section at Existing Rail Bed

Construction of new trails through undeveloped forested areas will require additional work to clear trees and remove shrubs, stumps and roots, earthwork and compaction to create a level surface to place and compact additional gravels to provide an adequate base to support vehicle loads.

A typical cross-section of a new shared-use trail construction is shown in Figure 4-2.

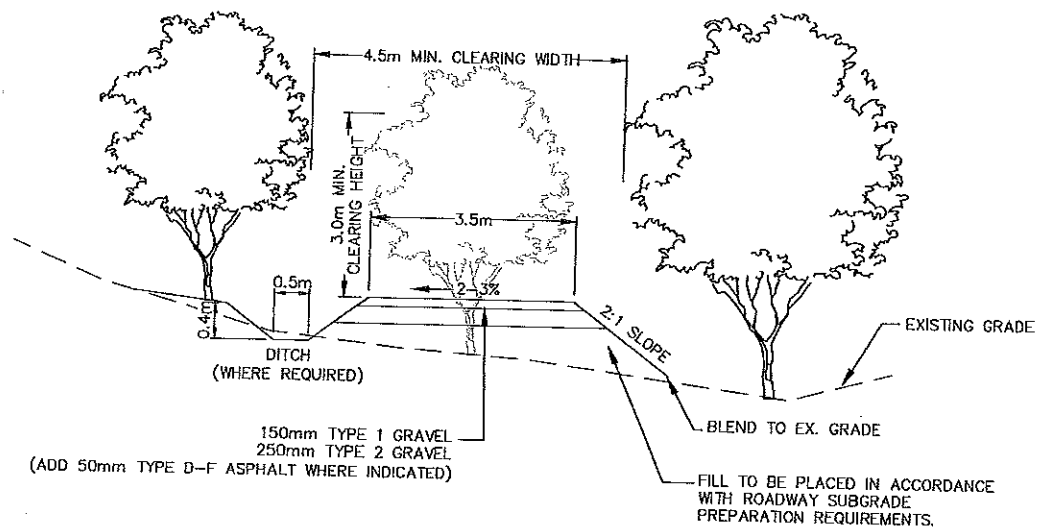


Figure 4-2: Typical Trail Cross Section for New Trail Construction

4.1.3 Alignment

Horizontal and vertical alignments are important to consider in trail design. Horizontal alignment should aim to provide a direct route with adequate sightlines, introducing some curvature where necessary to efficiently integrate with topography and provide a less monotonous experience for users. Vertical alignments should be designed to limit grades as much as possible; a maximum of 5% (up to 8% over short sections) is preferred in order to improve user comfort and safety.

The trail alignment should also consider destinations or points of interest as well as intermittent access locations along the corridor.

4.2 Land ownership

Primary land ownership along the corridors is described below and identified on the Overall Routing Plan in Appendix A.

4.2.1 Rail Corridor

The abandoned rail corridor property is owned by DNR, who must grant approval prior to any construction or ground disturbance on the lands. In order for the Town of Shelburne to obtain approval to develop the rail corridor section into an OHV route trail, a Letter of Authority (LOA) must be obtained from DNR.

If the current LOA from DNR is construct, maintain, and operate the existing trail within the Town limits, an application may be submitted to amend the current agreement to include OHVs as a shared-use facility. All design/study work, construction and maintenance operates under the LOA agreement.

4.2.2 Private Properties and Landowner Agreement

Segment A, Option 2 and Segment C, Option 2 rely heavily on the cooperation and agreement of private land owners to potentially allow shared-use trail crossings on their properties. The Town of Shelburne has held initial talks with key property owners identified which has helped shape the alignments for the current routing options A2 and C2. Any further development of these routing segments will rely on feedback from future correspondence with private landowners to fine-tune the alignments of trail segments away from the DNR rail corridor.

The ATV Association of Nova Scotia and the Nova Scotia Trails Association each have a Private Landowner Agreement which allows for construction and use of the trail across private property. Construction plans and routing must be approved by the landowner through the agreement and it is the Trails or ATV Association responsibility to maintain the facility. The agreement also lays out the type of trail use and the time of year and hours that the trail will be open. Notably, the agreement places the risk and liability associated with trail construction, operation and use with the Trails Association.

An example Landowner Agreement form is provided in Appendix B.

4.2.3 Town of Shelburne

The Town of Shelburne owns all roadway crossings within the Town Limits as well as several adjacent properties such as the Shelburne County Arena and Fire Hall. The Segment C, OHV routing Option 1 may be aligned partly on Town land between the fire hall and Parr Street depending on the final alignment.

4.2.4 Nova Scotia Department of Transportation and Infrastructure Renewal

All locations where the proposed alignment crosses provincial roads (outside of Town limits) must be approved by NSTIR and comply with any relevant policies (See Section 4.6). Segment C, Option 2 may cross a provincial road immediately east of the Town Boundary on King Street.

4.2.5 Municipality of Shelburne

The preferred route for Trail Segment C crosses King Street near Spa Road and follows land owned by the Municipality of Shelburne south until meeting up with the existing DNR corridor trail east of the Town limits. This route minimizes disturbance to residences on Spa Road but requires approval from the Municipality to develop an OHV shared-use trail on their properties. There are future plans to develop a Municipal Building on this land, across from the high school, therefore the trail alignment should minimize impact on the property by staying close to the perimeter while maintaining a buffer from residences on Spa Road.

4.3 Drainage

There are very few areas along the rail corridor showing evidence of washout or ponding of water after rainfall events. One exceptions to this is a short section of trail near the east end of Thomas Street (See Figure 4-3) that is susceptible to ponding which can be repaired by adding fill to raise the trail elevation to allow surface water to drain to the sides of the trail.

Rough ditches exist periodically throughout the trail length but they are not well defined. There are several existing culverts along the route that appear to be functioning well but further inspection is recommended during detailed design to identify any need maintenance, repair, or replacement to maintain proper drainage across the path.



Figure 4-3: Section of Ponding Observed on Rail Corridor near Thomas Street

Trail design and construction through undeveloped forested areas will need to consider drainage to minimize ponding and washout potential. The trail should generally be built up higher than the surrounding ground with ditches and culverts placed strategically to facility proper drainage.

4.4 Watercourse crossings

There is an existing trail bridge on the rail corridor crossing Black's Brook and an additional watercourse crossing located on the DNR corridor south of Charlotte Street that would require the construction of a new bridge. Segment C, Option 2 requires the construction of a new bridge or large culvert to cross Black's Brook further north from the existing brook crossing. Figure 4-4 shows the locations of existing and potential bridge locations for both route options 1 and 2 along trail Segment C.

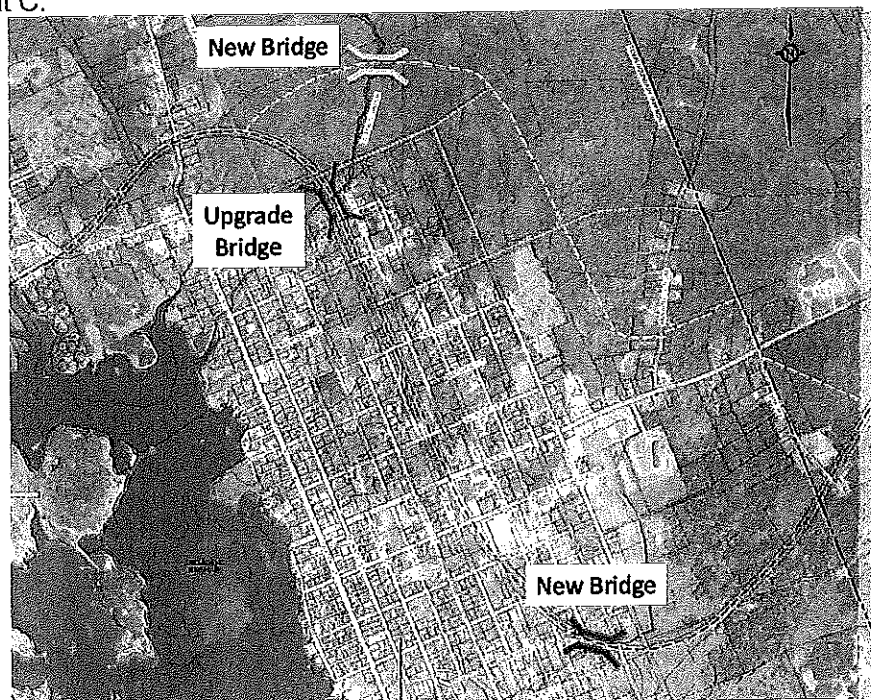


Figure 4-4: Watercourse crossings along proposed alignments

Use of existing bridges or construction of new bridges or culverts for OHV trail use must meet the DNR Standards and Guidelines for the Construction of OHV Trail Bridges on Crown Land. Bridges less than 15.2m (50 ft.) in length may follow the pre-approved designs, however structures longer than 15.2m (50 ft.) or non pre-approved designs will entail submission of stamped engineering design drawings to the DNR Area Supervisor for approval.

Based on a review of the DNR bridge guidelines and our observations during the site visits, WSP has identified the following minimum improvements expected to bring the existing Black's Brook Bridge (see Figure 4-5) to standards suitable for OHV use:

1. Complete a condition assessment and structural analysis on the existing bridge abutments and super-structure to identify any upgrades necessary to bring the structure in compliance to the Canadian Highway Bridge Design Code, CSA-S6 to handle OHV vertical and horizontal loading.
2. Install additional horizontal railings as required to reduce spacing between rails to 150mm or less.
3. Install curb bumpers (minimum 150 x 150 mm) running along both sides of the bridge for the entire length.
4. Create flush transition between approach flares and the bridge railing on each corner.



Figure 4-5: View of Rail Corridor Bridge at Black's Brook

4.5 Environmental Regulations

Wetlands and watercourses are protected under the *Environmental Act* and the *Environmental Goals and Sustainable Prosperity Act (EGSPA)*. Under these regulatory acts, Nova Scotia Environment (NSE) has the primary regulatory and enforcement responsibilities for watercourses and wetlands.

An initial screening of the Shelburne OHV Route Alignment Options was conducted to identify potential environmental permitting required for the proposed shared-use trail. Details below highlight the potential environmental permits that may be required.

4.5.1 Wetlands

Wetlands in the Study Area are protected from alteration (including infilling) under the *Nova Scotia Wetland Policy*. When a wetland alteration cannot reasonably be avoided, an application to proceed with the alteration must be submitted through the Wetland Alteration Approval process. Alterations may be exempt from this process if the wetland is less than 0.01 hectares in total area or if a wetland is created by humans on upland habitat. There are several other exemptions included in the policy. If the proposed development will impact the wetlands, a wetland field delineation and functional assessment must be conducted in the field along with an alteration application, which must be approved by NSE.

WSP has reviewed contours and Provincial GIS wetland mapping data and have not identified any wetlands impacted by the proposed trail routes. That being said, its possible construction of new trail through undeveloped forested areas could be positioned over or through wetlands not identified in the provincial GIS mapping, therefore it is recommended that future detailed design of new trail further investigate the forested areas to identify potential wetlands and modify the trail alignment, if possible, to avoid these areas.

4.5.2 Watercourses

Under the Nova Scotia Environment Act any alteration to a watercourse, including the construction of a road crossing, requires approval by the Department of Environment prior to construction. Approval can be obtained from NSE through the submission of an application for approval. Field assessment is required prior to completing the approval application. Upgrades to the existing Black's Brook Bridge or installation of new bridges or culverts crossing watercourses (see Figure 4-4 for potential locations) will require watercourse environmental permitting (Watercourse Alteration Notification or Approval) if the work impacts the bank or bed of a watercourse. The steps necessary to obtain proper environmental permitting generally include:

- Site visit by a trained individual to assess the watercourse (s);
- Consulting with regulatory agencies (i.e. Nova Scotia Environment and Fisheries and Oceans Canada);
- Compiling data required for alteration application to satisfy regulatory requirements;
- Civil design drawing and erosion and sediment control plan;
- Submitting notifications/permit applications and supporting documentation;
- Upon receipt of approval, Terms and Conditions will be reviewed and the design drawing will be revised accordingly, if required;
- Compiling approval package and supporting documentation for client.

4.6 Roadway Crossings

The proposed alignment has between 4 and 11 road crossing locations depending on the selected route (see Figure 4-6). In Nova Scotia, construction and maintenance of trail crossings is the responsibility of the trail developer, however installation of trail crossings on non-controlled access provincial roadways must be done in accordance with the *Trail Construction / Maintenance and Trail Crossings Policy*². This policy includes guidance on trail crossing location and configuration along with stipulation of responsibilities of the Province and the trail developer.

² NSTIR Policy PR5092: *Trail Construction / Maintenance and Trail Crossings*

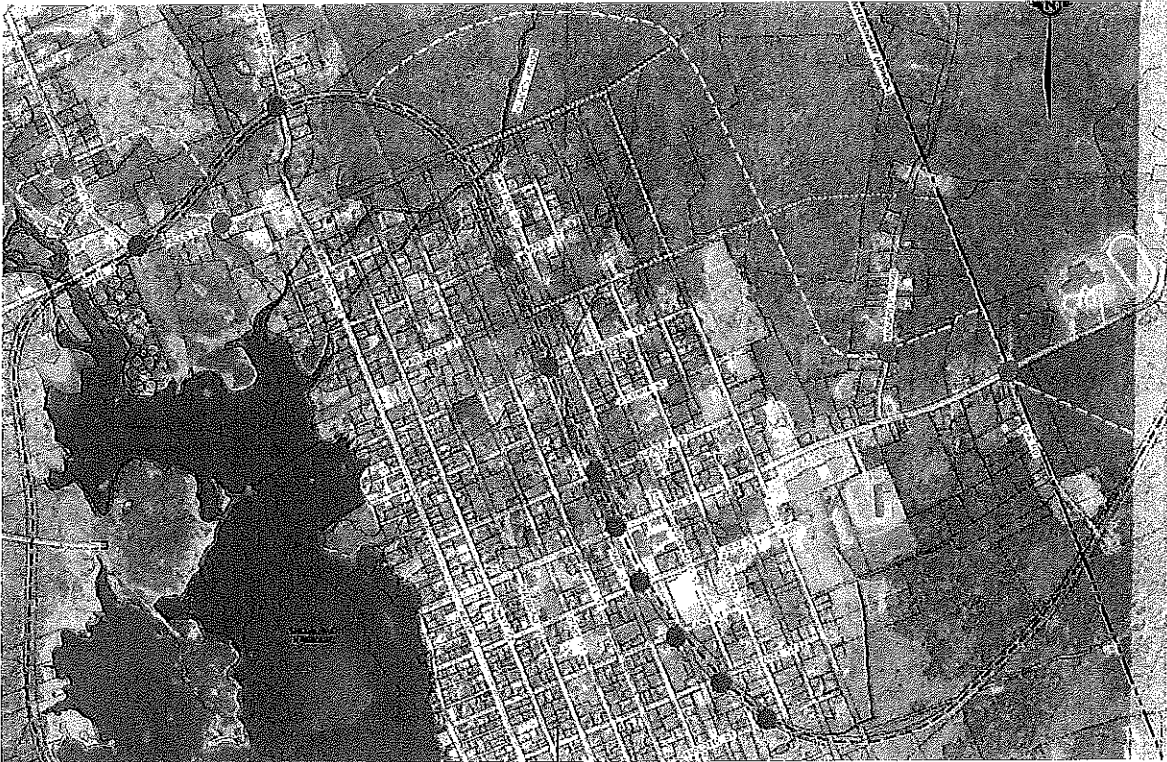


Figure 4-6: Proposed Alignment's Road Crossings

Although there is only one (1) potential crossing on a provincial road (east of Spa Road), this guide acts as a good reference for crossings, particularly on collector streets with higher traffic volume such as King Street, Ohio Road or Falls Lane. Crossings considerations on a few key streets are discussed further below. A few key features of proper road crossings include:

- Adequate sight distance for approaching vehicles to see crossing trail users and come to a stop.
- The trail should intersect the road at or near a right (90 degree) angle and be level with the edge of the shoulder (within 2% slope) for at least five (5) meters.
- Paving the shoulder for at least five (5) meters at the trail approach to the crossing will help reduce gravel tracking over the street.
- Appropriate warning signage for both trail users and road users.
- The crossing location should be adequately spaced from existing intersections of public roads.

A typical street crossing alignment is included in Appendix A, Sheet 3 indicating signage and potential trail treatment at the street. Additional preliminary road crossing design layouts are also included in Appendix A on sheets 2, 4, 5 and 6.

Based on preliminary site reviews it is expected that Transvaal Street and Bulkley Street crossings have poor sight distances. To improve this, the road could be raised up by a small elevation difference at the crossing to help approaching vehicles see trail users in time to stop.

4.7 Traffic Calming

It is important to implement traffic calming features into the design of shared-use trails to help minimize speed and noise, particularly in Town where there are many road crossings and nearby residences. One way to do this is by introducing chicanes into the trail at key areas where there are long straight stretches and curvature of the trail would serve to slow down motorized users. This also helps to capture trail users' attention on the approach to a street crossing where users need to be particularly attentive. Chicanes may be created by introducing curvature in the trail alignment or by installing staggered barriers such as fencing or gates with adequate warning/reflective tape.

In addition to the road crossing features discuss in Section 4.6, extra design elements should be incorporated into road crossings to increase safety by slowing down vehicle and trail users' at conflict areas. Barricades are recommended at each trail access location to slow down trail traffic at road approaches. Suitable barricades for shared-use trail include gates, bollards, railings and fences and are typically constructed of timber, logs, metal tubing or rock. All barriers should be clearly marked with reflective tape for safety and a clear spacing of 1.5 meters (5 feet) to allow for cyclist and ATV access but restrict larger vehicles. Barricades should be adjustable (ie. removable bollards or swing gates) to allow for periodic maintenance vehicle access.

4.8 Access

It is imperative that shared-use trail facilities provide connections to local destinations (e.g. community centres, businesses and recreational facilities) and surrounding residential and commercial areas. Strategically located access points and trail heads enable connectivity with adjacent land uses and provide opportunities for important amenities such as parking.

There are several locations along the proposed Shelburne OHV Route that have been considered for access. Figure 4-7 illustrates locations that have been identified along the facility as key destinations as well as potential trail head locations that will be considered.

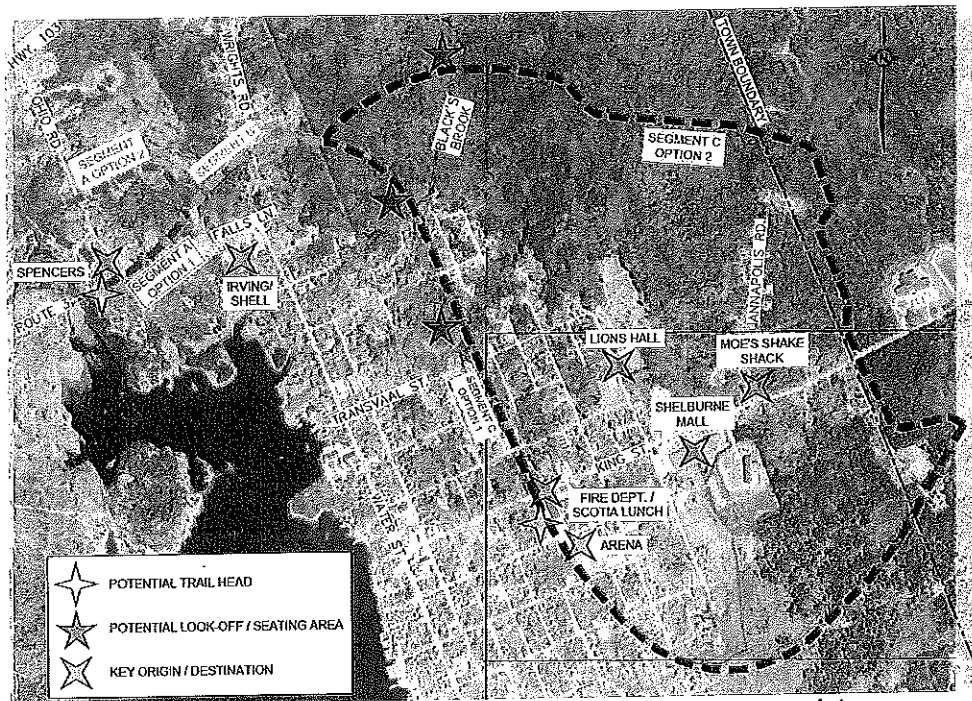


Figure 4-7: Potential trail head and local destination access points



4.8.1 Trail Heads

Trail heads are typically placed at or near the boundaries of the trail or near key destinations to enable access for users originating outside of the Town Limits by providing parking areas and a close connection to the trail. They typically also include identification signage, key information, mapping, and amenities such as trash receptacles.

The following locations have been identified as potential trail head locations on the proposed Shelburne OHV Route:

Roseway River Trail Bridge

The recently installed Roseway River Trail Bridge located at the Town's western boundary, adjacent to Route 3 offers a good location for a potential trail head since it represents the entrance to the Town for users approaching from the existing Shelburne County Rail Trail from the west. There is sufficient space within the road right-of-way to expand off the existing trail which could be used for a trail head and small parking lot. Additional features that make this location attractive as a trail head include excellent views of the Shelburne Harbour and nearby access to amenities such as Spencers Farm Market and the Shell and Irving fuel stations. A potential look-off on the east end of the bridge could serve as a rest area and opportunity for interpretive signage.

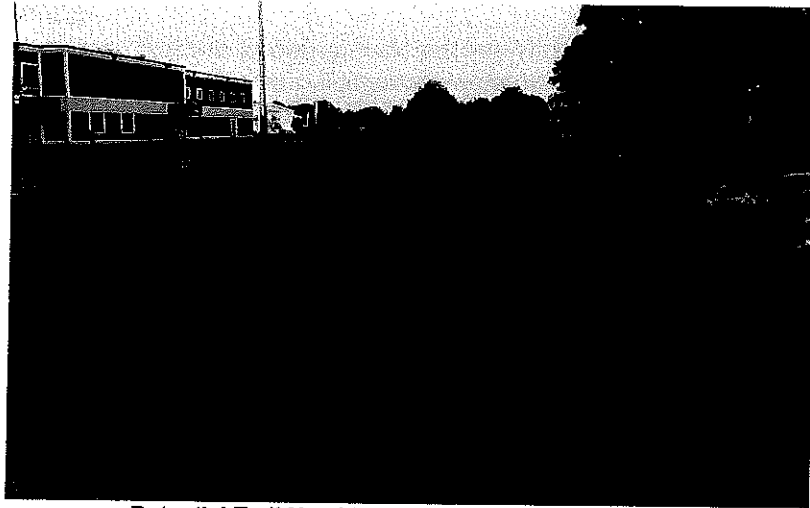


Potential Trail Head Location: East of Roseway River Trail Bridge

Fire Hall Parking Lot

The DNR rail corridor running across the Fire Hall parking lot provides a good opportunity for placement of parking and trail head facilities due to its location near amenities and recreational facilities (Scotia Lunch, Fire Hall & Arena) with minimal impact on the existing parking lot. This area represents the entrance to the Town's core for user's approaching from the east and there is sufficient space within either the DNR corridor or the adjacent park land to install a trail head and small parking lot. A potential rest area could be incorporated into the adjacent park land as well as opportunity for interpretive signage. Sheet 4 of Appendix A provides an overview of the proposed trail alignment with potential parking areas identified.


Should the Town Bypass routing option (Option C2) ultimately be constructed, it may be worth considering upgrading the southern section of the rail corridor to provide OHV access to the fire hall parking lot where a trail head could be constructed that provides access to nearby amenities.



Potential Trail Head Location: Fire Hall Parking Lot

4.8.2 Destinations

The following are key destinations along the proposed OHV route that have been considered for access from the trail:

Spencer's Garden Centre and Farm Market	
	<p>Location: Corner of Ohio Road and Falls Lane Connection Distance from Trail Route: Approx. 50m – 100m Property Owner: Maritime Canoe Outfitters Ltd. PID: 80139702</p> <p>Spencers Garden Centre is located near to the trail routes and a parking or access area behind the store could be incorporated directly into the design of routing Option A2 for direct access.</p> <p>For routing Option A1, trail users could park at the proposed trail head east of the Roseway River Trail Bridge and access Spencers on foot via the Fall's Lane / Ohio Road intersection located 150 meters away.</p>

Irving & Shell Gas Stations

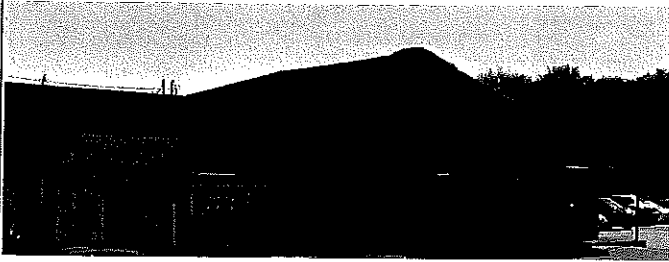


Image Source: Google Earth

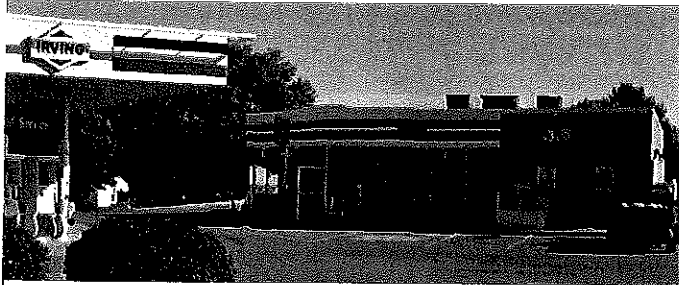


Image Source: Google Earth

Location: Falls Lane
Connection Distance from Trail Route: Approx. 200m – 300m
Property Owners: H & B Sales Ltd. / Irving Oil Properties Ltd.
PIDs: 80140494 / 80140478 / 80140544

The Shell and Irving properties provide an opportunity for access to multiple amenities such as fuel, auto repair and food. Creating a direct connection from the Ohio Road intersection along Falls Lane to the Shell fuel station was initially considered, however this would impact a significant number of property owners and place the trail near to heavy vehicle traffic over a significant distance. Therefore a more feasible connection would be to cross Falls Lane near the Shell station and navigate across private property to the rail corridor (See Appendix A, Sheet 1).

Shelburne Fire Department & Arena / Curling Club

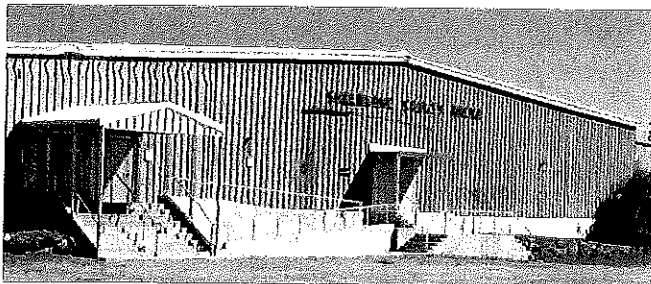
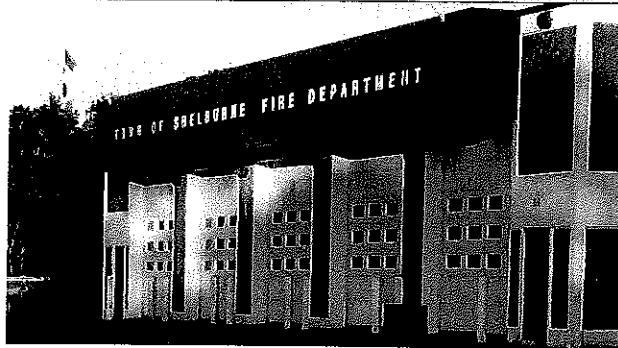
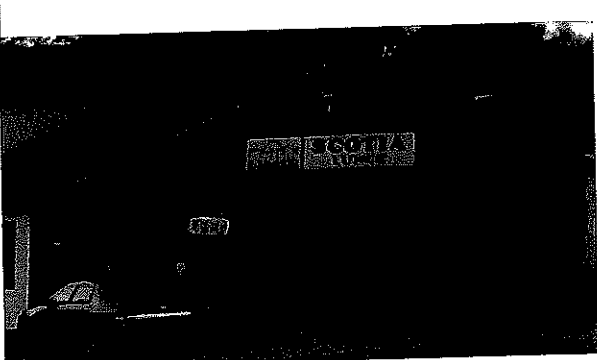

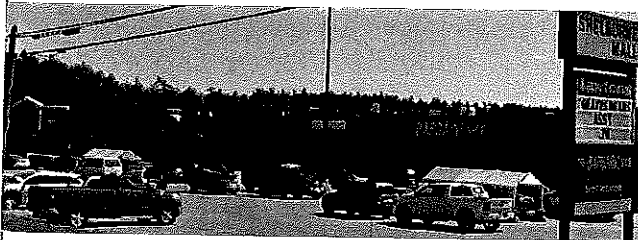



Image Source: Google Earth

Location: Near Rail Corridor at King St. & John St. Crossings
Connection Distance from Trail Route: Adjacent to Trail
Property Owner: Town of Shelburne / Shelburne County Agricultural Exhibition Association
PID: 80146442 / 80147143

The existing rail corridor through Town runs next to the Fire Hall and the Shelburne County Arena and Curling Rink which often serve as venues for community and sporting events. The close proximity of the route Option C1 allows for easy access to these buildings with little or no additional cost.

Scotia Lunch	
	<p>Location: Near Rail Corridor at King St. Connection Distance from Trail Route: Adjacent to Trail Property Owner: Scotia Lunch Limited PID: 80143894</p> <p>Located directly across from the Fire Hall on King Street, Scotia Lunch would offer a potential destination or stopover for trail users with little or no additional construction cost due to its close proximity to the existing rail corridor. Users could use the proposed trail head facility at the Fire Hall to park their vehicles or bicycles and cross the street</p>
Moe's Shake Shack	
	<p>Location: Corner of King Street and Annapolis Road Connection Distance from Trail Route: 820 meters from Rail Corridor crossing at King St. (Option C1) / 350 – 400 meters from crossing at King St. (Option C2) Property Owner: Agropur Cooperative PID: 80143571</p> <p>Moe's Shake Shack offers an additional potential restaurant option to Scotia Lunch, however access is much more difficult. There does not appear to be a feasible option for a direct connection to this destination since this would involve construction of at least 400 meters of dead-end trail to connect from the Town Bypass route (Option C2) passing through several private properties. Alternatively, a parking area could be constructed near the Spa Road crossing and users could walk along the existing King Street sidewalk to access the restaurant, however this isn't considered to be a practical connection alternative.</p>
<p>Image Source: Google Earth</p>	

Shelburne Mall	
 <p style="text-align: center;">Image Source: Google Earth</p>	<p>Location: King Street (between Annapolis Road and Elliot St.) Connection Distance from Trail Route: 550 meters from Rail Corridor crossing at King St. (Option C1) / 650 meters from crossing at King St. (Option C2) Property Owner: 104083 Canada Ltd. PID: 80146152</p> <p>The Shelburne Mall houses a variety of stores and services including grocery, banking, and pharmacy.</p> <p>Creating a direct connection to the mall is a challenge and would involve constructing about 700 meters of new trail extending south from the mall, through mostly undeveloped land across private property to the existing rail corridor. Alternatively, trail users could walk or cycle approximately 500 meters along the existing facilities on King Street from either route option to reach the mall.</p>
Lions Hall	
 <p style="text-align: center;">Image Source: Google Earth</p>	<p>Location: Near corner of Elliot St. & Victoria St. Connection Distance from Trail Route: 250 to 350 meters from Segment C2 alternative routes Property Owner: Shelburne Area Lions Club PID: 80143100</p> <p>The Shelburne Lions Community Hall is located south of the Pine Grove Cemetery, near the east end of Town and hosts community events and fundraising projects such as bingo, recycling, raffle tickets, music shows, karaoke, catering and dances.</p> <p>If the final Town Bypass OHV routing alignment (Option C2) brings the trail near to the Lions Hall it may be feasible to provide a trail connection with a small OHV parking area.</p>

4.9 User amenities

Rest Areas

Rest areas are important to consider for multi-use greenways. They provide an opportunity for users to stop and sit down, and while they are useful for all users, they are particularly beneficial for persons with mobility needs. Rest areas typically include formal seating (i.e. benches) or informal seating (i.e. boulders), in addition to a wide variety of potential amenities such as trash receptacles. The frequency with which rest areas are typically placed along the trail are dependent on local factors, most notably prevailing grades, which influence the level of difficulty and resulting fatigue for non-motorized users. Their location can also be influenced by availability of space or by opportunities for view look-offs or interpretive opportunities.

In addition, there is potential for a future park or green space development adjacent to the rail corridor between Minto St. and Transvaal St. which could act as a rest and recreation area for trail users.

Through development of detailed design, potential locations for rest areas should be identified along the corridor.

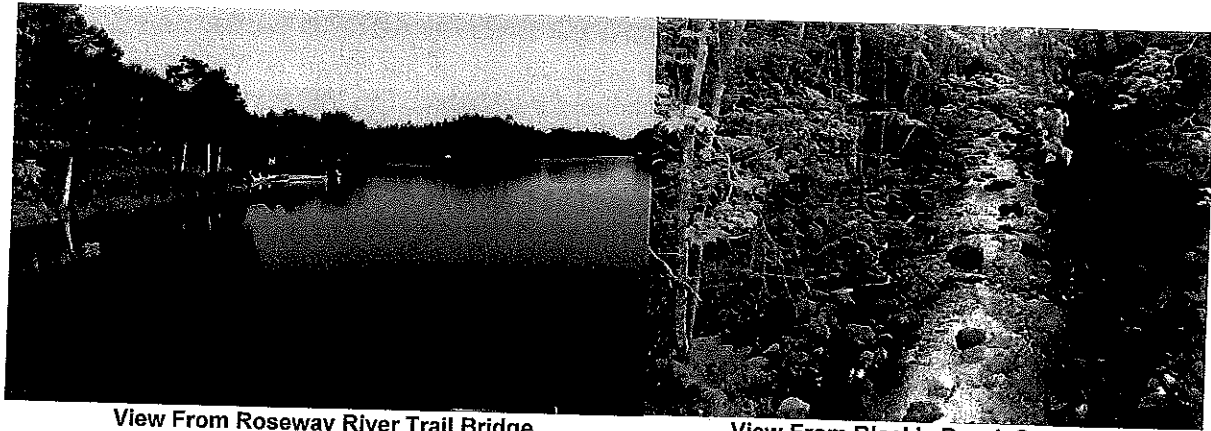


Examples of rest areas on similar greenway facilities

Scenic Areas / Interpretation Opportunities

User experience can be significantly enhanced where formal areas are established that allow users to experience special viewpoints and learn about interesting details of the surrounding areas. Features such as interpretive signage can describe areas of natural, historical, and cultural significance.

There are several opportunities for look-off areas and interpretation signage along the rail corridor. Notable examples of look-off areas include the Roseway River Bridge and the Black's Brook crossing. The Fire Hall area next to the linear park on Parr Street may be a good area for potential interpretation features. Future plans to establish parkland west of the DNR corridor, between Transvaal and Minto Streets could incorporate the shared-use trail into the park development.



View From Roseway River Trail Bridge

View From Black's Brook Crossing

Trail Signage:

Trail signage provides users with important information about the facility and promotes safe, efficient, and comfortable use.

- Identification Signage: Identifies the facility by its name and brand. Improves awareness.
- Wayfinding Signage: Allows users to confirm their location and understand upcoming decision points (i.e. turns, destinations, distances). Common examples of wayfinding signs include trail name (brand) signs, distance markers, and destination distance / time signs.
- Regulatory Signage: Provides information related to local laws, regulations, and restrictions. Examples include stop signs on trail approaches to roads or crosswalk signage on road approaches.
- Warning Signage: Indicate upcoming hazards such as abrupt changes in alignment and roadway crossings or indicating the approach to a trail crossing.

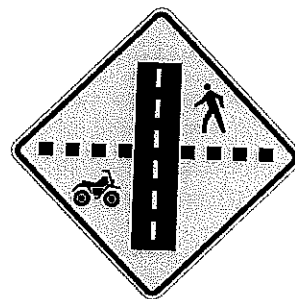


Trail ID Signage



Wayfinding Signage

Examples of typical trail signage



Warning Signage

4.10 Trail Maintenance

Regular inspection and maintenance is the responsibility of the Town or Trail Group and is important to help keep the trail safe and functional for all users. The trail surface should be kept well-drained, smooth, and clear of hazards and vegetation to a width of at least 4.5m and ditches and culverts should remain free of litter and debris to allow for proper drainage. Trail infrastructure such as bridges, signs, gates, parking areas benches and other amenities should be inspected for damage or deterioration and repaired as necessary.

Frequency of trail inspections will depend on the type and amount of trail use but should be schedule at least annually. A sample maintenance inspection report is included in Appendix C for reference.



5.0 Evaluation of Connection Options

5.1 Evaluation Criteria

A wide variety of criteria were used to evaluate the alignment routing options under consideration. Criteria were identified based on the project objectives and consultation with the stakeholders. Evaluation criteria considered as part of this Study are summarized in Table 5-1.

Table 5-1: Summary of Evaluation Criteria

	Criteria	Description
User Experience	Appeal to Local Users	<ul style="list-style-type: none"> The extent to which the facility is attractive to local users for trips within the community.
	Appeal to Visitors	<ul style="list-style-type: none"> The extent to which the facility may be expected to attract visitor traffic as a "destination trail".
	Trail Head / Interpretation Opportunities	<ul style="list-style-type: none"> Potential opportunities to install parking facilities and interpretation signage in key locations to highlight areas of cultural significance and natural beauty.
	Aesthetics	<ul style="list-style-type: none"> Overall aesthetical quality including sightlines and natural environment.
	Grades	<ul style="list-style-type: none"> Conduciveness of the alignment to shared-use. Maximum grades of 5% (8% for short sections) are typically desired for multi-use facilities.
	User Safety / Comfort (Crime Prevention)	<ul style="list-style-type: none"> User safety and comfort can be influenced considerably by the level of available visibility. Visibility through exposure to traffic and other users can limit the potential for criminal activity.
	User Safety / Comfort (Operational)	<ul style="list-style-type: none"> Operational safety and comfort can be influenced by alignment geometry, typically a key determinant in operational speed and sightlines. Speeds and volumes of vehicular traffic, and the proximity of the alignment to traffic or driveway crossings.
	Environmental Impact	<ul style="list-style-type: none"> Potential disturbance to the natural environment and nearby residences.
Policy / Planning Compliance	Environmental Policy	<ul style="list-style-type: none"> The potential level of conformance with environmental regulations.
	Connectivity with Origins / Destinations / Amenities	<ul style="list-style-type: none"> The extent to which the alignment connects key origins, destinations, and amenities within the Community and provides a viable alternative for utilitarian travel by all modes.
	NSTIR ROW Policy	<ul style="list-style-type: none"> The anticipated level of conformance with NSTIR regulations with respect to the Provincial ROW.
	Construction Costs	<ul style="list-style-type: none"> Estimated magnitude of cost to construct the facility.
Constructability / Financial Implications	Constructability	<ul style="list-style-type: none"> Preliminary assessment of the feasibility of constructing the facility based on physical constraints.
	Land Availability / Agreements	<ul style="list-style-type: none"> Anticipated level of effort and cost required to acquire and necessary land or easements to facilitate construction of the facility.
	Bridge / Structure Requirements	<ul style="list-style-type: none"> Quantity and complexity of bridges, large culverts and retaining structures required to span watercourses and reinforce unstable terrain.
	Maintenance / Repair Considerations	<ul style="list-style-type: none"> Anticipated level of effort and cost required for ongoing maintenance and repair of the facility.

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5.2 Overview of Connection Options

An overview of each of the routing options under consideration for trail Segments A and C is provided in the following sections. Description of each is structured around the evaluation criteria used in assessment of the options.

5.2.1 Segment A

Segment A comprises the section of trail between the Roseway River Trail Bridge and the rail bed corridor west of Wrights Road. There have been two (2) main options identified for this segment of trail; Option A1 - Falls Lane Crossing and Option A2 - Ohio Road Crossing. Figure 5-1 illustrates these options and also presents a third option for consideration as an alternative to Option A2.

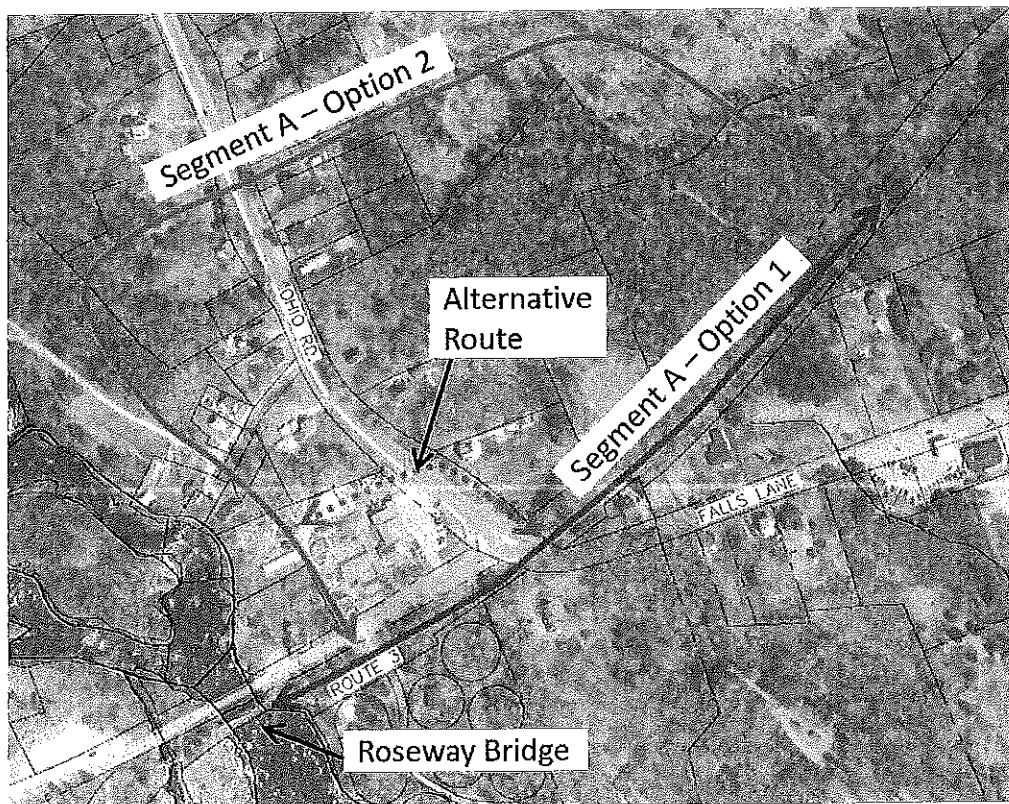


Figure 5-1: Trail Segment A Route Options

Segment A, Option 1 (Option A1) is approximately 500 meters long and utilizes the rail corridor up to the Falls Lane intersection, passes behind the existing Town of Shelburne sign and crosses Falls Lane before continuing along the rail corridor. Refer to Appendix A, Sheet 2 for a preliminary concept of this layout.

Segment A, Option 2 (Option A2) is approximately 1.0 km long and crosses Route 3 east of the bridge and continues behind Spencers Garden Center before passing near residences on Rodgers Lane and following beside a driveway before turning east across Ohio Road. It then continues east across private land before connecting back up with the rail corridor.

User Experience

- Trailhead Opportunities / Aesthetics** Both trail options allow for a potential look-off or trail head area near to the Roseway River bridge and have a similar exposure to the natural environment.
- Appeal to Users** Both options are expected to have similar appeal to visitors, however Option A1 may have a slightly higher appeal to local users since it provides a more direct route and the additional length of Option A2 and exposure to residences may be less appealing for those users passing through this trail segment or stopping for amenities.
- Grades** Based on site observations and lidar contour mapping, both options appear to have very gentle grades and should not pose an issue.
- User Comfort / Safety** Road crossings in this area present a major concern regarding safety for trail and motorized vehicle users therefore limiting the conflict areas is a key consideration. Option A1 only has a single road crossing on Falls Lane whereas Option A2 involves two (2) major road crossings (Route 3 and Ohio Road) and one (1) driveway/minor street crossing at Rodgers Lane.

Policy / Planning Compliance

- Environmental Policy** Neither trail is expected to impact watercourses or wetlands.
- Connections with Origins / Destinations** A trailhead parking facility on the east side of the Roseway River Trail Bridge would provide an opportunity for users to park and access Spencers Garden Centre and Farm Market. For Option A2 there is the potential to create a parking area behind Spencers which would allow for easier access, eliminating the need to walk to the intersection to cross the street. Access to the Irving / Shell gas stations is not affected by the choice of routing option for this Segment.

Constructability / Financial Implications

- Construction Costs** Construction cost estimates presented in Section 6.4 show significantly higher costs expected for Option A2 due to the longer trail length and the need to fully build new trail without the use of an existing rail bed.
- Constructability** Both options have some construction challenges associated with access and equipment / material storage, however Option A2 presents greater challenges due to its proximity to houses.
- Environmental Impact** Option A2 will have greater impact on the existing natural environment since trees and vegetation will need to be removed for construction of the trail and users will be introduced into a new natural environmental that would otherwise likely remain untouched.
- Both options have noise impact to nearby residences, however Option A2 will travel closer to more residences.

**Land Availability /
Agreements**

Based on property lines shown in Appendix A, Option A1 may require landowner agreements with one (1) private owner at the Falls Lane intersection whereas Option A2 crosses seven (7) different private properties which requires more effort and cooperation to achieve.

**Bridge / Structure
Requirements**

No bridges or watercourse crossings are expected for either option along this segment.

**Maintenance /
Repair Considerations**

Maintenance and repair would either be the responsibility of the Town of Shelburne or the Trail Group, depending on the agreement in place. Overall maintenance costs/effort will be higher for Option A2 since it is longer and the existing rail corridor will still need to be maintained for pedestrian use.

5.2.2 Segment B

Segment B is approximately 520 meters long and is common to all routing options under consideration. Initially, an alternative Wrights Road crossing location further north was considered to reduce the impact and disturbance to Wrights Road residences, however it was found that this option was not feasible due to the additional expense and impact on private properties. A view of the segment B route is shown in Figure 5-2.



Figure 5-2: Trail Segment B

5.2.3 Segment C

Segment C comprises the section of trail east of Wrights Road extending south and east to the rail bed corridor near the Town Boundary. There have been two (2) main options identified for this segment of trail; Option C1 – Rail Bed Corridor and Option C2 – Town Bypass. Figure 5-3 illustrates these options.

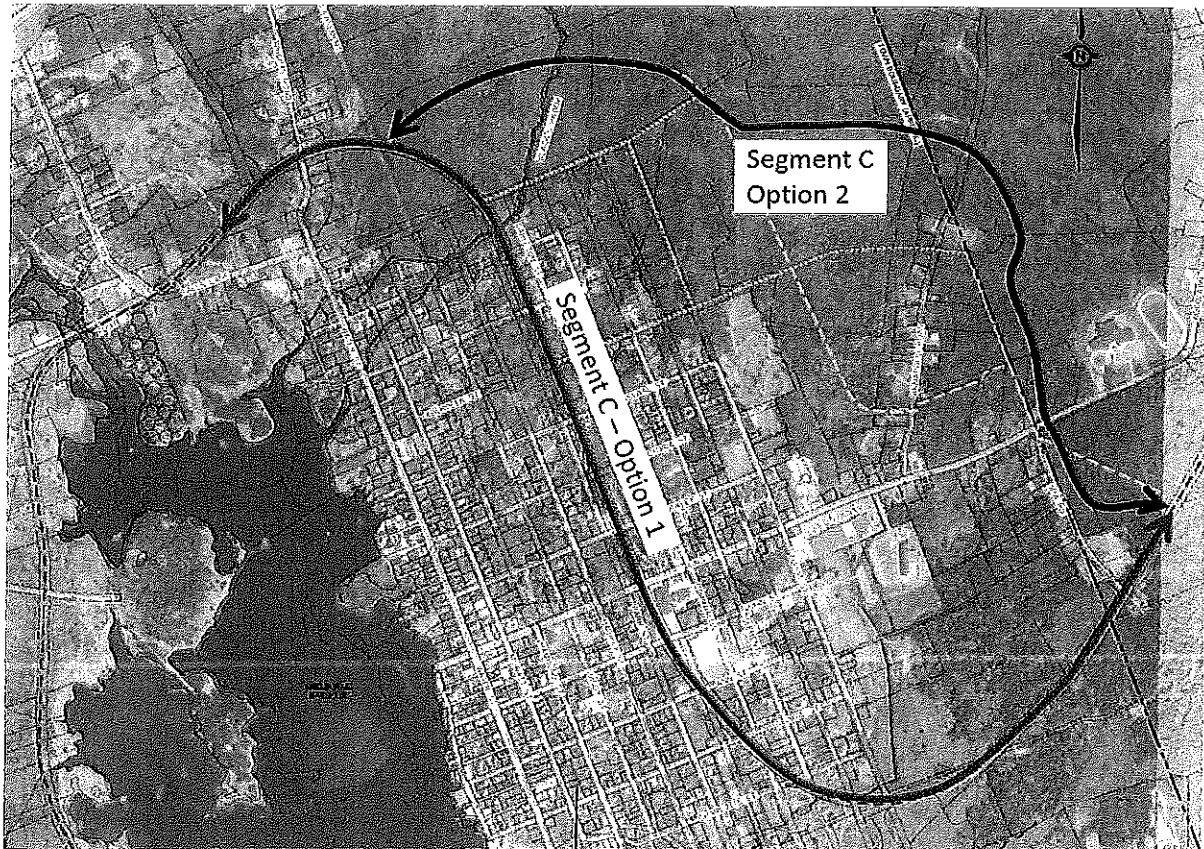


Figure 5-3: Trail Segment C Route Options

Segment C, Option 1 (Option C1) is approximately 3.5 km long and utilizes the rail corridor through Town and requires additional upgrades south of King Street where the previous rail bed has been abandoned. It generally passes through residential areas except for King Street where it abuts the Fire Hall and Arena. It continues south to the limits of the existing development near the end of Thomas Street.

Segment C, Option 2 (Option C2) is approximately 3.1 km long and diverges from the existing rail bed near the existing NSPI easement, east of Wrights Road. From here it follows an informal ATV route across private property, crossing Black's Brook and turning southeast towards Annapolis Road. It crosses north of the residential paved section of Annapolis Road, near the radio towers and turns south behind the High School, crossing Kings Street just east of the Town Boundary. From here it continues south, adjacent to Spa Road on Municipal property before meeting up with the existing rail corridor outside of the Town Boundary.

User Experience

- Appeal to Local Users** It is expected that construction of Option C2 will enhance the overall user experience more than Option C1 since the existing trail would be kept exclusive to pedestrian and cyclist use, while OHVs would benefit from the more natural environmental of the Town Bypass route.
- Appeal to Visitors** Similarly, it is expected that visitors who favour motorized vehicle use will be more attracted to the more rural Option C2 for recreational purposes and visitors who favour active transportation may find it more appealing to keep the existing rail corridor non-motorized.
- Trailhead Opportunities** Option C1 provides potential stopping areas at the Fire Hall and future parkland off of Aberdeen Street to provide a place to stop for recreation and access to services. A rest / look-off area near to the Black's Brook crossing may be a desirable area for exposure to the natural environment for both options. Based on the above, both trail options offer trailhead opportunities, however Option C1 appears to offer a wider variety of prospects.
- Aesthetics** Both trail options are aesthetically appealing and provide opportunities to enjoy nature, however Option C2's natural wooded environment has the appeal of a wilderness trail while still providing some access to amenities.
- Grades** Based on site observations Option C1 has very flat and gently sloping grades following the abandoned railway and makes for an easy route for many users. The section of Option C2 appears to have steep grades (~10%) behind the radio towers based on LIDAR contour mapping. The route can be extended in this area to follow the contours more gently to reduce the slope, however it is not expected that 5% grade can be achieved without the use of switchbacks. This lengthens the trail and complicates construction.
- User Safety / Comfort (Crime Prevention)** Option C1 may bring more users to the trail, which could help reduce crime through increased use and visibility, however it may also serve to attract crime by creating a more direct link in and out of Town. Option C2 is expected to have little influence on safety and crime since the majority of the route is away from businesses and residences.
- User Safety / Comfort (Operational)** Road crossings in this area present a major concern regarding safety for trail and motorized vehicle users therefore limiting the conflict areas is a key consideration. Option C1 only has a single road crossing on Falls Lane whereas Option C2 involves two (2) major road crossings (Route 3 and Ohio Road) and one (1) driveway/minor street crossing at Rodgers Lane.

Policy / Planning Compliance

- Environmental Policy** Both trail options are expected to fully conform to relevant environmental regulations.
- Connections with Origins / Destinations** Option C2 provides a more direct route from one end of Town to the other for users who are using the trail simply as a connection, however Option C1 offers more opportunities for access to amenities such as the Fire Hall / Arena and Scotia Lunch. Spencers Farm Market and Irving / Shell stations on Falls Lane are potential amenities for both options.
- NSTIR ROW Policy** Option C1 does not impact any NSTIR land or streets, however, Option C2 may cross NSTIR operated roadway on King Street, east of the Town limits. NSTIR would need to approve this trail crossing prior to implementation of Option C2. Otherwise, the crossing would need to be shifted west to within the Town Boundary which is a less desirable crossing location given its close proximity to residences and side streets.

Constructability / Financial Implications

- Construction Costs** Construction cost estimates presented in Section 6.4 show significantly higher costs expected for Option C2 due to the longer trail length and the need to fully build new trail without the use of an existing rail bed.
- Constructability** Option C1 offers some construction challenges associated with access to the rail corridor with construction equipment and disturbance to residences and existing trail users, however work to upgrade the rail bed is expected to be much simpler and faster compared to construction of new trails with Option C2.
- Option C2 will need agreements with landowners on construction access and restoration condition of the property, however there will be much more space available with fewer obstructions.
- Environmental Impact** Option C2 will have significantly greater impact on the existing natural environment since trees and vegetation will need to be removed for construction of the trail and users will be introduced into a new natural environment that would otherwise likely remain untouched. However, potential disturbance to nearby residences will be considerably lower compared to Option C1.
- Land Availability / Agreements** Based on property lines shown in Appendix A, Option C1 will require minimal or no landowner agreements whereas Option C2 crosses at least (8) different property owners. Failure to reach agreements with any of these owners requires exploration of alternative routing options and further correspondence with landowners until a feasible route can be fully established.

Bridge / Structure Requirements

Both trail options will involve the construction of new watercourse crossing structures, however upgrades will be required to the existing Black's Brook Bridge for Option C1 which may involve more environmental permitting work.

Maintenance / Repair Considerations

Maintenance and repair would either be the responsibility of the Town of Shelburne or the Trail Group, depending on the agreement in place. Overall maintenance costs/effort will be slightly higher for Option C2 since it is longer and the rail corridor will still need to be maintained for pedestrian trail use.

5.3 Construction Cost Estimates

Preliminary construction cost estimates are presented in Appendix D for the various trail segments and route options. These are meant to be order-of-magnitude estimates appropriate for future budgeting purposes and are based on typical itemized unit prices observed on recent construction projects. The costs are separated into fixed costs for construction of the trail and additional optional costs for items such as parking and amenities. A 25% contingency has been included to account for unknown and unforeseen costs that may arise during detailed design or construction.

A summary of the cost estimates, broken down by segment and fixed/optional costs is presented in Table 5-2. Table 5-3 presents the total cost associated with each trail route option. The Segment B route is the same for all options.

All costs are in 2017 Canadian dollars and include contingency but exclude HST.

Table 5-2: Construction Cost Estimates Broken Out by Trail Segment

	Segment A		Segment B	Segment C	
	A1 – Falls Lane Crossing	A2 – Ohio Road Crossing		C1 – Rail Bed Corridor	C2 – Town Bypass
Fixed Items	\$62,000	\$276,000	\$48,000	\$860,000	\$1,156,000
Optional Items	\$81,000	\$151,000	\$70,000	\$493,000	\$438,000

Table 5-3: Construction Cost Totals by Trail Route Option

Trail Route	Total Trail Length (km)	Fixed Cost	Total Cost Incl. Optional Items
Option A1, B & C1	4.6	\$970,000	\$1,610,000
Option A1, B & C2	4.1	\$1,270,000	\$1,860,000
Option A2, B & C1	5.1	\$1,180,000	\$1,900,000
Option A2, B & C2	4.6	\$1,480,000	\$2,140,000

6.0 Evaluation Summary and Recommendations

Each of the potential options have been reviewed based on the evaluation criteria in order to assess their ability to meet project objectives while considering their potential feasibility. The evaluation process included both qualitative and quantitative elements. This evaluation compares Trail Segment A, Options 1 and 2 as well as Trail Segment C, Options 1 and 2.

6.1 Evaluation Matrix

An evaluation matrix was created in order to display the overall assessment of each option and enable comparison between categories. Each option was scored for each evaluation criteria based on a scale of 0 (least favorable) to 5 (most favorable). The evaluation matrix is provided in Table 6-1. For simplicity, the matrix has been formatted to a colour scale from green (most favorable) to red (least favorable), with yellow the intermediate shade.

Table 6-1: Evaluation Matrix (Non-weighted)

		Alignment Options Scored by Category			
		Segment A		Segment C	
		Option 1	Option 2	Option 1	Option 2
		Falls Lane Crossing	Ohio Road Crossing	Rail Bed Corridor	Town Bypass
User Experience	Appeal to Local Users	3	2		3
	Appeal to Visitors	3	3	2	4
	Trailhead / Interpretation Opportunities	3	3	4	3
	Aesthetics	3	3	2	4
	Grades	5	5	5	2
	User Safety / Comfort (CPTED)	3	3	3	3
	User Safety / Comfort (Operational)	3		2	3
	Environmental Impact	4			
	Sub-Total	27	23	22	25
Policy / Planning Compliance	Environmental Policy	5	5	5	5
	Connectivity with Origins/Destinations	2	3	4	3
	NSTIR ROW Policy			3	
	Sub-Total	7	8	12	10
Constructability / Financial Implications	Construction Costs	4	2	3	1
	Constructability	4	3	2	3
	Land Availability / Agreements	4	1	5	2
	Bridge / Structure Requirements	5	5	3	3
	Maintenance / Repair Costs	4	2	4	2
	Sub-Total	21	13	17	11
	GRAND TOTAL	55	44	51	46

Recognizing that the evaluation criteria are not equally significant to the potential feasibility of the options under consideration, a weighted evaluation matrix was developed in order to provide a more representative comparison tool. Evaluation criteria were aggregated and assigned weighting factors as shown in Table 6-2. Weighting factors – assigned with the intent of highlighting the evaluation criteria most influential to the feasibility of the project – were developed by WSP.

It should be noted that the evaluation matrix is one of several tools that can be considered in the evaluation process and is only meant to provide general guidance for selection of a preferred route. Though its results are useful in comparing each option, there are limitations. For example, the feasibility of Options A2 and C2 are entirely reliant on property owner agreements and may need to be re-routed from their current alignment to impact only properties where landowner agreements are reached. If agreements can't be reached, these routes are eliminated as options. There are other factors that are not considered here that are difficult to quantify such as available funding and public opinion.

Table 6-2: Evaluation Matrix (weighted)

Scale Factor =		User Experience		Environmental Policy		Connectivity & Trailhead		Constructability		Maintenance		TOTAL SCORE (/100)
		40		5		10		35		10		
		Base (/100)	Scaled (/40)	Base (/100)	Scaled (/5)	Base (/100)	Scaled (/10)	Base (/100)	Scaled (/35)	Base (/100)	Scaled (/10)	
Segment A	A1 - Falls Lane Crossing	69	27.4	100	5.0	50	5.0	85	29.8	80	8.0	75
	A2 - Ohio Road Crossing	57	22.9	100	5.0	60	6.0	40	14.0	40	4.0	52
Segment C	C1 - Rail Bed Corridor	51	20.6	100	5.0	80	8.0	67	23.3	80	8.0	65
	C2 - Town Bypass	63	25.1	100	5.0	60	6.0	40	14.0	40	4.0	54

The results of the weighted matrix are summarized below:

- For Segment A, the highest scoring option was A1 – Falls Lane Crossing (75 points) which scored well due to high rating in user experience, constructability and maintenance.
- For Segment C, the highest scoring option was C1 – Rail Bed Corridor (65 points) which scored well due to high rating in constructability, maintenance and trailhead / connectivity which overshadowed the lower scores associated with user experience.

6.2 Evaluation Summary

Based on a review of the evaluation results and consideration of the factors discussed in Section 5.2, evaluation summaries for each option are provided below.

6.2.1 Segment A Options Evaluation Summary

The Falls Lane Crossing has several advantages over the Ohio Road Crossing Option for OHV routing including crossing main roads once instead of twice, creating a more direct route for users, lower cost and simpler construction, reduced impact on the environment and residences and fewer land agreements.

6.2.2 Segment C Options Evaluation Summary

The Rail Bed Corridor has several advantages over the Town Bypass Option for OHV routing including lower cost and simpler construction, better access to amenities, and little to no impact on private property. However, the Town Bypass Option is expected to have better appeal to OHV users, cross fewer roads and create less disturbance to residences and other trail users. Although the Evaluation Matrix favours the Rail Bed Corridor, the Town may decide that some of the above considerations may favour the Town Bypass Option.

6.3 Recommendations

It is recommended that, should the Town of Shelburne wish to pursue development of an off-Highway vehicle trail route through Town, they request approval from DNR and NSTIR using the proposed alignments A1 and C1. If approval and sufficient funding is available, a structural analysis on the Black's Brook Bridge and detailed design of the shared-use trail could proceed to finalize the trail alignment and details for construction.

6.4 Conclusion

The analyses included in this report provides the Town of Shelburne and the Shelburne Harbour Trail Working Group with information intended to assess the available off-highway vehicle shared-use trail routing options and determine which is preferred for future investigation. The report also provides insight on key design considerations for the OHV trail and preliminary design plans and details for consideration and reference if the project proceeds to detailed design.

If an OHV route though the Town of Shelburne is not pursued, many of the design principles and features described above may be applied to development and enhancement of an active transportation trail along the rail corridor through Town.



Town of Shelburne Staff Report Code of Conduct for Elected Municipal Officials

To: Town Council
From: Ken Smith, Interim CAO
Date: October 28, 2020
Subject: Code of Conduct for Elected Municipal Officials

ORIGIN

In preparing for Council's orientation it came to my attention that a "Code of Conduct for Elected Municipal Officials" was part of the Council Training Guide-Town of Shelburne prepared for the 2016 orientation. However, I was unable to find the Code of Conduct for Elected Municipal Officials on the website under the Policies and By-Laws section, or in the Policy binder. Also, I couldn't find a motion approving the policy. There is also a "Statement of Commitment to Councillors Code of Conduct" whereby each Councillor is required to sign within 7 days of the Councillor oath.

BACKGROUND

The Code of Conduct for Elected Municipal Officials was adopted by a number of Councils throughout the province in 2008.

At a provincial level, there have been ongoing attempts to "put more substance" into the Code of Conduct. As a result, a number of Council have either not adopted the Code of Ethics as a policy or haven't updated in order to clarify situations which have arisen.

RECOMMENDATION

Council approve the Code of Conduct for Elected Municipal Officials as a Policy of the Town of Shelburne.

ATTACHMENT

Code of Conduct for Elected Municipal Officials



COUNCIL CODE OF CONDUCT POLICY

1. PURPOSE

The public expects the highest standards of professional conduct from Councillors elected to local government. The purpose of this Code is to establish guidelines for the ethical and inter-personal conduct of Councillors, Warden and Deputy Warden of Council ("Councillors"). The Council is answerable to the community through democratic processes and this Code will assist in providing for the good government of the Town of Shelburne

2. STANDARDS OF CONDUCT

Councillors shall uphold the law and at all times:

- a) Seek to advance the common good of the Town as a whole while conscientiously representing the communities they serve;
- b) Perform the functions of office truly, faithfully and impartially to the best of their knowledge and ability in accordance with the following core values:
 - (i) **Integrity** - giving the Town's interests absolute priority over private individual interests;
 - (ii) **Honesty** - being truthful and open;
 - (iii) **Objectivity** - making decisions based on a careful and fair analysis of the facts;
 - (iv) **Accountability** - being accountable to each other and the public for decisions taken;
 - (v) **Leadership** - confronting challenges and providing direction on the issues of the day.
- c) Uphold this Code as a means of promoting the standards of behavior expected of Councillors and enhancing the credibility and integrity of Council in the broader community.

3. COUNCIL RESPONSIBILITIES

The Council (or its designated committee) will:

- a) review the Town's Code of Conduct as required and make any amendments considered appropriate;
- b) Review, consider or take other action concerning any violation of the Code of Conduct which is referred to Council for consideration.

Where there is any conflict between the Code of Conduct and the requirements of any statute of the provincial or federal government, provincial or federal statutes shall take precedence.

4. MEMBER RESPONSIBILITIES

- a) **Conduct to be Observed**
Councillors are agents of the public whose primary objective is to address the needs of the citizens. As such, they're entrusted with upholding and adhering to the by-laws of the Town as well as all applicable provincial and federal laws. As public servants, Councillors must observe a high standard of morality in the conduct of their official duties and faithfully fulfill the responsibilities of their offices, regardless of their personal or financial interests.
- b) **Dedicated Service**
All Councillors should faithfully work towards developing programs to address the needs of the citizens in the course of their duties. Councillors should strive to perform at a level which is expected of those who work in the public's interest.
- c) **Respect for Decision Making Process**
All Councillors recognize the responsibility of the Mayor to accurately communicate the decisions of the Council, even if they disagree with such decisions, such that respect for the decision-making processes of Council is fostered.
- d) **Disclosure**
All Councillors must disclose to the Town any non-council appointed boards or committees of which they are active members. Disclosure of such boards or committees will ensure pecuniary interest is not breached per Section 3 of the *Municipal Conflict of Interest Act*.
- e) **Conduct at Meetings**
Councillors shall respect the chair, colleagues, staff and Councillors of the public present during Council meetings or other proceedings of the Town. Meetings shall

provide an environment for transparent and healthy debate on matters requiring decision-making.

f) Release of Confidential Information Prohibited

No Councillor shall disclose or release to the public any confidential information acquired by virtue of their office, in either oral or written form except when required by law or authorized by the Town to do so. Nor shall Councillors use confidential information for personal or private gain, or for the gain of relatives or any person or corporation.

g) Gifts and Benefits

No Councillor shall show favoritism or bias toward any vendor, contractor or others doing business with the Town. Councillors are prohibited from accepting gifts or favors from any vendor, contractor or others doing business with the Town personally, or through a family Councillor or friend, which could give rise to a reasonable suspicion of influence to show favor or disadvantage to any individual, staff or organization.

h) Use of Public Property

No Councillor shall request or permit the use of town-owned vehicles, equipment, materials or property for personal convenience or profit, except where such privileges are granted to the general public. Councillors shall ensure that the business of the Town is conducted with efficiency and shall avoid waste, abuse and extravagance in the provision or use of Town resources.

i) Obligations to Citizens

No Councillor shall grant any special consideration, treatment, or advantage to any citizen or group of citizens beyond that which is accorded to all citizens.

j) Interpersonal Behavior

Councillors shall treat every person, including other Councillors, corporate employees, individuals providing services on a contract for service, and the public with dignity, understanding and respect and ensure that their work environment is free from discrimination, bullying and harassment.

k) Community Representation

Councillors shall observe a high standard of professionalism when representing the Town and in their dealings with Councillors of the broader community.

5. **GOOD GOVERNANCE**

Councillors accept that effective governance of the Town is critical to ensuring that decisions are taken in the best interests of all stakeholders and to enable the Town to function as a good corporate citizen.

6. **GOVERNMENT RELATIONSHIPS**

Councillors recognize the importance of working constructively with other levels of government and organizations in Nova Scotia and beyond to achieve the goals of the Town.

7. **CONFLICT OF INTEREST AVOIDANCE**

Councillors are committed to making decisions impartially and in the best interests of the Town and recognize the importance of fully observing the requirements of the Municipal Conflict of Interest Act, R.S.N.S. 1989, c. 299 with regard to the disclosure and avoidance of conflicts of interest.

8. **REPORTING BREACHES**

Persons who have reason to believe that this Code has been breached in any way are encouraged to bring their concerns forward. No adverse action shall be taken against any Councillor or Town employee who, acting in good faith, brings forward such information.

9. **CORRECTIVE ACTION**

Any reported violation of the Code will be subject to investigation by the Council. Violation of this Code by a Councillor may constitute a cause for corrective action. If an investigation finds a Councillor has breached a provision of the Code, Council may impose corrective action commensurate with the nature and severity of the breach, which may include a formal warning or reprimand to the Councillor.

10. **CAO STRUCTURE**

Councillors must direct all requests requiring action from staff to the Chief Administrative Officer per the Town's organizational structure.

11. **COMPLIANCE WITH CODE**

Councillors acknowledge the importance of the principles contained in this Code which will be self-regulated by Council. Councillors are required to sign a "Statement of Commitment to the Code" (Attachment A) within seven (7) days of taking the Councillors' oath pursuant to section 147 of the Municipal Elections Act, R.S.N.S. 1989, c. 300.

Appendix A: Statement of Commitment to Council Code of Conduct

I, _____ declare that as a Councillor of the Town of Shelburne, I acknowledge and support the Councillor's Code of Conduct.

Councillor

Declared this _____ day of _____, 20_____.

Before me:

Chief Administrative Officer

Witness



Margaret Ruiz
Special Constable
Town of Shelburne

Phone (902) 875 2991
P.O Box 670
Shelburne, Nova Scotia
B0T 1W0

TOWN OF SHELBURNE
SPECIAL CONSTABLE

END OF MONTH REPORT

Month September Year 2020

Total number of citations processed #6213 - #6214	<u>00</u>
Citations issued as warnings/spoiled	<u>00</u>
Citations issued for no parking zones/parallel	<u>00</u>
Citations issued for exceeding parking time limit	<u>00</u>
Citations issued for fire lanes and fire hydrants	<u>00</u>
Citations issued for handicapped parking spaces	<u>00</u>
Citations issued for parking facing traffic/Winter Ban	<u>00</u>
Citations issued for Parking on Wharf without a permit	<u>00</u>
Number of citations paid for the month	<u>01</u>
Number of outstanding citations for the month	<u>00</u>
Number of outstanding citations since <u>October 2012</u>	<u>00</u>

Have gone around and had vehicle removed during the snow removal.

Margaret Cox
Margaret Cox
Special Constable



SHELBURNE VOLUNTEER FIRE DEPARTMENT
63 KING STREET, PO BOX 880
SHELBURNE, NS
BOT 1W0

Mayor, Councillors and CAO

This is the monthly activity report for your Fire Department for the month of September 2020.

Total number of calls for service: 7

Calls for service within the Town: 3

Calls for service in the Municipality of Shelburne protection area: 3

Calls for Mutual Aid to other Municipality of Shelburne Departments: 1

Calls for Mutual Aid to Fire Departments outside of the Municipality of Shelburne:

<u>CALLS FOR SERVICE BREAKDOWN</u>	<u>TOWN</u>	<u>MUNICIPALITY</u>
ALARM SOUNDING	1	2
MEDICAL	1	
MOTOR VEHICLE ACCIDENT	1	1 Mutual Aid
STRUCTURE		
CHIMNEY/FLUE		
VEHICLE FIRE		
GRASS, BRUSH, FOREST		1
POWER LINES		
FLOOD CONDITIONS		
BOATS/WATER RESCUE		
FUEL LEAK/SPILL		
ELEVATOR RESCUE		

DARRELL LOCKE, FIRE CHIEF

shelburnefire@gmail.com

MIKE SHAND, PRESIDENT