

*COVID-19 Update: The Rural Community of Hanwell is following measures outlined by Public Health. Mask use and social distancing is still recommended but will be at the discretion of the individual. Meetings are open to the public. All Council meetings will be audio recorded for the public.*

**HANWELL**  
Rural Community  
Regular Meeting of Council  
June 15, 2023  
Minutes

**Attendance:**

Mayor Dave Morrison, Deputy Mayor Susan Jonah, Councillor Holly Hyslop, Councillor Tim Fox, Councillor Debby Peck, Councillor Lee Crouse, Councillor Darren MacKenzie, Councillor Pat Septon, Clerk/Assistant Treasurer Sherri Johnston, Chief Murray Crouse, Carl Duivenvoorden and 1 member of the public.

Absent: CAO/Treasurer Terri Parker

**1. Calling to Order**

Mayor Dave Morrison called the Regular Meeting to order at 7:01 p.m.

**2. Approval of the Agenda**

**Moved by** Councillor Holly Hyslop and **seconded by** Councillor Darren MacKenzie to approve the agenda with the following amendments:

1. That 11a.) should read By-Law #16-2019 – Amendments to “A By-Law Establishing the Code of Conduct for Council” 3rd reading by title, in summary and enactment.
2. The date for the next meeting should be July 19, 2023.

**Unanimously Carried #01-06-2023**

**3. Adoption of Minutes:**

a) **Moved by** Councillor Tim Fox and **seconded by** Deputy Mayor Susan Jonah to adopt the minutes of the May 17, 2023, Regular Meeting of Council.

**Unanimously Carried #02-06-2023**

b) **Moved by** Deputy Mayor Susan Jonah and **seconded by** Councillor Tim Fox to adopt the minutes of the May 29, 2023, Special Meeting of Council.

**Unanimously Carried #03-06-2023**

**4. Public Input/Inquiries (10 minutes max.)**

1 member of the public asked a question surrounding the selection of the 3<sup>rd</sup> party investigator. He was advised by the mayor that he would respond to his request but to please put his request in writing.

**5. Disclosures**

**6. Reports:**

Fire Department: Chief Crouse

The month of May the Upper Kingsclear Fire Department responded to 20 calls in Hanwell. There were 7 motor vehicle accidents, 4 rubbish fires, 2 fire/explosions, 4 fire alarms, 1 resuscitation call, 1 public hazard call (power line down) and 1 public service assistance call. Chief Crouse also mentioned that next year we will need to look at start replacing trucks. The 2002 pumper will need to be replaced.

**Moved by** Councillor Darren MacKenzie **seconded by** Councillor Holly Hyslop to receive the fire report for May 2023 as presented.

**Unanimously Carried #04-06-2023**

**7. Presentations:**

- a) Carl Duivenvoorden – Mr. Duivenvoorden did a presentation to council surrounding sustainability in the Rural Community of Hanwell. He touched on the successes of Spring Clean Up that he has held for the last 2 years. He would like to see us expand on this next year. He provided some great ideas on how to make this a better, well attended event for everyone. He would like to see the Rural Community of Hanwell look into many different ways on making our community a sustainable one.

**8. Permit Applications**

- a) There were 15 building permits for May 2023.

**9. Proclamations**

**10. Petitions and Delegations**

None

**11. Business Arising:**

- a) By-Law #16-2019 – Amendments to “A By-Law Establishing the Code of Conduct for Council” 3rd reading by title, in summary and enactment.

*The following was read into the minutes by Deputy Mayor Susan Jonah:*

*Dear Minister Allain,*

*I hope this letter finds you well. I am writing to you on behalf of the Rural Community of Hanwell. Recently, Council has informed me that they are experiencing difficulties with one of their members, including breaches of the Hanwell Code of Conduct By-Law and municipal confidentiality generally. Council has informed me that they have had preliminary discussions with officers of the Department of Environment and Local Government, who have informed them that the municipality possesses the delegated authority to unseat council member. Additionally, and based on this advice, Council has*

*initiated the process of amending its by-laws to include the power to dismiss or unseat a member.*

*Accordingly, we kindly request your assistance in confirming the municipality's authority to include the power to unseat a member in its Code of Conduct By-Law and its authority to exercise such power, as viewed by the Minister and the Province.*

*Considering the importance of this matter to the community, it is essential to seek clarity on the issue from the provincial perspective. We understand the demands on the Minister's time and appreciate your attention of this matter. However, we believe that your response is crucial to ensure that the municipality's actions are legally bound and aligned with the governing legislation. Your guidance and clarification on these issues will not only assist the municipality in making informed decisions but will also provide reassurance to Council in ensuring that the interests of the community are duly protected.*

*We sincerely appreciate your attention to this matter and eagerly await your response. Should you require any additional information or have any further inquiries, please do not hesitate to contact me directly at 506- 62-2094 or via email at [chris.pelkey@mcinnescooper.com](mailto:chris.pelkey@mcinnescooper.com).*

*Yours very truly,  
Chris Pelkey*

*Mr. Pelkey:*

*Thank council you for your email of May 30, 2023 regarding a local government's authority to remove a council member from office.*

*Further to your question relating to advice from staff provided to the rural community regarding a local government's authority to remove a council member, it is not the practice of the Department to provide legal interpretation of the Local Governance Act.*

*Section 10(2)(b) of the Act states that a local government shall make a by-law establishing a code of conduct for members of council and the requirements for the by-law are prescribed by regulation (Code of Conduct Regulation – Local Governance Act, Regulation 2018-64). Under section 10(1)(r) of the act, the local government may make by-laws for municipal purposes respecting the enforcement of its by-laws made under the Act. I am not aware of any provisions in the Act that provide the authority to the Minister to remove a council member from office.*

*Sincerely,  
Daniel Allain  
Minister of Local Government, and Local Governance Reform*

**Moved by** Councillor Darren MacKenzie and **seconded by** Councillor Tim Fox that By-Law #16-2019, Amendments to “A By-Law Establishing the Code of Conduct for Council” be given its third reading by title, read in summary and enacted.

**Yes Votes: Deputy Mayor Susan Jonah, Councillor Tim Fox, Councillor Debby Peck, Councillor Lee Crouse, Councillor Darren MacKenzie**

**No Votes: Councillor Holly Hyslop, Councillor Pat Septon**

**Motion Carried #05-06-2023**

*By-Law #16-2019 Amendment to “A By-Law Establishing the Code of Conduct for Council”*

b) Rescind Motion# 27-04-2022

**Moved by** Councillor Darren MacKenzie and **seconded by** Deputy Mayor Susan Jonah to Rescind Motion# 27-04-2022.

**Unanimously Carried #06-06-2023**

c) Rescind Motion# 10-01-2023

**Moved by** Councillor Darren MacKenzie and **seconded by** Deputy Mayor Susan Jonah to Rescind Motion# 10-01-2023.

**Unanimously Carried #07-06-2023**

d) By-Law #30-2023 “A By-Law Respecting the Proceedings of Council – “1st reading by title.

**Moved by** Councillor Darren MacKenzie and **seconded by** Councillor Tim Fox that By-Law #30-2023 “A By-Law Respecting the Proceedings of Council” be given its first reading by title.

**Unanimously Carried #08-06-2023**

*By-Law #30-2023 “A By-Law Respecting the Proceedings of Council”*

e) Amendments to the Committee Policy 2014-01

**Moved by** Councillor Darren MacKenzie and **seconded by** Deputy Mayor Susan Jonah to adopt the amendments to Policy #2014-01 “Committee Policy”

**Yes Votes: Deputy Mayor Susan Jonah, Councillor Tim Fox, Councillor Lee Crouse, Councillor Darren MacKenzie**

**No Votes: Councillor Holly Hyslop, Councillor Debby Peck, Councillor Pat Septon**

**Motion Carried #09-06-2023**

**12. Correspondence:**

**13. Meetings and Special Events:**

a) **Mayor's Report**

**Moved by** Councillor Holly Hyslop and **seconded by** Councillor Lee Crouse to receive the Mayor's report as presented.

**Unanimously Carried #10-06-2023**

**14. Committee Reports:**

a) **Age Friendly:** Committee not yet struck.

b) **Communication:** Committee not yet struck

c) **Economic Development:** Committee not yet struck

d) **Emergency Measures:**

**Moved by** Councillor Darren MacKenzie and **seconded by** Deputy Mayor Susan Jonah to receive the Emergency Measures report as presented.

**Unanimously Carried #11-06-2023**

e) **Finance:** Meets as required.

f) **Governance and Policies:**

**Moved by** Councillor Darren MacKenzie and **seconded by** Councillor Debby Peck receive the Governance and Policies report as presented.

**Unanimously Carried #12-06-2023**

g) **Parks and Recreation:** Committee not yet struck.

h) **Mactaquac Committee Liaison Committee:** Meets quarterly.

**15. CAO/Treasurer's Report:**

No report was provided this month.

**16. Old or Unfinished Business**

a) Little Recreation Building – no update

b) Rural Plan Progress Report

**17. New Business**

a) 10th Anniversary Committee

Councillor Debby Peck spoke about forming a special committee to plan the 10<sup>th</sup> Anniversary Celebrations for 2024. We will look at striking a committee in September.

b) Mutual Aid Agreement

**Moved by** Councillor Holly Hyslop and **seconded by** Councillor Lee Crouse to approve the mutual aid agreement drafted June 2023.

**Unanimously Carried #13-06-2023**

c) Amendments to Policy – Complaint and Conflict Resolution Procedure Policy 2022-08

**Moved by** Councillor Darren MacKenzie and **seconded by** Councillor Tim Fox to adopt the amendments to Policy #2022-08 “Complaint and Conflict Resolution Procedure Policy.

**Yes Votes:** Deputy Mayor Susan Jonah, Councillor Tim Fox, Councillor Debby Peck, Councillor Lee Crouse, Councillor Darren MacKenzie

**No Votes:** Councillor Holly Hyslop, Councillor Pat Septon

**Motion Carried #14-06-2023**

d) Asset Disposal

**Moved by** Pat Septon and **seconded by** Councillor Lee Crouse to authorize the clerk to be able to sell the chipper.

**Yes:** Councillor Tim Fox, Councillor Holly Hyslop, Councillor Lee Crouse, Councillor Debby Peck, Councillor Darren MacKenzie, Councillor Pat Septon

**No Votes:** Deputy Mayor Susan Jonah

**Motion Carried #15-06-2023**

e) Procedural By-Law, Deputy Mayor

Mayor Dave Morrison asked for nominations. Deputy Mayor Susan Jonah and Councillor Debby Peck were both nominated.

Votes received for Councillor Peck – Councillor Holly Hyslop, Councillor Debby Peck and Councillor Pat Septon

Votes received for Councillor Jonah – Councillor Tim Fox, Councillor Lee Crouse, Councillor Darren MacKenzie and Councillor Susan Jonah

**Moved by** Councillor Darren MacKenzie and **seconded by** Councillor Lee Crouse to appoint Deputy Mayor Susan Jonah as the Deputy Mayor as per By-Law #01-2014.

**Unanimously Carried #16-06-2023**

**18. Upcoming Activities:**

- a) Zoomers – Tuesday and Thursdays at 12:00 pm
- b) Hanwell Sports registration is currently open
- c) UKFD 60<sup>th</sup> Anniversary Celebration – July 8<sup>th</sup>
- d) Hanwell Sizzling Summer Social – July 29, rain date Jul 30

**Moved by** Councillor Holly Hyslop and **seconded by** Councillor Darren MacKenzie to go into closed session.

**Unanimously Carried #17-06-2023**

**19. Closed Session:**

- a) Matter pursuant to s. 68(1)(b) of the Local Governance Act (*personal information as defined in the Right to Information and Protection of Privacy Act.*)
- b) Matter pursuant to S. 68(1)(c) of the *Local Governance Act (information that could cause financial loss or gain to a person or the local government or could jeopardize negotiations leading to an agreement or contract)*
- c) Matter pursuant to S. 68(1)(f) of the *Local Governance Act (Information concerning legal opinions or advice provided to the local government by its solicitor and client in a matter of local government business.)*
- d) Matter pursuant to s. 68(1)(j) of the *Local Governance Act (labour and employment matters, including the negotiation of collective agreements)*

**Moved by** Councillor Tim Fox and **seconded by** Councillor Darren MacKenzie to come out of closed session and move back into open session.

**Unanimously Carried #18-06-2023**

**Moved by** Councillor Darren MacKenzie and **seconded by** Councillor Tim Fox to extend the time past 9:00 pm.

**Unanimously Carried #19-06-2023**

**Moved by** Councillor Darren MacKenzie and **seconded by** Councillor Holly Hyslop to go into closed session.

**Unanimously Carried #20-06-2023**

**Moved by** Councillor Holly Hyslop and **seconded by** Deputy Mayor Susan Jonah to come out of closed session and move back into open session.

**Unanimously Carried #21-06-2023**

**Moved by** Councillor Holly Hyslop and **seconded by** Deputy Mayor Susan Jonah to authorize and direct the Clerk to accept the quote from Turfworks in the amount of \$52,900.00 + HST for landscaping around the multipurpose hard surface.

**Unanimously Carried #22-06-2023**

**Moved by** Councillor Holly Hyslop and **seconded by** Deputy Mayor Susan Jonah to authorize and direct the Clerk to accept the quote from Eugene Henry in the amount of \$5,000.00 + HST for grading the T-Ball field at Brookdale Park.

**Unanimously Carried #23-06-2023**

**Moved by** Councillor Pat Septon and **seconded by** Councillor Tim Fox to spend up to 25,000.00 plus HST to repair the damage to the accessibility trail.

**Unanimously Carried #24-06-2023**

**20. Date, Time, and Location of next meeting**

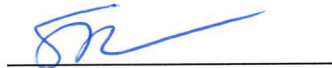
Regular Council Meeting, July 19, 2023 @ 7:00 pm  
Council Chambers

**21. Adjournment**

**Moved by** Councillor Tim Fox and **seconded by** Councillor Lee Crouse to adjourn the meeting at 9:40 p.m.

**Unanimously Carried #25-06-2023**

Respectfully submitted by,



Sherri Johnston  
Clerk/Assistant Treasurer

Certified Correct,



Sherri Johnston  
Clerk/Assistant Treasurer



Dave Morrison  
Mayor