

Present: Deputy Mayor Ereaux
Councillor Elderkin
Councillor Land
Councillor Jonah
Councillor Coates
Councillor Ward-Russell

Staff Present: Linda Sabourin – CAO
Jillian Hutchinson – Treasurer
Ian Barrett – Director, Operations
Kim Beers – Director, Legislative Services/Clerk

CALL TO ORDER

Deputy Mayor Ereaux called the meeting to order at 4:30 pm.

ADOPTION OF AGENDA

IT WAS MOVED by **Councillor Jonah** and **SECONDED** by **Councillor Land** **THAT** the agenda be adopted with the following closed session item:

- Local Governance Act, SNB 2017, 68(1)(j) labour and employment matters, including the negotiation of collective agreements.

MOTION CARRIED (unanimously)

CONFLICT OF INTEREST DECLARATIONS

None declared.

PUBLIC PRESENTATIONS

a. Mark Leger, Regional Trails Coordinator, SERSC – presented a Recreation and Tourism Strategic Planning presentation. To view the presentation please click [here](#).

b. Ann Elliott – Land Ownership. Ms. Elliott presented to Council her concerns of a piece of property that belongs to her. **Deputy Mayor Ereaux** advised Ms. Elliott that this is private property issues, and the municipality is not a property owner.

2 minutes presentation

Phyllis Sutherland presented her concerns to Council about the number of overnight campers. Mrs. Sutherland asked if Council had any questions regarding the concerns of overnight campers and if anyone has any ideas. Mrs. Sutherland is offering to provide more information at a later

date.

Mrs. Sutherland advised she is working on the history of clear cutting; describing some of the activities and some of the concerns. Mrs. Sutherland will update Council once completed.

INFORMATION ITEMS

The following reports were presented to Council as information items only:

NB Elections

Pickleball 2024 Report,

Maritime By-Law Enforcement Year End Report, and

Upcoming NB Power Smart Meter information sessions.

COUNCIL DIRECTION REQUESTS

Forest Dale Home Lease Request – L. Sabourin

The CAO provided a report that outlines a recommendation for a lease-to-own agreement between the municipality and Forest Dale Home Inc. for the building located at 5823 King Street, Riverside-Albert, New Brunswick. The council previously approved the relocation of administrative personnel and the eventual sale of the building. Forest Dale Home Inc. has requested a lease-to-own agreement to facilitate establishing a credit union, with the following proposed terms:

1. **Lease Structure:** Rent for 12-18 months at \$500/month, increasing to \$1,000/month after the credit union license is approved.
2. **Option to Purchase:** After five years, with a price of \$271,750, based on the 2024 property assessment.
3. **Conditions:** The agreement must be assignable for transfer to the new credit union, Forest Dale would manage immediate repairs and pay utilities during the lease period.

Benefits:

- Potential local economic development and steady revenue.
- The municipality retains control of the property until the lease-to-own option is completed.
- Flexibility in structuring the lease terms.

Drawbacks/Risks:

- The municipality could face unexpected maintenance costs if the lease doesn't clearly
- define responsibilities.

- Possible reputational damage if the leaseholder mismanages the property.
- Risk of non-payment by the leaseholder, potentially leading to financial loss.
- Legal and financial complications if the lease is terminated early.

Options for Consideration:

1. **Open Competitive Bidding Process:** A transparent process that invites multiple proposals, ensuring the best offer is selected based on price, experience, and community impact.
2. **Sole-Source Lease to Forest Dale Home Inc.:** Proceed with a lease-to-own agreement with Forest Dale, though this may create perceptions of favoritism.
3. **Subdivision of the Land:** Subdivide the property, giving Forest Dale Home Inc. the part needed for the credit union while keeping options for economic development on the remainder.

Each option presents different challenges and opportunities for the municipality, including the need for careful negotiation and potential legal review. The report aims to guide Council in making a decision that aligns with both financial and strategic objectives.

MOVED BY **COUNCILLOR ELDERKIN** AND **SECONDED BY COUNCILLOR COATES** THAT COUNCIL DIRECT ITEM 6.1 – FOREST DALE HOME LEASE AGREEMENT DIRECTING ADMINISTRATION TO PROCEED WITH PREPARING A LEASE AGREEMENT BETWEEN THE VILLAGE OF FUNDY ALBERT AND FOREST DALE HOME INC AND TO RESCIND THE MOTION TO SELL THE FORMER VILLAGE OF RIVERSIDE ALBERT OFFICE BUILDING THAT WAS PASSED FEBRUARY 6, 2024 BE SENT TO THE CONSENT AGENDA OF THE REGULAR COUNCIL MEETING OF FEBRUARY 4, 2025. **MOTION CARRIED** (unanimously).

Chipoudy Communities Revitalization Committee (CCRC) Lease Request - L. Sabourin

The CAO provided a report that discusses the request from the **Chipoudy Communities Revitalization Committee (CCRC)** for a lease of land from the municipality of Fundy Albert. The lease would be for an area approximately 2,245 m² (0.55 acres), consisting of PIDs 06852934, 01104108, and part of PID 00629311. The lease term would be 5 years, with a renewal every 4-5 years.

Options for Council:

1. **Do Not Lease the Land:** The municipality would continue paying the current annual fee of \$182.96, with no change.
2. **Lease the Land to CCRC:** A fair lease price needs to be determined, but no comparable properties exist in the area. Possible methods for determining the lease rate include:
 - a. **Market Comparisons:** Checking real estate listings and consulting agents, though

the CAO noted previous issues with real estate services.

- b. **Appraisal:** Commissioning a professional appraisal, though this comes with a cost. An estimate based on the land's assessed value could result in an annual lease price of \$1,260 (calculated using 10% of the land's assessed value of \$12,600).
- c. **Alternative Approach:** Adopting a structure similar to the lease for the Alma gazebo (tax and a small fee of \$1/month).

Recommendation:

Council has full discretion in deciding whether to lease the land, and may choose a lessee based on factors beyond financial considerations, including the long-term benefits to the community. Leasing to a sole-source tenant, like CCRC, can provide steady revenue and build relationships, but it carries risks, including public scrutiny of favoritism and the potential for legal challenges. Other options, such as declaring the property surplus or a lease-to-own arrangement, may provide alternative benefits or revenue streams.

Risk Analysis:

- **Sole-source Leasing:** Risks include scrutiny over procurement processes and a lack of competitive fairness, potential tenant defaults, and unclear responsibilities for maintenance and repairs.
- **Lease Improvements:** Structures built by CCRC, such as a parking lot or lighthouse, may remain the municipality's responsibility post-lease, which could lead to additional costs if the CCRC does not maintain them properly.
- **Tenant Default:** The municipality must ensure provisions are in place for tenant defaults, particularly if CCRC dissolves during the lease term.

Considerations:

Council should also consider the **\$2,500 community grant** awarded to the CCRC for the Anderson Hollow Lighthouse project, which may influence their decision to support the lease.

Ultimately, Council retains full authority to set terms and decide on the best path forward, whether through a sole-source lease or another method of land use.

MOVED BY **COUNCILLOR ELDERKIN** AND **SECONDED BY COUNCILLOR LAND** THAT COUNCIL DIRECT ITEM 6.2 – CHIPOUDY COMMUNITIES REVITALIZATION COMMITTEE (CCRC) LEASE REQUEST BE SENT TO THE CONSENT AGENDA OF THE REGULAR COUNCIL MEETING OF FEBRUARY 4, 2025. **MOTION CARRIED** (unanimously).

By-law Enforcement Contract 2025 – K. Beers

Ms. Beers provided the proposed agreement between the Municipality and Maritime By-Law Enforcement Services to improve the enforcement of municipal by-laws. Ms. Beers reminded Council that this was a budgeted item in the 2025 budget.

MOVED BY **COUNCILLOR WARD-RUSSELL** AND **SECONDED** BY **COUNCILLOR JONAH** THAT COUNCIL DIRECT ITEM 6.3 – BY-LAW ENFORCEMENT AGREEMENT BE SENT TO THE CONSENT AGENDA FOR THE NEXT REGULAR COUNCIL MEETING OF FEBRUARY 4, 2025. **MOTION CARRIED** (unanimously).

Committees of Council Appointments – K. Beers

The Director, Legislative Services advised that the **Procedural By-Law** outlines how Council appoints members to committees, typically on an annual basis, unless an immediate appointment is needed. The Mayor has a role in suggesting appointments, and Council can make appointments at any time. The Presiding Officer of each committee is responsible for organizing meetings, and the Mayor is an ex-officio member of all committees but does not have voting power. Council members serving on committees must provide updates to the rest of Council through regular reports.

Background: Several committees have been formed in recent years, including:

- Culture and Recreation Committee
- Seniors Advisory Committee
- Finance Committee
- Land Use Planning Committee
- Emergency Measures Committee
- Personnel Committee
- Bylaws and Policies Committee
- ATV By-Law Committee
- Water and Wastewater By-Law Committee
- Fundy Albert Rural Plan Committee
- Recreation Committee
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Current Status: Three committees—**ATV By-Law Committee**, **Water and Wastewater Committee**, and **Recreation Committee**—lack approved Terms of Reference (TOR), which outline the committee's purpose, scope, and authority. These TORs need to be created and approved by Council before committee activities can proceed. Once the TORs are in place, Council must also decide on the chairpersons and members for some committees, including **Emergency Measures** and **Personnel Committees**.

- Ensure the creation and approval of TORs for the three committees mentioned.

- Finalize the appointment of chairs and members once TORs are approved.

MOVED BY **COUNCILLOR ELDERKIN** AND **SECONDED BY COUNCILLOR JONAH** THAT COUNCIL DIRECT ITEM 6.4 – COMMITTEES OF COUNCIL APPOINTMENTS OF THE EMO COMMITTEE CHAIR REMAIN COUNCILLOR COATES; PERSONNELL COMMITTEE CHAIRS REMAIN WITH COUNCILLOR ELDERKIN AND COUNCILLOR WARD-RUSSELL BE SENT TO THE CONSENT AGENDA FOR THE NEXT REGULAR COUNCIL MEETING OF FEBRUARY 4, 2025. **MOTION CARRIED** (unanimously).

Multi-Year Grant Request Duration Clarification Needed – K. Beers

The Director, Legislative Services advised Council the current Grant Policy, specifically the Multi-Year Grant section does not indicate the duration of multi-year grants

MOVED BY **COUNCILLOR LAND** AND **SECONDED BY COUNCILLOR ELDERKIN** THAT COUNCIL DIRECT ITEM 6.5– MULTI-YEAR GRANT DURATION TO A 3 YEAR DURATION BE SENT TO THE CONSENT AGENDA FOR THE NEXT REGULAR COUNCIL MEETING OF FEBRUARY 4, 2025. **MOTION CARRIED** (unanimously)

2025 Multi-Year Community Grant Requests – K. Beers

The Director, Legislative Services presented the 2025 Community Development Grant applications. This topic was initially discussed at the November 19, 2024 Committee of the Whole meeting, where Mayor Rochon recommended postponing it until after budget discussions. The Village has been issuing grants to local organizations for many years and has followed the Community Development Grants Policy since February 7, 2024. The total requested funding amounts to \$37,820, with two applications seeking multi-year funding (Fundy Blades and Hillsborough District Minor Hockey).

The 2025 operational budget includes \$25,000 for grants.

MOVED BY **COUNCILLOR ELDERKIN** AND **SECONDED BY COUNCILLOR LAND** THAT COUNCIL DIRECT ITEM 6.6 – APPROVE THE MULTI-YEAR GRANT REQUESTES AS FOLLOWS: HILLSBOROUGH DISTRICT MINOR HOCKEY ASSOCIATION, \$8,000.00/YEAR; FUNDY BLADES, \$4,000.00/YEAR AND 2025 GRANTS LITERACY EXPRESS, \$2,500; AND CCRC, \$500.00 BE SENT TO THE CONSENT AGENDA FOR THE NEXT REGULAR COUNCIL MEETING OF FEBRUARY 4, 2025. **MOTION CARRIED** (unanimously)

BY-LAW NO. 2025-01, A By-Law Respecting Dog Control in Fundy Albert – K. Beers

The Director, Legislative Services provided Council with the Draft proposal of By-Law No. 01-2025, which addresses dog control in Fundy Albert, with its first and second readings scheduled for the Regular Council meeting on February 4, 2025. The by-law aims to promote animal safety, well-being, and humane treatment while addressing public safety, nuisance, and environmental concerns. It aligns with provincial animal control legislation. Additionally, the proposal includes repealing three previous by-laws from the Villages of Alma, Hillsborough, and Riverside-Albert. This new by-law is designed to harmonize local animal control policies with provincial standards, ensuring a safer and more humane environment for both animals and residents.

ADMINISTRATION REPORTS

Refer to the [Administrative Report](#)

MAYOR AND COUNCILLOR STATEMENTS

Councillor Elderkin – Nothing

Councillor Land – Nothing

Councillor Coates -

Invited to the Albert County Health and Wellness centre and met with the nurses on January 15
Registered to attend a community need on climate changes on January 22
Registered to attend a Cyber Security information session on February 13
Registered to attend an EMO meeting February 28 at the Plan 360 building

Councillor Jonah – Nothing

Deputy Mayor Ereaux – Nothing

PUBLIC STATEMENTS AND INQUIRIES

None

IN-CAMERA MEETING

IT WAS MOVED by **Councillor Land** and **SECONDED** by **Councillor Ward-Russell** that Council have an in-camera session at 7:18 pm. **MOTION CARRIED** (unanimously).

- a. Local Governance Act, SNB 2017, 68(1)(c) 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.
- . Local Governance Act, SNB 2017, 68(1)(j) labour and employment matters, including the

negotiation of collective agreements.

IT WAS MOVED by *Councillor Jonah* and **SECONDED** by *Councillor Land* to return to regular session at 8:51 pm. **MOTION CARRIED** (unanimously)

ADJOURNMENT

IT WAS MOVED by *Councillor Land* **THAT** the meeting be adjourned at 8:51 pm.

Deputy Mayor

Clerk