

MUNICIPAL COUNCIL
August 16, 2016
SUMMARY OF MOTIONS

MOTION 160816.01	Minutes Regular Session July 19, 2016	1
MOTION 160816.02	Minutes Special Session July 20, 2016	1
MOTION 160816.03	Letter of Thanks to Parties on Fighting Forest Fires.....	2
MOTION 160816.04	66520-34 2016 MPS/LUB-001 East End Area Amendment – Penman	3
MOTION 160816.05	66520-34 2016 MPS LUB-001 Penman – Recommend to East End Area Advisory Committee	3
MOTION 160816.06	66520-34 2016 MPS LUB-001 Penman – Set Date for Planning Advisory Committee Public Meeting.....	3
MOTION 160816.07	2016 Canoe Annapolis County Bookstore Discount	3
MOTION 160816.08	Port Lorne Park – Municipal Land Acquisition.....	4
MOTION 160816.09	New Road Name Granville Ferry	4
MOTION 160816.10	A4 Cat Bylaw – First Reading to Amend	4
MOTION 160816.11	AM-1.2.5 Declaration of Proclamations Policy - Amend.....	4
MOTION 160816.12	Snowbird Display, August 5, 2017 – Authorization to Military.....	5
MOTION 160816.13	Municipally Registered Heritage Property Solomon Bowlby House – Substantial Alterations	5
MOTION 160816.14	Municipally-Registered Heritage Property Solomon Bowlby House – Amend Notice of Registration.....	6
MOTION 160816.15	Canadian Wildlife Service – Exemption to S5 Orderly & Peaceful Conduct Bylaw September 23 & 24, 2016.	6
MOTION 160816.16	NS Provincial Lotteries & Casino Corp – Request Pass Card System to be Reinstated.	6
MOTION 160816.17	Moose River Waterline Realignment Phase 1 – Authorize Signatures for Contract	7

Minutes of the regular session of **Municipal Council** held on August 16, 2016, at 11:30 a.m. at the Municipal Administration Building, Annapolis Royal, NS

Present: Warden Reg Ritchie; Deputy Warden Timothy Habinski: Councillors, Marilyn Wilkins, Brian “Fuzzy” Connell (11:35 a.m.), Wayne Fowler, Paul McDonald, Gregory Heming, Alex Morrison, Frank Chipman, Martha Roberts (11:35 a.m.), Diane LeBlanc (11:35 a.m.), and Horace Hurlburt (1:39 p.m.).

Also

Present: Deputy CAO Dawn Campbell, Municipal Clerk Carolyn Young, other staff, several members of the public.

Clerk’s Note - Municipal Council started at 11:30 a.m. due to members of Council attending the Prime Minister’s funding announcements which took place at 10:00 a.m. in Bridgetown.

The Warden called the meeting to order at 11:30 a.m.

Additions/Deletions

Requests were made for the following additions to the agenda: 11(A) Approval of Tender Award Moose River Water Realignment Phase 1.

Approval of the Agenda

Upon motion of Councillor Chipman, seconded by Councillor McDonald, the agenda was approved as amended. Motion carried unanimously.

Minutes

MOTION 160816.01 Minutes Regular Session July 19, 2016

It was moved by Councillor Fowler, seconded by Councillor McDonald, that the minutes of the regular session of Council held on July 19, 2016, be approved as circulated. Motion carried unanimously.

MOTION 160816.02 Minutes Special Session July 20, 2016

Councillor McDonald moved, seconded by Councillor Chipman, that the minutes of the special session of Council held on July 20, 2016, be approved as circulated. Motion carried unanimously.

Business Arising from the Minutes

There was no business arising from the minutes.

Municipal Solicitor’s Report

Re: Municipal Solicitor (July)

- A report for the month of July was circulated in the agenda package. The Solicitor added an update regarding the Heritage Wooden Shingles appeal. In accordance with the direction of Council, this was appealed. The appeal was found in our favour for prohibition of using the premises as a residence, and an injunction was made for them to no longer inhabit the building as

a residence. He added that he and staff have started the tax sale process and will look for some input from Council on a few items at a future date.

Councillors Connell, LeBlanc, and Roberts arrived at this time.

It was moved by Councillor Chipman, seconded by Councillor Fowler, to receive the monthly report for information. Motion carried unanimously.

Councillor Comments

District 6 – Councillor Morrison noted that, thanks to monies received from the Municipality and from the Province, the Cornwallis Community Garden Association was able to have benches built and placed around the community. Folks are walking farther in anticipation of these resting places, and drivers are stopping to enjoy the view from the benches. He noted the residents of the area want to ensure that Municipal Council will verify when it achieves targets of the strategic plan. He added that this is the United Nations Year of Pulses, which is being celebrated at the community garden, and reminded all that the garden party is tomorrow afternoon. HMCS Acadia is enjoying a good year, with a new CO who wants to improve cooperation between HMCS Acadia and community.

District 9 - Councillor Chipman recognized the efforts of the volunteer firefighters over the past few weeks. He added that family members had observed two whales in Cottage Cove.

District 7 – Deputy Warden Habinski added his recognition of the firefighters, noting their efforts being nothing short of heroic, and that we owe a debt of gratitude to our municipal and provincial neighbours. He added that while he was in Ottawa he was able to view the new light display on Parliament Hill. He encouraged everyone to check it out on YouTube as the parliament buildings act as the video screen for a laser light display of the history of the nation, including a reference to Annapolis County in the presentation, where the value of forming partnerships was begun with Champlain’s arrival.

District 1 – Councillor Wilkins suggested that a letter of thanks be sent to the firefighters.

MOTION 160816.03 Letter of Thanks to Parties on Fighting Forest Fires

Councillor Wilkins moved, seconded by Councillor LeBlanc, that an open letter be sent to thank our local Fire Departments, Department of Natural Resources, Transportation and Infrastructure Renewal for the extensive hours they have all contributed for the suppression of forest fires here in our County and surrounding area. Motion carried unanimously.

District 4 – Councillor McDonald reported that he had visited the Southwest Nova Biosphere Reserve Science and Interpretive Centre in Yarmouth. It was here that a seagoing canoe arrived from Bar Harbor, the crew rowing in five-week stints. He met the crew and together they visited some parts of the biosphere. He explained that the crew lands and flies back home, while another group comes in for the next five-weeks. It clearly portrayed how travellers were able to travel around the world on this type of craft.

District 10 – Councillor Roberts echoed comments regarding fire fighters. She had attended the opening night of the Annapolis Valley Exhibition and enjoyed the parade which was well organized. After that she volunteered in the 4H canteen, noting the great improvements to the 4H canteen, the youth arena, and all over the exhibition grounds.

District 8 - Warden Ritchie appreciated the previous motion for a letter of thanks to the firefighters, noting he and the Communications Coordinator have already been working on one to appear in the

paper. He was pleased to take place in the opening ceremonies of the Exhibition and present them with a grant cheque. He added his appreciation for the firefighters from near and far, and that even though today's reports indicate that the fires were all contained, the on-site work and follow-up paperwork will continue.

New Business

Re: Municipal Elections Information Update – Councillor Roberts moved, seconded by Councillor LeBlanc, to receive for information. Motion carried unanimously.

Re: RFD – 66520-34 2016 MPS/LUB-001 East End Area Amendment – Penman

MOTION 160816.04 66520-34 2016 MPS/LUB-001 East End Area Amendment – Penman

It was moved by Deputy Warden Habinski, seconded by Councillor McDonald, that Municipal Council consider the Penman application to amend the East End Area Municipal Planning Strategy Future Land Use Map to change the existing RESIDENTIAL designation of the property to the NICTAUX COMMERCIAL designation and to amend Policy 3.1.4 to include commercial greenhouses and their ancillary on-site sales facilities as permitted uses in the Nictaux Commercial (C-1) Zone and to concurrently amend the East End Area Land Use Bylaw Zoning Map to rezone the property from the High Density (R-3) Zone to the Nictaux Commercial (C-1) Zone and to include commercial greenhouses and their ancillary on-site sales facilities as Uses Permitted in Part 16.1 of the Nictaux Commercial (C-1) Zone. Motion carried, 10 in favour, 1 against (Wilkins).

MOTION 160816.05 66520-34 2016 MPS LUB-001 Penman – Recommend to East End Area Advisory Committee

Deputy Warden Habinski moved, seconded by Councillor Fowler, that Municipal Council adopt a public participation process involving the referral of the application to the East End Area Advisory Committee for its review and recommendation to the Planning Advisory Committee (PAC) and to the Planning Advisory Committee for their review and recommendation after holding a community public meeting and to set the date of the PAC Public meeting in September after the EEAAC meeting. Motion carried. 10 in favour, 1 against (Wilkins).

MOTION 160816.06 66520-34 2016 MPS LUB-001 Penman – Set Date for Planning Advisory Committee Public Meeting

It was moved by Councillor Wilkins, seconded by Councillor Fowler, that Tuesday, September 6, 2016 be set as the date for the Planning Advisory Committee public meeting, to be held at 7:00 p.m., at the Nictaux Fire Hall, pending confirmation of the meeting place. Motion carried unanimously.

Re: RFD – 2016 Canoe Annapolis County Bookstore Discount

MOTION 160816.07 2016 Canoe Annapolis County Bookstore Discount

Deputy Warden Habinski moved, seconded by Councillor McDonald, that Municipal Council approve a bookstore discount rate of up to 40% of the approved retail rate for the 2016 Edition of Canoe Annapolis County. Motion carried unanimously.

Re: RFD – Port Lorne Park – Municipal Land Acquisition Proposal

MOTION 160816.08 Port Lorne Park – Municipal Land Acquisition

It was moved by Deputy Warden Habinski, seconded by Councillor Fowler, that Municipal Council make application to the Province of Nova Scotia to acquire the property in Port Lorne known as PID No. 05286463; and, after a successful transfer of the property, that the Municipality enter into an operating agreement with the Port Lorne Community Hall Association to maintain the property as a local scale community garden park. Motion carried unanimously.

Re: RFD – New Road Name – Granville Ferry

MOTION 160816.09 New Road Name Granville Ferry

Deputy Warden Habinski moved, seconded by Councillor McDonald, that Municipal Council authorize staff to initiate the road naming process to name the existing driveway access road in Granville Ferry. Motion carried unanimously.

Re: RFD – A4 Cat Bylaw – Amend

MOTION 160816.10 A4 Cat Bylaw – First Reading to Amend

It was moved by Deputy Warden Habinski, seconded by Councillor Fowler, that Municipal Council give first reading to amend the *A4 Cat Bylaw* by:

- Revising Section 7 to read “*When a cat which is at large is determined to be feral, Municipal Staff may facilitate the trapping, spaying / neutering of the cat and its return if possible;*”
- In Section 14 changing “*Section 15*” to “*Section 13.*”

Motion carried unanimously.

Re: RFD – AM-1.2.5 Declaration of Proclamations Policy – Amend

MOTION 160816.11 AM-1.2.5 Declaration of Proclamations Policy - Amend

Deputy Warden Habinski moved, seconded by Councillor Chipman, that seven day notice be given for Municipal Council to amend *AM- 1.2.5 – Declaration of Proclamations Policy* by:

- Deleting “*Environmental Week 3rd week*” in April; and
- Adding “*Environment Week*” in June; and
- Adding “*Right to Know Week*” in September.

Motion carried unanimously.

Re: Planning Consultant – Costs – as a follow up to direction given at July Committee of the Whole to investigate hiring a consultant to complete Municipal Planning Strategies and Land Use Bylaws in the watershed protected areas, the Director of Community Services circulated information dated August 16th, outlining the costs associated with hiring a planning consultant.

It was moved by Deputy Warden Habinski, seconded by Councillor Fowler, to receive for information. Motion carried unanimously.

Councillor Wilkins moved, seconded by Councillor Heming, that staff bring a report to September Committee of the Whole with recommendations for a process, costs, and timeline, for completing MPS LUBs and Source Water Protection plans. Motion carried, 10 in favour, 1 against.

Re: Snowbird Air Display – Mr. Fletcher Wade was in attendance representing Anne Fleming-Reid and the Annapolis Royal Natal Day committee. They are requesting a Snowbirds air display on August 5, or 6, 2017 for the Natal Day celebrations. Mr. Wade noted that all areas affected by the ‘box’ of the flyover need permission from that local government. In the two suggested options for the event, air display ‘box’

will include county communities. The Military would require a letter authorizing the Snowbirds to fly over County of Annapolis communities such as Granville Ferry or Lequille.

MOTION 160816.12 Snowbird Display, August 5, 2017 – Authorization to Military

Councillor Wilkins moved, seconded by Councillor Heming, that the Warden send a letter authorizing the Snowbirds to fly over communities in Annapolis County. Motion carried unanimously.

LUNCH

The Warden declared the meeting adjourned for lunch at 12:38 p.m. and invited Councillors and staff to join community volunteers at a BBQ on the lawn. All returned at 1:39 as previously noted (Deputy Warden Habinski at 1:42 p.m.), *as well as Councillor Hurlburt*. Steve McInnis sat at Chief Administrative Officer for this portion of the meeting.

Addition to the Agenda

It was moved by Councillor Fowler, seconded by Councillor Heming to add the following to the agenda as item 11(B) Federal CIP 150 Program Bridgetown Memorial Arena Update. Motion carried unanimously.

Reports and Recommendations

Re: Heritage Advisory Committee (*July 26, 2016*)

• ***Municipally-Registered Heritage Property – Solomon Bowlby House***

MOTION 160816.13 Municipally Registered Heritage Property Solomon Bowlby House – Substantial Alterations

Councillor Wilkins moved, seconded by Councillor Morrison, in accordance with the recommendation of the Heritage Advisory Committee, that Municipal Council approve the request from the owners of the Municipally-Registered Heritage Property Solomon Bowlby House to make the following substantial alterations of the house located at 2295 Highway 1, Upper Clements.

- Front Street Side Kitchen Windows (remove window, replace with two shorter vinyl insert three-over-three grill style window, repair shingled wall); and,
- East Side Kitchen (remove two existing windows and replace with shorter vinyl inserts three-over-three with grills); and,
- East Side Wood Shed (remove existing man door and replace with single French door, remove wooden loading door and replace with double French door with grills, add an additional window the same height as the new French doors with grills), ground level landing in location of double French door; and,
- North Side Wood Shed (install two new windows with grills the same height as the new French door to be installed on the east side wood shed area); and,
- West Side – Kitchen and Wood Shed (install new window with grills the same height as the new French doors to be installed on the east side wood shed area, replace existing wooden door with new double French door with grills, add an additional single French door, ground level landing); and
- South Side Main Body (remove small window under eave, repair the fascia board and shingled siding, install new vinyl insert window with grills, construct a shed roof dormer with windows not to exceed the height of the existing peak of the roof line);

- Roof Shingles (replace existing eastern cedar wooden roof shingles with new asphalt / fiberglass roofing shingles that emulates a cedar shingle roof look);
- Greenhouse (to construct a wooden greenhouse for personal use to the east side of the property approximately 3 x 5 metres).

Motion carried unanimously.

• ***Municipally-Registered Heritage Property – Solomon Bowlby House***

MOTION 160816.14 Municipally-Registered Heritage Property Solomon Bowlby House – Amend Notice of Registration

It was moved by Councillor Wilkins, seconded by Councillor Morrison, in accordance with the recommendation of the Heritage Advisory Committee, that Municipal Council amend the Notice of Registration for the Solomon Bowlby House to designate a representative portion being 10 feet out from the existing house. Motion carried unanimously.

Correspondence

Re: Annapolis Valley Exhibition (July) – a card of appreciation was received from the 90th Annapolis Valley Exhibition for the County’s generous contribution. Councillor Chipman moved, seconded by Councillor Connell, to receive for information. Motion carried unanimously.

Re: MP Colin Fraser – a copy of a response sent to Ms. Darlene Mills was received. It was moved by Councillor Chipman, seconded by Deputy Warden Habinski, to receive for information. Motion carried unanimously.

Re: Canadian Wildlife Service (July 18th) – requesting an exemption to the S5 Orderly and Peaceful Conduct Bylaw in order to conduct airboat banding operations for waterfowl at Belle Isle marsh on the nights of Friday September 23 and Saturday September 24, 2016.

MOTION 160816.15 Canadian Wildlife Service – Exemption to S5 Orderly & Peaceful Conduct Bylaw September 23 & 24, 2016.

Deputy Warden Habinski moved, seconded by Councillor Chipman, that an exemption be provided to the Canadian Wildlife Service in order that they can conduct airboat banding operations on the Belle Isle marsh on the nights of Friday, September 23, and Saturday, September 24, 2016. Motion carried unanimously.

Re: Nova Scotia Provincial Lotteries & Casino Corporation (July 21st) – Providing the 2015-16 Summary of Results for the Nova Scotia Provincial Lotteries and Casino Corporation. Councillor LeBlanc moved, seconded by Deputy Warden Habinski, to receive for information. Motion carried unanimously.

MOTION 160816.16 NS Provincial Lotteries & Casino Corp – Request Pass Card System to be Reinstated

It was moved by Deputy Warden Habinski, seconded by Councillor Wilkins, that a letter be sent to the NS Provincial Lotteries & Casino Corporation, asking that they reinstate the pass card system (Habinski to provide the name of the program) Motion carried unanimously.

Additions to the Agenda

Re: Approval of Tender Award Moose River Waterline Realignment Phase 1

MOTION 160816.17 Moose River Waterline Realignment Phase 1 – Authorize Signatures for Contract

Councillor Morrison moved, seconded by Councillor Wilkins, that the Warden and Clerk be authorized to sign the agreement with Gary Parker Excavating Ltd in the amount of \$124,200 plus HST who were awarded Tender 16-351743A Moose River Waterline Realignment Phase 1. Motion carried unanimously.

Re: Federal CIP 150 Program Bridgetown Memorial Arena Update – Steve McInnis provided an update on this project, noting we applied for Recreation Facility Development funding from the province in order to leverage additional funding from Canada 150 funds for the heating and lighting refit. The Bridgetown Community Recreation Association (BCRA) has worked hard with staff in researching the equipment required.

Adjournment

Upon motion of Councillors Habinski and Roberts, the meeting adjourned at 1:52 p.m.

Warden

Municipal Clerk