

MUNICIPAL COUNCIL

January 16, 2018
Summary of Motions

MOTION 180116.01	Minutes – Regular Session 2017-12-19	1
MOTION 180116.02	Minutes – Public Hearing Bowlby 2017-12-19	1
MOTION 180116.03	A1 Dog Bylaw – Final Reading to Amend	1
MOTION 180116.04	AM-1.7.4 Purchasing and Tendering Policy - Amend	3
MOTION 180116.05	AM-1.4.14 Low Income Tax Exemption Policy - Amend	3
MOTION 180116.06	AM-1.4.15 Dangerous and Unsightly Premises Policy - Amend	3
MOTION 180116.07	Habitation New Horizons Club Grant	4
MOTION 180116.08	AM-1.3.5.1 Audit Committee Policy - Amend	4
MOTION 180116.09	Granville Ferry Source Water Protection Advisory Committee – Citizen Member	4
MOTION 180116.10	AM-1.3.7 Councillor Appointments to Joint, Regional, or Community Organizations – Amend	4
MOTION 180116.11	AM-1.3.7 Appointments to Joint, Regional, or Community Organizations Policy – Adopt a Practice	4
MOTION 180116.12	Margaretsville Source Water Protection Advisory Committee – Citizen Member	5
MOTION 180116.13	Margaretsville Area Advisory Committee – Citizen Member	5
MOTION 180116.14	AM-1.3.6 Advisory Committees and Boards Policy - Amend	5
MOTION 180116.15	AM-1.4.11 Community Contributions Policy - Amend	5
MOTION 180116.16	Municipally-Registered Heritage Property - Old St. Albans Church – Request for Alterations	6
MOTION 180116.17	Middleton Curling Rink - Signage	6
MOTION 180116.18	66520-35 2017-MPS/LUB-002: Sproule Application – Final Reading	6
MOTION 180116.19	66520-35 2017 LUB-001: Squires/Saunders Application – Final Reading .	6
MOTION 180116.20	Elections Nova Scotia – Liquor Plebiscites – Districts 3 and 4	7
MOTION 180116.21	Conduct District 3 and District 4 Liquor Plebiscites on Same Day	7
MOTION 180116.22	Purchase Five Tickets to Robbie Burns Event	8
MOTION 180116.23	Town Hall – District 9	8
MOTION 180116.24	PACE Program Funding – Include in Budget Deliberations	8
MOTION 180116.25	Letter of Introduction – David Wang	8
MOTION 180116.26	Arlington Construction & Debris Site	9

Minutes of the regular session of **Municipal Council** held on January 16, 2018, at 10:00 a.m. in Council Chambers of the Municipal Administration Building, Annapolis Royal, N.S.

Present: Warden Timothy Habinski, Deputy Warden Martha Roberts; Councillors: Marilyn Wilkins, John A MacDonald, Wayne Fowler, Burt McNeil, Gregory Heming, Alex Morrison, Michael J Gunn, Wendy Sheridan, and Diane LeBlanc.

Also

Present: Deputy CAO Dawn Campbell, Municipal Clerk Carolyn Young, and other staff.

Additions to the Agenda (to end of Agenda)

Requests were made for the following items to be added: under In-Camera: under Section 22(2)(e) contract negotiations – when Solicitor is present; and under Additions: 11 (A) Elections Nova Scotia – Liquor Plebiscites in the County of Annapolis, (B) Robbie Burns Tickets, (C) Internet, (D) Next Town Hall Meeting, (E) Bear River Water, and (F) PACE program.

Approval of the Agenda

Upon motion of Councillors LeBlanc and McNeil, the agenda was approved as amended. Motion carried unanimously.

Minutes

MOTION 180116.01 Minutes – Regular Session 2017-12-19

It was moved by Councillor Fowler, seconded by Councillor Gunn, that the minutes of the regular session of Council held on December 19, 2017, be approved as circulated. Motion carried unanimously.

MOTION 180116.02 Minutes – Public Hearing Bowlby 2017-12-19

It was moved by Councillor Fowler, seconded by Councillor Sheridan, that the minutes of the Public Hearing held on December 19, 2017, be approved as circulated. Motion carried unanimously.

Business Arising From the Minutes

Re: A1 Dog Bylaw – Final Reading to Amend

MOTION 180116.03 A1 Dog Bylaw – Final Reading to Amend

In accordance with first reading given on December 19, 2017, Deputy Warden Roberts moved, seconded by Councillor LeBlanc, that final reading be given to amend A1 Dog Bylaw. Motion carried unanimously.

Councillor's Comments

District 3 – Councillor Fowler wished the residents of District 3 and staff a Happy New Year.

District 2 – Councillor MacDonald visited family in Kings County over Christmas, and provided Annapolis County grown turkey and vegetables for the meal. He added that he coaches Junior Boys Basketball Middleton and they will be heading to PEI this weekend.

District 11 – Councillor LeBlanc reported a great Christmas but also noted lots of loss over the holidays. Harsh weather but no issues or problems.

District 6 – Councillor Morrison noted that **the Goat Island Church Preservation Society** will soon be launching a public campaign to finance necessary repairs to the building. It is the oldest Baptist church in Canada and is situated on Highway 1 in Upper Clements on the south side of the road. **NS Property Valuation Services Corporation** has just released its annual assessment data. Your data will be sent via Canada Post or by email if you have registered with epost. There is a 30 day appeal period. The monthly **Cornwallis Park Community Breakfast** is slated for the morning of Saturday 10 February. He delivered a talk on the Pearson Peacekeeping Centre to the January meeting of the **Clements Historical Society**, where folks gather at 2pm on the first Wednesday of each month to discuss local historical subjects, view artifacts and exhibits, and hear a guest speaker. The next meeting will be Wednesday 7 February. Lorraine Herlt will speak on the establishment of HMCS Cornwallis. On Saturday 17 February at 2pm in St. Luke's Church, Annapolis Royal, he will present a talk on Canada and International Peacekeeping: The Facts behind the Myth. His presentation will cover the history of international peacekeeping, Canada's involvement, and a hopeful look at the future. The event is sponsored by the **Friends of the Annapolis Royal Library**.

District 8 – Councillor Gunn reported that he has been fielding inquiries from Bear River about the lack of plowing of their sidewalks. Other questions from Bear River are about water. He added that he has enrolled for a second course through Dalhousie - Municipal Law. He expects to learn a lot.

Addition to the Agenda

Councillor Gunn moved, second by Councillor MacDonald, to add 11(G) Bear River Snow Clearing – Sidewalks to the additions. Motion carried unanimously.

District 10 – Deputy Warden Roberts wished all a Happy New Year and thanked Transportation and Infrastructure Renewal for keeping our roads safe during the storms.

District 5 - Councillor Heming Friday to Halifax for Provincial Asset Management Working Team, which will assist municipalities in determining their assets and the life of those assets, as well as natural capital. Then he will be in Baddeck for the opening of a cooperative mill, opened as a value-added forestry project.

District 9 – Councillor Sheridan informed Council of the February 11th Lions Turkey supper at 5pm. They recently received a grant from province and did a lot of upgrades to the building, great savings on oil. She will deliver a 50th Anniversary certificate to Judy and Mike Upward on February 10th.

District 4 – Councillor McNeil wished a Happy New Year to all, and looks forward to big things this year.

District 1 – Councillor Wilkins noted that there was not a happening in district 1. She commended Nova Scotia Power on their communications plan during the extended power outage – it was very informative, keeping local people informed. She also noted newspaper article with Warden and Councillor Heming. A super year ahead.

District 7 – Warden Habinski wished all a Happy New Year. Extreme weather events is the increase of house fires. Sadly, one was in West Dalhousie at home of Rick Bezanson, they were insured but have lost everything. Within minutes of the sirens, people were starting to help, and there is an account set up for their benefit at the Scotiabank Bridgetown, and a list of immediately required items. Profoundly reassuring that it is the instinct of the community to pull together to look after each other.

New Business

There was no new business.

Reports and Recommendations

Re: Committee of the Whole (*January 9th*)

- ***AM-1.7.4 Purchasing and Tendering Policy – Amend***

MOTION 180116.04 AM-1.7.4 Purchasing and Tendering Policy - Amend

Pursuant to seven day notice having been given at Committee of the Whole, Deputy Warden Roberts moved, seconded by Councillor Heming, that Municipal Council amend *AM-1.7.4 Purchasing and Tendering Policy* by increasing local preference (*Sub-section 22 (b)*) to 10%. Motion carried unanimously.

- ***AM-1.4.14 Low Income Tax Exemption Policy - Amend***

MOTION 180116.05 AM-1.4.14 Low Income Tax Exemption Policy - Amend

Deputy Warden Roberts moved, seconded by Councillor Morrison, pursuant to seven day notice having been given at Committee of the Whole, that Municipal Council amend Subsection 3.1 of *AM-1.4.14 Low Income Tax Exemption Policy* by increasing the exemption amount from \$236 to \$250, and to increase the income criteria from \$24,000 to \$25,000. Motion carried unanimously.

- ***AM-1.4.15 Dangerous and Unsightly Premises Policy – Amend***

AM-1.4.15 Dangerous and Unsightly Premises Policy - Amend

In accordance with seven day notice having been given at Committee of the Whole, Deputy Warden Roberts moved, seconded by Councillor Fowler, that Municipal Council amend *AM-1.4.15 Dangerous and Unsightly Premises Policy* by adding the words “*or regular*” in Sub-section 7.1 and deleting Section 11.

It was moved by Councillor Wilkins, seconded by Councillor Morrison, to amend the motion by striking the words ‘and deleting Section 11’. Motion carried unanimously.

The question was called on the motion as amended to read:

MOTION 180116.06 AM-1.4.15 Dangerous and Unsightly Premises Policy - Amend

In accordance with seven day notice having been given at Committee of the Whole, Deputy Warden Roberts moved, seconded by Councillor Fowler, that Municipal Council amend *AM-1.4.15 Dangerous and Unsightly Premises Policy* by adding the words “*or regular*” in Sub-section 7.1. Motion carried unanimously.

- ***Habitation New Horizons Club Grant Application***

MOTION 180116.07 Habitation New Horizons Club Grant

Deputy Warden Roberts moved, seconded by Councillor Heming, in accordance with the recommendation of Committee of the Whole, that Municipal Council provide a grant in the amount of \$2,376 to the Habitation New Horizons Club, from the 2017-18 budget in accordance with *AM-1.4.9 Community Grants Policy*, Community Halls and Centres Assistance Program. Motion carried unanimously.

• AM-1.3.5.1 Audit Committee Policy – Amend**MOTION 180116.08 AM-1.3.5.1 Audit Committee Policy - Amend**

Pursuant to seven day notice having been given at Committee of the Whole, Deputy Warden Roberts moved, seconded by Councillor McNeil, that Municipal Council amend *AM-1.3.5.1 Audit Committee Policy* as circulated. Motion carried, 10 in favour, 1 against (Morrison).

• Granville Ferry Source Water Protection Advisory Committee (Policy AM-1.3.6) – Appoint Citizen Member**MOTION 180116.09 Granville Ferry Source Water Protection Advisory Committee – Citizen Member**

Deputy Warden Roberts moved, seconded by Councillor McNeil, pursuant to the recommendation of Committee of the Whole, that Municipal Council appoint Dr. Peter Malon to the Granville Ferry Source Water Protection Advisory Committee for a term ending November 30, 2018. Motion carried unanimously.

• Councillor Appointments to Joint, Regional, or Community Organizations (Policy AM-1.3.7) – Amend Policy**MOTION 180116.10 AM-1.3.7 Councillor Appointments to Joint, Regional, or Community Organizations – Amend**

In accordance with seven day notice having been given at Committee of the Whole, Deputy Warden Roberts moved, seconded by Councillor LeBlanc, that Municipal Council amend *AM-1.3.7 Appointments to Joint, Regional, or Community Organizations Policy* to include: consideration to appoint shall include that the organization be not-for-profit or charitable; that the organization provides a service or responsibility that may fall within the Municipality's jurisdiction; that a principle of stewardship be engaged to ensure the money provided to the organization is well spent; and that the organization provides a benefit to the municipality or citizens belonging to the municipality. Motion carried unanimously.

• AM-1.3.7 Appointments to Joint, Regional, or Community Organizations Policy - Practice**MOTION 180116.11 AM-1.3.7 Appointments to Joint, Regional, or Community Organizations Policy – Adopt a Practice**

Deputy Warden Roberts moved, seconded by Councillor Fowler, in accordance with the recommendation of Committee of the Whole, that Municipal Council adopt a practice of requesting from the organization copies of their Articles of Incorporation and/or Bylaws, and Directors and Officers insurance policies or a Certificate of Insurance; the number of years a councillor is being requested to serve; and a description of the core function of the Board. Motion carried unanimously.

- **Margaretsville Source Water Protection Advisory Committee (Policy AM-1.3.6) – Appoint Citizen Member**

MOTION 180116.12 Margaretsville Source Water Protection Advisory Committee – Citizen Member

Pursuant to the recommendation of Committee of the Whole, Deputy Warden Roberts moved, seconded by Councillor LeBlanc, that Municipal Council appoint Heber F. Janes to the Margaretsville Source Water Protection Advisory Committee for a term ending November 30, 2018. Motion carried unanimously.

- **Margaretsville Area Advisory Committee (Policy AM-1.3.6) – Appoint Citizen Member**

MOTION 180116.13 Margaretsville Area Advisory Committee – Citizen Member

Deputy Warden Roberts moved, seconded by Councillor MacDonald, pursuant to the recommendation of Committee of the Whole, that Municipal Council appoint Heber F. Janes to the Margaretsville Area Advisory Committee for a term ending November 30, 2018. Motion carried unanimously.

- **AM-1.3.6 Advisory Committees and Boards Policy - Amend**

AM-1.3.6 Advisory Committees and Boards Policy - Amend

In accordance with seven day notice having been given at Committee of the Whole, Deputy Warden Roberts moved, that Municipal Council amend *AM-1.3.6 Advisory Committees and Boards Policy* by adding an Area Advisory Committee covering the geographic area between the west side of Mills Mountain Road and Victoria Beach. **There was no seconder.**

MOTION 180116.14 AM-1.3.6 Advisory Committees and Boards Policy - Amend

Councillor Heming moved, seconded by Deputy Warden Roberts, that the Municipality of the County of Annapolis establish an area advisory committee focusing on the area between the West Side of Mills Mountain Rd. and Victoria Beach, and further, to direct the CAO to develop a terms-of-reference for the Area Advisory Committee for consideration at February Committee of the Whole as per seven day notice to amend *AM -1.3.6 Advisory Committees and Boards Policy*. Motion carried, 10 in favour, 1 against.

- **AM - 1.4.11 Community Contributions Policy - Amend**

MOTION 180116.15 AM-1.4.11 Community Contributions Policy - Amend

Deputy Warden Roberts moved, seconded by Councillor McNeil, in accordance with seven day notice having been given at Committee of the Whole, that Municipal Council amend *AM-1.4.11 Community Contributions Policy*, so that each grant be considered separately. Motion carried unanimously.

Correspondence

Re: Proclamation – Warden Habinski read the proclamation for **Take the Roof Off Winter** as signed on January 1, 2018.

Re: Alison McQuilkin and Colin Riggs (January 2nd) – owners of the Municipally-Registered Heritage Property Old St. Alban's Church are requesting exterior maintenance and protection measures.

MOTION 180116.16 Municipally-Registered Heritage Property - Old St. Albans Church – Request for Alterations

It was moved by Councillor Wilkins, seconded by Councillor Fowler, to refer the request to the Heritage Advisory Committee for a recommendation back to Council. Motion carried unanimously.

Re: Middleton Curling Club (October 19th) – thank you from Ian Ressor, Past President Middleton Curling Club. They would like to offer a free advertising space in the rink if we provide the sign.

MOTION 180116.17 Middleton Curling Rink - Signage

Councillor MacDonald moved, seconded by Councillor LeBlanc, that the CAO provide suitable signage for display in the Middleton Curling Rink at no space-rental cost to the Municipality. Motion carried unanimously.

Recess

The Warden declared a brief recess at 10:51 a.m. with all returning at 11:00 a.m.

Adjourn to Public Hearings

It was moved by Councillor LeBlanc, seconded by Councillor Fowler, to adjourn to Public Hearings for Sproule and Squires at 11:01 a.m. The regular session resumed at 11:20 a.m.

Additions to the Agenda

Deputy Warden Roberts moved, seconded by Councillor Fowler, to add: 11(H) 66520-35 2017-MPS/LUB-002: Sproule Application – Final Reading; and 11(I) 66520-35 2017 LUB-001: Squires/Saunders Application – Final Reading to the agenda and to address them at this time. Motion carried unanimously.

Re: 66520-35 2017-MPS/LUB-002: Sproule Application – Final Reading

MOTION 180116.18 66520-35 2017-MPS/LUB-002: Sproule Application – Final Reading

Deputy Warden Roberts moved, seconded by Councillor Sheridan, that final reading be given for Municipal Council to adopt an amendment to the Annapolis County East End Area Municipal Planning Strategy Future Land Use Map and change the designation of the existing trailer park property located at the intersection of Highway 1 and Vault Road in the Community of Wilmot, identified as PID No. 05032412, from RESIDENTIAL to COMMERCIAL and to concurrently adopt an amendment to the East End Area Land Use By-law Zoning Map to rezone the same property from the Residential Medium Density (R-2) Zone to the Highway Commercial (C-2) Zone. Motion carried unanimously.

Re: 66520-35 2017 LUB-001: Squires/Saunders Application – Final Reading

MOTION 180116.19 66520-35 2017 LUB-001: Squires/Saunders Application – Final Reading

It was moved by Deputy Warden Roberts, seconded by Councillor McNeil, that final reading be given for Municipal Council to adopt an amendment to the Bridgetown Land Use By-law Zoning Map to rezone 11 Jeffery Street, in the community of Bridgetown, a property identified as PID No. 05149323, from the Institutional (I1) Zone to the Residential Light Density (R-1) Zone so as to redevelop the property into a single unit residential dwelling. Motion carried unanimously.

Municipal Solicitor's Report

Re: Municipal Solicitor - A report dated 10 January 2018 was circulated. It was moved by Councillor Fowler, seconded by Councillor McNeil, to receive for information. Motion carried unanimously.

Councillor Wilkins moved, seconded by Councillor MacDonald, that the CAO continue negotiations for access to Cape and Sand and to research funding opportunities with the Province, and that consideration be given for including the project in the upcoming capital budget. Motion carried unanimously.

In-Camera

It was moved by Councillor LeBlanc, seconded by Deputy Warden Roberts, to meet in-camera at 11:37 a.m. until 12:10 p.m. in accordance with Sections 22(2)(e) contract negotiations, of the *Municipal Government Act*.

LUNCH

The Warden declared a lunch break at 12:08 p.m. All returned at 1:30 p.m. as previously noted.

In-Camera

It was moved by Councillor McNeil, seconded by Deputy Warden Roberts, to meet in-camera at 1:31 p.m. until 1:53 p.m. in accordance with Sections 22(2)(e) contract negotiations, of the *Municipal Government Act*. Motion carried unanimously.

Addition to the Agenda

Deputy Warden Roberts moved, seconded by Councillor Wilkins, that Letter Regarding David Wang be added to the agenda as item 11(J). Motion carried unanimously.

Additions

Re: Elections Nova Scotia – Plebiscites in the County of Annapolis – an email dated January 15th was received requesting two items: to conduct two plebiscites on the same day (in District 4 and in Clarence); and for Municipal Council to consider permitting the plebiscite for Clarence to be conducted in the whole of District 3 in order to achieve economies of scale and to mitigate confusion relation to elector eligibility.

MOTION 180116.20 Elections Nova Scotia – Liquor Plebiscites – Districts 3 and 4

It was moved by Councillor Fowler, seconded by Councillor MacDonald, that Motion 170516.20 NSLC Liquor Plebiscite 1653 Clarence Road, Clarence, be amended to read: Councillor McNeil moved, seconded by Deputy Warden Roberts, that Municipal Council for the Municipality of the County of Annapolis request the Nova Scotia Liquor Corporation to conduct a plebiscite on the question of a microbrewery and outlet for the sale of liquor at 1654 Clarence Road, Clarence, as provided for in Section 43 of the *Liquor Control Act* in order that all residents of **District 3** who are eligible to vote are given an opportunity to participate in the decision-making process. Motion carried unanimously.

MOTION 180116.21 Conduct District 3 and District 4 Liquor Plebiscites on Same Day

Councillor Fowler moved, seconded by Councillor McNeil, that permission be granted to Elections Nova Scotia to conduct Nova Scotia Liquor Commission Plebiscites on the same day in District 3 and District 4. Motion carried unanimously.

Re: Robbie Burns Tickets – in support of the Fundy YMCA

MOTION 180116.22 Purchase Five Tickets to Robbie Burns Event

It was moved by Councillor McNeil, seconded by Deputy Warden Roberts, that Municipal Council cover the cost of five tickets to the Robbie Burns event taking place on January 27, 2018, in support of the Fundy YMCA. Motion carried unanimously.

Re: Internet – Councillor MacDonald withdrew this item.

Re: Town Hall Meeting – Councillor Sheridan requested that the next Town Hall be held in Nictaux.

MOTION 180116.23 Town Hall – District 9

It was moved by Councillor Wilkins, seconded by Councillor Gunn, that the next Town Hall be held in Nictaux at the Fire Hall, on March 22nd at 7:00 p.m., pending confirmation of the facility. Motion carried unanimously.

CAO Ferguson arrived at this time and took his place at 2:15 p.m.

Re: Bear River Water – Councillor Gunn inquired if Digby doesn't cost-share on the feasibility study, where do we go? The CAO reported that he and Warden Habinski will be meeting with the CAO and Warden of the District of Digby on January 19th regarding the cost-share of the study. This initiative was started on the Digby side.

Re: PACE Program

MOTION 180116.24 PACE Program Funding – Include in Budget Deliberations

Deputy Warden Roberts moved, seconded by Councillor McNeil, that funding for the PACE Program be referred to budget deliberations. Motion carried unanimously.

Re: Bear River Snow Clearing – Sidewalks – Councillor Gunn noted he has received lots of feedback from citizens of Bear River having to walk on the streets because the sidewalks have not been cleared of snow. He would like to consider a local contractor next time snow removal contracts are reviewed. The current situation is not safe for people, including school children. The Director of Municipal Operations noted there is not contract down there, snow removal is done by staff. Current practice is that we don't allow overtime to clear sidewalks. Over the past 18 months the County has taken over more sidewalks.

It was moved by Councillor Gunn seconded by Councillor McNeil, to refer sidewalk snow clearing in Bear River to CAO to develop options for consideration. Motion carried unanimously.

Re: Letter re David Wang

MOTION 180116.25 Letter of Introduction – David Wang

Deputy Warden Roberts moved, seconded by Councillor Wilkins, that Municipal Council authorize the Warden and CAO to provide a letter of introduction for Mr. David Wang. Motion carried unanimously.

Re: Update on Arlington C& D Site – Councillor Fowler reported that it has been determined that no further environmental assessments have to take place in order for the current site to double their size. Wilkins added that asbestos from Shannon Park will be included in that debris. Residents are very concerned that we are accepting that toxic waste. Warden Habinski – roads also not rated for large loads.

MOTION 180116.26 Arlington Construction & Debris Site

It was moved by Deputy Warden Roberts, seconded by Councillor Heming, that Municipal Council send a letter of concern regarding the Arlington Construction & Debris Site to our MLA/Premier. Motion carried unanimously.

Adjournment

The Warden declared the meeting adjourned at 2:54 p.m.

Warden

Municipal Clerk