

MUNICIPAL COUNCIL
December 15, 2015
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Minutes of the regular session of **Municipal Council** held on December 15, 2015, at 10:00 a.m. in Council Chambers of the Municipal Administration building, Annapolis Royal, N.S.

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

Absent:

Also

Present: CAO John Ferguson, Municipal Clerk Carolyn Young, other staff, and several members of the public.

Additions to the Agenda

A request was made for the following item to be added to the agenda: 12(A) Morse Road.

Approval of the Agenda

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

Minutes

MOTION 151215.01 Minutes Regular Session November 17, 2015

Deputy Warden Habinski moved, seconded by Councillor Roberts, that the minutes of the regular session held on November 17, 2015, be approved as circulated. Motion carried unanimously.

Business Arising from the Minutes

There was no business arising from the minutes.

New Business

Re: RFD – 66520-35 MPS-004 Bridgetown MPS Amendment – Milton Hamilton; 66520-40 DA002: Bridgetown – Milton Hamilton Development Agreement – the Director of Community Services noted that this is actually two concurrent applications – one must take place first before the other can take place, i.e. a change must be made to the Municipal Planning Strategy and Land Use Bylaw in order to allow development agreements. A Development Agreement is a legal contract between Council and a developer, allowing for flexibility and/or negotiation, and it is attached to the property, not the owner. It remains in effect until Municipal Council discharges it.

By consensus, Mr. Hamilton was permitted to address Council. He asked that they consider suspending the Notice of Violation during this process, if approved, with the assurance that he would not add to the wood pile.

MOTION 151215.02 Bridgetown MPS & LUB Amendment and Development Agreement - Hamilton

It was moved by Deputy Warden Habinski, seconded by Councillor LeBlanc, that Municipal Council consider the Hamilton applications to amend the Bridgetown Municipal Planning Strategy (MPS) and Land Use By-law (LUB) and to enter into development agreement, concurrently, and to adopt a public participation process involving the referral of the

applications to the Annapolis County Planning Advisory Committee (PAC) for their review and recommendation after holding a PAC-sponsored public meeting in the community. Motion carried unanimously.

MOTION 151215.03 Public Meeting – Bridgetown MPS & LUB

In light of the festive season, Deputy Warden Habinski moved, seconded by Councillor Heming, that Municipal Council consider holding the Planning Advisory Committee public meeting within the Bridgetown community at a time and date early in the New Year. Motion carried unanimously.

MOTION 151215.04 Notice of Violation - Extension to 30 Day Order – Hamilton

Deputy Warden Habinski moved, seconded by Councillor McDonald, in light of the outstanding 30 day timeline set out in the Notice of Violation served on the applicant, that Municipal Council consider granting the applicants an extension to the 30-day order to allow for the processing of the MPS & LUB amendment and concurrent development agreement applications. Motion carried unanimously.

Date for Public Meeting – it was the consensus of those present that the public meeting take place on Wednesday, January 6, 2016 at 7:00 p.m. at the Bridgetown Fire Hall and with a snow-date of Wednesday, January 20th (site and times confirmed)

In-Camera

In accordance with **Section 22(2)(a)**, acquisition, sale, lease and security of municipal property (Bear River) of the *Municipal Government Act*, it was moved by Councillor McDonald, seconded by Deputy Warden Habinski, to meet in-camera at 10:20 a.m. until 10:29 a.m. Motion carried unanimously. It was noted that Section **22(2)(e)** contract negotiation was added during the in-camera.

Municipal Solicitor's Report

- Monthly Report

A report for the month of November was circulated in the agenda package. The Solicitor added that staff had been served to attend small claims court by someone claiming unfair taxes. The Solicitor and Director of Finance attended at court and had the matter dismissed as the court has no jurisdiction over tax matters. It was moved by Councillor Chipman, seconded by Councillor Heming, to receive for information. Motion carried unanimously.

Councillor Comments

Bridgetown – Councillor Hurlburt reported that there is an upbeat tone among residents and business owners in the community, and general positive feelings in Bridgetown.

District 9 – Councillor Chipman wished a Merry Christmas to council and staff, as well as to the volunteers, paramedics and police who keep us safe, and to the taxpayers for providing funding to cover the services we provide.

District 5 – Councillor Heming echoed Councillor Chipman's sentiments.

District 10 – Councillor Roberts noted she had been to the new boat launch in Springfield, which has been well-used and appreciated by the community. There is lots of positive talk in the area and she thanked staff for looking after that project.

District 8 – The Warden wished all a Merry Christmas and Prosperous New Year.

Reports and Recommendations

Re: Committee of the Whole (December 8th)

- ***Valley Region Solid Waste-Resource Management Authority – 2016-17 Draft Operating Budget***
MOTION 151215.05 Valley Region Solid Waste-Resource Management Authority 2016-17
Draft Operating Budget

Deputy Warden Habinski moved, seconded by Councillor Heming, in accordance with the recommendation of Committee of the Whole, that the Municipality of the County of Annapolis approve its proportional share in the amount of \$1,553,900 of the Valley Region Solid Waste-Resource Management Authority's 2016-2017 Draft Operating Budget in the total amount of \$7,452,756, based on the draft dated November 19, 2015. Motion carried unanimously.

- ***Valley Region Solid Waste-Resource Management Authority – 2016-17 Draft Capital Budget***
MOTION 151215.06 Valley Region Solid Waste-Resource Management Authority 2016-17
Draft Capital Budget

It was moved by Deputy Warden Habinski, seconded by Councillor Hurlburt, in accordance with the recommendation of Committee of the Whole, that the Municipality of the County of Annapolis approve its proportional share of the Valley Region Solid Waste-Resource Management Authority's 2016-2017 Draft Capital Budget, totaling \$440,400 based on the draft dated November 19, 2015 which includes \$83,192 to be financed through the Municipal Finance Corporation as the County's portion with the remainder flowing through the 2016-2017 Draft Operating Budget as Capital Out of Revenue. Motion carried unanimously.

- ***Annapolis Royal Volunteer Fire Department Release of Funds from Fire Services Capital Reserve***
MOTION 151215.07 Annapolis Royal VFD Release Funds from Fire Services Capital
Reserve \$200,000

Deputy Warden Habinski moved, seconded by Councillor McDonald, pursuant to the recommendation of Committee of the Whole, that Municipal Council authorize the release of \$200,000 to the Annapolis Royal Volunteer Fire Department from the 2015-16 Fire Services Capital to purchase a new utility truck. Motion carried unanimously.

- ***AM-1.4.11 Community Contributions Policy – Amend***
MOTION 151215.08 AM-1.4.11 Community Contributions Policy – Amend

It was moved by Deputy Warden Habinski, seconded by Councillor Hurlburt, pursuant to seven-day notice having been given, that Municipal Council amend *AM-1.4.11 Community Contributions Policy* by increasing the contribution to the Trans County Transportation Society to \$35,000. Motion carried unanimously.

- ***Youth Ambassador Chain of Office Care, Keeping, and Ownership***
MOTION 151215.09 Youth Ambassador Chain of Office Care, Keeping, and Ownership

Deputy Warden Habinski moved, seconded by Councillor Roberts, in accordance with the recommendation of Committee of the Whole, that staff be authorized to provide a cost estimate before proceeding to work with the Bridgetown Area Chamber of Commerce to have three new pewter blots struck to replace the town symbols on the Town of Bridgetown Youth Ambassador chain of office, in order to turn over the care and keeping and ownership of the chain of office to the Bridgetown Area Chamber of Commerce. Motion carried unanimously.

- ***County Surplus Inventory Disposal***

MOTION 151215.10 County Surplus Inventory Disposal

It was moved by Deputy Warden Habinski, seconded by Councillor McDonald, in accordance with the recommendation of the Committee of the Whole, that Municipal Council approve the sale of the surplus inventory items through the services of GovDeals.ca, surplus items that are not sold will be disposed of according to regulated waste disposal practices, inventory sold will be on an 'as is where is' condition, with the County of Annapolis not making any guarantee of condition of item sold or accepting responsibility of the item once sold. Motion carried unanimously.

- ***2016-2017 \$3,500 Budget for Port Royal Family Fun Day from Economic Development***

MOTION 151215.11 2016-17 Economic Development Budget for Port Royal Family Fun Day - \$3,500

Deputy Warden Habinski moved, seconded by Councillor Wilkins, pursuant to the recommendation of Committee of the Whole, that Municipal Council approve a 2016-2017 budget of not more than \$3,500 from Economic Development to sponsor the 2016 Port Royal Family Fun Day. Motion carried unanimously.

- ***Police Advisory Board Meeting Location***

MOTION 151215.12 Police Advisory Board Meeting Location

It was moved by Deputy Warden Habinski, seconded by Councillor Hurlburt, pursuant to the recommendation of Committee of the Whole, I move that Municipal Council permit the use of the municipal office in Bridgetown as a venue for the Police Advisory Board meetings in order to encourage public participation. Motion carried unanimously.

- ***Annapolis Royal Regional Academy (ARRA) Committee (Town of Annapolis Royal)***

MOTION 151215.13 Town of Annapolis Royal ARRA Committee – Remove Councillor Heming

Deputy Warden Habinski moved, seconded by Councillor Wilkins, in accordance with the recommendation of Committee of the Whole, that Municipal Council remove Councillor Heming from the Town of Annapolis Royal ARRA Committee. Motion carried unanimously.

Correspondence

Re: Municipality of the County of Colchester (November 16th) - regarding plans for their recent purchase of the former Palliser property and requesting a letter of support for their application to the Nova Scotia Tourism Agency's Competitive Edge Program and ACOA's Innovative Communities Fund to assist in the development of a masterplan that will produce recommendation on the development of the site and further developing the Bay of Fundy tourism sector and its vast array of amenities, attractions, and experiences.

MOTION 151215.14 County of Colchester – Letter of Support for Fundy Gateway Project

It was moved by Deputy Warden Habinski, seconded by Councillor Chipman, that Municipal Council send a letter of support to the Municipality of the County of Colchester for their Fundy Gateway project. Motion carried unanimously.

Re: Epilepsy Association of Nova Scotia (November 20th) - Requesting Municipal Council to support Purple Day on March 26th, by wearing purple ribbons throughout the month of March, with a photo of Councillors wearing the ribbons at their March Council session. Councillor Wilkins moved, seconded by Councillor McDonald, to receive for information. Motion carried unanimously.

Additions to the Agenda

Re: Morse Road – Deputy Warden Habinski noted the significant amount of work that has been conducted on the Morse Road, and that the community is very pleased that sections have been resurfaced and double chip sealed.

MOTION 151215.15 Transportation and Infrastructure Renewal – Letter of Appreciation Morse Road

Deputy Warden Habinski moved, seconded by Councillor Chipman, that a letter of appreciation for work done this year to the Morse Road, including resurfacing and chip-sealing, which was not in the five-year plan, be sent to TIR Area Manager Tony Harvey, with copies to Hon. Geoff MacLellan Minister of TIR, Hon. Stephen McNeil Premier, TIR District Area Manager Steve McIsaac, and TIR Deputy Minister Paul LaFleche, noting that residents are grateful for TIR’s ongoing commitment to the safety and accessibility of communities. Motion carried unanimously.

Brief recess

A brief recess was held at this time.

Public Hearing

It was moved by Councillor Roberts, seconded by Councillor McDonald, to adjourn to the advertised Public Hearing regarding the sale of land for less than market value. Motion carried unanimously. All returned at 11:54 a.m. as previously noted and the regular session of Council resumed.

Long Service and Retirement Recognitions

The CAO expressed his appreciation of the hard-working staff. He read letters for the record recognizing the following: Carol Dibble upon her retirement; David McCoubrey upon his retirement; Wanda Atwell upon 25 years of service; Butch Emmett upon 25 years of service; and Dawn Campbell upon 20 years of service.

Addition to the Agenda

It was moved by Councillor Wilkins, seconded by Councillor Heming, that Bear River Greenhouse Sale Agreement be added to the agenda as item 12(B). Motion carried unanimously.

Re: Bear River Greenhouse Sale Agreement

MOTION 151215.16 Bear River Greenhouse Sale Agreement

Councillor Heming moved, seconded by Deputy Warden Habinski, that the Warden and Clerk be authorized to enter into an agreement of sale selling PID 05197777 to The Bear River Board of Trade for less than market value. Motion carried unanimously.

Adjournment

The meeting adjourned at 12:20 p.m. upon motion of Councillors Wilkins and LeBlanc. Council was invited to join staff for a luncheon to celebrate staff retirements and recognitions.

Warden

Municipal Clerk