

MUNICIPAL COUNCIL
April 21, 2015
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Minutes of the regular session of **Municipal Council** held on April 21, 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.

Also Present: CAO John Ferguson, Municipal Clerk Carolyn Young, other staff.

Additions

The following items were added to the end of the agenda:

10 (A) Recommendations from March 17, 2015 Council, (B) Forestry, (C) Mileage, (D) Tablets, (E) Volunteer Recognition Ceremony, and (F) Speed Sign Clementsport.

Approval of the Agenda

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

In-camera

It was moved by Deputy Warden Habinski, seconded by Councillor LeBlanc, to meet in-camera at 10:06 a.m. until 10:48 a.m. in accordance with section 22(2) (a) and (g) of the *Municipal Government Act*. Motion carried unanimously. A brief recess followed.

Development Agreement

Re: RFD – 66520-35 – 2015-DA-001 Beviss, Nigel, Application to Amend an Existing Development Agreement - For a Non-Substantial Amendment – The Director of Planning noted this is an application to construct an addition to the store for an enclosed cold space.

MOTION 150421.01 Amend Existing Development Agreement Between Former Town of Bridgetown and B/Spicer Construction Limited

It was moved by Deputy Warden Habinski, seconded by Councillor Hurlburt, that Municipal Council amend the existing development agreement between former Town of Bridgetown and B. Spicer Construction Limited (June 1st, 1994) to permit the further development of the Nigel Beviss property (identified as PID No. 05186473 and Civic No. 612 Granville Street, Bridgetown) by allowing the construction of an addition to the farm market building generally between the south side wall of the existing farm market building and the existing greenhouse as an unheated addition and to permit the construction of a six-foot wooden fence to surround the existing outdoor display area. Motion carried unanimously.

Minutes

MOTION 150421.02 Minutes Regular Session March 17, 2015

Councillor Fowler moved, seconded by Councillor Roberts, that the minutes of the regular session of Municipal Council held on March 17, 2015, be approved as circulated. Motion carried unanimously.

MOTION 150421.03 Minutes Special Session April 1, 2015

It was moved by Councillor Hurlburt, seconded by Councillor McDonald, that the minutes of the special session of Municipal Council held on April 1, 2015, be approved as circulated. Motion carried unanimously.

Councillor Comments

District 11 – Councillor LeBlanc welcomed Councillor Hurlburt.

District 6 – Councillor Morrison commented on Skills Canada Nova Scotia, a skills competition and career showcase held at Kingstec, the Kentville campus of the Nova Scotia Community College. He noted that as part of a group of municipal politicians and guests, they toured the heavy duty equipment/truck & transport repair shop, electrical construction and industry, carpentry, landscaping, electronics, automotive servicing, plumbing, precision machinery, and culinary locations. He highly recommended attendance at next year's competition.

District 1 – Councillor Wilkins noted that the Nova Scotia Institute of Agrologists named Spurr Brothers Farms, of Melvern Square as the recipient of the Outstanding Farmers Award for 2015. This award is given to active farmers who have had a distinguished career as farmers and derive 80% or more of their total income from farming.

MOTION 150421.04 Letter to Spurr Brothers Farms – 2015 Outstanding Farmers Award

Councillor Wilkins moved, seconded by Councillor Chipman, that a congratulatory letter be sent to Spurr Brothers Farms on receiving the 2015 Outstanding Farmers Award from the Nova Scotia Institute of Agrologists. Motion carried unanimously.

She added that the Melvern Square & Area Community Association received a New Horizons Grant of \$20,000 for siding and heat pumps.

MOTION 150421.05 Melvern Square & Area Community Association

It was moved by Councillor Wilkins, seconded by Councillor Leblanc, that a congratulatory letter be sent to the Melvern Square & Area Community Association upon receiving a \$20,600 New Horizon Grant for siding and heat pumps. Motion carried unanimously.

District 5 – Councillor Heming thanked fellow councillors and staff who attended the recent Local Prosperity conference, noting 233 full time participants and 23 partial participants. There have been half a million tweets/retweets and 500 hits per day on the website. 184 participated in the Upskilling event, the Premier gave welcome speech, and Larry Powell (Spectator) provided great coverage. He added, of particular note, that 9 people previously unknown to each other will be meeting together to debrief what they learned at the conference.

District 4 – Councillor McDonald updated on the Medway Community Forest Co-op workshop that was held last week with 50 or more in attendance. This was followed by their Annual General Meeting where new board members were welcomed, including from Annapolis County Donna Crossland, Royce Ford, Katie Mclean, and Angelika Waldow, who will bring varied skill sets to the Board.

District 10 – Councillor Roberts noted she had attended a Valley Exhibition fundraising supper in Aylesford. Scotiabank Middleton matched the \$5,000 which was raised at the silent and live auctions.

District 3 – Councillor Fowler reported that the Port Lorne Community Hall had recently received a \$25,000 New Horizons Grant for upgrades including a well and renovations to the hall.

District Bridgetown – Councillor Hurlburt noted that on March 31st, Bridgetown Volunteer Fire Department took delivery of a new fire engine, and on Sunday March 19th it was made active and fully part of the local contingent. This is the first truck fully owned by the department.

District 7 – Deputy Warden Habinski reported he had attended the commissioning of the new fire truck in Bridgetown and it was well attended. He noted that it was a ‘wetting down’, tradition from the 1890’s, 10 or 14 children threw buckets of water at the truck, wiped it down, and firemen pushed the truck into the bay, ready for service. This was the first community milestone since the dissolution of the Town, and it delivered a message that this community thrives.

District 8 – Warden Ritchie noted he had attended the Recycling Superheros event recently held at the Kingston firehall. This was a contest directed at students from grades Primary to Twelve in the Valley Region who submitted entries to the Nova Scotia Recycles contest. Representing Annapolis County were the winning submission by Mrs. Wright’s P/1 Class – Bridgetown Regional Elementary School (BRHS); runner-up Nina Habinski, also of BRHS; and Brook Vibert from Middleton Regional High School.

New Business

Re: Set Dates for Budget Review – it was noted that time needs to be allowed for the citizens to review the draft budget and provide input before Council finalizes it. In order to prepare a final draft to post to the website, and in addition to a first review at the regular May Committee of the Whole, a Special Committee of the Whole - Budget will be held on Thursday, May 14th at 6:00 p.m. in Council Chambers.

MOTION 150421.06 Draft 2015-16 Budget for Public Review

It was moved by Councillor Morrison, seconded by Deputy Warden Habinski, that an opportunity be created for citizens to consider the draft 205-15-16 County budget, such opportunity to be created at a date in advance of council considering said draft budget. Motion carried unanimously.

The draft budget can be posted to the website after the May 14th workshop (as well as the current budget), allowing citizens to review and comment on it before Council finalizes it at the May 19th session.

Re: Proclamation – Volunteer Week

MOTION 150421.07 Proclamation – April 12-18 Volunteer Week in Annapolis County

Councillor Fowler moved, seconded by Councillor Roberts, that the Warden be authorized to proclaim April 12 – 18 as Volunteer Week in Annapolis County. Motion carried unanimously.

Reports and Recommendations

Re: Municipal Solicitor

A report for the month of March was circulated in the agenda package. It was moved by Councillor Fowler, seconded by Councillor LeBlanc, to receive for information.

The solicitor added the following:

- He had been asked to clarify boundaries of municipally-owned lands in Greywood. Reference was found to a survey plan done when land was originally purchased in the 70s. This document is now on file. The next step will be to ensure the survey markers are properly placed.

- He thanked Council for sympathy card sent to his wife on the recent passing of her mother.
Motion carried unanimously.

Re: Special Council (April 1st meeting)

• **Bridgetown Policy #14 Public Participation Program**

MOTION 150421.08 Bridgetown Policy #14 Public Participation Program - Repeal
In accordance with seven day notice having been given, Deputy Warden Habinski moved, seconded by Councillor Chipman, that Municipal Council repeal Bridgetown Policy #14 Public Participation Program. Motion carried unanimously.

Re: Committee of the Whole (April 14th meeting)

• **Active Transportation Plan**

MOTION 150421.09 Active Transportation Plan - Adopt
In accordance with the recommendation of Committee of the Whole, Deputy Warden Habinski moved, seconded by Councillor Morrison, that Municipal Council adopt the County of Annapolis Active Transportation Plan as presented. Motion carried, 10 in favour, 1 against.

MOTION 150421.10 Active Transportation Plan – Add Communities

It was moved by Councillor Connell, seconded by Councillor Fowler, that Municipal Council work towards adding plans for outlying communities and the community of Bridgetown to the Active Transportation Plan, and receive copies of the Province’s Blue Route initiative so that routes can connect in those areas. Motion carried unanimously.

• **Bear River Volunteer Fire Department – Release Funding**

MOTION 150421.11 Bear River VFD – Release Funding – Fire Services Capital Reserve
Deputy Warden Habinski moved, seconded by Councillor Morrison, in accordance with the recommendation of Committee of the Whole, that Municipal Council release all funds available as of April 1, 2015 (\$300,000) for the Bear River Volunteer Fire Department from the Fire Services Capital Reserve, to the Bear River Volunteer Fire Department in the 2015-16 fiscal year to purchase a new pumper. Motion carried unanimously.

• **AM-1.4.12 Tax Exemption and Reduction Policy – Amend**

MOTION 150421.12 AM-1.4.12 Tax Exemption and Reduction Policy - Amend
Pursuant to seven day notice having been given, Deputy Warden Habinski moved, seconded by Councillor Fowler, that Municipal Council amend *Appendix A of AM - 1.4.12 Tax Exemption and Reduction Policy* by:

- changing the registration # for Genesis Christian Ministries (now a registered charity with Revenue Canada)
- adding full tax exemption for Carleton Road Industries Assoc. (additional property purchased by the Association)

Carleton Road Industries Assoc.	3306 Highway 201 Centrelea AAN 03219194	1285160
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Motion carried unanimously.

- ***Boundary Review***

MOTION 150421.13 Boundary Review – Commence Submission Proceedings

Deputy Warden Habinski moved, seconded by Councillor Heming, pursuant to the recommendation of Committee of the Whole, that Municipal Council authorize the Clerk to commence submission proceedings to the Nova Scotia Utility and Review Board to confirm the number and boundaries of polling districts, and to confirm the number of councillors pursuant to Section 369 of the *Municipal Government Act*, and in accordance with Board Order M06208 dated January 7, 2015, Sections 7, 8, and 9. Motion carried unanimously.

- ***AM-1.2.1 Remuneration & Allowances for Warden, Deputy Warden and Councillors – Rescind Motion***

MOTION 150421.14 AM-1.2.1 Remuneration & Allowances for Warden, Deputy Warden and Councillors – Rescind Motion 150401.07

In accordance with the recommendation of Committee of the Whole, Deputy Warden Habinski moved, seconded by Councillor Hurlburt, that Municipal Council rescind Motion 150401.07 AM-1.2.1 Remuneration & Allowances for Warden, Deputy Warden and Councillors – Amend. Motion carried unanimously.

- ***AM-1.2.1 Remuneration & Allowances for Warden, Deputy Warden and Councillors***

MOTION 150421.15 AM-1.2.1 Remuneration & Allowances for Warden, Deputy Warden and Councillors – New Motion

Deputy Warden Habinski moved, seconded by Councillor Fowler, in accordance with seven day notice having been given, that Municipal Council amend *AM- 1.2.1 - Remuneration & Allowances for Warden, Deputy Warden and Councillors* as follows:

DELETE:

~~**ANNUAL INCREASE CALCULATION FOR BUDGET**~~

~~All council remuneration shall be adjusted annually in accordance with the Nova Scotia Consumer Price Index of the previous fiscal year (average all items) for approval as part of the annual operating budget.~~

REPLACE WITH:

ANNUAL INCREASE

Unless Municipal Council specifically determines otherwise by resolution, all council remuneration shall be adjusted for one year equivalent to 1.7 % commencing in 2015-16.

Motion carried, 10 in favour, 1 against.

- ***Bridgetown Policy #8 System of Fire Inspection Policy – Repeal***

MOTION 150421.16 Bridgetown Policy #8 System of Fire Inspection Policy - Repeal
Pursuant to seven day notice having been given, Deputy Warden Habinski moved, seconded by Councillor McDonald, that Municipal Council repeal *Bridgetown Policy #8 System of Fire Inspection Policy*. Motion carried unanimously.

- ***Bridgetown Outdoor Fire Bylaw – First Reading to Repeal***

MOTION 150421.17 Bridgetown Outdoor Fire Bylaw – First Reading to Repeal
Deputy Warden Habinski moved, seconded by Councillor McDonald,, pursuant to the recommendation of Committee of the Whole, that Municipal Council give first reading to repeal the *Bridgetown Outdoor Fire Bylaw*. Motion carried unanimously.

- ***AVRSB BRHS School Steering Committee***

MOTION 150421.18 AVRSB BRHS School Steering Committee - Appointments
In accordance with the recommendation of Committee of the Whole, Deputy Warden Habinski moved, seconded by Councillor Morrison, that Municipal Council appoint Deputy Warden Habinski and Councillor Hurlburt to sit on this committee. Motion carried unanimously.

- ***REMO Advisory Committee***

MOTION 150421.19 REMO Advisory Committee - Appointments
Deputy Warden Habinski moved, seconded by Councillor McDonald, in accordance with the recommendation of Committee of the Whole, that Municipal Council remove Councillor McDonald from the REMO Advisory Committee and appoint Councillor Hurlburt to sit on the REMO Advisory Committee. Motion carried unanimously.

- ***CPI Increase for Non-Unionized Employees***

MOTION 150421.20 CPI Increase for Non-Unionized Employees
Pursuant to the recommendation of Committee of the Whole, Deputy Warden Habinski moved, seconded by Councillor Connell, that Municipal Council approve a cost of living increase of 1.7% (Consumer Price Index 2014) for non-unionized employees effective April 1, 2015. Motion carried unanimously.

- ***Inter-municipal Services Agreement Canada Legacy 2017***

MOTION 150421.21 Inter-Municipal Services Agreement Canada Legacy 2017
Deputy Warden Habinski moved, seconded by Councillor Hurlburt, pursuant to the recommendation of Committee of the Whole, that Municipal Council approve in principle the Inter-Municipal Services Agreement Canada Legacy 2017 by being a signing partner to the agreement; authorizing the County of Annapolis portion of the initial \$50,000 (to be determined); and to have the area broadened to include Grand Pre to Yarmouth. Motion carried unanimously.

Re: Regular Council (March 17th meeting) **ADDITION TO the AGENDA**

• ***A3 Domestic and Wild Animals and Exotic Pets Bylaw – Final Reading to Repeal***

MOTION 150421.22 A3 Domestic and Wild Animals and Exotic Pets Bylaw – Final Reading to Repeal

In accordance with First Reading given on March 17, 2015, Deputy Warden Habinski moved, seconded by Councillor Fowler, that Municipal Council give final reading to repeal *A3 Domestic and Wild Animals and Exotic Pets Bylaw*. Motion carried unanimously.

• ***A4 Cat Bylaw – Final Reading to Enact***

MOTION 150421.23 A4 Cat Bylaw – Final Reading to Enact

Deputy Warden Habinski moved, seconded by Councillor Wilkins, in accordance with First Reading given on March 17, 2015, that Municipal Council give final reading to enact *A4 Cat Bylaw*. Motion carried unanimously.

• ***S10 Civic Addressing Bylaw – Final Reading to Repeal; S10 Civic Address Bylaw – Final Reading to Enact***

MOTION 150421.24 S10 Civic Addressing Bylaw – Final Reading to Repeal; S10 Civic Address Bylaw – Final Reading to Enact

Pursuant to the First Reading given on March 17, 2015, Deputy Warden Habinski moved, seconded by Councillor Wilkins, that Municipal Council give final reading to repeal *S10 Civic Addressing Bylaw* and first reading to enact *S10 Civic Address Bylaw*. Motion carried unanimously.

• ***R1 Penalties Bylaw – Final Reading to Repeal***

MOTION 150421.25 R1 Penalties Bylaw – Final Reading to Repeal

Deputy Warden Habinski moved, seconded by Councillor Wilkins, pursuant to First Reading given on March 17, 2015, that Municipal Council give final reading to repeal *R1 Penalties Bylaw*. Motion carried unanimously.

• ***A2 Impounding of Animals Bylaw Final Reading to Repeal; A2 Livestock at Large Bylaw Final Reading to Enact***

MOTION 150421.26 A2 Impounding of Animals Bylaw – Final Reading to Repeal; A2 Livestock at Large Bylaw – Final Reading to Enact

In accordance with First Reading given on March 17, 2015, Deputy Warden Habinski moved, seconded by Councillor Hurlburt, that Municipal Council give final reading to repeal *A2 Impounding of Animals Bylaw* and final reading to enact *A2 Livestock at Large Bylaw*. Motion carried, 10 in favour, 1 against.

Re: Annual Report

• ***Regional Emergency Management Organization – Annapolis (REMO)***

The REMO Coordinator had circulated an annual report in the agenda package. Councillor Fowler moved, seconded by Councillor Chipman, to receive for information. Motion carried unanimously. The Warden thanked the REMO Coordinator for the work he does on behalf of our communities.

Correspondence

Re: Eastlink (March 23rd) – in response to letter regarding internet service on Shore Road, Youngs Cove, Annapolis County, outlining the service and timeline of the service which had been provided. It was moved by Councillor Chipman, seconded by Councillor Connell, to receive for information. Motion carried unanimously.

Re: Town of Annapolis Royal (April 2nd) – of thanks for the \$8,000 regional recreation facility grant program. Councillor Fowler moved, seconded by Councillor McDonald, to receive for information. Motion carried unanimously.

Additions to the Agenda

Re: Forestry – Councillor McDonald would like to see the Forest Stewardship Council (FSC) certified forest management go forward on municipal property in Greywood now that the boundary has been determined.

Re: Mileage – Councillor Chipman noted that the rate paid for mileage drops after a certain cap and wondered why the cap was there. It was noted that this is a Canada Revenue Agency (CRA) matter. Staff will circulate the CRA document that addresses this matter.

Re: Tablets - Councillor Fowler commented on issues with the ASUS tablets, and suggested that perhaps Councillors should have laptops instead. The CAO noted that once all the issues and updates are addressed, they are a very capable tool. IT has requested all the tablets be returned for needed upgrades to improve the performance.

Re: Volunteer Recognition Ceremony – Councillor Morrison noted that he continues to gather and receive information regarding the volunteer recognition ceremony and will make comments at a future meeting.

Re: Speed Sign Clementsport – Councillor Morrison reported that residents have requested a ‘no air braking’ sign in Clementsport. Staff will investigate the matter further.

Adjournment

Upon motion of Councillors Roberts and Wilkins, the meeting adjourned at 12:38 p.m.

Warden

Municipal Clerk