

MUNICIPAL COUNCIL

September 19, 2017

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Minutes of the regular session of **Municipal Council** held on September 19, 2017, 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: CAO John Ferguson, 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 Additions: 11(A) Pugwash Conference, (B) Kings Theatre, (C) County Crier, and (D) Town of Middleton.

Approval of the Agenda

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

Minutes

MOTION 170919.01 Minutes – Regular Session 2017-08-15

It was moved by Councillor Fowler, seconded by Councillor Sheridan, that the minutes of the regular session of Council held on August 15, 2017, be approved as circulated. Motion carried unanimously.

In-Camera

It was moved by Councillor MacDonald, seconded by Councillor LeBlanc, to meet in-camera at 10:03 a.m. until 11:01 a.m. in accordance with Section 22(2) (e) contract negotiations of the *Municipal Government Act*. Motion carried unanimously.

PUBLIC HEARING

Councillor Wilkins moved, seconded by Councillor Fowler, to adjourn at 11:03 a.m. to a Public Hearing regarding Annapolis County Subdivision Bylaw Amendment application. The meeting resumed at 11:12 a.m.

Additions to the Agenda *(to end of Agenda)*

Deputy Warden Roberts moved, seconded by Councillor Fowler, to add under Additions at the end of the agenda: Final Reading to Adopt an Amendment to the Annapolis County Subdivision Bylaw as item 11(E), and Cornwallis Physiotherapy as item 11(F). Motion carried unanimously.

Municipal Solicitor's Report

Re: Municipal Solicitor - A report dated 13 September 2017 was circulated in the agenda package.

- *Cape and Sand* – the Solicitor noted he had been directed to investigate the cost to expropriate a right-of-way. A Municipality has the right to expropriate full title or any interest – i.e. - easement or right-of-way, but an appraisal must first be done by a licensed appraiser. Another option would be to directly approach the owners and ask to purchase the right-of-way at a reasonable cost.

MOTION 170919.02 Cape and Sand - Solicitor

It was moved by Deputy Warden Roberts, seconded by Councillor McNeil, that the Solicitor make inquiries through the realtor regarding the purchase of the access to Cape and Sand. Motion carried unanimously.

It was moved by Deputy Warden Roberts, seconded by Councillor LeBlanc, to receive the report for information. Motion carried unanimously.

Councillor's Comments

District 3 – Councillor Fowler reported that many residents gathered from the community of Port Lorne on three occasions to clean debris from the Port Lorne wharf area, with three main groups - the Port Lorne Planters, the Port Lorne Community Hall and Preservation Society, and members of the community partnered with Valley Waste Resource Authority which donated the first bin free. Four additional bins were filled by tractors and members of the community. He thanked all involved.

District 2 – Councillor MacDonald attended the International Town Crier Competition and represented the Municipality at the dinner in Annapolis Royal. He received gifts of books from two of the criers and will donate them to the Council library.

District 11 – Councillor LeBlanc noted busy times at the Exhibition (with thanks to staff), the Tall Ships event (complete with pirates) and the Lake Pleasant Boat Launch Opening.

District 6 – Councillor Morrison noted the following: **Annapolis Valley Regional Library** - more than 50% of the patrons of the Annapolis Royal Library live in the county. In response to a presentation at COTW, Helen Opie of Granville Ferry spoke of “the great services available for the visually impaired. They have grown and let those who cannot read print still nourish their minds and souls via books.” He attended the launch of “Reading Nova Scotia: 150 Books of Influence” – “A province-wide library project of the NS Library Association and NS” nine Regional Public Library systems in honour of the 150th Anniversary of Confederation, which took place at the Halifax Library and featured a presentation by the Honorable Leo Glavine, Minister of Communities, Culture and Heritage. **Town/County Crier Competition** - Councillor Morrison attended at Fort Anne for the opening of this competition and to listen to the “Opening Cry” of our County Crier, Peter Davies. As he was one of the three Sponsoring Criers, Peter’s “Cry of Welcome” was not entered in the competition. One of the highlights of his Cry was the sentence “WE have a great country here in Canada, EH!”. **Celebration of Beginning of Cornwallis Park Residential Area** - On Saturday 30 Sep from 2pm, there will be a reception in Felker Hall (Cornwallis Park Community Centre) to mark the 20th anniversary of the re-opening of the residences on the south side of Highway 1. **Cornwallis Park Community Breakfast** will be held Saturday 14 October; in Felker Hall (Cornwallis Park Community Centre, beginning at 8am.

District 8 – Councillor Gunn noted it was his pleasure to attend the Exhibition and participate at the County booth with staff. He looks forward to next year.

District 10 – Deputy Warden Roberts enjoyed the County booth at the Exhibition and appreciated working with staff. Manager Rachel Taylor has given her notice of resignation effective November 1st. The Deputy Warden also attended the official opening of the boat launch at Lake Pleasant.

District 5 – Councillor Heming had circulated two documents: Pugwash on September 28th on Climate Change and Storm Warnings at Kings Theatre on October 2nd presenting A Difficult Hope: Climate and the Human Prospect.

District 9 – Councillor Sheridan attended the Tall Ship Sail By in Annapolis Royal and stayed for the JP Cormier concert and outstanding fireworks display. She enjoyed working with staff at the booth at the Lawrencetown Exhibition, having great conversations with a lot of residents and tourists. Also attended the Lake Pleasant Boat Launch, which was well attended. She attended the Fire-Ettes Annual Yard Sale Fundraiser and an open house 80th birthday party for Dianne Legard. They entered their antique car in the Annual Bridgetown Ciderfest Antique Car Show which had more than 130 entries.

District 4 – Councillor McNeil enjoyed time spent at the County booth during the Exhibition and attended breakfast at Bear River Fire Hall.

District 1 – Councillor Wilkins reported that the Greenwood Air Show held on August 26th had traffic backed up from every direction. TCTS provided a bus at no charge to transport 8 veterans to the air show from Middleton. The bus received a military police escort, the veterans met the Base Commander, pilots, and others. They were seated in the front row and treated like royalty! A painting, by a resident of Heart of the Valley Long Term Care Facility, was presented to TCTS as a special thank you for providing an unforgettable day for the veterans.

MOTION 170919.03 Letter to Rachel Taylor

Councillor Wilkins moved, seconded by Deputy Warden Roberts, that Municipal Council send a letter of congratulations and best wishes on her future endeavours to Rachel Taylor, General Manager of the Annapolis Valley Exhibition. Motion carried unanimously.

District 7 – Warden Habinski extended his appreciation to the Deputy Warden and other Councillors who filled in during his absences. He added that he just returned from the FCM Board meeting in Alberta and will submit a report to COTW. It was extremely interesting and he appreciated the other Nova Scotia representatives. He was grateful for the opportunity.

Reports and Recommendations

Re: Committee of the Whole (September 12th)

• ***Port Lorne Preservation Society***

MOTION 170919.04 Port Lorne Preservation Society Grant

In accordance with the recommendation of Committee of the Whole, Deputy Warden Roberts moved, seconded by Councillor Fowler, that Municipal Council provide a grant in the amount of \$10,000 to the Port Lorne Preservation Society in accordance with AM-1.4.3 Harbour Authorities Societies Capital Assistance Program. Motion carried unanimously.

• ***AM-1.3.6 Advisory Committees and Boards Policy – Section 3(b)***

AM-1.3.6 Advisory Committees and Boards Policy

Pursuant to the recommendation of Committee of the Whole, Deputy Warden Roberts moved, seconded by Councillor Fowler, that no change be made to AM-1.3.6. *Advisory Committees and Boards Policy*.

MOTION 170919.05 AM-1.3.6 Advisory Committee and Boards Policy- Section 3(b)

It was moved by Councillor Heming, seconded by Councillor Roberts, to refer to staff for more investigation. Motion carried, 6 in favour, 5 against (Wilkins McNeil, Gunn, Fowler)

LUNCH

Councillor Wilkins moved, seconded by Councillor McNeil, to adjourn for lunch at 12:03 p.m. Motion carried unanimously. All returned at 1:14 p.m. as previously noted.

Reports and Recommendations (cont'd)

Re: Committee of the Whole (cont'd)

- ***Bridgetown Volunteer Fire Department Withdrawal from Capital Reserve***
MOTION 170919.06 Bridgetown Volunteer Fire Department Withdrawal from Capital Reserve
Deputy Warden Roberts moved, seconded by Councillor McNeil, in accordance with the recommendation of Committee of the Whole, that Municipal Council authorize the release of \$30,000 twice annually (September and March) to the Bridgetown Volunteer Fire Department from the Fire Services Capital Reserve to make payments on the loan in the amount of \$357,932 to be withdrawn semi-annually until the loan is paid in full. Motion carried unanimously.
- ***Royal Canadian Legion Br 122 Clementsport Grant***
MOTION 170919.07 Royal Canadian Legion Br 122 Clementsport Grant
Deputy Warden Roberts moved, seconded by Councillor Morrison, pursuant to the recommendation of Committee of the Whole, that Municipal Council provide a grant in the amount of \$2,400 to the Royal Canadian Legion Branch 122 Clementsport in accordance with *AM-1.4.9 Community Grants Policy – Community Halls and Centres Assistance Program*. Motion carried unanimously.
- ***Annapolis Valley Regional Library Grant***
MOTION 170919.08 Annapolis Valley Regional Library Grant
In accordance with the recommendation of Committee of the Whole, Deputy Warden Roberts moved, seconded by Councillor Morrison, that Municipal Council provide a grant in the amount of \$200 to the Annapolis Valley Regional Library in accordance with *AM-1.4.9 Community Grants Policy – Community Programs Assistance*. Motion carried unanimously.
- ***Tri-County Women's Centre Grant***
MOTION 170919.09 Tri-County Women's Centre Grant
Pursuant to the recommendation of Committee of the Whole, Deputy Warden Roberts moved, seconded by Councillor Wilkins, that Municipal Council provide a grant in the amount of \$750 to the Tri County Women's Centre in accordance with *AM-1.4.9 Community Grants Policy – Community Programs Assistance*. Motion carried unanimously.
- ***East End Area Land Use Bylaw Violation – Rescind Motion 170718.31***

MOTION 170919.10 East End Area Land Use Bylaw Violation – Rescind Motion 170718.31

Deputy Warden Roberts moved, seconded by Councillor LeBlanc, in accordance with the recommendation of Committee of the Whole, that Municipal Council rescind Motion 170718.31 which reads:

In accordance with the recommendation of Committee of the Whole, Deputy Warden Roberts moved, seconded by Councillor LeBlanc, that Municipal Council instruct the Municipal Solicitor to lay charges against Janet Palmer of 132 Adam Drive, South Farmington, resulting from violations of the East End Land Use Bylaw. Motion carried unanimously.

Motion carried unanimously.

CAO John Ferguson left at this time (1:17 p.m.) and Deputy CAO Dawn Campbell sat at the table.

Re: County Crier – Warden Habinski noted that County Crier Peter Davies was in the room and invited him to address Council. Mr. Davies noted the very successful International Town Crier Competition, which took place this past weekend in the Annapolis Valley between Windsor, Annapolis Royal and Grand Pré. All the participants were pleased to be spending time in the Annapolis Valley and in the Province. First place was from Ontario, runner up was from England, and third place was from Ontario. He thanked Council for financial support for the event, even through an election and change of council. He noted that participants were from Australia, New Zealand, England and the United States. Mr. Davies was commended for the efforts of his committee for this successful international event.

PROCLAMATION

The Warden reported he was pleased to have signed a proclamation on September 1st, 2017, for *Right to Know Week* in the County of Annapolis, in accordance with policy.

Correspondence

Re: Hampton Community Hall (August 15th) – of thanks for the grant received. It was moved by Councillor Fowler, seconded by Councillor Sheridan, to receive for information. Motion carried unanimously.

Re: Colin Fraser (August 29th) – in response to letter of support of a Doppler radar to be installed in the Yarmouth area, and providing a copy of his response to Warden Anthony, District of Yarmouth. Councillor Heming moved, seconded by Councillor MacDonald, to receive for information. Motion carried unanimously.

Re: Municipality of the District of Shelburne (copy) (August 29th) – a copy of District of Shelburne's letter of support of a Doppler radar to be installed in the Yarmouth area. It was moved by Deputy Warden Roberts, seconded by Councillor LeBlanc, to receive for information. Motion carried unanimously.

Re: Annapolis County Trails Society (August 31st) – of thanks for continued financial contribution toward trail development along the Harvest Moon Trailway, and for attendance at the recent ribbon-cutting ceremonies along the trail. Deputy Warden Roberts moved, seconded by Councillor LeBlanc, to receive for information. Motion carried unanimously.

Re: Town of Annapolis Royal (August 31st) – inviting official dedication of the Amphitheatre and Boardwalk Project on September 15th. (*Also previously circulated to all councillors via email in order to meet the RSVP deadline*). It was moved by Councillor Fowler, seconded by Councillor McNeil, to receive for information. Motion carried unanimously.

Re: National Airlines Council of Canada (August 31st) – calling attention to the issue of for-profit-privatization of Canada's airports and some perceived impacts. Councillor Heming moved, seconded by Councillor LeBlanc, to receive for information. Motion carried unanimously.

It was the consensus that all the links in the document be provided and included on the agenda for October Committee of the Whole.

Re: Annapolis Community Health Board (September 1st) – inviting attendance at *What's Your Recipe for a Better Food System?* community engagement event at the Bridgetown Fire Hall on September 25th. Councillor Sheridan moved, seconded by Councillor LeBlanc, to receive for information. Motion carried unanimously.

Re: Bailey Bishop (September 5th) – of thanks for the bursary. It was moved by Councillor Gunn, seconded by Councillor Fowler, to receive for information. Motion carried unanimously.

Re: Town of Yarmouth (September 5th) – requesting support for the establishment of a Radiation Unit at Yarmouth Regional Hospital.

MOTION 170919.11 Letter of Support – Radiation Unit at Yarmouth Regional Hospital
Deputy Warden Roberts moved, seconded by Councillor Gunn, that Municipal Council send a letter of support to the Town of Yarmouth for a radiation unit at the Yarmouth Regional Hospital. Motion carried unanimously.

Re: Royal Canadian Legion Br. 21 Port Royal (September 7th) – advising of an appreciation night being held to recognize first responders. It was moved by Councillor Wilkins, seconded by Councillor Fowler, to receive for information. Motion carried unanimously.

Re: Atlantic Infrastructure Management Network (September 12th) – advising of training and awareness workshops being held across the province for municipal staff and elected officials and CAOs. Councillor Heming moved, seconded by Councillor Fowler, to receive for information. Motion carried unanimously.

Additions

Re: Pugwash Conference - Councillor Heming already addressed under Councillor Comments.

Re: Kings Theatre – Councillor Heming already addressed under Councillor Comments.

Re: County Crier – Already addressed.

Re: Town of Middleton – Deputy Warden Roberts had been approached by Middleton Deputy Mayor Melinda DenHaan inquiring if this council would be interested in having a joint social with them. Councillor MacDonald noted he had been approached by Councillor Gail Smith regarding same. Council will await formal correspondence.

Re: Annapolis County Subdivision Bylaw Amendment – Final Reading

MOTION 170919.12 Annapolis County Subdivision Bylaw Amendment – Final Reading
Deputy Warden Roberts moved, seconded by Councillor McNeil, upon receiving a favourable recommendation from the Annapolis County Planning Advisory Committee and after holding a Public Hearing thereon, that Municipal Council give second and final reading to adopt an amendment to the Annapolis County Subdivision Bylaw to delete the existing map identified as Schedule “I” in the Annapolis County Subdivision Bylaw and replace it with a revised Schedule “I” Service Area Map that combines the new Bridgetown Serviced Area with the existing Carleton Corner and Church Street Serviced Areas. Motion carried unanimously.

Re: Cornwallis Physiotherapy – due to isolated flooding and being unable to occupy the premises for a month, they are requesting that the Landlord waive one month rent/accrued interest.

MOTION 170919.13 Cornwallis Physiotherapy – Waive One Month Rent and Interest
It was moved by Deputy Warden Roberts, seconded by Councillor Morrison, that Municipal Council approve the request from Cornwallis Physiotherapy to waive the month of June rent including any interest accrued. Motion carried unanimously.

Adjournment

Upon motion of Councillors Roberts and Sheridan the meeting adjourned at 1:45 p.m.

Warden

Municipal Clerk