

MUNICIPAL COUNCIL
November 15, 2016

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Minutes of the regular session of **Municipal Council** held on November 15, 2016, at 10:00 a.m. at the Municipal Administration Building, Annapolis Royal, NS

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

Absent: Councillor-elect Marilyn Wilkins

Also

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

Additions/Deletions

Requests were made for the following additions to the agenda: under Minutes: Special Session November 14, 2016; under Business Arising from the Minutes - C6 Emergency Management Bylaw Amendment – Final Reading; under In-Camera – 22(2)(e) Contract Negotiations; and under Additions to the Agenda: 9(A) Executive Certificate in Local Government, (B) Lunn’s Mill Beer Company, (C) RFD - Bridgetown FLUM and Future Zoning Map Amendment, (D) Letter of Acknowledgement – Margaretsville Shore Society, and (E) FCM Board of Directors Nomination.

Approval of the Agenda

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

Minutes

MOTION 161115.01 Minutes Regular Session October 18, 2016

It was moved by Councillor Fowler, seconded by Deputy Warden Roberts, that the minutes of the regular session of Council held on October 11, 2016, be approved as circulated. Motion carried unanimously.

MOTION 161115.02 Minutes Special Session October 24, 2016

It was moved by Councillor Heming, seconded by Councillor Morrison, that the minutes of the special session of Council held on October 24, 2016, be approved as circulated. Motion carried unanimously.

MOTION 161115.03 Minutes Special Session November 1, 2016

Councillor Fowler moved, seconded by Councillor McNeil, that the minutes of the special session of Council held on November 1, 2016, be approved as circulated. Motion carried unanimously.

MOTION 161115.04 Minutes Special Session November 14, 2016

It was moved by Councillor McNeil, seconded by Councillor MacDonald, that the minutes of the special session of Council held on November 14, 2016, be approved as circulated. Motion carried unanimously.

Business Arising from the Minutes

Re: Code of Conduct – Council and CAO reviewed the document and suggested a change to item #3. Staff will make the change to the document and circulate it to Councillors for their information. Councillors present signed the Statement of Commitment to Councillor’s Code of Conduct and submitted it to the Clerk for her signature and for the record.

Re: C6 Emergency Management Bylaw Final Reading

MOTION 161115.05 C6 Emergency Management Bylaw – Final Reading

Deputy Warden Roberts moved, seconded by Councillor Heming, in accordance with first reading given on October 18th, that final reading be given to amend C6 Regional Emergency Management Bylaw. Motion carried unanimously.

Addition to the Agenda

It was moved by Councillor Morrison, seconded by Councillor LeBlanc to add under Business Arising from the Minutes October 24, 2016 Special Session of Council. Motion carried unanimously.

Re: October 24, 2016 Special Session of Council – Councillor Morrison noted his appreciation that his statement had been captured in its entirety.

In-Camera

It was moved by Councillor LeBlanc, seconded by Councillor Heming, to meet in-camera at 10:20 a.m. until 10:32 a.m. in accordance with Section 22(2) (e) **contract negotiations**, of the *Municipal Government Act*. Motion carried unanimously.

Municipal Solicitor’s Report

Re: Municipal Solicitor (October)

- A report for the month of October was circulated at the meeting. The Solicitor also noted:
 - Discussions with S Hudson regarding tax sales,
 - As disclosure the item on the agenda listed as Lunns Mill Beer Company – this company was formed by his associate, noting some interest but no conflict.

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

Councillor Comments

District 2 – Councillor MacDonald noted has been really busy, but has nothing significant to report.

District 11 – Councillor LeBlanc attended the Three Rivers Community Centre turkey supper – very festive! Building is phenomenal after all their renovations and has great atmosphere. On November 11th she laid a wreath at the Nova Scotia Community College Remembrance Day service. She noted this was well attended by people of all ages, from Veterans to toddlers. She encouraged all to support our communities and entrepreneurs by shopping locally.

District 6 – Councillor Morrison attended and laid a wreath at Royal Canadian Legion Clementsport Branch, which was followed by a lunch featuring the Gaels of Fundy Pipe Band. The annual Remembrance Day dinner was held that evening, where service awards and certificates of appreciation were presented. He was happy to note that paving has been completed on Hwy 1 from the Clementsport turn to the Bear River Bridge. He thanked Transportation and Infrastructure Renewal. He was sad to announce the passing of Rev. Adrian Potter, Chair of Clementsport Historical Society.

District 8 – Councillor Gunn attended three fundraisers – a silent auction for a young couple in Bear River who lost their home; a ham and bean on first day of the month at the Forresters Hall (noting the courts and rinks in the back yard!); and a supper on Saturday at Maitland Bridge Community Hall. He attended Remembrance Day services at the Clementsvale cenotaph, a Bear River church service, and at the Bear River Legion. He noted that the Bear River Board of Trade met on November 21st to discuss common issues on both sides of the river, particularly water. It was nice to find out that local contractors (Nova Millwrights and Charles Stewart) did the majority of recent work on the causeway. Great job done three weeks early!

District 10 – Deputy Warden Roberts attended a fundraising 4H supper on Sunday at the Lawrencetown fire hall, raising \$6,000 which was matched by Scotiabank. She attended Remembrance Day services at Springfield (a small but quaint service); Lawrencetown fire hall; and Brickton Hall. She noted the Brickton hall has missed holding only two Remembrance Day services since 1918. On November 19th she attended a fundraising supper at the Inglisville hall, a fundraiser for the upkeep of the hall. On December 3rd, there will be ‘Christmas in the Village’ starting with lighting the tree at the Lawrencetown fire hall at 4, followed by fun at the arena.

District 5 – Councillor Heming noted he had helped arrange and also attended an economic conference in Miramichi. He thanked the Warden for his attendance and noted that two fishermen from District 5 also attended.

District 9 – Councillor Sheridan attended the Remembrance Day service at the Nictaux church. A soft opening for the Nictaux playground was held with lots of people there. She attended a Firettes craft fair on Sunday, which raised money matched by Scotiabank. The Lions Club held a turkey dinner on November 22nd along with a craft sale and tea.

District 4 – Councillor McNeil reported he had attended and laid wreath at Legion in Annapolis Royal, noting it was great to see all age groups in attendance, coming together. He noted the great orientation in Truro, where he gained lots of information, enjoyed the networking, and came home with lots to think about.

District 7 – Warden Habinski reported his attendance and participation at an October 27th fundraiser for the church in Tupperville to replace the roof –he read the Legend of Sleepy Hollow. He attended the conference in Miramichi, noting it was a very productive conference. He attended the Remembrance Day service with Councillor Fowler at the Bridgetown legion, and also the Annapolis Royal Volunteer

Fire Department awards dinner where presented long service awards. He noted the many intergenerational volunteers.

Recess

There was a brief recess, with all returning as previously noted.

Public Hearing

It was moved by Councillor Heming, seconded by Councillor McNeil, to adjourn at 10:55 to a scheduled public hearing regarding the East End Area LUB Zoning Map amendment application. Motion carried unanimously. The meeting resumed at 11:25 a.m. with all present as previously noted.

Addition to the Agenda

Councillor LeBlanc moved, seconded by Councillor Heming, to add to this part of the agenda as New Business: East End Area LUB Zoning Map Amendment Application. Motion carried unanimously.

New Business

Re: East End Area LUB Zoning Map Amendment Application

MOTION 161115.06 East End Area LUB Zoning Map Amendment Application – 2nd and Final Reading

It was moved by Councillor Roberts, seconded by Councillor LeBlanc, that following the full consideration of the related goals, objectives and policies of the Annapolis County East End Area Municipal Planning Strategy, and upon receiving favorable recommendations from the East End Area Advisory Committee and the Annapolis County Planning Advisory Committee, and after holding a Public Hearing thereon, that Municipal Council give 2nd and Final reading of Council's intention to adopt the amendment to the Annapolis County East End Area Land Use By-law Zoning Map so as to rezone the property identified as PID Number 05186515, also known as the Falcourt Inn property, 8979 Highway 201, in the Community of Nictaux, from the present Rural (R-5) Zone to the Institutional (I) Zone, permitting the property to be converted from an Inn and Restaurant to an Addictions Rehabilitation Counselling Centre.

Reports and Recommendations

Re: Committee of the Whole (November 8, 2016)

• *Lawrencetown and District Volunteer Fire Department*

MOTION 161115.07 Lawrencetown and District Vol. Fire Dept. – Withdrawal from Reserve

In accordance with the recommendation of Committee of the Whole, Deputy Warden Roberts moved, seconded by Councillor McNeil, that Municipal Council authorize the release of \$139,467.40 to the Lawrencetown & District Volunteer Fire Department from the 2016-17 Fire Services Capital Reserve to purchase a new Freightliner M2 106 4-door chassis utility truck. Motion carried unanimously.

- ***A4 Cat Bylaw***

MOTION 161115.08 A4 Cat Bylaw – First Reading

Deputy Warden Roberts moved, seconded by Councillor LeBlanc, in accordance with the recommendation of Committee of the Whole, that Municipal Council give first reading to amend the *A4 Cat Bylaw* by:

- Deleting the current wording in Section 9 and replacing it with “*Any cat which has not been redeemed by its owner at the expiry of a period of 72 hours after being impounded may be given away or euthanized.*” Motion carried unanimously.

- ***AM-2.7.1 Occupational Health and Safety Policy - Amend***

MOTION 161115.09 AM-2.7.1 Occupational Health and Safety Policy - Amend

Pursuant to seven day notice having been given, Deputy Warden Roberts moved, seconded by Councillor Fowler, that Municipal Council amend *AM-2.7.1 Occupational Health and Safety Policy* by:

- Changing “*safety and health*” to “*health and safety*” in all places that it appears;
- In Sub-section 3(2) removing “*both*” and “*and the public in general*”;
- In Sub-section 3(5) adding “*(PPEs)*”; and
- In Sub-section 3(11) replacing “*N.S.*” with “*Nova Scotia*”.

Motion carried unanimously.

- ***New Road Name Parkers Cove***

MOTION 161115.10 New Road Name Parkers Cove – Northwinds Lane

Deputy Warden Roberts moved, seconded by Councillor Heming, pursuant to the recommendation of Committee of the Whole, that Municipal Council approve the road name “Northwinds Lane” as the new name for the road being developed as commercial access for cottage development in Parkers Cove. Motion carried unanimously.

- ***Margaretsville Shore Society***

MOTION 161115.11 Margaretsville Shore Society - Grant

In accordance with the recommendation of Committee of the Whole, Deputy Warden Roberts moved, seconded by Councillor MacDonald, that Municipal Council provide a grant in the amount of \$5,000 to the Margaretsville Shore Society in accordance with the 2016-17 Harbour Authorities Societies Capital Assistance Program. Motion carried unanimously.

- ***Bridgetown & Area Chamber of Commerce***

MOTION 161115.12 Bridgetown & Area Chamber of Commerce - Grant

Deputy Warden Roberts moved, seconded by Councillor Fowler, in accordance with the recommendation of Committee of the Whole, that Municipal Council provide a grant in the amount of \$4,169 to the Bridgetown and Area Chamber of Commerce Society from the 2016-17 Community Grants - Marketing and Promotion Partnership Program. Motion carried unanimously.

- ***AM-2.1.6 Compassionate Care Leave Policy - Repeal***

MOTION 161115.13 AM-2.1.6 Compassionate Care Leave Policy - Repeal

Pursuant to seven day notice having been given, Deputy Warden Roberts moved, seconded by Councillor Sheridan, that Municipal Council repeal *AM-2.1.6 Compassionate Care Leave Policy*. Motion carried unanimously.

- ***Tall Ships***

- MOTION 161115.14 2017 Tall Ships Event**

- Deputy Warden Roberts moved, seconded by Councillor LeBlanc, pursuant to the recommendation of Committee of the Whole, that Municipal Council authorize Councillor Morrison to continue attending meetings regarding the 2017 Tall Ships event. Motion carried unanimously.

- ***Historical Support – West Nova Scotia Regiment Ad***

- MOTION 161115.15 West Nova Scotia Regimental Ad - Purchase**

- In accordance with the recommendation of Committee of the Whole, Deputy Warden Roberts moved, seconded by Councillor Morrison, that Municipal Council place an advertisement, not to exceed \$50, to promote the County in West Nova Scotia Regiment's 80th anniversary special publication. Motion carried unanimously.

- ***County Crier and Consort***

- MOTION 161115.16 County Crier and Consort**

- Deputy Warden Roberts moved, seconded by Councillor McNeil, in accordance with the recommendation of Committee of the Whole, that Municipal Council appoint Peter Crofton Davies and Valerie Margaret Davies as the County Crier and Consort for a two year period ending November 30, 2018. Motion carried unanimously.

- ***Nova Scotia MusicFest***

- MOTION 161115.17 2017 Nova Scotia MusicFest Event**

- Pursuant to the recommendation of Committee of the Whole, Deputy Warden Roberts moved, seconded by Councillor LeBlanc, that Municipal Council provide a letter of support to Nova Scotia MusicFest for their 2017 event. Motion carried unanimously.

- ***Valley Waste-Resource Management***

- MOTION 161115.18 Valley Waste-Resource Mgmt Authority – Council Representative**

- Deputy Warden Roberts moved, seconded by Councillor LeBlanc, pursuant to the recommendation of Committee of the Whole, that Municipal Council appoint Deputy Warden Roberts as the Valley Waste-Resource Management Authority member, for a period ending November 30, 2018. Motion carried unanimously.

- i. Annapolis County Trails Society - OHV Funding Letter of Acknowledgement*

- MOTION 161115.19 Annapolis Co Trails Society – OHV Funding Letter of Acknowledgement**

- In accordance with the recommendation of Committee of the Whole, Deputy Warden Roberts moved, seconded by Councillor McNeil, that Municipal Council send a letter to the Annapolis County Trails Society acknowledging their OHV Funding Application. Motion carried unanimously.

- ***Kent and Duffett***

- MOTION 161115.20 Kent and Duffett – Additional Payment**

- Deputy Warden Roberts moved, seconded by Councillor Fowler, in accordance with the recommendation of Committee of the Whole, that Municipal Council authorize an additional payment of \$4,648 to the accounting firm of Kent and Duffett. Motion carried unanimously.

• *Excuse Absence of Councillor Heming*

MOTION 161115.21 Excuse Absence of Councillor Heming – 2016-11-08

Pursuant to the recommendation of Committee of the Whole, Deputy Warden Roberts moved, seconded by Councillor Sheridan, that Municipal Council excuse the absence of Councillor Heming at November 8th Committee of the Whole due to illness. Motion carried unanimously.

Correspondence

Re: Quzhou Municipal People’s Government (October 18th) – Letter of thanks for endorsing the meetings with Peter MacLellan. Warden Habinski noted the lovely silk banner displayed at the front of Council Chambers – noting it will be kept in the Warden’s office. Councillor Heming moved, seconded by Councillor LeBlanc, to receive for information, with thanks to Peter MacLellan. Motion carried unanimously.

MOTION 161115.22 Letter of Thanks for Silk Banner from Quzhou

It was moved by Councillor Fowler, seconded by Councillor Heming, that a letter of thanks for the beautiful silk banner be sent to Mayor Du of Quzhou, China. Motion carried unanimously.

Re: NS Minister of Environment (October 19th) – acknowledging receipt of response regarding fencing, gates and visual barriers for automotive salvage yards. Councillor Fowler moved, seconded by Councillor McNeil, to receive for information. Motion carried unanimously.

Re: Grand Oak Manor B & B (October 19th) – requesting Heritage Tree designation for the oldest red oak tree in Nova Scotia, located at 5345 Granville Road.

MOTION 161115.23 Heritage Tree Designation – Refer to Heritage Advisory Committee

It was moved by Councillor Morrison, seconded by Councillor LeBlanc, to refer to the Heritage Advisory Committee for a recommendation back to COTW. Motion carried unanimously.

Re: Champlain Elementary School (CES) Natural Playground Committee (October 21st) – of gratitude for Council’s financial contribution and support for their natural playground and walking trail project. Councillor LeBlanc moved, seconded by Councillor McNeil, to receive for information. Motion carried unanimously.

Re: Annapolis Valley Regional Library (October 31st) – for information as Council considers appointments to the Board. It was moved by Councillor Fowler, seconded by Councillor Heming, to receive for information. Motion carried unanimously.

Additions to the Agenda

Re: Executive Certificate in Local Government – The CAO noted he had received and circulated information from Jack Novack regarding a new course being offered for elected officials and senior administrators. If councillors have an interest, let the CAO know.

Re: Lunn’s Mill Beer Company – requesting a letter of support zoning bylaw does not prohibit this.

MOTION 161115.24 Letter of Approval Lunn’s Mill Beer Company

Councillor McNeil moved, seconded by Councillor Roberts, that a letter of approval be provided to Lunn’s Mill Beer Company to include in their written proposal to open a microbrewery at 515 Carleton Road, Lawrencetown. Motion carried unanimously.

Re: RFD - Bridgetown FLUM and Future Zoning Map Amendment – 292 Granville Street

MOTION 161115.25 Bridgetown FLUM and Future Zoning Map Amendment

It was moved by Councillor Fowler, seconded by Councillor MacDonald, to recommend that Municipal Council consider the L.I.G. Holdings Ltd. application to amend the Bridgetown Municipal Planning Strategy (MPS) Future Land Use Map (FLUM) and the Bridgetown Land Use By-law (LUB) Zoning Map and to adopt a public participation process involving the referral of the application to the Planning Advisory Committee (PAC) for their review and recommendation after holding a public meeting in the community on Monday, November 28, 2016, with the location in Bridgetown to be announced. Motion carried unanimously.

Re: Letter of Support – Margaretsville Shore Society

MOTION 161115.26 Margaretsville Shore Soc. Letter of Support for Age Friendly Communities Grant App.

Councillor MacDonald moved, seconded by Councillor Morrison, that a letter of support be provided for this funding application. Motion carried unanimously.

Re: Federation of Canadian Municipalities (FCM) Board of Directors – Nomination - Councillor Heming noted that FCM elects members to their Board of Directors and now has a vacancy for Nova Scotia. Because we are hosting the Board in 2018, he felt it was important to have someone from here on the Board.

MOTION 161115.27 Support Nomination of Councillor Heming to FCM Board of Directors

It was moved by Councillor Morrison, seconded by Councillor Fowler, that the Municipality of the County of Annapolis endorse Councillor Gregory Heming to stand for election on FCM’s Board of Directors for the period starting in December 2016 and ending June 5, 2017, and that the Municipality assume all costs associated with Councillor Gregory Heming attending FCM’s Board of Directors meetings. Motion carried unanimously.

Adjournment

Upon motion of Councillors LeBlanc and Sheridan, the meeting adjourned at 12:10 p.m.

Warden

Municipal Clerk