

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

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

**Absent:** Councillors Frank Chipman and Martha Roberts

**Also Present:** Chief Administrative Officer John Ferguson, Municipal Clerk Carolyn Young, other staff.

### **Additions/Deletions**

Requests were made for the following additions to the agenda: 12(A) North Mountain Cell Phone Coverage, (B) Federation of Canadian Municipalities (FCM) 2018 Board Directors Meeting, (C) Society for the Prevention of Cruelty to Animals (SPCA) Update, (D) In-camera: Sections **22(2)(a)** acquisition, sale, lease and security of municipal property and (e) contract negotiations, (E) Letter from Judith Perry, (F) RFD - Bridgetown Equipment Replacement, (G) Audit Presentation by Kim Hopkins at 11:15 a.m., (H) Nova Scotia Department of Justice, and (I) Planning Advisory Committee (PAC) Public Meeting in Bridgetown – set date.

### **Approval of the Agenda**

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

### **Minutes**

#### **MOTION 160315.01 Minutes Regular Session, February 16, 2016**

Councillor Fowler moved, seconded by Councillor McDonald, to approve the minutes as amended on page four, under **AM-1.4.14 Low Income Tax Exemption Policy Amend** the result of the motion to increase the exemption amount to \$225 and increase the income criteria to \$22,560, should read *Motion lost, 2 in favour (Habinski, Morrison), 9 against.* Motion carried unanimously.

### **Business Arising from the Minutes**

There was no business arising from the minutes.

### **In-Camera**

It was moved by Deputy Warden Habinski, seconded by Councillor McDonald, to meet in-camera in accordance with Section **22 (2) (a)** acquisition, sale, lease and security of municipal property, (e) contract negotiations, and (g) solicitor client privilege, at 10:10 a.m. until 10:55 a.m. Motion carried unanimously.

### **Additions to the Agenda**

It was moved by Deputy Warden Habinski, seconded by Councillor McDonald, to add 12(J) Solicitor Contract Extension, and 12(K) Cost Share Agreement for Renovations at the Lawrencetown Municipal Building to the agenda. Motion carried unanimously.

**Recess**

A brief recess was held following the in-camera session.

**Municipal Solicitor's Report**

Re: Municipal Solicitor (February)

- A report for the month of February was circulated in the agenda package.

It was moved by Councillor Fowler, seconded by Councillor LeBlanc, to receive for information. Motion carried unanimously.

**Presentations**

Re: Jubilee Park Floating Dock – Murray Freeman and Steve Campbell, representing interested members of the community, presented additional information as had been requested by Council. They have sourced several funding streams from the community, federal, provincial and municipal governments, and boaters themselves. Discussion with the community and interested parties identified that the original request for a two-boat dock was too small in scope (\$15,000), and they presented a new proposal for an eight-boat floating dock (\$37,000). They requested the following:

- That Council approve the project so that applications can begin
- That Council permit staff to work with the committee to apply for federal and provincial grant monies
- That Council provide \$4,000 towards the project
- That the County provide ongoing maintenance
- That the County provide insurance
- That the County permit staff to work with committee when obtaining quotes and tenders
- That the dock be installed by September 30, 2016
- That an official opening be held July 1, 2017

It was moved by Deputy Warden Habinski, seconded by Councillor Fowler, that staff bring a recommendation to COTW in April. Motion carried unanimously.

Re: Draft Consolidated Financial Statements for Year Ended March 31, 2015 – Kim Hopkins, with the auditing firm of Grant Thornton, highlighted the following on the draft financial statements that had been circulated, based on the changes discussed at the Audit Committee meeting held in October 2015.

She noted that errors had been corrected on:

Page 11 – in on temporary borrowing – entry moved, should be nil, entry now shows on page 12

Page 11 – protective services - an amount had been included in error, entry now shows on page 13

Page 4 – consolidated statement – reallocation of expenses accounted for here as stated above

Page 10 variance – gas tax money

Page 4 - Dissolution expenditures

Page 5 - changes because of timing to include year-end actuals

**MOTION 160315.02     Draft Consolidated Fin. Statements for Year Ended March 31, 2015**

Deputy Warden Habinski moved, seconded by Councillor Connell, that Municipal Council approve the draft Consolidated Financial Statements for the year ended March 31, 2015 as presented. Motion carried unanimously.

**Councillor Comments**

*Bridgetown* – Councillor Hurlburt reported that the P-12 Request for Proposals closes on March 15<sup>th</sup>, and it is hoped that onsite work will commence in April. Interest is growing in the July 30-31 Triathlon and Kids Triathlon events. He has concerns regarding Centennial Drive, i.e. - when construction may start, and the expected impacts might be on the pool, hardware store, etc.

*District 11* – Councillor LeBlanc recognized Mr. Frank Hawkins on his 96<sup>th</sup> birthday, and for receiving the Royal Canadian Legion 50-Plus Years of Service medal, with 72 years of Legion membership! She also noted local artist feather painter Cynthia Henry and congratulated her on being published in the most recent edition of Reader's Digest 'Our Canada'.

*District 6* - Councillor Morrison commented on the Goat Island Church, Hwy 1, noting that this historic building is more than 200 years old, and was not built as most other churches of the day. On February 18<sup>th</sup>, Seniors' Safety Coordinator Sharon Elliott hosted the Don't Fall For Me Tea, with more than 50 attendees. He added that a coalition of local churches from Districts 6 and 8 and Digby County have worked together to bring a refugee family to the area. A Syrian family (two girls and two boys) has arrived and lives in Cornwallis Park. He and his wife assist in babysitting so the parents can attend English lessons. A good crowd attended Chase the Ace at the Clementsport Legion, which is held on the second and fourth Saturdays of each month.

*District 7* – Deputy Warden Habinski noted that next week is the Rev. Dr. George Allen's 103 birthday - living legend and story teller and inspiration to all. He added that Dr. Allen's son told him he had to make it to his 103<sup>rd</sup> birthday, as one ancestor already reached that age. After that he could do what he wanted!

*District 4* – Councillor McDonald reported that he will be attending the UNSM Forestry workshop on April 14<sup>th</sup> in Pictou. Items on the agenda are taxes on forestry lands and carbon credits, featuring presenter Dale Prest.

*District 8* - Warden Ritchie reported he had recently attended the grand opening of the North Queens Fire Hall and presented them with a plaque on Council's behalf, noting the County of Annapolis had contributed more to this project than the Province! He also attended the Lawrencetown Volunteer Fire Department and presented long service awards, and noted the Ladies Auxiliary had disbanded.

**New Business**

Re: Municipal Election Update – The Returning Officer circulated an update for information, highlighting Bill 139, Polling Divisions, enumeration versus Elections Nova Scotia voters list, and calling attention to [www.annapoliscounty.ca](http://www.annapoliscounty.ca) website for up-to-date information on the municipal election taking place on October 15, 2016.

Re: Transportation and Infrastructure Renewal (TIR) - Road Priorities – Director of Municipal Operations Steve McInnis asked that Councillors submit their road priorities to him by Friday, March 18<sup>th</sup>, so that he can submit a list to the Province for their consideration.

Re: Community Support Toolkit – Census 2016 – a package of information regarding the 2016 Census was circulated for information.

**MOTION 160315.03      Census 2016 Community Support Tool Kit**

It was moved by Councillor Fowler, seconded by Councillor LeBlanc, to receive for information and to provide a link on our website and promote on our social media. Motion carried unanimously.

Re: Ombudsman Investigation – The CAO noted that a province-wide request for travel claims is being conducted by the Office of the Ombudsman, due to ongoing issues in Richmond County.

**LUNCH**

It was moved by Councillor McDonald, seconded by Councillor Wilkins, to adjourn for lunch at 12:12 p.m. Motion carried unanimously. All returned as previously noted at 1:25 p.m.

**In-camera**

Councillor McDonald moved, seconded by Deputy Warden Habinski, to meet in-camera at 1:26 p.m. until 1:38 p.m., in accordance with *Municipal Government Act* Section 22(2)(e) contract negotiations. Motion carried unanimously.

It was moved by Councillor LeBlanc, seconded by Councillor Fowler, to meet in-camera at 1:38 p.m. until 1:45 p.m., in accordance with *Municipal Government Act* Section 22(2) (c) Personnel [mis-stated as Section 22(2)(e) contract negotiations].

**Reports and Recommendations**

Re: Committee of the Whole (*March 8<sup>th</sup> meeting*)

• ***Age Advantage Association - Partner***

**MOTION 160315.04      Age Advantage Association - Partner**

In accordance with the recommendation of Committee of the Whole, it was moved by Deputy Warden Habinski, seconded by Councillor Morrison, that Municipal Council become a partner with the Age Advantage Association and Nova Scotia Community College (NSCC) Centre of Geographic Sciences (COGS) to explore age-friendly benefits to County seniors. Motion carried unanimously.

• ***Age Advantage Association - Letter***

**MOTION 160315.05      Age Advantage Association - Letter**

Deputy Warden Habinski moved, seconded by Councillor LeBlanc, in accordance with the recommendation of Committee of the Whole, that Municipal Council, as a partner, write a letter confirming Council's continued support of seniors in Annapolis County through mapping and geographic information, protection and safety services, recreation programs and activities, parks and trails, community development services, and communications services (website, publications, newsletters, social media, online events calendar), with the Age Advantage Association's goals of improving communities and social well-being through engagement in and inclusion of older adults; enhancing collaborative partnerships through joint initiatives; improving healthy active ageing outcomes for older adults; and developing social enterprise with a focus on the opportunities and needs of the ageing population. Motion carried unanimously.

***Declaration of Interest***

Councillor Morrison declared an interest in the following item. He pushed back from the table and did not participate in any discussion or consequent motion. The Cornwallis Community Gardens Association is managed by his wife.

***i. Cornwallis Community Gardens Association - Amendment to Motion 160216.12*****MOTION 160315.06 Cornwallis Community Gardens Association – Amend Motion**

Pursuant to the recommendation of Committee of the Whole, Deputy Warden Habinski moved, seconded by Councillor McDonald, that Municipal Council amend motion 20160216.12 by removing the words ‘*subject to confirmation of other sources of funding received*’. Motion carried unanimously.

Councillor Morrison returned to the table.

***ii. 2016-17 Sewer Charge Increase*****MOTION 160315.07 2016-17 Sewer Charge Increase**

Deputy Warden Habinski moved, seconded by Councillor McDonald, pursuant to the recommendation of Committee of the Whole, that Municipal Council increase the sewer charge based on Option 3, an annual increase of \$58.51 to accommodate the transfer to the Sewer Capital Replacement Reserve.

Councillor Fowler moved to table the motion for more information. There was no seconder.

The original motion was called. **Motion carried**, 9 in favour, 1 against (Fowler)

***iii. Royal Canadian Legion, Branch 33 (Bridgetown) - Grant*****MOTION 160315.08 Royal Canadian Legion Branch 33 Bridgetown - Grant**

In accordance with the recommendation of Committee of the Whole, Deputy Warden Habinski moved, seconded by Councillor Hurlburt, that Municipal Council approve a 2015-16 grant in the amount of \$2,400 to the Royal Canadian Legion, Branch 33 & Memorial Community Centre in accordance with *AM-1.4.9 Community Grants Policy*, to assist with re-shingling a portion of the roof and renovation of washrooms. Motion carried unanimously.

***iv. Family Matters – Grant*****MOTION 160315.09 Family Matters - Grant**

Deputy Warden Habinski moved, seconded by Councillor Fowler, in accordance with the recommendation of Committee of the Whole, that Municipal Council approve a 2015-16 grant in the amount of \$2,000 to Family Matters (Annapolis County Family Resource Centre) in accordance with *AM-1.4.9 Community Grants Policy*, to assist with the purchase of recreational equipment, first aid kits and costs associated with delivering the new After School recreation programming for Lawrencetown Consolidated School and the Bridgetown Regional Elementary School. Motion carried unanimously.

***v. S9 Alarms Bylaw – First Reading to Amend*****MOTION 160315.10 S9 Alarms Bylaw Amendment – First Reading**

Pursuant to the recommendation of Committee of the Whole, Deputy Warden Habinski moved, seconded by Councillor Hurlburt, that Municipal Council give first reading to amend *S9 Alarms Bylaw* by adding Subsection 5 (6) as follows: “*Any person who operates or maintains*

*the alarm system for the owner is also liable to pay a false alarm fee as provided by the Section". Motion carried unanimously.*

**vi. *Bridgetown Alarms Bylaw – First Reading to Repeal***

**MOTION 160315.11     *Bridgetown Alarms Bylaw Repeal – First Reading***

Deputy Warden Habinski moved, seconded by Councillor Hurlburt, pursuant to the recommendation of Committee of the Whole, that Municipal Council give first reading to repeal the *Bridgetown Alarms Bylaw*. Motion carried unanimously.

**vii. *Road Naming Process – New Street, Bridgetown – Access to New P-12 School***

**MOTION 160315.12     *Road Naming Process – New Street Bridgetown***

In accordance with the recommendation of Committee of the Whole, Deputy Warden Habinski moved, seconded by Councillor Hurlburt, that Municipal Council authorize staff to initiate the road naming process to name the new street in Bridgetown which will provide legal access to the new P-12 School. Motion carried unanimously.

**viii. *Road Naming Process – Unnamed Road, Springfield (Nature Lane)***

**MOTION 160315.13     *Road Naming Process – Nature Lane, Springfield***

Deputy Warden Habinski moved, seconded by Councillor Connell, in accordance with the recommendation of Committee of the Whole, that Municipal Council approve the road name “Nature Lane” for the road currently providing access to cottage lots on Lake Pleasant in Springfield. Motion carried unanimously.

**ix. *Delegate Powers of Appointment***

**MOTION 160315.14     *Delegate Powers of Appointment***

Pursuant to the recommendation of Committee of the Whole, Deputy Warden Habinski moved, seconded by Councillor Fowler, that Municipal Council delegate its powers of appointment to the Municipal Clerk for the purpose of appointing an Assistant Returning Officer (ARO). Motion carried unanimously.

**x. *Authorize Use of Provincial List of Electors***

**MOTION 160315.15     *Authorize Use of the Provincial List of Electors***

Deputy Warden Habinski moved, seconded by Councillor LeBlanc, pursuant to the recommendation of Committee of the Whole, that Municipal Council authorize the Chief Administrative Officer to request the permanent list of electors as established and maintained for use in the most recent provincial election, and enter into an agreement with the Chief Electoral Officer for the Province that protects the privacy and security of the information supplied and any required fee be paid to the Chief Electoral Officer for the Province. Motion carried unanimously.

**xi. *Sanitary Sewer – Lequille Extension***

**MOTION 160315.16     *Sanitary Sewer – Lequille Extension***

In accordance with the recommendation of Committee of the Whole, Deputy Warden Habinski moved, seconded by Councillor Morrison, that Municipal Council refer the Lequille Sewer Extension Engineering Study to staff for consideration in the capital planning process. Motion carried unanimously.

*xii. Bear River Greenhouse and Waterfront Gardens - Landowner Letter of Support***MOTION 160315.17 Bear River Greenhouse & Waterfront Gardens – Letter of Support**

Deputy Warden Habinski moved, seconded by Councillor Morrison, in accordance with the recommendation of Committee of the Whole, that, as the land owner, Municipal Council send a letter of support to the Bear River Greenhouse and Waterfront Gardens, for their funding request to Tree Canada Edible Trees, to plant a barrier of Rugosa roses along the perimeter of the waterfront area. Motion carried unanimously.

*xiii. Bus Shelter, Bridgetown***MOTION 160315.18 Bus Shelter, Bridgetown - Letter to Bridgetown Lions Club**

Pursuant to the recommendation of Committee of the Whole, Deputy Warden Habinski moved, seconded by Councillor Fowler, that Municipal Council send a letter to the Bridgetown Lions Club, updating them on the status of siting a location for a bus shelter in Bridgetown. Motion carried unanimously.

*xiv. Lawrencetown Exhibition Youth Arena - Grant***MOTION 160315.19 Lawrencetown Exhibition Youth Arena - Grant**

Deputy Warden Habinski moved, seconded by Councillor Heming, pursuant to the recommendation of Committee of the Whole, that Municipal provide a 2015/16 grant in the amount of \$15,000 to the Lawrencetown Exhibition Youth Arena in accordance with Policy *AM-1.4.9 Community Grants*, with \$13,930 to come from Capital Projects Assistance Program, and the balance to come from Community Halls and Centres. Motion carried unanimously.

*xv. Submission of a Water Rate Study for the Annapolis County Water Utility to the NS UARB***MOTION 160315.20 Submission of Water Rate Study for the Annapolis County Water Utility to the Nova Scotia Utility and Review Board**

In accordance with the recommendation of Committee of the Whole, Deputy Warden Habinski moved, seconded by Councillor McDonald, to recommend that the Municipality of the County of Annapolis on behalf of the Annapolis County Water Utility apply to the Nova Scotia Utility and Review Board for changes in its rates for water and water service, fire protection, to the Municipality of the County of Annapolis, and changes to its rules and regulations for customers served by the utility, as set out in the water rate study prepared by GA Isenor Consulting Limited in association with Blaine S. Rooney Consulting Limited. Motion carried unanimously.

*xvi. Acquisition and Disposal of Properties - Faye Road Bridgetown***MOTION 160315.21 Acquisition and Disposal of Properties – Faye Road Bridgetown**

Deputy Warden Habinski moved, seconded by Councillor Hurlburt, in accordance with the recommendation of Committee of the Whole, that Municipal Council authorize the Warden and Clerk to sign an acquisition and disposal of properties agreement drawn up by NS Transportation and Infrastructure Renewal (TIR) as follows: for TIR to acquire Parcel R-2 from the Municipality [County-owned school bus garage property], and Parcel R-4 from the Municipality [County-owned Faye Road property], and Parcel R-7 from the Municipality [County-owned Faye Road property]; in exchange, the Municipality will gain from TIR existing BRHS property, with Property Identification Numbers (PID) to be confirmed by Transportation and Infrastructure Renewal. Motion carried unanimously.

**Correspondence**

Re: Annapolis Digby Economic Development Agency (ADEDA) Surplus Funds (February 7<sup>th</sup>) – a return of the initial investment of \$31,215.92 was received (for County and former Town of Bridgetown) as a disbursement of the ADEDA remaining funds. Councillor Wilkins moved, seconded by Councillor McDonald, to receive for information. Motion carried unanimously.

Re: Lawrencetown and District Swimming Pool Society (February 22<sup>nd</sup>) – a letter of thanks for emergency funding was received from the Lawrencetown and District Swimming Pool Society. Councillor Connell moved, seconded by Councillor Fowler, to receive for information. Motion carried unanimously.

Re: Annapolis Royal Historic Gardens (February 23<sup>rd</sup>) – an email thanking Warden and Council for the letter of support for dyke maintenance and upgrade. Councillor Fowler moved, seconded by Councillor McDonald, to receive for information. Motion carried unanimously.

**Additions**

Re: North Mountain Cell Phone Coverage – Councillor Fowler noted the very-poor-to-non-existent cell phone coverage between Port Lorne and Parkers Cove.

Councillor Fowler moved, seconded by Councillor Connell, to direct that staff investigate as to whether any cell phone coverage upgrades are planned for the Bay of Fundy shore area, specifically Port Lorne to Parkers Cove. Motion carried unanimously.

Re: FCM 2018 Board Directors Meeting – Councillor Morrison noted the news that the Federation of Canadian Municipalities (FCM) Board of Directors meeting will be held in Cornwallis Park at the Annapolis Basin Conference Centre (ABCC) in September, 2018. This will put Annapolis County on the agenda of FCM for the next two years and the years following the meeting. Municipal Council needs to begin planning for this meeting immediately, in order to showcase Annapolis County, attract citizens to be volunteers as needed, and to continue to liaise with FCM.

**MOTION 160315.22     Establish Committee for FCM Board of Directors Meeting in 2018**

It was moved by Councillor Morrison, seconded by Councillor Wilkins, that Municipal Council establish a committee to examine and make recommendations on various aspects of the hosting of the FCM Board of Directors meeting to be held in Cornwallis Park, Annapolis County, in September 2018. Motion carried unanimously.

Councillors Morrison, Habinski, and Heming volunteered to meet with the CAO to develop a terms of reference for the committee to present to Council.

Re: Society for the Prevention of Cruelty to Animals (SPCA) Update – Councillor Heming moved, seconded by Councillor Connell, that this item be removed from the agenda. Motion carried unanimously.

Re: Letter from Judith Perry, (March 7<sup>th</sup>) – noting to Council that she has had to sell her house in Hampton because of poor mobile phone coverage and acceptable internet service, and asking what Municipal Council has done to address this situation.

**MOTION 160315.23 Poor Internet and Mobile Phone Coverage - Letter**

Councillor Fowler moved, seconded by Councillor Connell, that Municipal Council respond to Ms. Perry with an update on how staff has been addressing the issue of rural internet service. Motion carried unanimously.

Re: RFD Bridgetown Equipment Replacement – staff is requesting approval for the replacement of the snow blower attachment for the John Deere tractor in Bridgetown.

**MOTION 160315.24 Bridgetown Equipment Purchase – Snow Blower Attachment**

It was moved by Deputy Warden Habinski, seconded by Councillor Connell, that Municipal Council approve an expense of \$8,567.50 from the Bridgetown Operating Reserve for the purchase of a new snow blower attachment for the Bridgetown John Deere Tractor. Motion carried unanimously.

Re: Nova Scotia Department of Justice (March 10<sup>th</sup>) – informing that for municipalities to properly plan for the upcoming 2016-17 year, on a portfolio basis, the cost of policing will increase by 3.9 percent over the 2015-16 cost. It was moved by Councillor Fowler, seconded by Councillor Connell, to receive for information. Motion carried unanimously.

Re: PAC Public Meeting in Bridgetown – Council has been asked to set a date for a Planning Advisory Committee Public meeting regarding an application by Milton Hamilton. Tuesday, April 5, at 7:00 p.m. was set, with location to be determined.

Re: Solicitor Contract Extension

**MOTION 160315.25 Solicitor Contract – Two-Year Extension**

It was moved by Councillor Wilkins, seconded by Councillor Fowler, to authorize the Warden and Clerk to sign an agreement to extend the Solicitor’s contract for two years, including the three changes suggested by the Solicitor. Motion carried unanimously.

Re: Cost-Share Agreement – Renovations at Lawrencetown Municipal Building

**MOTION 160315.26 Cost-Share Agreement – Renovations at Lawrencetown Mun. Building**

Deputy Warden Habinski moved, seconded by Councillor Connell, that the Warden and Clerk be authorized to sign a cost-share agreement with the Province of Nova Scotia for renovations at the Lawrencetown Municipal building. Motion carried unanimously.

**Adjournment**

Upon motion of Councillors LeBlanc and Wilkins, the meeting adjourned at 2:25 p.m.

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**Warden**

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**Municipal Clerk**