

MUNICIPAL COUNCIL

April 17, 2018

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Minutes of the regular session of **Municipal Council** held on April 17, 2018, 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, Michael J Gunn, Wendy Sheridan, and Diane LeBlanc.

Absent: Councillor Alex Morrison

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 In-Camera: 4 (A) under Section 22(2)(e) contract negotiations and (B) 22(2)(a) acquisition sale, lease of municipal property; under Municipal Solicitor's Report (B) Solicitor Monthly Report 13 April 2018; and under Additions: 11 (A) Planning Advisory Committee – Recommendation from 2018-04-12, (B) Clean Foundation, (C) Update on Bear River Water (D) Forestry Advisory Committee update, and (E) Provincial Heritage Conference.

Approval of the Agenda

Upon motion of Councillors Sheridan and Wilkins, the agenda was approved as amended.

Minutes

MOTION 180417.01 Minutes – Regular Session 2018-03-20

It was moved by Councillor Fowler, seconded by Councillor Gunn, that the minutes of the regular session of Council held on March 20, 2018, be approved as circulated. Motion carried unanimously.

MOTION 180417.02 Minutes – Special Session 2018-03-23

Councillor Gunn moved, seconded by Councillor McNeil, that the minutes of the Special Session held on March 23, 2018, be approved as circulated. Motion carried unanimously.

MOTION 180417.03 Minutes – Special Session 2018-04-04

It was moved by Councillor McNeil, seconded by Councillor Gunn, that the minutes of the Special Session held on April 4, 2018, be approved as circulated. Motion carried unanimously.

In-Camera

It was moved by Councillor LeBlanc, seconded by Councillor Sheridan, to meet in-camera at 10:02 a.m. until 11:12 p.m. in accordance with Sections 22(2) (a) acquisition sale, lease and security of municipal property and (e) contract negotiations, of the *Municipal Government Act*. Motion carried unanimously.

PRESENTATION

Warden Habinski had Councillors introduce themselves around the table as there were approximately 12 members of the public in attendance.

Re: Finding a Place in the World – Understanding Youth Outmigration from Shrinking Rural Communities – Dr. Karen Foster introduced herself noting she is also a Research Associate with the Centre for Local Prosperity. She gave a brief presentation and had provided for the agenda an Executive Summary

on her document *Finding a Place in the World – Understanding Youth Outmigration from Shrinking Rural Communities* (a full version of the 77-page document was provided for Councillors in SharePoint). She summarized as follows:

- Rural youth outmigration is not easily changed by targeted policies, because: it is driven by more than just economic factors – relationships, place attachment, identity, - and pathways start very early, rural areas are framed, in popular discourse but even by teachers and parents, as places of failure.
- Besides, what is good for rural communities is not necessarily good for individual youth - sometimes leaving is best.
- Policy needs to develop for ‘supports to leave’ and ‘supports to stay’.

Deputy Warden Roberts moved, seconded by Councillor Wilkins, that members of the public be permitted to speak. Motion carried unanimously.

The Warden thanked Dr. Foster for her presentation

Business Arising From the Minutes

There was no business arising from the minutes.

Municipal Solicitor’s Report

Re: Municipal Solicitor

An annual report 2017-2018 was circulated in the agenda package. Councillor Gunn moved, seconded by Councillor Fowler, to receive for information. Motion carried unanimously.

A monthly report dated 13 April 2018, was circulated at the meeting. It was moved by Councillor Wilkins, seconded by Councillor Heming, to receive for information. Motion carried unanimously.

Councillor’s Comments

District 3 – Councillor Fowler had nothing to report.

District 2 – Councillor MacDonald has attended many meetings, including Town of Middleton Council, and many AGM and Society meetings. He has spent 60-80 hours on council work this week. He is hosting a local town hall on April 30th at 7 p.m. at the Margaretsville Fire hall, all are welcome to this informal meeting.

District 11 – Councillor LeBlanc reported that the Three Rivers Community Centre is offering some new courses, i.e. - line dancing, Zumba. There is an upcoming flea market, and an on-going yard sale and they just hosted a country jamboree day. It is a busy place, with all funds raised being used for ongoing renovations.

District 8 – Councillor Gunn reported he finished the Municipal Law course. He recently attended an Annapolis West Health Foundation meeting and has been invited to attend more.

District 10 – Deputy Warden Roberts recently participated in 4H regionals as a judge for the speeches and noted how amazing and brave 4H kids are to get up and speak. We are fortunate to have the volunteers that run this program. She also met with board of the Farm Museum in Lawrencetown, housed on exhibition grounds. Keep an eye out for their new Facebook page. There is a new Exhibition Manager

Gidget Oxner who lives in Sackville and will come here for the season. Angie's Restaurant is having an Open House on April 24th from 2-4 to celebrate their new ownership.

District 5 - Councillor Heming worked on forestry this month.

District 9 – Councillor Sheridan listed many upcoming events, noting the new community sign is well used for events and well received! The fire hall had another very busy turkey supper, and Super Seniors chair yoga has started.

District 4 – Councillor McNeil and a Granville Ferry resident met with RCMP S/Sgt MacGillivray, and he attended community breakfasts in Bear River and Moschelle.

District 1 – Councillor Wilkins noted two young men who grew up in Wilmot, her two sons. *Clinton Wilkins* wrote a book entitled Confessions of a Halifax Mortgage Broker, which contains good and practical information. He learned from mistakes he made (and is candid about those mistakes in his book!) to become a very successful mortgage broker. He is one of the youngest to be appointed to the Real Estate Board of Nova Scotia. He was also the top Broker in Canada in the first quarter. *Travis Wilkins* is a stay-at-home dad of four and lives in North Bay ON. He and a friend are sharing are sharing their first table top game venture entitled Doxie Dash, fostering off-line entertainment and connection. The official launch is on May 5th in Hantsport. She encouraged all to visit Doxiedash.com. And last, but not least, *Cadence Wilkins*, age 8 (her granddaughter) won titanium for her solo tap dance in Buffalo, NY, coming first overall in her age group, earning a scholarship to Nationals in Rhode Island this summer. Councillor Wilkins also plans to attend an Advanced Care Planning session being held at the Bridgetown Regional Community School on April 19 at 7 p.m.

District 7 – Warden Habinski attended recent UNSM board meetings, and will also be attending the UNSM CAO/CEO forum on conflict resolution in Truro. He attended the Centrelea community hall luncheon where he learned more about a solar project that is in the works for the hall.

In-Camera

It was moved by Deputy Warden Roberts, seconded by Councillor LeBlanc, to meet in-camera at 12:12 p.m. until 12:35 p.m. in accordance with Section 22(2) (e) contract negotiations, of the *Municipal Government Act*. Motion carried unanimously.

LUNCH

The Warden declared a lunch break at 12:35 p.m. All returned at 1:45 p.m. with all present as previously noted.

Addition

Deputy Warden Roberts moved, seconded by Councillor Wilkins to add item 11(F) Property Purchase. Motion carried unanimously.

Reports and Recommendations

Re: Committee of the Whole (April 10th)

- ***Fusion Annapolis Valley Civic Youth Alliance Network Project – Letter of Support***
MOTION 180417.04 Fusion Annapolis Valley Civic Youth Alliance Network – Letter of Support
In accordance with the recommendation of Committee of the Whole, Deputy Warden Roberts moved, seconded by Councillor McNeil, that Municipal Council provide a letter of support for Fusion Annapolis Valley’s application for a federal grant to cover the cost of development and implementation of Fusion Annapolis Valley’s Civic Youth Alliance Network (CYAN) Project. Motion carried unanimously.
- ***Request for Proposals – Legal Services***
MOTION 180417.05 Request for Proposals – Legal Services
Deputy Warden Roberts moved, seconded by Councillor Fowler, in accordance with the recommendation of Committee of the Whole, that Municipal Council authorize the CAO to issue a Request for Proposals (RFP) for legal services as the current contract runs out in May. Motion carried unanimously.
- ***Request for Proposals – Former Bridgetown Regional Elementary School Property***
MOTION 180417.06 Request for Proposals – Former Bridgetown Regional Elementary School Property
Pursuant to the recommendation of Committee of the Whole, Deputy Warden Roberts moved, seconded by Councillor McNeil, that Municipal Council authorize the CAO to issue a Request for Proposals (RFP) for the disposal of the former Bridgetown Regional Elementary School property. Motion carried unanimously.
- ***Inglisville Tower***
MOTION 180417.07 Inglisville Tower
Deputy Warden Roberts moved, seconded by Councillor MacDonald, pursuant to the recommendation of Committee of the Whole, that Municipal Council approve the expenditure of \$8,844.74 for the Inglisville Tower Project, with funds to be allocated from the 2017-18 Gas Tax Reserve. Motion carried unanimously.

Clerk’s Note

The Clerk commented that the Building Inspectors are preparing an education piece on Tiny Home Readiness, which they hope to present to Committee of the Whole in May. It might be better if the following letters are sent after that education piece so that the content is better articulated.

It was moved by Councillor Fowler, seconded by Councillor Wilkins, to defer the following three motions to May Council until more information is received. Motion carried unanimously.

Tiny Homes – Building Codes and Readiness – Letter

In accordance with the recommendation of Committee of the Whole, I move that Municipal Council request the Province of Nova Scotia to encourage the adoption of National Building Code amendments related to tiny homes.

Tiny Homes – On-Site Sewage and Readiness – Letter

I move, in accordance with the recommendation of Committee of the Whole, that Municipal Council request the Province of Nova Scotia to amend the Provincial Subdivision Regulations to permit smaller more appropriate sized lots to be approved for tiny home construction and that the Provincial On-site

Sewage Disposal System requirement be lowered from the current minimum of a single dwelling with three bedrooms and two bathrooms standard where a tiny home is to be placed or constructed on a new or existing lot.

Tiny Homes Municipal Sewage Collection and Readiness (with municipal water and with on-site water)

Pursuant to the recommendation of Committee of the Whole, outside of zoned areas, in areas where a municipal water distribution and a sewage collection system is located, I move that Municipal Council consider amending the Annapolis County Subdivision Bylaw – Schedule C, to determine a smaller more appropriate minimum sized lot for tiny homes constructed on permanent foundations. AND outside of zoned areas, in areas serviced by only a municipal sewage collection system, that Municipal Council consider amending the Annapolis County Subdivision Bylaw, Schedule C to determine a smaller more appropriate minimum sized lot for tiny homes constructed on permanent foundations.

- ***Letters of Welcome – RCMP Bridgetown Detachment***

MOTION 180417.08 Letters of Welcome – RCMP Bridgetown Detachment

Deputy Warden Roberts moved, seconded by Councillor LeBlanc, pursuant to the recommendation of Committee of the Whole, that Municipal Council send welcoming letters to the following new members of the RCMP Bridgetown Detachment: Cst. Stacy Rodgers, and Cst. Alexandre Martinez Arana. Motion carried unanimously.

- ***Granville Road Area Advisory Committee – Appoint Citizen Members***

MOTION 180417.09 Granville Road Area Advisory Committee – Appoint Citizen Members

In accordance with the recommendation of Committee of the Whole, Deputy Warden Roberts moved, seconded by Councillor Heming, that Municipal Council appoint Dr. Niki R Clark, Josephine Courtenay, Carl DeNuke, Chris Hopkins, Larry Hudson, and Nancy L. Smith to the Granville Road Area Advisory Committee for a term ending November 30, 2020. Motion carried, eight in favour, two against.

- ***Fort-to-Fort Bicycle Lane Port Royal***

MOTION 180417.10 Fort-to-Fort Bicycle Lane Port Royal

Deputy Warden Roberts moved, seconded by Councillor McNeil, in accordance with the recommendation of Committee of the Whole, that Municipal Council authorize the addition of \$200,000 from gas tax (for a total of \$450,000 of gas tax) be allocated to the Fort-to-Fort Bicycle Lane project in Port Royal. Motion carried unanimously.

New Business

Re: Valley Region Solid Waste-Resource Management Authority(Valley Waste) – Draft Release from Guarantees on Debt for West Hants – The Valley Waste Finance Manager/Acting General Manager circulated a draft of a release that would release West Hants from future liability regarding the settlement of any outstanding long-term borrowings made by Valley Waste to March 31, 2018. The Solicitor noted that only the Municipal Finance Corporation would allow the release to occur. It was moved by Deputy Warden Roberts, seconded by Councillor Sheridan, to receive for information. Motion carried unanimously.

Correspondence

Re: Annapolis County Farm & Rural Women's Day (March 9th) – of thanks for the \$525 grant received. Deputy Warden Roberts moved, seconded by Councillor McNeil, to receive for information. Motion carried unanimously.

Re: Dr. Starr Cardwell (March 15th/20th) – requesting an opportunity to present their concerns to the County and the Town of Annapolis Royal, and offering support by working with already-existing bodies to ensure construction of comprehensive, well-thought-out plans to deal with sea level rise and to ensure they are implemented. It was moved by Deputy Warden Roberts, seconded by Councillor Fowler, to receive for information. Motion carried unanimously.

Re: Attorney General – Justice (March 21st) – in response to Council's February 22nd letter regarding concerns to the low number of Nova Scotia Liquor stores which will retail cannabis upon legalization, noting they are in nine population hubs, which will serve a large majority of the population. They may consider additional locations in the future when they have a better understanding of the marketplace. Councillor Gunn moved, seconded by Councillor Fowler, to receive for information. Motion carried unanimously.

Re: Municipal Affairs (DMA) (March 22nd) – in response to Council's February 22nd letter which expressed concern with the role of the Association of Municipal Administrators of Nova Scotia (AMANS) in the Municipal Modernization discussion, noting DMA recognizes that UNSM is the primary advocacy group for local government, however, AMANS can complement these efforts by bringing data and analysis to the discussion so that decisions are evidence based. DMA does not feel that AMANS is being asked to represent UNSM's views. It was moved by Councillor Heming, seconded by Deputy Warden Roberts, to receive for information. Motion carried unanimously.

Re: NS Justice – Public Safety and Security Division (March 27th) – providing twelve months' notice that the Additional Officer Program (*currently where the civilian Court Liaison position is funded*) may experience changes including both structure and functions on or after April 1, 2019; and that there are no funding changes to the program for the 2018-19 fiscal year. All positions and funding levels provided under the program will remain at the 2017-18 rate.

MOTION 180417.11 NS Justice Public Safety and Security Division - Letter

Deputy Warden Roberts moved, seconded by Councillor Fowler, that Municipal Council send a response after gathering additional information on assurances given during the dissolution of the Town of Bridgetown. Motion carried unanimously.

Re: Kings Transit Authority (April 4th) – noting the Board of Directors reviewed the two requests from Council: Options for Bear River/Cornwallis, and Options for East End Route. The Board passed a motion to postpone a Service Review until such time that a new General Manager is appointed, for which there is no definite date. It was moved by Councillor Fowler, seconded by Deputy Warden Roberts, to receive for information. Motion carried unanimously.

Re: NS Alba Nuadh (April 6th) – advising that May is Gaelic Nova Scotia Month in the province and providing a sample proclamation. Councillor Wilkins moved, seconded by Councillor McNeil, to receive for information. Motion carried unanimously.

Re: Canada-Nova Scotia Offshore Petroleum Board News Release (April 7th) – a copy of an email news release reporting that the Canada-Nova Scotia Offshore Petroleum Board has issued an authorization to BP Canada Energy Group ULC (BP Canada) allowing the drill until, the Seadrill West Aquarius, to enter Canada-Nova Scotia waters, and to carry on with preparatory work in advance of its planned drilling of an exploration well. It was moved by Deputy Warden Roberts, seconded by Councillor MacDonald, to receive for information. Motion carried unanimously.

Re: West Hants (March 29th) – a copy of a letter to the Finance Manager/Acting General Manager of Valley Waste Resource Management (Valley) from West Hants as a follow up to their notice to withdraw from Valley Waste Resource Management dated March 15, 2017, and providing a cheque for \$40,099.55 representing the entire amount owed to Valley for all outstanding capital debt and any other long-term commitments. Councillor Gunn moved, seconded by Councillor McNeil, to receive for information. Motion carried unanimously.

Re: Deping Chian (April 5th) – requesting a greeting message and/or proclamation to pay tribute to the 26th anniversary of the introduction of Falun Daft (also called Falun Gong) to the public. It was moved by Councillor Wilkins, seconded by Councillor LeBlanc, to receive for information. Motion carried unanimously.

Additions

Re: Planning Advisory Committee – Recommendation from 2018-04-12

MOTION 180417.12 File No. 66520-35 Bridgetown 2018 LUB-002: Stackhouse LUB Amendment Application – First Reading

Pursuant to the recommendation of the Planning Advisory Committee, Deputy Warden Roberts moved, seconded by Councillor Fowler, following the full consideration of the related goals, objectives and policies of the Bridgetown Municipal Planning Strategy, that Municipal Council give first reading to adopt an amendment to Part 4.17.1 (b) of the Bridgetown Land Use Bylaw (LUB) to include the following wording after the phrase “be located in the front or flankage yard” but preceding the semicolon of that phrase, “except in a R-1 Zone where the accessory building or structure may be located in the front yard of a lot, but not within 60 m. (196.85 ft.) of the front lot line” and to hold a statutory Public Hearing on May 15, 2018 at 11:00 a.m. in the Council Chambers of the Municipal Administration Building to discuss Municipal Council’s intention to adopt the amendments to the Bridgetown Land Use By-law. Motion carried unanimously.

Re: Clean Foundation – Councillor MacDonald noted that this group is looking for use of a meeting space that will accommodate working table space, IT equipment for a full-day kick-off meeting, which the public would be invited to. It was noted that the Municipality doesn’t own any such facility. The councillor will send a response and provide some other options to the Clean Foundation.

Re: Update on Bear River Water – Councillor Gunn requested an update. The Director of Municipal Services noted that the preliminary design work and field work is done and a report to Council will be forthcoming.

Re: Forestry Advisory Committee Update – Councillor Heming provided a package to each councillor for the upcoming Forestry Advisory Committee meeting being held on Thursday and Friday. He is looking

forward to a great group of speakers and encourages all councillors to come. The Committee will provide an interim report to May COTW. Even though this is a committee meeting, he is expecting more people than Council Chambers can accommodate

Councillor Heming moved, seconded by Councillor Wilkins, that the CAO investigate using the church hall next door, including sound equipment, to accommodate the Forestry Advisory Committee meeting being held on Thursday and Friday. Motion carried unanimously.

Re: Provincial Heritage Conference Committee – Councillor Wilkins reported that the 2018 Annual Provincial Heritage Conference will be hosted by the Town of Annapolis Royal this fall.

MOTION 180417.13 Provincial Heritage Conference Planning Committee – Appoint Wilkins

It was moved by Councillor Fowler, seconded by Councillor LeBlanc, that Councillor Wilkins be appointed to the Provincial Heritage Conference Planning Committee. Motion carried unanimously.

Re: Property Purchase

MOTION 180417.14 Property Purchase

Deputy Warden Roberts moved, seconded by Councillor McNeil, that the CAO make an offer on the property as discussed in-camera, subject to conditions and Council’s final approval. Motion carried unanimously.

Adjournment

Upon motion of Deputy Warden Roberts and Councillor Sheridan, the meeting adjourned at 2:52 p.m.

Warden

Municipal Clerk