

MUNICIPAL COUNCIL
July 19, 2016
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Minutes of the regular session of **Municipal Council** held on July 19, 2016, at 10:05 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, Frank Chipman, Martha Roberts, Diane LeBlanc, and Horace Hurlburt.

Also

Present: Chief Administrative Officer John Ferguson, Municipal Clerk Carolyn Young, other staff, several members of the public.

Additions/Deletions

Requests were made for the following additions to the agenda: 11(A) Letter, (B) Handicapped Access (C) Peacekeeping and Climate Change, (D) HAC Habitation Sub-Committee Port Royal Family Fun Day, (E) Municipally-Registered Heritage Property Application for Substantial Alteration, (F). Letter from MP Colin Fraser, and (G) Audit Committee Recommendation.

Approval of the Agenda

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

Minutes

MOTION 160719.01 Minutes Regular Session June 21, 2016

It was moved by Councillor Fowler, seconded by Councillor McDonald, that the minutes of the regular session of Council held on June 21, 2016, be approved as amended to change part (2) of motion160621.41 to ‘...and (2) \$4,300 to be available to disburse to educational institutions upon request of scholarship/award recipients, for a total payout of \$7,975.’ Motion carried unanimously.

Business Arising from the Minutes

There was no business arising from the minutes.

In-camera

It was moved by Councillor McDonald, seconded by Deputy Warden Habinski, to meet in-camera in accordance with Section 22(2) (e) contract negotiations, of the *Municipal Government Act*, at 10:12 a.m. until 10:35 a.m. Motion carried unanimously.

Municipal Solicitor’s Report

Re: Municipal Solicitor (June)

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

It was moved by Councillor Chipman, seconded by Councillor LeBlanc, to receive the monthly report for information.

Recess

Councillors took a brief recess from 10:40 until 10:50 a.m.

Councillor Comments

Bridgetown – Councillor Hurlburt noted that Riverfest II was very successful, with 16 teams (up from 9 last year) in the dragon boat races; the steel beams are installed at new school; and July 1st fireworks extremely successful even though attendance was down a bit.

District 6 – Councillor Morrison noted the upcoming RCL Legion family day and the flea market being held in Deep Brook. Last Saturday, a ‘garden walk’ was conducted in Deep Brook, Cornwallis Park, and Clementsport. He and his wife, along with Councillor & Mrs. McDonald, took part in the enjoyable sail on the Annapolis River.

District 9 - Councillor Chipman noted a conversation with three tourists from Georgia who were impressed with undeveloped coastline.

District 7 – Deputy Warden Habinski added his congratulations for Riverfest, noting the volunteers and organizers of this event are to be highly commended, examples of cultural volunteerism. The ribs were delicious and the races were exciting. It was a real draw to the area. He noted that County staff was running kids programs throughout the day and he appreciated their efforts.

District 1 – Councillor Wilkins reported she had participated on a dragon boat team and loved the experience. The average age of participants on her boat was 65. She passed out Port George Country Jamboree passes to Councillors, noting if they couldn’t use them, to please pass them along to someone who will – it will be another fun day, and is their major fundraiser.

District 2 – Councillor Connell noted the current heat wave! He has been working along the shore and meeting with visitors, noting Hampton is busy, right along to Margaretsville, as people seeking the shore to escape the heat. He noted the boat rental and park in Middleton with their ongoing programs, and enjoys seeing activities take place all along the Annapolis River. The Redneck Rodeo was a great success at the Annapolis Valley Exhibition grounds, as was the bluegrass festival in Port George last month. He looks forward to the Port George Country Jamboree taking place later this month.

District 4 – Councillor McDonald congratulated Debra Ryan, Recreation Manager, on the canoe article that appeared in the most recent Municipal Voice, a magazine put out by the Union of Nova Scotia Municipalities.

District 10 – Councillor Roberts attended the Canada Day festival in Lawrencetown, noting it was a great event run by volunteers. She reported that ten 4H students and two guardians went to Westlock Alberta on an exchange program; they look forward to receiving ten 4Hers in return.

District 8 - Warden Ritchie attended several events over the past month, including Canada Day in Bear River, Raven Haven Family Fun Day, and various federal/provincial funding announcements. He called attention to the Coat of Arms displayed at the front of Council Chambers. Mr. Don Walker, who recently celebrate his 90th birthday, made and presented this to the Warden some time ago.

New Business

Re: Nova Scotia MusicFest Association – Beth Earle provided a brief background on this new association, outlining their mission statement, concept, expected economic impact, and their progress to date. They are requesting \$5,000 to develop marketing collateral for use during the 2016 Wharf Rat Rally

to promote the Nova Scotia MusicFest in 2017 (i.e. - logo development, save the date cards, website design, posters, signs, other marketing materials).

It was moved by Councillor Morrison, seconded by Councillor McDonald, that Municipal Council consider the \$5,000 request of the Nova Scotia MusicFest. Motion carried unanimously.

MOTION 160719.02 Nova Scotia MusicFest Association

Councillor Morrison moved, seconded by Councillor Fowler, that Municipal Council provide \$5,000 to Nova Scotia MusicFest for 2016 marketing of the 2017 NS MusicFest, with funds to come from Economic Development. Motion carried unanimously.

Re: RFD – Hamilton Development Agreement – The Director of Community Services provided a brief overview of the process to date. Council first had to amend the Bridgetown Municipal Planning Strategy and Land Use Bylaw (MPS LUB) in order to consider this development agreement (DA). Council requested several amendments at the Public Hearing, which were reviewed by the Solicitor. He added that the applicant has the right to appeal to Nova Scotia Utility and Review Board if the DA is not approved. If approved, authorization is to be given to the Warden and Clerk to enter into the agreement, once second reading is published and the appeal period is concluded. Council could also make a motion to state a date by which the applicant enters into the DA.

Hamilton Development Agreement – Final Reading

It was moved by Deputy Warden Habinski, seconded by Councillor Hurlburt, upon receiving a favorable recommendation from the Annapolis County Planning Advisory Committee and following the full consideration of the related goals, objectives and policies of the Bridgetown Municipal Planning Strategy and after holding a Public Hearing thereon, that Municipal Council give second and final reading of Municipal Council's intent to enter into a development agreement with Hamilton Salvage & Recycling Limited and Milton Hamilton and Janice King-Hamilton to permit the redevelopment of the property identified as PID 05149653, civic address 51 Church Street in the community of Bridgetown. Motion carried, 8 in favour, 4 against (Wilkins, Roberts, Heming, and Morrison).

Re: Municipal Elections Information Update – The Returning Officer provided an update on revisions to the Elections Nova Scotia Voters List, Candidate Information Session, opportunity to work at Polling Stations, updated website, and the 2016 Candidates Guide. Councillor LeBlanc moved, seconded by Councillor Fowler, to receive for information. Motion carried unanimously.

Re: Memorandum of Understanding – County of Annapolis / Annapolis Valley Regional Library

MOTION 160719.03 MOU Co Annapolis / Annapolis Valley Regional Library

Deputy Warden Habinski moved, seconded by Councillor Heming, that the Warden and Clerk be authorized to sign the Memorandum of Understanding between the Municipality of the County of Annapolis and the Annapolis Valley Regional Library as amended to add to item 1b. '*...dependant on available resources or subject to Council resolution*'. Motion carried unanimously.

Re: RFD – Hamilton Development Agreement (cont'd) – The Director of Community Services noted an error in the motion just made regarding the Hamilton Development Agreement. The agreement is attached to the property, not the business, so it is entered solely with the property owner.

MOTION 160719.04 Hamilton Development Agreement – Final Reading

It was moved by Deputy Warden Habinski, seconded by Councillor Hurlburt, upon receiving a favorable recommendation from the Annapolis County Planning Advisory Committee and following the full consideration of the related goals, objectives and policies of the Bridgetown Municipal Planning Strategy and after holding a Public Hearing thereon, that Municipal Council give second and final reading of Municipal Council’s intent to enter into a development agreement with Milton Hamilton and Janice King-Hamilton to permit the redevelopment of the property identified as PID 05149653, civic address 51 Church Street in the community of Bridgetown. Motion carried, 10 in favour, 2 against (Wilkins, Roberts.)

LUNCH

The Warden declared the meeting adjourned for lunch at 12:10 p.m. All returned as previously noted at 1:18 p.m. except Councillors Wilkins and Hurlburt.

Reports and Recommendations

Re: Committee of the Whole (July 12, 2016)

• ***Jubilee Park Floating Dock Project Income Tax Receipts***

MOTION 160719.05 Jubilee Park Floating Dock Project Income Tax Receipts

In accordance with the recommendation of Committee of the Whole, Deputy Warden Habinski moved, seconded by Councillor Fowler, that Municipal Council authorize the issue of tax receipts for donations totalling \$4,265 to the Jubilee Park Floating Dock project as circulated. Motion carried unanimously.

• ***Jubilee Park Floating Dock Project Release of Funds***

MOTION 160719.06 Jubilee Park Floating Dock Project Release of Funds

Deputy Warden Habinski moved, seconded by Councillor Fowler, in accordance with the recommendation of Committee of the Whole, that Municipal council release the funds for the Jubilee Park Floating Dock project, in the amount of \$4,265, once received. Motion carried unanimously.

• ***AM-1.4.15 Dangerous and Unsightly Premises Policy – Amend***

MOTION 160719.07 AM-1.4.15 Dangerous and Unsightly Premises Policy - Amend

Pursuant to seven-day notice having been given, Deputy Warden Habinski moved, seconded by Councillor Roberts, that Municipal Council amend *AM-1.4.15 Dangerous and Unsightly Premises Policy* **by deleting** the words “*be referred to*” in Sub-section 5.2:

5.2 As councillors may ultimately be required to serve as “Jury” in a dangerous or unsightly premises appeal, all residents or ratepayers wishing to register a complaint in regard to an unsightly or dangerous premises matter should ~~be referred to~~ contact the Administrator;

and **by adding:**

10.2 Where the owner fails to comply with an order made herein within the specified time, the owner may be charged a penalty pursuant to the powers granted under the Municipal Government Act and as may be amended from time to time; as such, any person who fails to comply with the terms of an order is liable, on summary conviction, to a penalty of not less than one hundred dollars and not more than five thousand dollars, and in default of payment to imprisonment for not more than three months. Motion carried unanimously.

Councillor Hurlburt attended at this time.

- ***Trap-Neuter-Release Program***

MOTION 160719.08 Trap-Neuter-Release Program

Deputy Warden Habinski moved, seconded by Councillor Heming, pursuant to the recommendation of Committee of the Whole, that Municipal Council proceed with the Trap-Neuter-Release Program. Motion carried unanimously.

- ***Annapolis Royal & District Volunteer Fire Department Release of Funds***

MOTION 160719.09 Annapolis Royal & Dist. Fire Dept. Release of Funds

In accordance with the recommendation of Committee of the Whole, Deputy Warden Habinski moved, seconded by Councillor McDonald, that Municipal Council authorize the release of \$20,000 to the Annapolis Royal & District Volunteer Fire Department from the 2016-17 Fire Services Capital Reserve to purchase wild-land protective equipment. Motion carried unanimously.

- ***North Queens Fire Association Release of Funds***

MOTION 160719.10 North Queens Fire Association Release of Funds

Deputy Warden Habinski moved, seconded by Councillor McDonald, in accordance with the recommendation of Committee of the Whole, that Municipal Council authorize the release of \$59,000 (or available funds) to the North Queens Fire Association from the 2016-17 Fire Services Capital Reserve to make a payment on their outstanding loan. Motion carried unanimously.

- ***Municipal Election Tariff of Fees and Expenses***

MOTION 160719.11 Municipal Election Tariff of Fees and Expenses

Pursuant to the recommendation of Committee of the Whole, Deputy Warden Habinski moved, seconded by Councillor Chipman, that Municipal Council approve the Tariff of Fees and Expenses for services supplied for conducting the 2016 municipal election on October 15th, on regular Election Day. Motion carried unanimously.

The COA and other staff attended here (1:25 p.m.)

- ***Royal Canadian Legion Branch 122 Clementsport Grant***

MOTION 160719.12 Royal Canadian Legion Branch 122 Clementsport - Grant

Deputy Warden Habinski moved, seconded by Councillor Hurlburt, pursuant to the recommendation of Committee of the Whole, that Municipal Council approve a 2016-17 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.

- ***AVRSB Bridgetown New School Playground Committee Grant***

MOTION 160719.13 AVRSB Bridgetown New School Playground Committee - Grant

In accordance with the recommendation of Committee of the Whole, Deputy Warden Habinski moved, seconded by Councillor Hurlburt, that Municipal Council approve a 2016-17 grant in the amount of \$25,000 to the **Annapolis Valley Regional School Board Bridgetown New School Playground Committee** in accordance with *AM-1.4.9 Community Grants Policy*, Capital Projects Assistance Program. Motion carried unanimously.

- *Age Advantage Association - Letter*

MOTION 160719.14 Age Advantage Association - Letter

Deputy Warden Habinski moved, seconded by Councillor McDonald, in accordance with the recommendation of Committee of the Whole, that Municipal Council, as a partner to the Age Advantage Association and Centre for Geographic Sciences, send a letter supporting the ongoing work of the Association in relation to their application for *New Horizons for Seniors – Community Based Projects* funding, noting the ongoing work of the Association and its partners in supporting volunteers and communities. Motion carried unanimously.

- *Suspend Regular Committee Meetings in August*

MOTION 160719.15 Suspend Regular Committee Meetings in August

Pursuant to the recommendation of Committee of the Whole, Deputy Warden Habinski moved, seconded by Councillor Fowler, that Municipal Council suspend all regular committee meetings for the month of August, with it being noted that this does not include Municipal Council, nor does it prohibit the holding of special meetings or meetings usually required in August due to the nature of the committee. Motion carried unanimously.

- *Letter of Support – Bear River Community Craft & Recreation Facility Society (Oakdene Centre)*

MOTION 160719.16 Bear River Community Craft & Rec. Facility Society (Oakdene Centre) – Letter of Support

Deputy Warden Habinski moved, seconded by Councillor Morrison, pursuant to the recommendation of Committee of the Whole, that Council provide a letter of support to the Bear River Community Craft & Recreation Facility Society for their funding application to ACOA under the Canada 150 Community Infrastructure Program (CIP 150), subject to the municipality's review of the application. Motion carried unanimously.

- *Municipally-Registered Heritage Property – Rev. William Elder House*

MOTION 160719.17 Municipally-Registered Heritage Property Rev. William Elder House – Substantial Alteration

In accordance with the recommendation of Committee of the Whole, Deputy Warden Habinski moved, seconded by Councillor Hurlburt, that Municipal Council permit the owners of municipally-registered heritage property **Rev. William Elder House**, to do a substantial alteration to demolish the outbuilding located at 14 Albert Street, Bridgetown. Motion carried unanimously.

- *Provincial Heritage Conference – Out of Budget Request*

MOTION 160719.18 Provincial Heritage Conference – Out of Budget Expense

Deputy Warden Habinski moved, seconded by Councillor Morrison, in accordance with the recommendation of Committee of the Whole, that Municipal Council authorize an out-of-budget expense of up to \$500 (including registration, hotel two nights, meals, and mileage) for each Heritage Advisory Committee citizen member (two) to attend the three-day provincial Heritage Conference being held in Wolfville, NS in September, and that this expense come from the Operating Reserve. Motion carried unanimously.

- *Letter of Congratulations - Roberta Patey*

MOTION 160719.19 Letter of Congratulations – Roberta Patey

Pursuant to the recommendation of Committee of the Whole, Deputy Warden Habinski moved, seconded by Councillor McDonald, that Municipal Council send a letter of congratulations to

Roberta Patey on the occasion of her recently-celebrated 100th birthday. Motion carried unanimously.

• ***Junction Road Funding***

MOTION 160719.20 Junction Road Funding

It was moved by Deputy Warden Habinski, seconded by Councillor Connell, pursuant to the recommendation of Committee of the Whole, that Municipal Council approve a payment of \$56,091.10 plus HST, representing the County's share of the Junction Road shoulder widening as invoiced by Transportation and Infrastructure Renewal, to be funded from Gas Tax Reserve. Motion carried unanimously.

• ***Bridgetown Memorial Arena Capital Upgrades***

MOTION 160719.21 Bridgetown Memorial Arena Capital Upgrades – Letter of Support

In accordance with the recommendation of Committee of the Whole, Deputy Warden Habinski moved, seconded by Councillor Hurlburt, that Municipal Council provide a letter of support to the Bridgetown Community Recreation Association for their funding application to ACOA under the Canada 150 Community Infrastructure Program (CIP 150), subject to the municipality's review of the application. Motion carried unanimously.

• ***Annapolis River Basin Waterfront Development Project***

MOTION 160719.22 Annapolis River Basin Waterfront Development Project

Pursuant to the recommendation of Committee of the Whole, Deputy Warden Habinski moved, seconded by Councillor Fowler, that Municipal Council authorize the Warden and Clerk to sign the Letter of Intent for the Annapolis River Basin Waterfront Development Project, and that the Chief Administrative Officer sign the Terms of Reference. Motion carried unanimously.

Correspondence

Re: Bridgetown and Area Historical Society Inc (June 15th) – Requesting the return of historical items loaned to the Town of Bridgetown, along with any other historical material relating to the Town. Councillor Chipman moved, seconded by Councillor Hurlburt, to refer the matter to staff for follow up. Motion carried unanimously.

Re: Darlene Mills, RSMC Canada Post Annapolis Royal (copy June 27th) – a copy of a letter to Hon. Gordon Wilson regarding the future of Canada Post. It was moved by Councillor Chipman, seconded by Councillor Fowler, to receive for information. Motion carried unanimously.

Re: Annapolis Valley Regional Library (July 4th) – providing the annual report for April 1, 2015 - March 31, 2016. Deputy Warden Habinski moved, seconded by Councillor Hurlburt, to receive for information. Motion carried unanimously.

Re: Community Based Transportation Association (email July 7th) – responding to Council's letter which had advised that they did not receive the municipal grant as applied for, expressing disappointment and also looking forward to working with Council. They also noted they were pleased to have Councillor Morrison sit on their Board of Directors. It was moved by Councillor Roberts, seconded by Councillor Fowler, to receive for information. Motion carried unanimously.

Re: Cassidy Wallace (July 9th) – thanking Municipal Council for the awards received from the Municipality on her recent graduation from Bridgetown Regional High School. Councillor Chipman moved, seconded by Councillor LeBlanc, to receive for information. Motion carried unanimously.

Re: Annapolis Valley Bluegrass & Oldtime Music Association (email July 13th) – expressing thanks for the grant received, and requesting a Councillor attend the opening of the festival taking place at Viditos Campground in Wilmot on September 16th, 6:00 p.m. for information. It was moved by Councillor LeBlanc, seconded by Councillor Connell, to receive for information. Motion carried unanimously.

Re: 2016 Port George Country Jamboree (July 13th) – of thanks for the grant received, and inviting all Councillors to attend the 34th Annual Jamboree being held on Saturday, July 30th. They also outlined how they were promoting the Municipality in their advertising.

MOTION 160719.23 Letter to Port George Country Jamboree

Councillor Chipman moved, seconded by Deputy Warden Habinski, to receive for information and to send a letter of thanks for the Jamboree passes received and wishing them success on the 34th Annual Jamboree. Motion carried unanimously.

Additions to the Agenda

Re: Letter to Premier McNeil Without Prejudice

MOTION 160719.24 Letter to Premier – Harvesting Wood on Crown Lands

It was moved by Councillor Chipman, seconded by Councillor Heming, that a letter be sent, without prejudice, to Premier McNeil, making him aware that it is believed that Northern Pulp is harvesting hard wood on crown lands (formerly Bowater) in the West Dalhousie area of our County, the cutters are hired from out of province, the wood is shipped to mills in Pictou and Sheet Harbour, and then shipped to Asia; resulting in few benefits to Annapolis County and the western region of Nova Scotia; local jobs are being sacrificed. Motion carried unanimously.

Re: Handicapped Access - Councillor Hurlburt has had inquiries from Bridgetown residents noting the lack of handicapped access to businesses. Who should these inquiries go to? The Director of Municipal Operations noted that if the issue is sidewalk access, it is the County. If it is access to the building/business, it is the owner's responsibility. The County is willing to discuss options about the whole downtown core.

Re: Peacekeeping and Climate Change – Councillor Heming withdrew this item, noting he would submit something for the August Council agenda.

Re: HAC Habitation Sub Committee Port Royal Family Fun Day – Councillor Heming – noted this event had been scheduled for September 10th, and that Ciderfest is being held on the same weekend. To avoid having a competing weekend, the Committee would like to hold the event over to May 27, 2017.

MOTION 160719.25 Port Royal Family Fun Day – Date Change

Taking into consideration other large events happening on September 10th, it was moved by Councillor Heming, seconded by Deputy Warden Habinski, that the Port Royal Family Fun Day be rescheduled to Saturday, May 27, 2017, and that \$3,500 be considered in the 2017-18 Budget. Motion carried unanimously.

Re: Municipally Registered Heritage Property Application for Substantial Alteration Solomon Bowlby House – the new owners of the Solomon Bowlby House have applied for substantial alterations.

MOTION 160719.26 Mun. Registered Heritage Property Solomon Bowlby House – Request for Substantial Alterations Referred to Heritage Advisory Committee

Deputy Warden Habinski moved, seconded by Councillor Hurlburt, to refer the request for substantial alterations to the Solomon Bowlby House to the Heritage Advisory Committee for a recommendation back to Municipal Council. Motion carried unanimously.

Re: Letter from MP Colin Fraser – in response to Council’s letter, noting that no decision has been made regarding the re-establishment of a peacekeeping training centre, and that, should Government decide to reopen a centre, he will advocate on behalf of West Nova to see it re-established in Cornwallis Park. It was moved by Councillor Heming, seconded by Councillor Connell, to receive for information. Motion carried unanimously.

Re: Audit Committee Recommendation

MOTION 160719.27 Auditing Firm Kent & Duffett – Approve Proposed Scope of Work

Deputy Warden Habinski moved, seconded by Councillor Chipman, that Municipal Council accept the scope of auditing process as laid out in the Audit Engagement Letter. Motion carried unanimously.

Adjournment

Upon motion of Councillors Roberts and LeBlanc, the meeting adjourned at 1:50 p.m.

Warden

Municipal Clerk