

MUNICIPAL COUNCIL
January 19, 2016
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Minutes of the regular session of **Municipal Council** held on January 19, 2016, at 10:00 a.m. in Council Chambers of the Municipal Administration building, Annapolis Royal, N.S.

Present: Warden Reg Ritchie, Deputy Warden Timothy Habinski; Councillors Marilyn Wilkins, Wayne Fowler, Paul McDonald, Gregory Heming, Alex Morrison, Frank Chipman, Martha Roberts, Diane LeBlanc, and Horace Hurlburt.

Absent: Councillor Brian “Fuzzy” Connell

Also

Present: CAO John Ferguson, Municipal Clerk Carolyn Young, other staff.

Additions to the Agenda

A request was made for the following items to be added to the agenda: 12(A) Bridgetown Bus Shelter, (B) Nova Scotia Power Corporation, (C) Paradise Snow Removal, (D) Bridgetown WinterFest, (E) FCM 2018 Board of Directors Conference, (F) Lawrencetown Pool Emergency Funding, and (G) February 17th Strategic Planning Workshop.

Approval of the Agenda

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

Minutes

MOTION 160119.01 Minutes Regular Session December 15, 2015

It was moved by Deputy Warden Habinski, seconded by Councillor Wilkins, that the minutes of the regular session held on December 15, 2015, be approved as amended to correct those listed as present or absent. Motion carried unanimously.

Business Arising from the Minutes

There was no business arising from the minutes.

New Business

There was no new business brought before Council.

In-Camera

In accordance with **Sections 22(2)(a)**, acquisition, sale, lease and security of municipal property, and **(b)** setting a minimum price to be accepted by the municipality at a tax sale, of the *Municipal Government Act*, it was moved by Deputy Warden Habinski, seconded by Councillor McDonald, to meet in-camera at 10:05 a.m. until 11:02 a.m. Motion carried unanimously.

Additions to the Agenda

It was moved by Deputy Warden Habinski, seconded by Councillor Fowler, to add as item 12 (H) Grass Pellet Boiler, Municipal Administration Building, Annapolis Royal. Motion carried unanimously.

Councillor Morrison moved, seconded by Deputy Warden Habinski, to add as item 12(I) 3283169 NS Ltd. Lease Agreement for Unit 2-4 Basinview Centre. Motion carried unanimously.

PRESENTATIONS

Re: Clean Foundation and Efficiency Nova Scotia – HomeWarming Program - Jenna MacLeod, Outreach Coordinator was unable to attend due to inclement weather. She emailed the following points that she wanted Council to be aware of;

- The program has capacity to accept more applications for the program and for upgrades in 2016.
- The program is province-wide, but is underutilized in this area – please spread the word and share through as many avenues as possible.
- With a low-income property tax exemption program, you may be able to refer applicants for that program directly into HomeWarming (no need for the applicant to fill out a second application).
- The documents for the programs were circulated in the agenda package. More can be obtained by contacting her directly.

Councillor Wilkins moved, seconded by Councillor Roberts, to receive for information. Motion carried unanimously.

Re: Shallow Water Tidal Energy / Victoria Beach Tidal Power Integration Project – Bill Crossman and Craig Chandler were in attendance for this presentation.

Mr. Crossman, founder of Soluna Energy Incorporated, addressed Council regarding the development of tidal power in shallow water, and requested that a portion of his presentation regarding the technology be conducted in-camera.

In-camera

Deputy Warden Habinski moved, seconded by Councillor Roberts, to go in-camera at 11:05 a.m. until 11:40 a.m. in accordance with Section 22(2)(e) contract negotiations, of the *Municipal Government Act*. Motion carried unanimously.

Mr. Chandler of Mersey Consulting was also in attendance to speak about the Victoria Beach Tidal Power Integration Project, highlighting the following:

Project goals

- Demonstrate tidal as a base load for small communities (electrical supply)
- Demonstrate universal today turbine platform
- Demonstrate day-ahead forecasting (of power production) for small scale projects
- Assess the potential for integrating small-scale renewable energy and (energy) storage in communities,
- Maximize renewables potential for a community (tidal and other)

Project Features

- 5 companies and Dalhousie University
- 3+ Nova Scotia-made technologies
- Great export potential
 - Isolated communities
 - Novel applications
- Demonstrate it here and sell it to the world

Specific Objectives

- *Soluna* – determine performance data for optimising and financing
- *JMK Engineering* – develop a control system for multiple renewables

- *XTidal* – demonstrate prototype for communities across Canada and the world

Potential benefits to Annapolis County

- Understanding of technology and benefits
- Experience administering tidal projects
- Expand tidal portfolio for marketing
- Increase renewable energy component
- Infrastructure could be basis for future industry
- The test program could turn into future benefit for the area.

The request is for the Municipality to be the lead organization and signatory on the grant application. There is no requirement for any funding contribution, and administrative costs incurred could possibly be recouped.

MOTION 160119.02 Shallow Water Tidal Energy Invest Nova Scotia Grant Application

It was moved by Deputy Warden Habinski, seconded by Councillor Chipman, that the Municipality of the County of Annapolis agree to serve as the lead proponent and signatory on a grant application to the Nova Scotia Department of Business under their Invest Nova Scotia fund, for the Shallow Water Tidal Energy Generation Technology Project. Motion carried unanimously.

Councillor Comments

Bridgetown – Councillor Hurlburt called attention to two new businesses in Bridgetown, The Mason Jar coffee shop located at the Firefly Makery, and new ownership and a new name for the flower shop - The Bloom Box.

District 11 – Councillor LeBlanc commented on Cynthia Henry, an up and coming local artist from Meadowvale, who was recently featured on Global TV. She is a talented artist who paints on feathers.

District 6 – Councillor Morrison commented on Clinton Chester as a pillar of the community who delivers the newspaper and is a valued member of the Cornwallis Community Gardens Association. Tending three beds of his own and offering advice to others who wish to benefit from his gardening experience, his productive efforts serve as a strong source of inspiration and emulation.

District 9 – Councillor Chipman reported that his residents are well and doing fine.

District 5 – Councillor Heming reminded Councillors that he is running for a position on the UNSM Rural Caucus. He encouraged Councillors to vote using the link provided by UNSM.

District 4 – Councillor McDonald informed all of Think Farm – a networking organization that puts on programs for young farmers. On February 17th they will be hosting a discussion on Poultry and Egg Layers at the Bridgetown Volunteer Fire Hall. This is a grassroots agricultural group that encouraged networking with like-minded people – their website is very informative www.novascotia.ca/thinkfarm. He added that the Nova Scotia Egg Producers are increasing the quota for producing hens to 500.

District 10 – Councillor Roberts reported that she had attended a Village Commission meeting regarding their Broadband project and noted articles published in the local paper. On Saturday, enough volunteers gathered to put together the first tower. She expressed appreciation to Brian Reid, who has volunteered his time over the past two years to this project. She also challenged other councillors to encourage

volunteer groups in their communities to submit names of both youth and adults for recognition at the upcoming volunteer recognition program.

Reports and Recommendations

Re: Committee of the Whole (January 12th)

- ***African Heritage Month***

- MOTION 160119.03 African Heritage Month – Change Location**

- In accordance with the recommendation of Committee of the Whole, Deputy Warden Habinski moved, seconded by Councillor Fowler, that Municipal Council accept the offer to hold the regular February session of Council at the Inglenook Community Centre in recognition of African Heritage Month, and that the Clerk advertise the change of location. Motion carried unanimously.

- ***Repeal Bridgetown Buildings Etc. in Unsafe Condition Bylaw – First Reading***

- MOTION 160119.04 Repeal Bridgetown Buildings Etc in Unsafe Condition Bylaw – First Reading**

- Deputy Warden Habinski moved, seconded by Councillor Hurlburt, in accordance with the recommendation of Committee of the Whole, that Municipal Council give first reading to repeal the *Bridgetown Buildings Etc in Unsafe Condition Bylaw*. Motion carried unanimously.

- ***Repeal Bridgetown Deed Transfer Tax Bylaw – First Reading***

- MOTION 160119.05 Repeal Bridgetown Deed Transfer Tax Bylaw – 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 repeal the *Bridgetown Deed Transfer Tax Bylaw*. Motion carried unanimously.

- ***Repeal Bridgetown Deposits by Candidates at an Election Bylaw – First Reading***

- MOTION 160119.06 Repeal Bridgetown Deposits by Candidates at an Election Bylaw – First Reading**

- Deputy Warden Habinski moved, seconded by Councillor McDonald, pursuant to the recommendation of Committee of the Whole, that Municipal Council give first reading to repeal the *Bridgetown Deposits by Candidates at an Election Bylaw*. Motion carried unanimously.

- ***Repeal Bridgetown Loitering Bylaw – First Reading***

- MOTION 160119.07 Repeal Bridgetown Loitering Bylaw – First Reading**

- In accordance with the recommendation of Committee of the Whole, Deputy Warden Habinski moved, seconded by Councillor Fowler, that Municipal Council give first reading to repeal the *Bridgetown Loitering Bylaw*. Motion carried unanimously.

- ***Repeal Outdated Bridgetown Bylaws – First Reading***

- MOTION 160119.08 Repeal Outdated Bridgetown Bylaws – First Reading**

- Deputy Warden Habinski moved, seconded by Councillor Wilkins, in accordance with the recommendation of Committee of the Whole, that Municipal Council give first reading to repeal the following outdated Bridgetown bylaws: *Interpretation Bylaw* (June 1933); *Boundaries Bylaw* (December 1906); *Seal and Minutes Bylaw* (June 1933); *Council Constitution* (date unknown), *Rules Governing Council Bylaw - aka Rules of Order Bylaw* (June 1933); *Committees and Boards Bylaw* (June 1933); *Officers Bylaw- aka Officers*

Generally Bylaw (June 1933); *Town Clerk and Treasurer Bylaw* (June 1933); *Streets Bylaw* (June 1933); *Traffic Bylaw* (June 1933); *Weighing of Hay and Straw Bylaw* (June 1933); *Weighing of Coal Bylaw* (June 1933); *Licensing Bylaw* (June 1933)(Hawkers*, Peddlers, Traders, Auctioneers, Truckmen, Junk Dealers, Commencing Business, Circuses, Automatic Machines [amended 1947]*, *Shop Closing* [amended 1961]*, *Photographers* [amended 1984]*); *Police Bylaw* (June 1933); *Lock-up Bylaw* (June 1933); *Public Safety Bylaw* (June 1933); *Water and Sewage Bylaw* (June 1933); *Town Meetings Bylaw* (June 1933); *Public Health Bylaw – Refuse Bylaw* (June 1933); *Meat Inspection Bylaw** (Aug. 1947); *Ratepayers Approval Bylaw** (Oct. 1950); *Parking Meters Bylaw** (June 1952); *Farm Animals and Domestic Fowl Bylaw** (Oct. 1952); *Unsafe Buildings Bylaw** (Apr. 1953); *Magazine and Book Salesmen Bylaw** (July 1962); *Closing of Polls Bylaw** (Nov. 1963); *Pension – C. Warner Bylaw** (Nov. 1965); *Pension – F. Ruggles Bylaw** (May 1966); *Group Annuity Policy Bylaw** (Oct. 1969); *Pension Plan Bylaw* (Jan. 1970); *Civil Emergency Planning Bylaw** (July 1973); *Dangerous or Unsightly Premises Bylaw** (April 1974); *Prevention of Disorder Bylaw - aka Disorder and Impropriety Bylaw** (as amended Nov. 1977); *Tree Committee Bylaw** (Oct. 1978); *Taxi Bylaw** (as amended April 1981); *Business Improvement District Commission Bylaw* (May 1984); *Partial Tax Exemption Bylaw** (as amended Oct. 1984); *Council Expenses Bylaw** (April 1988); *Municipal Emergency Measures Bylaw** (Nov. 1993); *Valley Region Solid Waste Resource Management Bylaw** (Nov. 2001); *Regional Emergency Measures Bylaw** (Feb. 2006); *Regional Emergency Management Bylaw** (June 2007); *Valley Region Solid Waste Resource Management Bylaw** (Mar. 2008); and *Valley Region Solid Waste-Resource Management Bylaw** (May 2012). Motion carried unanimously.

- ***Grant Application Cornwallis Military Museum Association***

MOTION 160119.09 Grant Application – Cornwallis Military Museum Association

Pursuant to the recommendation of Committee of the Whole, Deputy Warden Habinski moved, seconded by Councillor Morrison, that Municipal Council approve a 2015-16 grant in the amount of \$2,000 to the Cornwallis Military Museum Association, in accordance with AM-1.4.9 Community Grants Policy. Motion carried unanimously.

- ***Buyout of New Holland Tractor Lease***

MOTION 160119.10 Buyout of New Holland Tractor Lease

Pursuant to the recommendation of Committee of the Whole, Deputy Warden Habinski moved, seconded by Councillor McDonald, that Municipal Council approve a lease buyout of \$5,514 plus HST from the Operating Reserve for the New Holland T1030 tractor complete with attachments. Motion carried unanimously.

- ***CIMCO Customer Support Agreement Bridgetown Arena***

MOTION 160119.11 CIMCO Customer Support Agreement Bridgetown Arena

In accordance with the recommendation of Committee of the Whole, Deputy Warden Habinski moved, seconded by Councillor Hurlburt, that Municipal Council authorize the Warden and Clerk to sign a five-year servicing agreement with CIMCO Refrigeration for the upgraded arena refrigeration facility at the Bridgetown and District Memorial Arena; payment of servicing costs is funded and negotiated by Bridgetown Community Recreational Association (BRCA). Motion carried unanimously.

- ***Lawrencetown Provincial Land Office Renovation Cost Share***

MOTION 160119.12 Lawrencetown Provincial Land office Renovation Cost Share

Deputy Warden Habinski moved, seconded by Councillor LeBlanc, in accordance with the recommendation of Committee of the Whole, that the County of Annapolis 50% cost share on the renovation to the Lawrencetown Provincial Land Titles office (located downstairs at 396 Main Street, Lawrencetown, in the Municipal building), to a maximum contribution of \$34,468.90, from the Operating Reserve. Motion carried unanimously.

- ***Bridgetown Water Utility Accounts Receivable Write-off***

MOTION 160119.13 Bridgetown Water Utility Accounts Receivable Write-off

In accordance with the recommendation of Committee of the Whole as amended, Deputy Warden Habinski moved, seconded by Councillor Hurlburt, that Municipal Council approve writing off \$901.54 (\$156 water interest charges and \$745.54 water receivables charges) from the Bridgetown Water Utility. Motion carried unanimously.

Annapolis Royal Wharf Association (ARWA) Annapolis Basin Development

- ***County and Annapolis Royal Wharf Association – Collaborate to Develop***

MOTION 160119.14 County and Annapolis Royal Wharf Association Collaborate to Develop

Pursuant to the recommendation of Committee of the Whole, Deputy Warden Habinski moved, seconded by Councillor McDonald, that the Municipality of the County of Annapolis work collaboratively with the Annapolis Royal Wharf Association to develop the proposed Annapolis River Basin Waterfront Development. Motion carried unanimously.

- ***County and Annapolis Royal Wharf Association – Establish Letter of Intent and License Agreement***

MOTION 160119.15 County and Annapolis Royal Wharf Association Establish Letter of Intent and License Agreement

Pursuant to the recommendation of Committee of the Whole, Deputy Warden Habinski moved, seconded by Councillor Morrison, that the Municipality of the County of Annapolis establish a Letter of Intent with Annapolis Royal Wharf Association describing our mutual commitment; subsequently the Municipality would sign a license agreement with the Department of Transportation and Infrastructure and Renewal prior to construction of the Annapolis River Basin Waterfront Development. Motion carried unanimously.

- ***Maintenance of Annapolis River Basin Waterfront Development and Inclusion in County Parks Inventory***

MOTION 160119.16 Maintenance of Annapolis River Basing Waterfront Development and Inclusion in County Parks Inventory

In accordance with the recommendation of Committee of the Whole, Deputy Warden Habinski moved, seconded by Councillor Hurlburt, that the Municipality of the County of Annapolis maintain the Annapolis River Basin Waterfront Development (subject to the approval of the Letter of Intent) and, upon project completion, include the new development as part of the Municipality of the County of Annapolis parks inventory, to be maintained accordingly and therefore to be included in the annual maintenance budget. Motion carried unanimously.

- *Annapolis Royal Wharf Association Act as Official Advisory Organization During Project Development*

MOTION 160119.17 Annapolis Royal Wharf Association Act as Official Advisory Organization During Project Development

Deputy Warden Habinski moved, seconded by Councillor McDonald, in accordance with the recommendation of Committee of the Whole, that the Municipality of the County of Annapolis (subject to a Terms of Reference and consistent with the Letter of Intent) officially recognize the Annapolis Royal Wharf Association as an advisory organization to the Municipality of the County of Annapolis during this project development and subsequently for future community use and promotion. Motion carried unanimously.

- *Planning Advisory Committee Meeting to Discuss File No. 66520-35 2015 MPS-004: Bridgetown MPS Amendment Application - Milton Hamilton, and File No. 66520-40 2015 DA002: Bridgetown - Milton Hamilton Development Agreement Application*

MOTION 160119.18 PAC to be held at Call of Chair re Hamilton MPS LUB Amendment and Development Agreement

Pursuant to the recommendation of Committee of the Whole, Deputy Warden Habinski moved, seconded by Councillor Fowler, that the Planning Advisory Committee should meet at the call of the Chair in order to receive more information regarding the Hamilton concurrent applications (a) to amend the Bridgetown Municipal Planning Strategy and Land Use Bylaw and (b) to enter into a Development Agreement with the Municipality of the County of Annapolis. Motion carried, 10 in favour, 1 against (Wilkins).

- *Invitation to Premier – Parks Canada Port Royal National Historic Site Event July 3, 2016*

MOTION 160119.19 Invitation to Premier – Parks Canada Port Royal National Historic Site Event July 3, 2016

Deputy Warden Habinski moved, seconded by Councillor Wilkins, pursuant to the recommendation of Committee of the Whole, that the Warden send a letter to the Premier (with suggested enclosures) inviting him to attend the July 3, 2016 celebrations marking the 75th anniversary of the official opening of the Parks Canada Port Royal National Historic Site, with a copy to the Chair of the Heritage Advisory Committee. Motion carried unanimously.

- *UNSM Forestry Workshop Organizing Committee – Mileage Coverage*

MOTION 160119.20 UNSM Forestry Workshop Organizing Committee – Mileage Coverage

In accordance with the recommendation of Committee of the Whole, Deputy Warden Habinski moved, seconded by Councillor Chipman, that Councillor McDonald's mileage be covered to and from Halifax for two upcoming UNSM Forestry Workshop Organizing Committee meetings. Motion carried unanimously.

Correspondence

Re: Town of Annapolis Royal (email dated January 4th) – from the CAO extending appreciation to Councillor Heming for his contributions on the ARRA Committee throughout the repurposing efforts. It was moved by Councillor Chipman, seconded by Councillor LeBlanc, to receive for information. Motion carried unanimously.

Additions to the Agenda

Re: Bridgetown Bus Shelter – Councillor Hurlburt noted this has been an ongoing project of the Lion's Club, fundraising to cover items such as insurance. An inquiry has been made by the insurance company regarding the status of the project. The Bridgetown Lion's Club will send a formal request to the County requesting an update on the status of a location for the proposed bus shelter.

Re: Nova Scotia Power – Generation/Consumption

MOTION 160119.21 Nova Scotia Power – Generation/Consumption Request

Councillor Chipman moved, seconded by Councillor Fowler, that the Warden send a letter to Nova Scotia Power requesting a report on the total amount of megawatts generated by the hydroelectric facilities in Annapolis County (Bear River, Nictaux Falls, Lequille, Paradise and the Annapolis Tidal Generating Station), and how many megawatts are consumed by business and residents of Annapolis County, to determine where we stand on the target of producing 80 percent of the power consumed. Motion carried unanimously.

Re: Paradise Snow Removal – Deputy Warden Habinski reported he has received correspondence from residents in Paradise regarding the plowing of sidewalks. They are seeing property damage caused by a plow that is too wide for the sidewalk. The Director of Municipal Operations reported that he has met with the contractor who will switch to using a snow blower rather than a plow.

Re: Bridgetown Winterfest – Deputy Warden Habinski has received inquiries wondering if Bridgetown will be sponsoring Winterfest again this year. Councillor Hurlburt noted that Winterfest is actually a Bridgetown Lion's Club event and it is going forward.

Re: NS Department of Business – Deputy Warden Habinski noted that the group presenting to Nova Scotia Department of Business regarding the Shallow Water Tidal Energy project have requested a county representative be in attendance.

MOTION 160119.22 County Representative for Shallow Water Tidal Energy Presentation

Councillor Heming moved, seconded by Councillor Roberts, that Deputy Warden Habinski be authorized to attend the presentation of the Shallow Water Tidal Energy Project to the Nova Scotia Department of Business, with his mileage to be covered by the County. Motion carried unanimously.

Re: Federation of Canadian Municipalities (FCM) 2018 Board of Directors Conference – Councillor Heming noted that FCM looking for a location to host the 2018 Board of Directors conference, suggesting that the Annapolis Basin Conference Centre (ABCC) is a good location for this.

It was moved by Councillor Heming, seconded by Councillor Morrison, that the CAO send a letter to the Federation of Canadian Municipalities, requesting they relax some of their facility requirements and an expression of interest to hold the 2018 FCM Board of Directors meeting at the Annapolis Basin Conference Centre. Motion carried unanimously.

Re: Lawrencetown Pool Emergency Funding – Councillor Roberts circulated a letter dated January 13th from the Lawrencetown and District Pool Society, requesting emergency funding from the Municipality. They are requesting \$25,620 core funding in order to operate this year. The group is applying for funding from other government sources. Other funds received will not be deducted from the amount requested; however, may impact next year's request.

MOTION 160119.23 Lawrencetown Pool Emergency Funding \$25,620

It was moved by Councillor Roberts, seconded by Councillor Chipman, that the Municipality provide emergency funding relief to the Lawrencetown and District Pool Society in the amount of \$25,620, from 2015-2016 Recreation and Culture Reserve. Motion carried unanimously.

Re: February 17th Strategic Workshop – Warden Ritchie noted that February 17th is a Valley Waste Resource Management regular board meeting and requested a change in date. It was the consensus to change the Strategic Workshop to February 24th.

Re: Pellet Boiler, Municipal Administration Building, Annapolis Royal

MOTION 160119.24 Pellet Boiler Municipal Administration Building Annapolis Royal

Deputy Warden Habinski moved, seconded by Councillor Heming, to proceed with seeking the regulatory amendments necessary to install the grass pellet system at the Municipal Administration Building, Annapolis Royal. Motion carried unanimously.

Re: 3283169 NS Ltd. Lease Agreement for Unit 2-4 Basinview Centre

MOTION 160119.25 Lease Agreement Unit 2-4 Basinview

It was moved by Deputy Warden Habinski, seconded by Councillor Morrison, that the Warden and Clerk be authorised to sign a lease agreement with 3283169 Nova Scotia Limited for Unit 2-4 Basinview. Motion carried unanimously.

Municipal Solicitor’s Report

- *Monthly Report*

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

It was moved by Councillor Wilkins, seconded by Councillor Roberts, to receive for information. Motion carried unanimously.

In-camera

In accordance with 22(2)(c) personnel matters, of the *Municipal Government Act*, it was moved by Councillor Wilkins, seconded by Deputy Warden Habinski, to meet in-camera at 12:40 p.m. until 1:21 p.m. Motion carried unanimously.

Addition to the Agenda

Re: Refund to Acadian Seaplants

MOTION 160119.26 Refund to Acadian Seaplants

Councillor Roberts moved, seconded by Councillor McDonald, that refunds for overpayment be issued to Acadian Seaplants in the amount of \$82,315.99 from Water Operating, and \$71,096.00 from General Operating. Motion carried unanimously.

Adjournment

The meeting adjourned at 1:23 p.m. upon motion of Councillors Roberts and Wilkins.

Warden

Municipal Clerk