

MUNICIPAL COUNCIL
May 16, 2017

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Minutes of the regular session of **Municipal Council** held on May 16, 2017, 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: John A MacDonald, Wayne Fowler, Burt McNeil, Gregory Heming, Alex Morrison, Michael J Gunn, Wendy Sheridan, and Diane LeBlanc.

Absent: Councillor Marilyn Wilkins

Also

Present: CAO John Ferguson, Linda Bent (Acting Municipal Clerk), and other staff.

The Warden opened the meeting by welcoming the local NDP candidate Colin Sproul, and recognizing invited guests from Mainland Telecom Inc. who are participating in an important press release.

RE: INTERNET ANNOUNCEMENT –

Annapolis County Approves Multi Million Internet Investment

Warden Habinski indicated today's announcement of the County's approval of a multi-million dollar internet investment had been a long time coming; beginning almost three and one-half years ago, and involving hundreds of hours of work. Annapolis County residents have been vocal on the issue of internet connectivity, and the County has responded. The Warden read the prepared press release, attached as Schedule A.

The room was called back to order at 10:55 a.m. The Warden welcomed Progressive Conservative candidate Ginny Hurlock to the meeting.

Additions to the Agenda (to end of Agenda)

Requests were made for the following items to be added to the end of the agenda: 11(A) Workshop for Area Rates; 11(B) Grant Funding - Welton's Lane; 11(C) Western Region Crown Land Stakeholder Interaction Committee; 11(D) Annapolis Valley Exhibition Presentation – Request for Funding (Robosaurus at Red Neck Rodeo); 11(E) Jubilee Park Rule Changes; 11(F) NSLC Liquor Plebiscite 1653 Clarence Road.

Approval of the Agenda

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

Minutes

MOTION 170516.01 Minutes Regular Session April 18, 2017

It was moved by Councillors Fowler and MacDonald, that the minutes of the regular session of Council held on April 18, 2017, be approved as circulated. Motion carried unanimously.

MOTION 170516.02 Minutes Special Session, April 28, 2017

Councillor LeBlanc moved, seconded by Deputy Warden Roberts, that the minutes of the special session of Council held on April 28, 2017, be approved as circulated. Motion carried unanimously.

MOTION 170516.03 Minutes Special Session, May 9, 2017

It was moved by Councillor Fowler, seconded by Councillor Sheridan, that the minutes of the special session of Council held on May 9, 2017, be approved as circulated. Motion carried unanimously.

In-Camera

It was moved by Councillor LeBlanc, seconded by Councillor Heming, to meet in-camera at 10:27 a.m. until 11:12 a.m. in accordance with Section 22(2) (e) contract negotiations and (f) litigation and potential litigation of the *Municipal Government Act*.

Municipal Solicitor's Report

Re: Municipal Solicitor (May) – a report for the month of May was circulated in the agenda package. Councillor Fowler moved, seconded by Councillor McNeil, to receive the monthly report for information. Motion carried unanimously.

Re: Municipal Solicitor Annual Report 2016-2017 – the Solicitor's annual report for 2016-2017 was circulated in the agenda package. It was moved by Deputy Warden Roberts, seconded by Councillor Sheridan, to receive the Solicitor's annual report for information. Motion carried unanimously.

In-Camera

It was moved by Deputy Warden Roberts, seconded by Councillor McNeil to meet in-camera at 11:16 a.m. until 11:50 a.m. in accordance with Section 22(2) (e) contract negotiations and (f) litigation and potential litigation of the *Municipal Government Act*.

Additions to the Agenda (to end of Agenda)

It was moved by Deputy Warden Roberts, seconded by Councillor McNeil that the following be added to the end of the agenda: 11(G) Authorization for Warden and Acting Municipal Clerk to Sign Land Lease for Wireless Internet Tower; 11(H) Canada 150 Celebrations, 11(I) Port Lorne Park/Garden; 11 (J) Acting Municipal Clerk; and 11(K) David Wang Contract.

Addition to Agenda – Acting Municipal Clerk

Re: Acting Municipal Clerk - Deputy Warden Roberts moved, seconded by Councillor Fowler that Linda Bent be granted the authority to act as Municipal Clerk for the day. Motion carried unanimously.

Business Arising From the Minutes

There was no business arising from the minutes.

Councillor's Comments

District 3 - Councillor Fowler attended Canada 150 Celebration on May 13 at the Port Lorne Park; he was honoured to cut the cake for the occasion. He noted the project started over a year ago when the community won a contest held by Vessey's Seeds and 100 bulbs were given to the community. The tulips were planted in the shape of the Canadian flag. Also there was a cake cutting celebration in honour of the Park. A tulip park was planted in the shape of the Canada flag. Debra Ryan, Recreation Manager, also attended the ceremony.

Addition to Agenda – Annapolis Valley Exhibition

Re: Annapolis Valley Exhibition Request for Funding (Robosaurus at Red Neck Rodeo) – Dave Logie, President, advised Council the 2016 Red Neck Rodeo was a huge success and it brought the Exhibition out of debt. Last year Big Foot was the main attraction, and this year the Exhibition has a small window of opportunity to bring Robosaurus (a 40’ tall car crushing, flame breathing dinosaur) to the Red Neck Rodeo. They are looking for any funding Council may be able to provide; in total the Exhibition needs to raise \$25,000 from all sponsors. He made a request of \$5,000.00 from Council to assist in sponsoring this event.

MOTION 170516.04 Annapolis Valley Exhibition – Funds Request for Robosaurus

It was moved by Deputy Warden Roberts, seconded by Councillor LeBlanc to refer this request to our grant process for consideration of approval of \$5,000.00 to bring the Robosaurus to the Red Neck Rodeo. Motion carried unanimously.

Mr. Logie made note that the Annapolis Valley Exhibition already has an application with the grant process. It was suggested they amend their existing application to include this event for Council’s consideration.

Lunch

Upon motion of Councillors McNeil and Sheridan, Municipal Council adjourned for lunch at 12:10 p.m. All returned at 1:35 p.m. Motion carried unanimously.

Councillor’s Comments (cont’d)

District 2 – Councillor MacDonald attended and worked the monthly breakfast held in Port George.

District 11 – On May 13th Councillor LeBlanc attended Rotary Park in Middleton for the kick off to Police Week.

District 6 – Councillor Morrison advised that the Cornwallis Villager will be ceasing operations after 20 years; over the past month or so local organizations and individuals picked up garbage items that were covered in snow and were now visible; the annual Battle of the Atlantic Commemoration and Remembrance ceremony was held May 7th at the Cornwallis Military Museum with a good attendance; and the next Cornwallis Park Community breakfast will be held June 10th.

District 8 - Councillor Gunn attended many local breakfasts and suppers. Spending time with residents in Bear River. Also has been checking the water levels at some of the lakes in his areas – holding and stable over the past month.

District 10 – Deputy Warden Roberts attended the 4H Pro Show supper in Berwick, half the tickets sold in Annapolis County and other half in Kings County raising \$20,000.00. The Pro Show group have raised the amount required for Pro Show 2017 to be held in Lawrencetown.

District 9 – Councillor Sheridan attended and worked a community breakfast presented by the Nictaux Fire-Ettes at the fire hall; helped clean up at the Lions Club Picnic Park.

District 4 – Councillor McNeil attended a breakfast held in Bear River, and Donna Crossland’s presentation on forestry held at the Tupperville Hall.

District 7 - Warden Habinski attended the Battle of the Atlantic ceremony at Cornwallis Park; attended the UNSM Spring Workshop where he presented on public engagement and talked about the process that lead to our strategic plan.

New Business

Proclamations - Warden Habinski noted that on May 1st he had the privilege of proclaiming two proclamations which were also posted on social media as follows:

- **Re: Emergency Preparedness Week**

The first was the proclamation of Emergency Preparedness Week to be observed the week of May 7th to 13th encouraging County residents to become better prepared for emergencies.

- **Re: Lyme Disease Awareness Month**

The second proclaimed the month of May as Lyme Disease Awareness Month, a campaign which promotes preventive measures which can be taken against Lyme disease.

Re: Next Town Hall (from May 9th COTW)

It was moved by Councillor Morrison and seconded by Councillor Fowler to hold the next town hall meeting in the community of Bridgetown. Motion carried unanimously.

Deputy Warden Roberts reported on feedback she received from the first Town Hall held in Port George – residents wished more time could have been spent discussing matters the County could help with or do. Warden Habinski suggested Town Halls should be held in Districts 3 and 7 as the community of Bridgetown is comprised of two districts. A time for the meeting is to be determined.

Reports and Recommendations

Re: Committee of the Whole (May 9, 2017)

- ***Cornwallis Park Recreation & Parks Society – Lease Management Agreement***
MOTION 170516.05 Cornwallis Park Recreation & Parks Society

It was moved by Deputy Warden Roberts, seconded by Councillor Morrison, in accordance with the recommendation of Committee of the Whole, that Municipal Council extend sincere appreciation to John Conway, President of the Cornwallis Park Recreation and Parks Society and to all who cooperated with him in the initiative of establishing and maintaining Veterans Memorial Park in the residential area of Cornwallis Park. Motion carried unanimously.

- ***AM-6.6.6 Signing Authorities Policy – Amend***

MOTION 170516.06 AM-6.6.6 Signing Authorities Policy - Amend

It was moved by Deputy Warden Roberts, seconded by Councillor LeBlanc, in accordance with seven day notice having been given, that Municipal Council amend AM-6.6.6 Signing Authorities Policy by adding permission for the Senior Administrative Assistant to sign in circumstances when the Municipal Clerk may be absent, incapacitated or in a circumstance that would be perceived as a conflict for the Municipal Clerk to sign. Motion carried unanimously.

- ***AM-3.2.1 Hiring Policy - Amend***
MOTION 170516.07 AM-3.2.1 Hiring Policy - Amend
It was moved by Deputy Warden Roberts, seconded by Councillor McNeil, pursuant to seven day notice having been given, that Municipal Council amend AM-3.2.1 Hiring Policy by adding Sub-sections 3.2, 3.3, 5.16, and 5.17. Motion carried unanimously.

- ***Lawrencetown & District Volunteer Fire Department – Authorize Release of Funds***
MOTION 170516.08 Lawrencetown & Dist Vol Fire Department – Authorize Release of Funds
It was moved by Deputy Warden Roberts, seconded by Councillor McNeil, pursuant to the recommendation of Committee of the Whole, that Municipal Council authorize the release of two payments from the Fire Services Capital Reserve per year in July and December in the amount of \$20,000 to the Lawrencetown & District Volunteer Fire Department for the next six years or until the utility truck has been paid in full to the financial institution. Motion carried unanimously.

- ***2017-18 General Operating Budget - Approve***
MOTION 170516.09 2017-18 General Operating Budget - Approve
It was moved by Deputy Warden Roberts, seconded by Councillor MacDonald, in accordance with the recommendation of Committee of the Whole, that Municipal Council approve the 2017-18 general operating budget with the amendment to Valley Waste. Motion carried unanimously.

- ***Levy and Collection of 2017-18 Taxes - Authorize***
MOTION 170516.10 Levy and Collection of 2017-18 Taxes - Authorize
It was moved by Deputy Warden Roberts, seconded by Councillor Fowler, in accordance with the recommendation of Committee of the Whole, that Municipal Council authorize the levy and collection of the 2017-18 taxes based upon rates of \$0.994 residential and \$1.80 commercial per \$100 of assessment; and a due date of June 30th, 2017, after which interest will be charged at the rate of 12% per annum. Motion carried unanimously. (See Schedule B)

- ***Area Rates 2017-18 - Approve***
MOTION 170516.11 Area Rates 2017-18 - Approve
It was moved by Deputy Warden Roberts, seconded by Councillor McNeil, pursuant to the recommendation of Committee of the Whole, that Municipal Council approve the area rates for streetlights, fire hydrants, paving, sidewalks, Bridgetown Community Rate, and other specified rates as presented for the 2017-18 fiscal year; and in accordance with Section 75 of the *Municipal Government Act*, the area rate shall apply to the residential, commercial, and resource, in the area. Motion carried, 9 in favour, 1 against (Fowler).

- ***Five Year Capital Investment Plan (2017-2022) - Approve***
MOTION 170516.12 Five Year Capital Investment Plan 2017-2022 - Approve
It was moved by Deputy Warden Roberts, seconded by Councillor McNeil, pursuant to the recommendation of Committee of the Whole, that Municipal Council approve Year 1 (2017-18) of the Five Year Capital Investment Plan (2017-22) as amended, and Years 2-4 (2018-2022) in principle. Motion carried, 9 in favour, one against (Fowler).

- ***Annapolis County Municipal Housing Corporation***
MOTION 170516.13 Annapolis County Municipal Housing Corporation – Citizen Member
It was moved by Deputy Warden Roberts, seconded by Councillor Heming, in accordance with the recommendation of Committee of the Whole, that Municipal Council appoint Robert (Bob) Elliott as a citizen member of the Annapolis County Municipal Housing Corporation for a term ending November 30, 2017 and that he be eligible for reappointment for an additional two-year term at that time. Motion carried unanimously.

 - ***Bridgetown Area Advisory Committee (not more than 5 citizens)***
MOTION 170516.14 Bridgetown Area Advisory Committee – Citizen Member
It was moved by Deputy Warden Roberts, seconded by Councillor LeBlanc, in accordance with the recommendation of Committee of the Whole, that Municipal Council appoint Grant Wright as citizen member of the Bridgetown Area Advisory Committee for a term ending November 30, 2018; and further that the Councillors of District 3 and District 7 seek and encourage applications from persons who reside and have resided or own and have owned property in the Bridgetown Planning Area for a minimum of six months, and from persons who own, operate or manage an existing commercial, institutional or industrial business within the community of Bridgetown and would have owned, operated or managed an existing commercial, institutional or industrial business within the community of Bridgetown a minimum of six months prior to their appointment. Motion carried unanimously.

 - ***Purchase of Property PID 05141973***
MOTION 170516.15 Purchase of Property PID 05141973
It was moved by Deputy Warden Roberts, seconded by Councillor Fowler, pursuant to the recommendation of Committee of the Whole, that Municipal Council authorize the purchase of PID 05141973 from John Ray Lawrence and Janice Brenda Lawrence in the amount of \$55,500.00 plus HST to be paid from the Bridgetown Water Capital Reserve. Motion carried unanimously.

 - ***Cost Share Paving - Welton's Lane***
MOTION 170516.16 Cost Share Paving – Welton's Lane
It was moved by Deputy Warden Roberts, seconded by Councillor LeBlanc, pursuant to the recommendation of Committee of the Whole, that Municipal Council authorize the Warden and Municipal Clerk to sign the Notice of Acceptance for the 50% cost share agreement with Transportation and Infrastructure Renewal for the paving of Welton's Lane for a total cost of \$170,000.00. Motion carried unanimously.
- Finance staff will make preparations for the petition process.
- ***CARP (Riverprize) - Letter of Support***
MOTION 170516.17 CARP Riverprize – Letter of Support
It was moved by Deputy Warden Roberts, seconded by Councillor LeBlanc, in accordance with the recommendation of Committee of the Whole, that Municipal Council provide a letter in support to fulfill the second stage of the Clean Annapolis River Project's candidacy for the Thiess

International Riverprize awarded by the International Rivers Institute. Motion carried unanimously.

Re: Municipal Grant Workshop - Date for Special Meeting of Council

A Special Session of Council to consider municipal grants will be held in the Council Chambers of the Municipal Administration Building, Annapolis Royal, on Wednesday, May 24th, 2017 at 6:30 p.m.

Correspondence

Re: Department of Natural Resources (April 12th) – in response to Council’s letter regarding an agreement between the Province and Westfor, and Crown land management. Councillor McNeil informed the province’s current agreement is in effect until September 2017 after which no contracts will be awarded.

- *Department of Natural Resources – Request Copy of Agreement(s) with Westfor, Re-Iterate Request for Moratorium on Crown Lands in Annapolis County, and Invite DNR Representative to Present to Council*

MOTION 170516.18 Department Natural Resources – Follow Up Letter, Westfor, etc

It was moved by Councillor Gunn, seconded by Councillor McNeil, to send a letter to the Department of Natural Resources requesting a copy of the Province’s agreement with Westfor [either currently in effect or being drafted]; re-iterating the Municipality’s request in its letter to the Premier and copied to the Minister dated March 3rd, for crown land within the boundary of the Municipality of the County of Annapolis to be excluded from a new agreement for one year to allow Council and staff time to review the agreement and make recommendations, and ask for a response to this request; and to invite a representative from the Department of Natural Resources to provide a presentation to Council at its earliest convenience. Motion carried unanimously.

Councillors Heming, Gunn, MacDonald and McNeil will meet to draft a declaration about the significance of forest resources to our Municipality, and will present same at the June meeting of Committee of the Whole.

Re: Colin Fraser, MP (April 12th) – requesting Council pass a resolution in support of National Health and Fitness Day, a new national day aimed at enhancing the health and fitness of constituents and all Canadians. This Council currently recognizes the entire month of June as Recreation Month. Its objectives are very similar to those proposed by the MP.

- *Colin Fraser, MP – Request Resolution in Support of National Health and Fitness Day*

MOTION 170516.19 June is Recreation Month – Letter to MP Colin Fraser

It was moved by Councillor LeBlanc, seconded by Councillor MacDonald that Municipal Council send a letter to MP Fraser advising the health and wellness of Annapolis County’s residents is so significant to Council that the entire month of June is recognized as Recreation Month, and that a copy of our proclamation be included with the letter. Motion carried unanimously.

Additions

Re: Workshop Area Rates – Councillor Fowler asked about community rates, noting a similarity of services between Bridgetown and Cornwallis, and that Cornwallis does not have an area rate. He would like to have a workshop about what services we provide in Annapolis County.

Councillor Fowler moved, seconded by Councillor Gunn, that a workshop be held to discuss area rates and service levels across Annapolis County.

Councillor MacDonald noted that discussions were held in the past about holding workshops after council sessions when everyone was already in place.

Question on the motion to hold a workshop was called. Motion carried unanimously.

Re: Cost Share Paving - Welton's Lane – discussion was already held.

Re: Western Region Crown Land Stakeholder Interaction Committee – discussion was already held.

Re: Annapolis Valley Exhibition – Request for Funding – discussion was already held.

Re: Jubilee Park Rule Changes – as a result of consultation with the County's insurance provider and the solicitor, staff revised the Jubilee Park Facility Use Rules. It was noted the Friends of Jubilee Park will oversee the dock area and bring any issues of concern to the municipality's attention. Suggestions were made about the general presentation of the rules. Staff will further investigate fishing, diving and swimming from the dock.

Re: NSLC Liquor Plebiscite 1653 Clarence Road, Clarence – in a letter dated May 5th, Roy Cook, requested that the Municipality pass a motion requesting the Chief Electoral Officer of the province to conduct a plebiscite for a microbrewery outlet (small scale, beer) at 1653 Clarence Road (approximate dimensions of the parcel of land – Lot 2015A – being 233.5 ft by 773.6 ft).

MOTION 170516.20 NSLC Liquor Plebiscite 1653 Clarence Road, Clarence

Councillor McNeil moved, seconded by Deputy Warden Roberts, that Municipal Council for the Municipality of the County of Annapolis request the Nova Scotia Liquor Corporation to conduct a plebiscite on the question of a microbrewery and outlet for the sale of liquor at 1653 Clarence Road, Clarence, as provided for in Section 43 of the Liquor Control Act in order that all residents of the area who are eligible to vote are given an opportunity to participate in the decision-making process. Motion carried unanimously.

Re: Land Lease for Wireless Internet Tower

MOTION 170516.21 Land Lease – Wireless Internet Tower 312 Inglisville Road, West Inglisville

It was moved by Deputy Warden Roberts, seconded by Councillor Fowler, that Municipal Council authorize the Warden and Clerk to sign an agreement to lease lands situate at 312 Inglisville Road, West Inglisville, Annapolis County PID 05197686 from Steven Victor McGill and Jessica Sandy McGill for the purpose of constructing, erecting and maintaining a telecommunications tower. Motion carried unanimously.

Re: Canada 150 Celebrations – The Bridgetown and Annapolis Royal docks will hold celebrations on July 1st including ribbon cutting activities simulcast between the two communities. Other community groups have contacted the municipality about their planned activities and what we will be able to provide.

Re: Port Lorne Park/Garden – Rescind Motion 160816.08

- ***Port Lorne Park/Garden – Rescind Motion 160816.08***

MOTION 170516.22 Land Port Lorne – Rescind Motion 160816.08

It was moved by Councillor MacDonald, seconded by Councillor Gunn, to rescind motion of Council 160816.08 to make application to the Province of Nova Scotia to acquire the property in Port Lorne known as PID 05286463. Motion carried unanimously.

Re: David Wang Contract – Warden Habinski advised the last time David Wang was in the area, he gave him a tour of the area, and Mr. Wang asked for a tour of his shop. The Warden wanted Council to be aware that Mr. Wang has purchased and ordered harps from Timothy Harps, the Warden’s business.

Adjournment

Upon motion of Councillors McNeil and LeBlanc, the meeting adjourned at 3:45 p.m.

Warden

Municipal Clerk