

1. Council Convenes - O Canada - The first October Session of Cumberland Municipal Council was called to order on Wednesday October 11, 2006 at 1:00 p.m. by Warden Hunter. The national anthem was sung.
2. Roll Call - The roll was called by the Executive Secretary, C. Scott. All Councillors were in attendance.
3. Approval of Agenda (Additions/Deletions) - The agenda was approved with the following additions/deletions: 10.5 Northumberland Curling Club, 10.6 Wallace and Area Development Association, 13.1 Solid Waste - Coun. Redmond, 14.5 Municipal Elections, 11.5 Safety Lights, 15.4 Water Faucet
4. Approval of Minutes
  - 4.1 September 20, 2006 - Council - The minutes of the September 20, 2006 Council meeting were declared approved as presented.

**It was moved by Councillor K. Langille, seconded by Councillor Gerald Read that the minutes be approved as presented.**

**MOTION CARRIED #06-289**

5. Business Arising from the Minutes
  - 5.1 Action List - September 20, 2006 - The list of actions taken as a result of the September 20, 2006 Council meeting were reviewed.

*Regarding a regional approach to training, Mr. Bugley indicated that he spoke to Jack Novak. Mr. Novak stated that it is too late to offer such courses this year, and suggested that Cumberland send one or two representatives to the Dalhousie 'series', in order to facilitate a 'tailoring' of regional training next year.*

*Staff were also asked to check on regional sustainable development award for Councillor Gilbert.*

6. Delegations and Presentations
7. Public Hearings
  - 7.1 Open Air Burning By-Law - Second Reading - The Open Air Burning By-law was read (in its entirety) by County CAO Rennie Bugley, as requested by Mr. Jim Milner.

General

1. This By-Law is entitled the "Open Air Burning By-Law."
2. The purpose of this By-Law is to prohibit open air fires which are hazardous or which pose a threat to public safety. The By-Law is also intended to prevent nuisance associated with open air burning in densely populated areas.
3. In this By-Law:
  - a. "fire chief" means a fire chief, fire captain or chief officer of a fire department, brigade or company or other person designated by such person in and for the applicable fire protection district or area;
  - b. "fire department" means a Volunteer Fire Company approved by the Council of the Municipality of Cumberland;
  - c. "open air" means anywhere that is not fully enclosed by a building;

- d. "open air fire" does not include a fire in an appliance which is designed and being used to burn propane, natural gas, charcoal or wood for the purpose of cooking food; and
- e. "recreational outdoor wood burning appliance" means an appliance that is designed to contain a small fire for recreation and entertainment purposes and includes an outdoor fireplace, an outdoor dome fireplace, a fire pit, a fire bowl and a chiminea, but does not mean an appliance that is designed or used to provide heat to a building.

#### Open Air Fires

- 4. No person shall light, ignite or start or allow or cause to be lighted, ignited or started, or add fuel to, or otherwise permit or encourage to burn a fire of any kind whatsoever in the open air except as permitted under section 5.
- 5. Except as may be otherwise prohibited by law, provided all necessary provincial permits are obtained, the Nova Scotia Department of Natural Resources has not issued a ban on open air burning and some method of fire suppression is directly accessible, an open air fire is permitted:
  - a. for property maintenance purposes, if the burning is carried out or directly supervised by a fire department;
  - b. for training purposes, or as a preventative measure intended to reduce the risk or spreading of a more serious fire, if the burning is carried out or directly supervised by a fire department;
  - c. for agricultural purposes, provided all provincial requirements are met;
  - d. by a person lost or in distress in a wooded area, if reasonable precautions are taken against the spreading of the fire;
  - e. in a recreational outdoor wood burning appliance, provided the manufacturer's instructions for installation and use are followed;
  - f. for a campfire not exceeding 75 centimeters in width at the largest point, and not piled higher than 45 centimeters, provided:
    - i. the fire is located at least 9 meters from a dwelling located on another property,
    - ii. the fire is not within 6 meters of another property, unless the fire was started with the express written consent of the owner and occupant of such other property;
    - iii. the fire is authorized by the owner of the property where the fire is situated;
    - iv. the fire is not started or permitted to continue when the wind is blowing with sufficient velocity to jeopardize the ability of the person responsible to control the fire;
    - v. the fire is not left unattended;
    - vi. the fire is not fueled by, or allowed to burn anything except wood, brush and vegetation or byproducts thereof;

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- vii. any smoldering embers from the fire are extinguished after the burning is complete; and
  - viii. the fire does not appear to be getting out of control and has not gotten out of control; and
- g. for a campfire not exceeding 120 centimeters in width at the largest point, and not piled higher than 60 centimeters, provided:
- i. the fire is located at least 30 meters from all adjacent properties;
  - ii. the fire is authorized by the owner of the property where the fire is situated;
  - iii. the fire is not started or permitted to continue when the wind is blowing with sufficient velocity to jeopardize the ability of the person responsible to control the fire;
  - iv. the fire is not left unattended;
  - v. the fire is not fueled by, or allowed to burn anything except wood, brush and vegetation or byproducts thereof;
  - vi. any smoldering embers from the fire are extinguished after the burning is complete; and
  - vii. the fire does not appear to be getting out of control and has not gotten out of control.
6. A fire chief may extinguish or order to be extinguished any open air fire, if in the opinion of the fire chief the fire is not in compliance with any requirement set out in section 5 of this By-Law.

#### Penalties

- 7. Any person who contravenes section 4 of this By-Law is guilty of an offence punishable on summary conviction by a fine of not less than \$200 and not more than \$10,000.
  - 8. Any person who contravenes section 4 of this By-Law and who is given a Notice of the By-Law violation by the Municipality's By-Law Enforcement Officer in accordance with the Municipality's Payment in Lieu of Prosecution Policy may pay to the Municipality, at the place specified in the Notice, the sum of \$100 within 14 days of the date of Notice and shall thereby avoid prosecution for that contravention.
  - 9. Any person who contravenes section 4 of this By-Law and thereby causes a fire department to be dispatched shall upon conviction pursuant to section 7 of this By-Law be subject to a penalty of \$500 in addition to any fine imposed to defer the cost associated with dispatching a fire department.
- 7.1 (a) Submission by Robert James Milner - Mr. Milner was welcomed to Council, and he gave a presentation regarding the proposed Open Air Burning By-Law. Mr. Milner was concerned about the wording in section 5(a), with respect to his rights as a property owner. He also wrote in his presentation that if people were not allowed to burn, the County should provide semi-annual pickup of brush etc. He also stated that the Fire Department phone numbers

should be given out to people who apply for a burning permit.

Mr. Milner invited Amherst Fire Chief Bill Crossman to relate his interpretation on #5(a), which he did. There was discussion (but not agreement) regarding permission versus supervision by Fire Departments.

**It was moved by Councillor K. Langille, seconded by Deputy Warden Kellegrew that second reading of the Open Air Burning By-Law be approved.**

**MOTION CARRIED #06-290**

**It was moved by Councillor K. Langille, seconded by Councillor G. Langille that the Open Air Burning By-Law (which is now in effect) be referred back to the Committee for review (Section 5(a)).**

**MOTION CARRIED #06-291**

7.2 Public Sewers By-Law Amendment - The text of the Public Sewers By-law amendment follows:

Amendment to By-Law 01-01  
Public Sewers By-Law

1. This By-Law is entitled "Amendment to By-Law 01-01 Public Sewers By-Law."
2. By-Law 01-01 Public Sewers By-Law shall be amended as follows:
  - 2.1 Section 11 shall be amended as follows:
    - 11 Every Owner of land
      - a. on which any building is connected to wastewater facilities;
      - b. that fronts on any street or highway in which a sewer is situate;
      - c. that fronts on any right of way in which a sewer is situate; or
      - d. on which a building is situated that council has ordered connected to wastewater facilities;

shall pay to the Municipality an annual "Sewer Service Charge" for the provision of central sewer service which will cover the cost of construction, operation and maintenance of all wastewater facilities owned and operated by the Municipality. The Sewer Service Charge shall be collected as an "Area Rate" as described in the Municipal Government Act.

11.5 Section 13 shall be amended as follows:

13. The Municipality shall annually calculate the Sewer Service Charge for the provision of centralized sewer service by wastewater facilities owned and operated by the Municipality. The total annual budgeted costs for these facilities will be equally cost shared by the total number of equivalent user units within the County. Equivalent User Units are set out in Schedule A of this By-Law.

There were no submissions, written or oral, from the public.

**It was moved by Councillor K. Langille, seconded by Deputy Warden Kellegrew that second reading of the Public Sewers By-Law amendment be approved.**

**MOTION CARRIED #06-292**

8. Correspondence

The following correspondence was received since the last session of Municipal Council.

Synopsis of Correspondence Received Since the September 20, 2006 Council Session

Re: Education on a Human Scale: Small Rural Schools In A Modern Context

1. District of West Hants (Acknowledgement and support)
2. Minister of Education (Appreciation, forward to School Closure Process Review Committee)
3. Town of Springhill (Appreciation)
4. Office of the Premier (Appreciation and response forthcoming)
5. Halifax Regional Municipality (Appreciation)
6. Quebec City (Acknowledgement and analysis forthcoming)

Town of Springhill

1. Mayor and Council, extending an invitation to attend the Official Opening, Springhill Water Treatment Facility, October 11, 2006, 2:00 p.m., 601 Gilroy Road, Leamington, NS

Union of Nova Scotia Municipalities

1. Main UNSM, advising that the UNSM, Province of NS, and the HRM is creating a new two-year term position for a Municipal Sustainability Coordinator. (ACTION)  
*It was agreed to send a letter to the UNSM indicating the Cumberland is in favour of this direction.*

Nova Scotia Municipal Finance Corporation

1. Mark Gilbert, PhD, enclosing a copy of the Nova Scotia MFC's 26<sup>th</sup> annual report.

Chignecto - Central Regional School Board

1. Valerie Gauthier, CA, Director of Financial Services, enclosing a copy of the March 31, 2006 financial statements.
2. Advising that the County's contribution for the 2006/2007 fiscal year amounts to \$2,875,536.

Service Nova Scotia and Municipal Relations

1. Greg Keefe, CMA, Deputy Minister, inviting the Warden and CAO to participate in an informal discussion regarding the future delivery of the property assessment.

Community Health Boards of Cumberland County

1. Chairs, advising that the Community Health Boards of Cumberland County have completed a successful safe water promotion, requesting that the County consider printing "Remember to get your water tested once per year" on tax bills (*This was referred to staff*)

Municipality of the District of Guysborough

1. Lloyd Hines, Warden, seeking Councillors' support for the position of Rural Caucus representative on the UNSM Board of Directors.

Atlantic Association of Community Development Corporations

1. Basil Ryan, enclosing a copy of the 2005-2006 Atlantic Association of the CBDC's Annual Report.

Nova Scotia Emergency Management Office

1. C.D. MacLaughlan, CEO, enclosing \$6,798.50 to provide for the recovery of incremental costs associated with administration of civic addressing programs at the municipal level.

Dewar Drive Lot Owners Association

1. Submitted a more detail proposal regarding collection of fees for administration - referred to a future meeting Committee of the Whole.

9. Planning Issues

10. Financial Reports/Issues

- 10.1 Recreation Grant Requests - It was moved by Councillor K. Langille seconded by Coun. G. Read that the following recreation grants be approved, based on the recommendation of the district Councillor:

Group/Event	Dist #	Amount
Wentworth Karate Club (to purchase equipment)	6	\$800
Westchester Community Hall (hall repairs)	6	\$1,000
Spookarama - 16 <sup>th</sup> Annual - (Parrsboro RCMP)	8	\$250
	10	\$250
Zachary St. Onge - Encounters with Canada Program - Ottawa, Ontario	1	\$200

**MOTION CARRIED #06-293**

- 10.2 Grants to Organizations - It was moved by Councillor R. Merriam, seconded by Councillor J. Reid that Council approve for processing the grants to organizations (totalling \$47,000, approved as part of the budget), subject to verification by staff that all relevant information requested is submitted.

Non Profit Organizations

Bayview Community Health Foundation	\$10,000
Ships Company Theatre	3,000
L.A. Animal Shelter - under canine control	5,000
Nappan/Maccan United Church	5,000
Tantramar Theatre	2,000
CAP Sites	2,000
Cumberland County Museum	1,000
Cumberland Trails Assoc. (Wallace Bridge Project)	2,000
D M Cochrane Medical Centre	2,000
Heritage Models	2,000
Malagash Museum	2,000
Maritime Beef Testing	2,000
Minudie Tourist Association	2,000

Cumberland 4-H	1,500
Joggins Improvement Committee	1,500
Christmas for Kids	1,000
Cumberland County Exhibition	1,000
Cumberland Early Intervention	500
Wild Blueberry Harvest Fest - Provincial	500
	<u>\$47,000</u>

**MOTION CARRIED #06-294**

10.3 Capital Investment Plan - Service Nova Scotia has provided a Model Capital Investment Plan for Municipalities to participate in this year, if they wish. Under the Gas Tax Agreement, municipalities are required to have this in place before the end of next year. Andrew MacDonald stated that a meeting of the Capital Projects Committee will be called in the very near future.

10.4 Malagash Area Development Association - Received a request for \$6,000 from MADA, included a financial statement with their correspondence. Councillor G. Langille clarified that projects are different than the ones the County is funding directly. **It was moved by Councillor G. Langille, seconded by Councillor J. Reid that a grant in the amount of \$4,000 be made to the Malagash Area Development Association, as budgeted.**

**MOTION CARRIED #06-295**

10.5 Northumberland Curling Club - Council discussed the request made by the Northumberland Curling Club for funding to construct a new Curling Club/Community Centre in the Pugwash Area. **It was moved by Councillor K. Langille, seconded by Councillor K. Redmond that the following resolution be approved by Council:**

**WHEREAS the Northumberland Curling Club Committee has requested \$110,000 from the Municipality of Cumberland; and**

**WHEREAS the NCC Committee has secured over \$ 500,000 from other sources;**

**WHEREAS the NCC Committee has addressed the concerns expressed by Council at an earlier meeting;**

**THEREFORE BE IT RESOLVED that the Municipality give a grant in the amount of \$25,000 immediately, and provide the balance (\$85,000) to the Northumberland Curling Club Committee over the next two years.**

**MOTION CARRIED #06- 296**

**It was moved by Councillor G. Langille, seconded by Councillor E. Gilbert that a grant in the amount of \$4,000 be made to the Wallace Area Development Association, as budgeted.**

**MOTION CARRIED #06- 297**

## 11. Operational Services/Reports Issues

- 11.1 Dangerous or Unsightly Premises Order - Larry Goodwin - Information. Only two vehicles left as of this morning. Will follow up on definition of derelict - if they are derelict vehicles, they will be towed away.
- 11.2 Dangerous or Unsightly Premises Order - Stephen/Nadine Gilbert - Crusher is on site, will be crushed tomorrow or the next day. This is an ongoing problem and issue, operating a salvage yard without a permit, and further orders will be issued. If the vehicles remain after the deadline, the Municipality may consider prosecution under the Land Use By-Law. A written response was received from Mr. Stephen Gilbert, copies have been provided to all Councillors and will be given to the media.

**It was moved by Councillor Gilbert that Stephen Gilbert be given an extension until October 27<sup>th</sup> to crush the cars. There was no seconder.**

Councillor K. Langille expressed concern that Councillor Gilbert is in a position of Conflict of Interest, making motions with regard to relatives. This was noted for the record.

- 11.3 Fire Protection Services Coordinator Report - **It was moved by Councillor J. Kellebrew, seconded by Councillor J. Reid that the Fire Protection Services Coordinator report be approved by Council, and forwarded to the Association.**

**MOTION CARRIED #06-298**

- 11.4 Update - W. B. Wells Ltd. Property, Fort Lawrence - Steve Ferguson provided an update with respect to the Wells property at Fort Lawrence. Work is well under way, demolition complete, panelling on the end of the building (partially secured), signs removed from the building, and painting being done. Mr. Ferguson stated that the work is 95% done.
- 11.5 Safety Lights - The results of an investigation done by EMC Jim Hannon into areas where safety lights were requested were discussed. **It was moved by Councillor Gilbert, seconded by Councillor J. Reid that safety lights be installed at the following intersections:**

**Little Forks Road and #2 Highway  
Highway #302 and Little Forks Road  
Highway #6 and Hastings crossroads**

**MOTION CARRIED #06-299**

## 12. Committee/Other Reports

- 12.1 By-Law / Policy Committee  
12.1(a) Outdoor Wood Burning Appliances By-Law - **It was moved by Councillor K. Langille, seconded by Councillor Gerald Read that Council approve first reading of the Outdoor Wood Burning Appliances By-Law (and refer back to committee for changes below before second reading).**

**MOTION CARRIED #06-300**

(There was considerable discussion regarding the setbacks, and the use of the word building. There are a fair number of changes from when the draft bylaw was brought before Council.)

John Reid asked that a clause allowing for written permission from a neighbour be included before second reading. Councillor Gilbert asked that consideration be given for a person who owns two properties -within 100 metres.

Under Divestiture of Surplus Property, "no reserved price", Committee did not feel it necessary to change.

Solid Waste Collectors By-Law - discussed the appeal process. The majority of the Committee felt that the appeal should remain with the Chief Administrative Officer.

### 13. Old Business

- 13.1 Solid Waste - Councillor K. Redmond presented a petition requesting that the people of River Philip / Collingwood be allowed to use the Oxford transfer station, or to have curbside pick up of solid waste. **It was moved by Councillor K. Redmond, seconded by Councillor G. Langille that staff be directed to have cost estimates for curbside pickup in the following areas: Collingwood, part of River Philip ( District 6), Williamsdale, Millvale and Wyvern.**

**MOTION CARRIED #06-301**

### 14. New Business

- 14.1 Parrsboro Area Development Parrsboro Development - Recent announcements of businesses establishing in Parrsboro may affect infrastructure in County - water, sewer, police services, etc. There may be an opportunity for that type of service to be expanded to service County residents. Mr. Bugley suggested that we have our planner contact Parrsboro's planner (who is contracted by Amherst) to discuss this on a preliminary basis, to determine what sort of planning might be necessary. Councillor R. Merriam suggested that zoning in certain areas could be looked at.
- 14.2 Southview Drive - referred to Policy and By-Law Committee.
- 14.3 Surplus Property - Folly Lake - Correspondence was received from the Public Works and Government Services Canada regarding the former DND Facility at Folly Lake. Councillor K. Redmond suggested that Councillors and staff tour the facility before making a decision. Mr. Bugley reported that fair market value for the property is reportedly \$6 million.
- 14.4 Local Improvement By-Law First Reading - Existing by-law goes back to 1996, a new by-law was recommended for first reading. **It was moved by Councillor K. Redmond, seconded by Deputy Warden Kellegrew that first reading of the by-law be approved, and discussion be referred to the next meeting of committee of the whole.**
- 14.5 Municipal Elections - Councillor Ralph Welton again brought forward the idea of election of the head of Council at large. The current system permits the ten Councillors to elect the head of Council. Many people would like to have a say in electing their Chief Elected officials. If the people in general elected the Mayor, there would not be the division on Council that exists with a Warden system. **It was moved by Councillor Welton, seconded by Deputy Warden Kellegrew that in 2008 municipal election , the Municipality of Cumberland changes to a Mayor elected at large.**

**MOTION DEFEATED**

15. Information Items

- 15.1 UNSM Board - Rural Representative - Members of Council were advised that Warden Keith Hunter is seeking a seat as a Rural Representative on the UNSM Board.
- 15.2 River Hebert District High School Closure Process Review - Information was circulated in Councillors' mailboxes regarding the school closure process review.
- 15.3 URB Decision - The Utility and Review Board has determined that Jim Milner is not an aggrieved person, and Council's decision was upheld. Wind turbines taken off the back burner, and will proceed, albeit the project is 18 months behind schedule now. Several Councillors expressed concern that ONE person was allowed to slow up the process, and that the Municipality should be able to recoup our costs. It was estimated that the hearing cost the Municipality and the URB approximately \$30,000. Staff will investigate.
- 15.4 Water Faucet - Deputy Warden Kellegrew indicated that the water faucet installed by the Municipality of Cumberland at Harrison's on the Macdonald Road is being used a lot by County residents, and residents of other towns. He said in the 291 days since the facility has been open, there has been an average of 1536 litres, or 384 four-litre jugs a day distributed. Other Councillors agreed this was a good decision! .
- 15.5 Sunset - fundraiser - Members of Council were advised that there will be a fundraiser (dinner and dance) for Sunset at the Wentworth Recreation Centre this Saturday at a cost of \$30.

16. Adjournment

On motion by Councillor Gerald Langille, the meeting adjourned at 3:00 p.m.

17. God Save The Queen

1. **Council Convenes - O Canada** - Warden Keith Hunter called to order the October 25, 2006 session of Cumberland Municipal Council. He welcomed those present to the meeting, and led a fine rendition of the national anthem.
2. **Roll Call** - The roll was called by Connie Scott, Council secretary. All Councillors were present. Also in attendance were Rennie Bugley, CAO, Stephen Ferguson, Deputy Clerk, and Andrew MacDonald.
3. **Approval of Agenda (Additions/Deletions)** - There were several additions and deletions to the agenda: Additions: 6.4 Presentation to Geoff deGannes Deletion - #9 - There were no planning issues to discuss
4. **Approval of Minutes**
  - 4.1 **October 11, 2006 - Council session** - The minutes of the October 11, 2006 Council meeting were circulated in advance. There was one correction noted: Councillor K. Redmond seconded the motion # 06-296 with regard to the Northumberland Curling Club. *The minutes were approved as amended.*
5. **Business Arising from the Minutes**
  - 5.1 **Action List - October 11, 2006 Council session** - A list of actions taken as a result of the October 11, 2006 Council meeting. There were a number of questions with regard to the actions taken from the last meeting.

Item number 16 on the "Action List" - staff were directed to get price quotes on providing curbside collection to residents that would have been served by the Oxford Transfer station. A staff report stated that the cost of providing curbside collection of solid waste to those residents was \$127.50 per dwelling per year, based on 250-299 dwellings.

Councillor Redmond indicated that when the transfer stations were put in place, the residents of Collingwood, River Philip, Williamsdale, Millvale and Wyvern were served by the Oxford transfer station (which was sold to the town). Her decision to maintain the status quo was based on the operation of the stations in Oxford, Greenville and Wentworth (westchester?).

Deputy Warden Kellegrew stated that it has been well known that District 7 would be going curbside (by Councillors, for the past four years) and that the Oxford transfer station would no longer be used by County residents.

**It was moved by Councillor K. Redmond, seconded by Councillor K. Langille that Council approve curbside collection for residents of Collingwood, the part of River Philip that is in District 6, Williamsdale, Millvale and Wyvern.**

**It was moved by Councillor Gilbert, seconded by Councillor Merriam that Council table this issue until the Town of Oxford is approached, regarding the possibility of extending the use of the transfer station to County residents in Collingwood, River Philip, Williamsdale, Millvale and Wyvern.**

**MOTION CARRIED #06-302**

6. **Delegations and Presentations**
  - 6.1 **Dave Gilmore re: SWM in Collingwood** - Mr. Dave Gilmore, a resident of Collingwood, was welcomed to Council. Mr. Gilmore and his wife reside in Collingwood Corner. He indicated that he was speaking for a number of residents, but accepted responsibility for the statements he made as his own. He expressed concern regarding the lack of contact and consultation with residents regarding the solid waste issues, and objected to

the 42% increase in travel costs to go to Greenville rather than Oxford. Mr. Gilmore had a number of questions - he wanted to know why this was not discussed with residents, why they don't have curbside collection, and why are valuable assets belonging to the County being sold for a dollar? Mr. Gilmore was thanked for his presentation. He was asked to forward his questions to Council secretary and a response will be forthcoming.

Councillor Redmond stated that as far as she was concerned - the service was going to remain the same, that's why she did not consult with her residents. She said she was also "blindsided" by the decision to sell the Oxford transfer station.

- 6.2 UNSM Service Awards - UNSM Long Service Awards were presented to the following elected representatives: Councillor Gerald Read - 15 years, Councillor Gerald Langille - 15 years, Warden Keith Hunter - 15 years. These gentlemen also received gold pins with the Cumberland's Municipal Crest to commemorate their achievement.
- 6.3 Presentation to Geoff deGannes - Warden Hunter welcomed Geoff deGannes to the meeting, and presented him with a plaque to thank and honour Mr. DeGannes' 36 years of media coverage to the people, and the Council, of the Municipality of Cumberland. Mr. DeGannes accepted the plaque and thanked Council for the honour, He indicated that he has some fond memories of many Councils and Councillors over the years.
- 6.4 Recognition - Staff - Two municipal staff members were also recognized with a presentation for their years of service. Steve Ferguson, Development Officer, and Planning Department Head, recently completed 15 years service. Jeff McFadden, Building Caretaker and a member of the Public Works Department has served the County well for 20 years. Warden Hunter expressed Council's appreciation for the dedicated service of both gentlemen.

7. Public Hearings

- 7.1 Solid Waste Collectors By-Law - Second Reading - It was moved by Councillor K. Langille, seconded by Councillor Welton that approval be given to second reading of the Solid Waste Collectors By-Law.

MOTION CARRIED #06-303

8. Correspondence

Copies of correspondence received since the last Council meeting were circulated.

Minister of Education, Culture and Employment, Northwest Territories - acknowledging receipt and agreement with the insightful report: 'Education on a human scale: Small rural schools in a modern context'.

William D. Casey - Acknowledging receipt of the rural school report.

Bill Kempt - To encourage Council to change to a mayor elected at large.

Pugwash Village Commission - Requested a meeting to discuss the distribution of tax dollars for Pugwash and the Federal Fuel Tax Rebate. *Staff will set a meeting date and advise the Warden and Councillor K. Langille.*

Pugwash Village Commission - To advise of new Winter/Spring office hours. (Closed Mondays and Fridays)

Nova Scotia Vision for Tourism Report - Information available on line at:  
<http://www.nstourismvision.com/vision/administration.php>.

Justice Department - Minister's Task Force on Safer Communities - Advertising for volunteers to serve on Minister's task force.

Advocate Fire Chief - John Melanson - expressing support for positive work done to date with respect to the fire service in Cumberland County by John Fredericks.

**There was a discussion regarding the development of a by-law to deal with wind turbines. It was moved by Councillor E. Gilbert, seconded by Councillor J. Reid that planning staff be directed to make a by-law for Wind Turbines a priority.**

**MOTION CARRIED #06- 304**

9. Planning Issues (deleted from agenda)

10. Financial Reports/Issues

10.1 Recreation Grant Requests - It was moved by Deputy Warden Kellegrew, seconded by Councillor Gerald Read that the following recreation grants be approved, based on the recommendation of the local district Councillor.

Wallace and Area Recreation Committee \$5,000 - District 5  
Collingwood Community Hall - \$1000 - District 5  
Wallace and Area Rec. - Christmas function \$350 - District 5

**MOTION CARRIED #06-305**

10.2 Grants to Organizations - It was moved by Councillor Merriam, seconded by Councillor G. Langille that a grant be made to the Spencers Island Community Hall Association in the amount of \$2,500 be approved.

**MOTION CARRIED #06-306**

10.3 2007/2008 Budget Timeline - Andrew circulated a schedule regarding the 2007/ 2008 budget, and when certain actions will be taken and decisions made. This will be circulated to Department Heads as well.

11. Operational Services/Reports Issues

11.1 Solid Waste Disposal Facilities Policy - It was moved by Councillor K. Langille, seconded by Councillor K. Redmond that the Solid Waste Disposal Facilities Policy be adopted.

**MOTION CARRIED #06-307**

11.2 Proposed Windpower Power Project - This was for information. Council agreed earlier in the meeting to proceed with some guidelines for windpower projects.

11.3 Wastewater Disposal - Little Forks Septage Facility - Letter sent back to Dickie's Meats, to advise that they should make a request of CJSMA if they wish to use facility for disposal.

11.4 Joggins Sewer Extension - Late last week over a million dollars in funding was approved for the Joggins Sewer Extension. It is expected that construction will begin early next spring. Residents of the area will receive a much needed sewer system. Councillor John Reid thanked Council for their help.

11.5 Solid Waste District 4 - Although this item was tabled at an earlier meeting, It was moved by Councillor K. Langille, seconded by Councillor K. Redmond that Council look at operating the Pugwash Transfer Station one day per week for 52 weeks a year, on a user pay basis.

**MOTION CARRIED #06-308**

- 11.6 Westchester Fire Department - Councillor K. Redmond presented a summary of previous submissions to Council by the Westchester Fire Department. She also said that last year, the department fund raised over \$14,000, and for over 30 years this department has fund-raised to get what they have today. Councillor Redmond recommended the fire department not to turn over their 'fund raising' money (which was previously identified as being earmarked for the purchase of a truck) to the Municipality.

The CAO stated that if this is approved, an emergency Council Meeting should be held, because you no longer have an approved budget. The total recoveries from fire departments - \$177,000 were clearly part of the balanced budget. He also said that the problem is Councillors are not thinking county-wide - no matter where you live in the county, residents deserve to have the same level of service. Other departments turned in their money to get their new firetrucks.

Warden Hunter stated that if Council decides that Westchester doesn't have to pay what they were supposed to for the new truck, then we might as well tell the Pugwash Department to keep their half a million dollars and we will build their building. He strongly suggested that Council let the Fire Services Coordinator do his job and meet with the Fire Department, and report back to the next meeting.

12. **Committee/Other Reports**

- 12.1 UNSM Conference - Several Councillors provided their impressions of the UNSM Conference, held in Sydney last week. It was agreed by most of the attendees that one of the more interesting, exciting presentations of the conference was by George Cuff.
- 12.2 Police Services Advisory Committee - Councillors discussed a recent presentation by Staff Sgt. Kingston, as well as Lisa Jackson, Department of Justice regarding the new Police Act, and proposed new structures of the Police Services Advisory Committee.

It was not clear if Council decided to apply to Minister for exemption of PSAC, and staff asked for clarification.

**It was moved by Councillor G. Langille, seconded by Councillor K. Langille that Council apply to the Minister of Justice for an exemption with respect to membership on the Police Services Advisory Committee.**

**MOTION CARRIED #06-309**

13. **Old Business**

- 13.1 Moratorium on Post Office Closures and Rural Delivery - It was moved by Councillor Merriam, seconded by Councillor Welton that the following resolution be approved by Council:

**WHEREAS Canada Post is a Crown corporation that is mandated by law to provide basic customary postal service while operating on a financially self-sustaining basis.**

**WHEREAS Crown corporation like Canada Post have both public and commercial activities, but are distinct from commercial enterprises in that they are designed to serve the public interest, not maximize profit.**

**WHEREAS the federal government has asked Canada Post to act like a commercial enterprise that generates commercial profits and dividends.**

**WHEREAS Canada Post has responded by stating that it is a commercial enterprise with a business mandate and that it must focus on its major customers.**

**WHEREAS millions of dollars that people pay in postage are now directed towards providing Canada Post with commercial profits (\$199 million in 2005) and the federal government with lucrative dividends (\$59 million in 2005) instead of being**

used to improve public postal service.

WHEREAS the goal of commercial profits and dividends is at odds with the corporation's legislative mandate to provide public postal service and its public policy objective, as a crown corporation, to serve the public interest.

THEREFORE BE IT RESOLVED THAT the Municipality of the County of Cumberland write to Lawrence Cannon, the Minister Responsible for Canada Post and request that the federal government:

1. Change the financial and policy framework it uses to set targets for Canada Post so that the corporation does not have to provide commercial profits and dividends.
2. Instruct Canada Post to act like a public service, not a commercial enterprise, by using more of its profits on public postal services, including maintaining and expanding home mail delivery in rural and urban areas.

MOTION CARRIED #06-310

14. New Business

- 14.1 Fox River Road - A memorandum regarding a request to rename the fox River Road to "Chip Kerr, VC Memorial Drive" or Chip Kerr Memorial Drive in honour of John 'Chip' Kerr, recipient of the victoria Cross for gallantry in the face of the enemy in 1916 at Courcellette, France. Staff provided copies of letters and petitions, and referred to sections of the Road and Street Naming Standards and Guidelines. The area Councillor, Ratchford Merriam, stated that the people who signed the petition are non-resident landowners. The people who live on the road are not in favour of the name change.

Warden Hunter was asked by members of the Shore Drive CDA if they could make a presentation to Council on this issue. When put to a vote, only 2 Councillors were in favour. The request was denied.

It was moved by Councillor E. Gilbert, seconded by Councillor K. Langille that the proposed name change be tabled to a future meeting.

MOTION DEFEATED.

It was moved by Councillor Merriam, seconded by Councillor Gerald Read that the name of Fox River Road remain unchanged based on information provided and distributed in packages.

MOTION CARRIED #06-311

Councillor Merriam further stated that it would be extremely inappropriate to dedicate a pothole infested, dead end road to a VC cross veteran.

- 14.2 Deputy Warden Election - The Election of Warden/Deputy Warden Policy was reviewed. The successful candidate assumes their new position November 1.

Councillor Gerald Read nominated **Councillor K. Langille**.  
Councillor Redmond nominated **Councillor R. Merriam**.

There were no further nominations.

It was moved by Councillor Welton, seconded by Deputy Warden Kellegrew that nominations cease.

MOTION CARRIED #06-312

It was moved by Councillor Redmond, seconded by Councillor Gilbert that Andrew MacDonald and Steve Ferguson be appointed scrutineers.

MOTION CARRIED #06-313

Councillor Kathy Langille and Councillor Ratchford Merriam were each given an opportunity to address Council, which they both took, and asked for their fellow Councillors support.

Following the return of the scrutineers to the room, Councillor Ratchford Merriam was declared elected to the position of Deputy Warden for the Municipality of Cumberland for the next year. He was congratulated by all of Council.

It was moved by Councillor Welton, seconded by Councillor Gilbert that the ballots be destroyed.

MOTION CARRIED #06-314

- 14.3 2006 Tourism Summit - It was moved by Councillor G. Langille, seconded by Deputy Warden Kellegrew that Councillor K. Langille be permitted to attend the 2006 Tourism Summit being held in Halifax December 3-5.

MOTION CARRIED #06-315

15. Information Items

- 15.1 Employee Resignation - Council advised that Bill Burke resigned his position, and has gone to work with a private company. It was moved by Deputy Warden Kellegrew, seconded by Councillor Welton that a letter of appreciation for his employment be sent to Bill Burke.

MOTION CARRIED #06-316

Mr. Bugley indicated that he would like to have an organizational review completed before that position is advertised.

- 15.2 Pension Plan Presentation - November 23 @ 12 noon in the upstairs board room.
- 15.3 Future Presentation - PVFD re. New Building - A request was received from Fire Chief Andy Yarrow to do a presentation to a future Council re proposed new fire hall. Staff will make arrangements.
- 15.4 Next Generation Committee Report - This was provided for information.
- 15.5 War Brides Details regarding the War Brides Train, stopping at Westchester at 1:30 p.m. on November 7, 2006 were provided. 7
- 15.6 Safety light - It was moved by Councillor Redmond, seconded by Deputy Warden Kellegrew that Council accept the recommendation of EMC for the installation of a safety light at the intersection of the Atkinson Road & Number 2 highway.

MOTION CARRIED #06-317

16. Adjournment - There being no further business, the meeting adjourned at 3:15 p.m.

17. God Save The Queen

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Warden

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Chief Administrative Officer

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Executive Secretary