

1. **Council Convenes - O Canada** - Deputy Warden Ratchford Merriam called to order the June 27, 2007 session of Cumberland Municipal Council at 1:00 p.m. The meeting was held in the Council Chambers of the E. D. Fullerton Municipal Building, Upper Nappan. O Canada was sung.
2. **Roll Call** - The roll call was done by Shelley Hoeg, Administrative Assistant. All Councillors were present except Warden Keith Hunter, as well as Rennie Bugley, CAO, Stephen Ferguson, Director of Property Services, Andrew MacDonald, Director of Finance, Robert Streach, Director of Public Works, Peter Cottingham, Solid Waste and ByLaw Administrator and Jim Coughlin, Director of Planning.
3. **Approval of Agenda (Additions/Deletions)** - The agenda was approved with the following additions: 14.3 Cumberland Wilderness Club, 10.8 Cumberland YMCA, 15.1 Presentation to Wentworth Elementary School Kids; 13.3 Animal Nuisance Advertisement; 13.4 Natural Resources, 14.4 East Cumberland Lodge; 11.7 C&D; and Deletions: 13.2 - Development Agreement Process.
4. **Approval of Minutes**
  - 4.1 May 16, 2007 Council Session -
  - 4.2 May 23, 2007 Special Council Session -

**IT WAS MOVED by Councillor Read, seconded by Councillor Kellegrew to approve the minutes of May 16, and May 23, 2007 as circulated.**

**MOTION CARRIED #07-086**

5. **Business Arising from the Minutes**
  - 5.1 Action List - May 16 and 23<sup>rd</sup>, 2007 - There was no discussion on these items.
6. **Delegations and Presentations** - There were no delegations or presentations.
7. **Public Hearings**
  - 7.1 Final Approval - Livestock at Large By-Law - **IT WAS MOVED by Councillor Kellegrew, seconded by Councillor K. Langille that the Livestock at Large By-Law, which reads as follows, be given final approval.**

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## **Livestock At Large By-Law**

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### **General**

1. This By-Law is entitled the "Livestock At Large By-Law."
2. In this By-Law,
  - (1) "livestock" means cattle, horses, ponies, donkeys, mules, lamas, emus, ostriches, swine, goats, geese, turkeys, or other domestic animals or fowl;
  - (2) "livestock farm" means a parcel of land that is used for grazing or pasturing livestock;
  - (3) "Municipality" means the Municipality of the County of Cumberland; and
  - (4) "owner" includes,
    - (a) with respect to livestock, any person who has lawful custody of the livestock; and

(b) with respect to a livestock farm, the person occupying or operating the farm.

**Livestock At Large**

- 3. Any livestock which is or are not on a livestock farm and are not under the continuous restraint and control of some person shall be deemed to be at large for the purposes of this By-Law.
- 4. An owner of livestock who becomes aware, or should reasonably be aware, that any of those livestock may be at large or are at large, must immediately take all reasonable steps to regain custody and control of that livestock.
- 5. Subject to section 7 of this By-law, every owner of livestock
  - (1) whose livestock is or are at large; or
  - (2) who fails to comply with section 4 of this By-Law;
 is in contravention of this By-Law.
- 6. Every owner of a livestock farm shall take all necessary steps to prevent livestock from escaping from that farm, including, but not limited to, erecting and maintaining fences adequate for that purpose; and, subject to section 7 of this By-Law, every owner who fails to take such steps is in contravention of this By-Law.
- 7. No owner shall be found to have contravened this By-Law if it is established to the satisfaction of the Court that the owner exercised due diligence with regard to the circumstances of the alleged contravention.

**Penalties**

- 8. Any person who contravenes this By-Law is guilty of an offence punishable on summary conviction by a fine of not less than \$100 and not more than \$1000 for a first offence, and not less than \$200 and not more than \$2000 for a second or subsequent offence. For the purposes of this section it is irrelevant whether the offences were prosecuted pursuant to the same section of this By-Law.
- 9. Where a person is given a Notice of By-Law violation by the Municipality's By-Law Enforcement Officer in accordance with the Municipality's Payment in Lieu of Prosecution Policy, the person may pay to the Municipality, at the place specified in the Notice, the sum of \$50 within 14 days of the date of Notice and shall thereby avoid prosecution for that contravention.
- 10. By-Law 84-01, the Animals and Fouls at Large By-Law is hereby repealed.
- 11. This By-law shall come into force upon publication.

**Clerk's Annotation For Official By-Law Book**

Date of first reading: May 2, 2007

Date of advertisement of Notice of Intent to Consider: May 30, 2007

Date of final reading: June 27, 2007

\*Date of advertisement of Passage of By-Law: \_\_\_\_\_

Date of mailing to Minister a certified copy of By-Law: \_\_\_\_\_

I certify that this LIVESTOCK AT LARGE BY-LAW was adopted by Council and published as indicated above.

\_\_\_\_\_  
Rennie Bugley, Clerk

\_\_\_\_\_  
Date

\*Effective Date of the By-Law unless otherwise specified in the text of the By-Law

**MOTION CARRIED #07-087**

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**IT WAS MOVED by Councillor K. Langille, seconded by Councillor Reid that the Tax Reduction and Exemption By-Law, which reads as follows, be granted final approval:**

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**Tax Reduction and Exemption By-Law**

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1. This By-law is entitled the "Tax Reduction and Exemption By-law".
2. This By-law shall apply to the properties listed in Schedules "A" and "B" commencing April 1, 2007.  
  
Pursuant to section 71(1) of the *Municipal Government Act*, the properties listed in Schedule "A" to this by-law shall be, subject to sections 3 and 6 of this by-law, exempt from real property taxation.
3. The tax exemption provided in section 2 shall apply to general tax only, shall not apply to any fire, sewer, street light, village or area rates or charges and shall only apply to the portion of the property specified in Schedule "A".
4. Pursuant to section 71(2) of the *Municipal Government Act*, the real property tax payable with respect to the properties listed in Schedule "B" to this by-law shall be, subject to sections 5 and 6 of this by-law, reduced to the tax that would otherwise be payable if the property were residential property, inclusive of area rates.  
PURSUANT TO SECTION 71(2) OF THE MUNICIPAL GOVERNMENT ACT, THE REAL PROPERTY TAX PAYABLE WITH RESPECT TO THE PROPERTIES LISTED IN SCHEDULE "B" TO THIS BY-LAW SHALL BE, SUBJECT TO SECTIONS 5 AND 6 OF THIS BY-LAW, REDUCED TO THE TAX THAT WOULD OTHERWISE BE PAYABLE IF THE PROPERTY WERE RESIDENTIAL PROPERTY, INCLUSIVE OF AREA RATES.
5. The tax reduction provided in Section 4 shall apply only to that portion of the property specified in Schedule "B".
6. When a property listed in Schedule "A" or "B" ceases to be owned or occupied by the owner indicated in the schedule, or if the property ceases to be occupied for the purpose, which pursuant to section 71(1) and 71(2) of the *Municipal Government Act* enabled the Municipality of Cumberland to include the property in this By-law, the tax exemption or reduction shall cease and the owner(s) of the property shall immediately be liable for the normal real property tax on such property for the portion of the taxation year then unexpired.
7. All previous Tax Reduction and Exemption By-Laws for the Municipality are hereby repealed.
8. This By-Law comes into force on publication.

**Clerk's Annotation For Official By-Law Book**

Date of first reading: May 2, 2007 \_\_\_\_\_

Date of advertisement of Notice of Intent to Consider: May 30, 2007 \_\_\_\_\_

Date of final reading: June 27, 2007 \_\_\_\_\_

\*Date of advertisement of Passage of By-Law: \_\_\_\_\_

Date of mailing to Minister a certified copy of By-Law: \_\_\_\_\_

I certify that this TAX REDUCTION AND EXEMPTION BY-LAW was adopted by Council and published as indicated above.

\_\_\_\_\_  
Rennie J. Bugley, Clerk

\_\_\_\_\_  
Date

\*Effective Date of the By-Law unless otherwise specified in the text of the By-Law

**SCHEDULE A**

<b>PROPERTY</b>	<b>OWNER</b>	<b>EXTENT OF APPLICATION OF EXEMPTION</b>
Account #889032 Community Hall Upper Linden	Upper Linden Community Hall Association	Whole
Account #4479807 Community Hall Northport	Northport Community Organization	Whole
Account #4716329 Community Hall Tidnish	Tidnish Crossroads Community Association	Whole
Account #7516215 Building & Land Tidnish	Tidnish Crossroads Community Association	Whole
Account #889156 Hall Wallace	Wallace Community Association	Whole
Account #889164 Hall Wallace Station	Wallace Station Community Association	Whole
Account #2999633 Hall & Lot Malagash Mines	Trustees of the Malagash Mine Community Club	Whole
Account # 5673119 Monument Lot North Wallace	North Cumberland Historical Society	Whole
Account #889113 Old School Streets Ridge	Streets Ridge Community Hall Association	Whole
Account #889628 Community Hall Wentworth	Wentworth Community Hall Association	Whole
Account #889725 Community Hall Collingwood	Collingwood Community Hall Association	Whole
Account #889733 Community Hall (old school) Milvale	Trustees of the Millvale Community Hall	Whole
Account #3402916 Old School Westchester Station	Westchester Community Hall Association	Whole
Account #4864859 Recreation Centre Wentworth	Wentworth Recreation Hall Association	Whole
Account #889083 Community Hall (old school) Mt Pleasant	Mt Pleasant Community Hall Association	Whole
Account #3403092 Recreation Centre Springhill Jct Milvale	Springhill Junction Community Recreation Centre	Whole

Account #28851 Fossil Display & Information Centre Joggins	Municipality of Cumberland c/o Fossil & Display Centre	Whole
Account #889091 Hall Minudie	Minudie Community Hall Association	Whole
Account #2298198 Recreation Hall & Lot River Hebert	River Hebert Citizens Association	Whole
Account #2650991 Old School, Maccan	Maccan Community Centre Society	Whole
Account #100749 Hall & Lot Apple River	Apple River Community Association	Whole
Account #889202 Hall & Lot Spencer's Island	Spencer's Island Community Hall Association	Whole
Account #889229 Hall (old school) New Salem Recreation Hall & Lot	New Salem Community Hall Association	Whole
Account #889237 Community Hall Fraserville	Fraserville Community Hall Association	Whole
Account #889253 Community Hall Greenhill	Greenhill Community Hall Association	Whole
Account #1231456 Building & Lot Diligent River	Diligent River Recreation Committee	Whole
Account #5388082 Building & Land Advocate	Advocate District Development Association	Whole
Account #2582694 Hall Wallace	Wallace Masonic Lodge	Whole
Account #3075885 Masonic Lodge & Community Hall River Philip	River Phillip Masonic Lodge Hall and Community Hall Association	Whole
Account #687561 Building and Lands Smith Road	Springhill & District LA Animal Shelter Society Registered Charity	Whole
Account # 3187616 Recreation Park Meadow Park	Meadow Park Recreation Society	Whole
Account # 889016 Community Hall & Lot Fenwick	Fenwick Community Hall Association	Whole
Account #889652 Community Hall & Lot Brookdale	Brookdale Community Hall Association	Whole
Account #889024 Building and Lands	Sunrise Citizens Club of Brookdale	Whole

Community Hall Lower Shinimicas	Northport	
Account #73962 Lot & Building King St., Pugwash	Pugwash Ground Search & Rescue Inc.	Whole
Account #889121 Community Hall (Old School) Conn's Mills	Conns Mills Community Hall Association	Whole
Account #2582635 Hall & Land Water St., Pugwash	Silver Spray Rebecca Lodge No. 1	Whole
Account #2582686 Hall & Lot Victoria St., Pugwash	Masonic Lodge (Acadia #13)	Whole
Account #2999617 House, Buildings & Land Malagash Mines	Malagash Christian Fellowship Registered Charity	Whole
Account #4394526 Building Land Miller Road	Sport Pugwash	Whole
Account #4796543 Land Wallace	Wallace Recreation Committee	Whole
Account #889059 Lot Oxford Junction	Oxford Junction Community Hall Association	Whole
Account #889067 Community Hall Leicester	Leicester Community Hall Association	Whole
Account #889075 Lot Little River	Little River Community Hall Association	Whole
Account #2582589 Masonic Hall River Hebert Wallace	A F & A M Lodge No. 86	Whole
Account #2582643 IOOF Hall Main Street, Joggins	I.O.O.F. LODGE	Whole
Account #3210677 Medical Centre River Hebert	The Dr. D.M. Cochrane Memorial Medical Centre	Whole
Account #3263754 Museum Minudie	Minudie Tourist Association	Whole
Account #3403068 Display Centre & Land River Hebert	Municipality of Cumberland Heritage Models Association	Whole
Account #3383121 Light House No. 186 Spencer's Island	Spencer's Island Community Association	Whole
Account #5377269 Building & Lot Port Greville	Greville Bay Shipbuilding Museum Society	Whole

Account # 4429516 Land Pugwash River	The Nature Conservancy of Canada Registered Charity	Whole
Account # 4436881 Land Pugwash River	The Nature Conservancy of Canada Registered Charity	Whole
Account # 4210824 Land Crowley Road	The Nature Conservancy of Canada Registered Charity	Whole
Account # 7459025 Land Spencer's Island	The Nature Conservancy of Canada Registered Charity	Whole

### SCHEDULE B

PROPERTY	OWNER	EXTENT OF APPLICATION OF REDUCTION
Account #9361944 Building & Land Sutherland's Lake	Bragg Lumber Company Ltd. c/o Sutherland's Lake Trail Groomers Association (leased)	Whole
Account #2152592 Building & Lot Southampton	Irving Oil Ltd. c/o Glooscap Trail Snowmobile Club (Leased)	Whole

### MOTION CARRIED #07-088

- 7.3 Maintenance and Improvement of Private Roads By-Law - Mr. Ferguson explained this is a new piece of legislation whose purpose is; upon request from a property owners association on private roads, Council can proceed to set up an area rate, based on frontage, collect monies and turn them over to the association for road maintenance.

**IT WAS MOVED by Councillor Kellegrew, seconded by Councillor Welton to approve the first reading of the Maintenance and Improvement of Private Roads By-Law as follows:**

#### **Maintenance and Improvement of Private Roads By-Law 07-06**

#### General

1. This By-law is entitled "Maintenance and Improvement of Private Roads By-Law".
2. In this By-law:
  - (a) "Association" means a body corporate incorporated and in good standing under the Societies Act, which represents the owners within a Charge Area and to which all owners in a Charge Area are entitled to be a voting member of;
  - (b) "Clerk" means the Clerk of the Municipality;
  - (c) "Council" means the Council of the Municipality of the County of Cumberland;
  - (d) "Charge" means a charge imposed pursuant to Section 81 of the Municipal Government Act in an amount to be determined pursuant to this By-law and payable in respect of the road maintenance and/or improvement;
  - (e) "Charge Area" means an area to which a Charge is imposed and as more fully described in

a petition for road maintenance and/or improvement submitted pursuant to this By-law;

- (f) **"Improvement"** means the work undertaken on a road to increase or improve upon the existing condition or level of service of a road;
- (g) **"Maintenance"** means the work required to maintain a road's existing condition or level of service;
- (h) **"Municipality"** means the Municipality of the County of Cumberland;
- (i) **"Owner"** means:
  - (i) an owner, part owner, joint owner, tenant in common or joint tenant of any interest in the whole or any part or parcel of land or a building in a Charge Area and having the right to use the road;
  - (ii) in the case of the absence or incapacity of a person or persons having ownership of any interest in the parcel of land or building, a trustee, an executor, a guardian, an agent, a mortgagee in possession or a person having the care or control of land or building in a Charge Area and having the right to use the road; or
  - (iii) in the absence of proof to the contrary, the person assessed for the taxes on the parcel of land or building in a Charge Area and having the right to use the road;
- (j) **"Petition"** means a written request to the Municipality to levy a charge for the maintenance and improvement of private roads submitted by the duly elected executive officer of an Association; and
- (k) **"Road"** means any private street, private roadway, private highway or private traveled way, or portion thereof, situate in the Municipality.

3. (1) The Municipality may levy a charge for maintenance and improvement of a road upon the owners of real property within a Charge Area in an amount necessary to provide for such maintenance and improvement where the duly elected executive officers of an Association petition the Municipality for a purpose provided for under Section 81 of the Municipal Government Act; and

- (a) the petition referred to in clause 3.1 is accompanied by:
  - (i) an estimated yearly maintenance and improvement budget for that year which was passed by a Special Resolution of the Association;
  - (ii) a copy of the Special Resolution required in subclause (I);
  - (iii) a copy of the Association's Memorandum of Association and By-Laws which clearly states that the object or purpose of the Association is to carry out maintenance and/or improvements to the road(s);
  - (iv) a Plan clearly showing the Charge Area, the lots affected, the roads and the frontage of the lots in the Charge Area;
  - (v) a one time application fee in the amount of \$300.00 to defray the Municipality's costs in setting up the charge; and
- (b) the Association has entered into an Agreement with the Municipality which:
  - (i) requires that the Association shall be responsible for performing, or contracting, the work associated with the improvement or maintenance of the street or streets in the Charge Area;
  - (ii) indemnifies and saves harmless the Municipality from any and all liability or responsibility with respect to the work associated with the improvement or maintenance of the road(s) in the Charge Area;
  - (iii) identifies that the petition forms the basis of the Charge; and

(iv) contains any other clauses as deemed necessary by the Municipality.

(2) The petition referred to in subsection 3(1) shall be in the form as prescribed in Schedule 'A' of this By-Law and must be submitted no later than the 31<sup>st</sup> day of December in the fiscal year prior to the fiscal year in which the charges are to begin.

(3) The Agreement referred to in subsection 3(1) shall be in a form agreed to by the Association and the Municipality, signed by the Association signing officers. Any amendments to the Agreement proposed by the Association shall be in consultation with the Municipality and submitted for approval by the Municipality in the same manner as Section 7.

4. (1) A Charge levied pursuant to Section 3 shall be determined in accordance with the provisions of this By-Law and may be calculated based on:

(a) the frontage of each lot on the road, being the ratio that the frontage of each lot bears to the total frontage of the road(s) or portion thereof to be maintained and/or improved; or

(b) the assessment of each lot, being an area rate of an amount per \$100.00 of assessed value of the property within the Charge Area; or

(c) a combination of (a) and (b) above, with the total amounts charged for frontage and assessment to be equal; or

(d) an equal charge per property.

(2) Notwithstanding subsection 4(1)(a), for the purpose of this By-Law only, all lots within a Charge Area shall have a minimum deemed frontage of 75 feet.

(3) In the event of a dispute between a property owner and the Municipality as to any measurement or area of real property, the owner shall retain, at his or her sole expense, a Licensed Nova Scotia Land Surveyor, who shall certify to the measurements or area of real property and submit the same to the Clerk.

5. The total amount of the Charge levied by the Municipality shall equal the estimated annual cost of the street maintenance and improvements.

6. Notwithstanding the provisions of this By-Law, the Municipality may, upon request, exempt from a charge any owners within a Charge Area whose property abuts and has access to a public highway and does not use or have access to the road upon which the maintenance and improvement is being sought but subject to the provisions that the Municipality may later assess those exempted owners if it appears to it that they are then using the improved roads.

7. Where Municipal Council has accepted a petition for roads maintenance and improvement, the Association shall submit on an annual basis a budget for the estimated road maintenance and improvement cost for the upcoming fiscal year. This Budget shall be passed by a Special Resolution of the Association responsible for ensuring the maintenance and improvement is carried out and the Budget and Special Resolution shall be received by the Municipality no later than the 31<sup>st</sup> day of December in each calendar year.

8. (1) A Charge imposed pursuant to this By-law constitutes a lien upon the real property with respect to which the Charge has been made and the Charge may be calculated in the same manner as taxes and shall be made payable in the same manner as taxes.

(2) The lien provided for in this By-law shall become effective on the date which the Clerk signs and files at the Municipal Office, a Certificate with a statement that the affected area is subject to an annual Charge for street maintenance and improvement in an amount set annually by Municipal Council as provided for in this By-law and shall remain effective from year to year until terminated pursuant to this By-law.

(3) The lien provided for in this By-law shall remain in effect until the Charge plus interest has been paid in full.

(4) Where a property subject to a lien is subdivided:

(a) in which the Charge imposed was calculated based upon frontage, the amount of the lien plus



**SCHEDULE A**

(Maintenance and Improvement of Private Roads By-Law)

**PETITION FOR PRIVATE ROAD MAINTENANCE AND IMPROVEMENT CHARGE**

To the Council of the Municipality of the County of Cumberland

From the ( \_\_\_\_\_ ) the "Association"

name of association as per Societies Act

Located at: \_\_\_\_\_

Representing the "Owners" for the purpose of the Maintenance and Improvement of Private Roads By-law, in the "Charge Area" as shown on the attached plan.

The Association hereby requests that the Municipality collect road maintenance and improvement fees on behalf of the Association in accordance with the provisions of the Private Roads Maintenance and Improvement By-Law.

The Association further requests that this charge be made on the basis of \_\_\_\_\_

(indicate lot frontage, assessment, a combination of frontage and assessment, or an equal charge per lot).

The purpose of the charge is understood to enable the Association to undertake maintenance and improvements on the road(s) located within the Charge Area, as identified on the attached plan.

Located at: \_\_\_\_\_

For this purpose the Association is willing to enter into an agreement with the Municipality as outlined in the Maintenance and Improvement of Private Roads By-Law.

**NAME AND SIGNATURES OF ASSOCIATION EXECUTIVE**

Name - Please Print	Signature	Civic Address or PID and AAN - Please Print
_____	_____	_____
_____	_____	_____
_____	_____	_____

This petition must be accompanied by:

- (i) an estimated maintenance and improvement budget for the year which was passed by a Special Resolution of the Association,
- (ii) a copy of the Special Resolution mentioned above,
- (iii) a copy of the Association's Memorandum of Association and By-laws which clearly states that the object or purpose of the Association is to carry out maintenance and/or improvements to the road(s), and
- (iv) a Plan clearly showing the Charge Area, the lots affected, the road(s) and the frontage of the lots in the Charge Area. This must indicate the PID and assessment account # for each lot affected.

**MOTION CARRIED #07-089**

**8. Correspondence**

The following correspondence was received since the last meeting of Council:

Federation of Canadian Municipalities

1. Members Advisory, detailing the new FCM. *This item was circulated as information.*

Union of Nova Scotia Municipalities

1. UNSM New Flash, detailing the Board Meeting Outcomes from its May 9, 2007 meeting. **This was circulated as information.**
2. Lyle Goldberg, Policy Analyst, providing a background document re a low income tax relief policy; to "replace" the CAP program; requesting letters of interest for elected officials. ***If a Councillor is interested please contact staff and they will submit a letter of interest.***
3. Lyle Goldberg, Policy Analyst, advising that the Resource Recovery Fund Board (RRFB), is seeking a UNSM representative to sit on their Board of Directors; requesting letters of interest. ***Warden Hunter has submitted a letter of interest and all other Councillors were invited to submit letters if they so choose.***

Executive Council of Nova Scotia

1. Jamie Muir, Minister SNSMR, advising that Warden Hunter has been reappointed as a member of the Board of Directors of the Nova Scotia Municipal Finance Corporation.

Nova Scotia Department of Community Services

1. Judy Streach, Minister, advising that the term of James Morris, the County's representative on the Board of the Cobequid Housing Authority expired on April 15, 2007. ***It was agreed that staff will advertise for candidates for the position.***

Faye Mingo

1. Faye Mingo, expressing concerns regarding the quality of drinking water in Pugwash, requesting a water system. ***This item was referred to staff for action (response).***

Accessible Community Transportation Committee

1. John Bradford, Director, requesting an appointment to the committee. ***It was agreed that a staff member be appointed to the Accessible Community Transportation Committee.***

Town of Parrsboro

1. Mayor Doug Robinson, advising that the next PSWPAC meeting will be held Thursday, July 19, 2007 @ 1:00 p.m.

Nova Scotia Department of Justice

1. Alex Steeves, advising that the 2007/2008 RCMP costs will be \$1,943,598, an increase of approximately 3.75%.

Service Nova Scotia and Municipal Relations

1. Kathy Gillis, Executive Director, Assessment Services, advising that a regulatory change will eliminate the application process for the Capped Assessment Program. **This was circulated as an information item.**

N.S. Transportation and Public Works

1. Buffy White, P. Eng, Area Manager, in response to Council's correspondence regarding concerns of shoulder width on the John Black Road and road shoulders in various locations throughout the County; indicating that a "sidewalk" on the John Black Road would be a municipal responsibility and that if there are specific shoulder area concerns, that the applicable Operations Supervisor be contacted.

Sport Pugwash

1. Terrance Smith, Secretary, expressing appreciation for council's grant.

Cumberland Regional Economic Development Association

1. Rhonda Kelley, Executive Director, providing an update on the proposed "Cumberland Tourism Committee"; requesting CAPSO's collective direction. **It was agreed that this item be referred to Warden Hunter.**

Biggs Drive Registered Private Water Association

1. Rod MacLean, President, requesting immediate and serious discussions between the County and the Water Association to seek a permanent and long term solution to water problems. ***It was agreed that this item be referred to staff.***

Village of Pugwash

1. Kathy Langille, Chair, Pugwash Village Commission, requesting clarification on the County's position regarding the Federal Fuel Tax Rebate for 06/07. ***It was agreed to refer this item to staff.***

Town of Oxford

1. CAO, Darrell White, advising that if an agreement on funding for fire services cannot be reached between the Town of Oxford and the Municipality of Cumberland, then services will not be in place after July, 2008. *Discussion followed that the Municipality had previously forwarded correspondence to the Town of Oxford on two separate occasions at which point we provided our rationale. Staff have been directed to do a cost analysis and provide options to Oxford. A meeting will be planned with Oxford, and Councillors and staff will be appointed to sit on a committee. It was agreed that Councillors Reid, Redmond and Welton should be members of the committee. Councillor Reid requested that the Collingwood Volunteer Fire Department be advised of these issues as soon as possible.*

9. **Planning Issues** - There were no planning issues to discuss.

**10. Financial Reports/Issues**

- 10.1 **Grants to Organizations** - **It was moved by Councillor Kellegrew, seconded by Councillor G. Langille that the following grants to organizations be approved:**

ORGANIZATION	AMOUNT
Pugwash C@P Site	\$500.00
Wentworth C@P Site	1000.00
Advocate C@P Site	500.00
Wallace C@P Site	500.00
Joggins C@P Site	500.00
River Hebert C@P Site	500.00
Northport C@P Site	500.00
G.I.L. of Taxation - Cumberland Snowmobile Club	200.00
Camp Pagweak	1500.00
Big Lake Camp	2500.00
Amherst Township Historical Society	500.00
CANSA	500.00
Cumberland Co. Transition House Association	5000.00
Cumberland County Exhibition	1000.00
Cumberland County Riders Assoc.	5000.00
Cumberland Geological Society	5000.00
Diligent River Hall	500.00
Dr. D. M. Cochrane Memorial Medical Ctr.	2000.00
Heritage Models	2000.00
Joggins Improvement Committee	1500.00
Joggins Legion	2000.00
L.A. Animal Shelter	5000.00
Maccan Legion	2000.00

Maggie's Place	2500.00
Malagash Heritage	2000.00
Malagash Legion	2000.00
Malagash Mine Community Club	5000.00
Maritime Beef Testing Society	2000.00
Minudie Heritage Association	2000.00
Minudie Tourist Association	1000.00
Northumberland Curling Club	42500.00
Northumberland Historical Society	1000.00
Pugwash Gathering of the Clans	2000.00
Pugwash Harbourfest	1000.00
Pugwash Legion	2000.00
Ship's Company Theatre	5000.00
SPAR Community Health Board	2000.00
Spencers' Island Community Association	3000.00
Tidnish Tourist Bureau	2500.00
Wallace & Area Museum	2000.00
Wild Blueberry Harvest Festival	1000.00

**MOTION CARRIED #07-090**

10.2 Recreation Grants - **IT WAS MOVED** by Councillor Read , seconded by Councillor Kellegrew that the following recreation grants be approved, as recommended by the district Councillor:

Recreation Group / Purpose / Project	Amount	District
Maccan Ballfield	\$1,000	2
I.O.O.F. Hall Joggins	\$500	9
Millvale Community Hall	\$800	6
Westchester Community Hall	\$1,000	6
Wentworth Summer Sport Camp	\$500	6
Town of Parrsboro	\$3,800	8 & 10
Amherst Little League Selects	\$125	1 & 2
River Hebert Home and School - Spring Fair	\$400	9 - \$200 8 - \$100 2 - \$100
Minudie Heritage - Minudie Days	\$250	9
Joggins Fire Department - July 1 <sup>st</sup> Festivities	\$350	9
Pugwash District High - Video Dance	\$700	4

**MOTION CARRIED #07-091**

- 10.3 Wind Turbine Facilities Municipal Taxation Act - This was circulated as information item.
- 10.4 Operating Line of Credit - Andrew MacDonald, Director of Finance, explained that our financial institution is requesting an operating line of credit agreement as part of our credit agreement.

**IT WAS MOVED** by Councillor Read, seconded by Councillor Gilbert that the following resolution be approved:

**Whereas it is desireable to borrow \$2,600,000 for the purpose of establishing a line of credit and provide funds as required for the Municipality of the County of Cumberland. The above line of credit is to be repaid at the rate established and mutually agreed by the said bank and the Signing Officers of the Municipality of the County of Cumberland.**

**Be it also resolved that the officers are hereby authorized to sign the notes and other documentation and to do all acts and things necessary to give full force and effect to this resolution.**

**MOTION CARRIED #07-092**

- 10.5 Borrowing Resolution - **IT WAS MOVED** by Councillor Gilbert, seconded by Councillor Reid that a Capital Projects Borrowing Resolution which states as follows, be approved:

**Be it hereby resolved that the officers authorized to sign on behalf of the organization borrow up to \$500,000 for Capital Projects from the Canadian Imperial Bank of Commerce. The above loan is to be repaid at the rate established and mutually agreed by the said bank and the Signing Officers of the Municipality of the County of Cumberland.**

**Be it also resolved that the officers are hereby authorized to sign the notes and other documentation and to do all acts and things necessary to give full force and effect to this resolution.**

**MOTION CARRIED #07-093**

- 10.6 Credit Agreement - **IT WAS MOVED** by Councillor Kellegrew, seconded by Councillor Read that the Chief Administrative Officer and the Director of Finance of the Municipality of Cumberland be authorized to execute the above mentioned credit agreements on behalf of the Municipality of Cumberland.

**MOTION CARRIED #07-094**

- 10.7 Remittals - **IT WAS MOVED** by Councillor G. Langille, seconded by Councillor Read that the following remittals be approved:

- Account 09360026 - \$5,901.43
- Account 09466215 - \$1085.07
- Account 07463693 - \$199.42
- Account 00648329 - \$316.07

**MOTION CARRIED #07-095**

- 10.8 Cumberland YMCA - **IT WAS MOVED** by Councillor Gilbert that this item be deferred to a future meeting pending receipt of further budgetary information.

**MOTION WITHDRAWN.**

**IT WAS MOVED** by Councillor K. Langille, seconded by Councillor Read, to fund Cumberland YMCA the amount approved in the 2007/2008 budget of \$25,000 and

request further information for any funds above the budgeted amount.

**MOTION CARRIED #07-096**

11. Operational Services/ Reports Issues

11.1 Septage Facility Land -

**IT WAS MOVED** by Councillor Kellegrew, seconded by Councillor Read to approve the following resolution:

**RECORDED THAT:** the Municipality of the County of Cumberland ("the Municipality") acquired land on the Little Forks Road, Little Forks, Cumberland County, by Deed recorded at the Cumberland County Registry of Deeds Office in Book 680 at Page 373, to be held in trust for the Cumberland Joint Services Management Authority (the "CJSMA");

**RECORDED THAT:** pursuant to an Agreement dated the 13th day of July 2005, the CJSMA has agreed to transfer a portion of the lands described in Book 680 at Page 373 to the Municipality together with a right-of-way over its remaining land;

**RESOLVED THAT:** the Municipality as one of the five Municipal Units making up the CJSMA hereby consents to the CJSMA conveying to the Municipality the property and right of way described in Schedule "A" attached hereto;

**RESOLVED THAT:** the Municipality as one of the five Municipal Units making up the CJSMA hereby consents to Tanya MacKenzie and Ernie Gilbert executing the Quit Claim Deed on behalf of the CJSMA to convey the property to the Municipality.

Schedule A

**ALL** that lot of land situate off the Little Forks road, in Little Forks, Cumberland County, Nova Scotia, identified as Lot 06-1 on a Plan of Subdivision entitled "Lands of Municipality of the County of Cumberland In Trust", prepared by Jerry L. Borden, N.S.L.S., on December 12, 2006, and filed at the Cumberland County Land Registration Office on January 9th, 2007, as Document No. 86995215.

**Lot 06-1** contains 10,003 square metres.

**TOGETHER WITH** a 66' right-of-way, ingress and egress, running from the Little Forks Road to the existing driveway to Lot 06-1, as shown on the aforementioned Plan. Said right-of-way being centered on the centreline of the existing gravel access road.

**MOTION CARRIED #07-097**

Robert Streach also informed Council that there are two specific issues arising relating to the Leachate/Septage Facility. The first issue is that a colchester firm is undercutting people, as he has his own dewatering facility; the second issue is a Springhill septic pumping company is utilizing the Town of Springhill facility at no cost. That creates a severe disadvantage for those haulers who must pay the fees of the Little Forks leachate facility. Mr. Streach will research having the Municipality declared a Waste Management District and amend the bylaw to provide that any waste generated in our district must be dumped at the Little Forks facility.

**IT WAS MOVED** by Councillor Kellegrew, seconded by Councillor K. Langille to investigate options to remedy the issues of undercutting and free dumping, that is having an adverse effect on Cumberland County licensed septic haulers.

**MOTION CARRIED #07-098**

- 11.2 Sunset Sewage Treatment Operator - Mr. Robert Streach, Director of Public Works informed Council that due to the absence of Sunset's Level 1 Certified Sewage Treatment Plant Operator Sunset is now not in compliance with the Department of Environment and

Labour's Approval to operate their Class 1 Sewage Treatment Facility. Sunset is requesting assistance from the Municipality of Cumberland to provide the services of a Level 1 Certified Sewage Treatment Plant Operator until either their employee returns to work or they prepare another employee to assume the role.

**IT WAS MOVED by Councillor G. Langille, seconded by Councillor Redmond to approve that the Municipality's Public Works Department provide the services of a Level 1 Certified Sewage Treatment Plant Operator to Sunset until they are able to provide the service themselves.**

**MOTION CARRIED #07-099**

- 11.3 Civic Number Signage - Planner, Jim Coughlin informed Council of how civic number signage will be distributed throughout the County. He explained that the program has been designed hand in glove with our volunteer fire departments and will be using local businesses to prepare the signs. At present staff are embarking on an advertising program.
- 11.4 Pugwash Fox Issue - Correspondence was received from the Pugwash Village Commission requesting that the Municipality urge the Department of Natural Resources to intervene and remove the residents (foxes) of a den which appears to be located in the Crescent's Beach area which are killing family pets of residents in the area.

**IT WAS MOVED by Councillor Kellegrew, seconded by Councillor G. Langille that the Municipality forward correspondence to the Department of Natural Resources in support of the Pugwash Village Commission's request for intervention/assistance with the fox population in the Pugwash area.**

**MOTION CARRIED #07-100**

- 11.5 FPS Report - This item was circulated to Council for their perusal.
- 11.6 Water Utility Review Committee - The Director of Public Works, Robert Streach, is recommending that Council establish a Water Utility Steering Committee. This Committee would have a mandate of the following:
1. To oversee the process of establishing a water utility to serve the areas to the south and east of the Town of Amherst, and assume ownership and operation of all existing water mains in that area of the Municipality.
  2. To provide instructions and information to the consultant.
  3. Subject to final approval of Council, to negotiate a bulk water agreement and transfer of assets with the Amherst Water Utility.
  4. To keep Council informed as to the progress of the application and negotiations, and when appropriate, to obtain direction and approval from Council.

It is also recommended that two or three Councillors, plus the Directors of Finance, Property Services and Public Works, be appointed to the Committee, all with voting privileges.

*Councillors Read and Kellegrew have volunteered to sit as Council representatives on this Committee.*

- 11.7 C & D - Peter Cottingham informed Council that the CJSMA Board recently accepted, in theory, a submission from CJSMA staff proposing that the current tipping fee on residual debris and asphalt shingles be changed to \$35.00 per ton. This fee will include grinding costs (to be arranged by CJSMA staff) and will be available to all Municipal units and residents.

**It was moved by Councillor G. Langille, seconded by Councillor Gilbert that the**

**Municipality approve the proposal of the CJSMA for a tipping fee of \$35.00 per ton for construction and demolition debris.**

**MOTION CARRIED #07-101**

Mr. Cottingham updated Council on the results of a "Spring Clean-Up" which took place in the River Hebert/Joggins area. As this was one of the most common requests from the public and was successful in the River Hebert/Joggins area **IT WAS MOVED by Councillor Read, seconded by Councillor K. Langille that staff be authorized to begin a tender process for a county-wide summer/fall clean-up.**

**MOTION CARRIED #07-102**

12. **Committee/Other Reports**

12.1 CREDA Minutes - These were circulated as information items.

13. **Old Business**

13.1 NSURB Decision - Number of Councillors/Polling Districts - Mr. Bugley explained that correspondence was received to advise that the UARB has approved the revised number of Councillors/Polling Districts and as soon as they receive detailed boundary descriptions, they will issue a formal order.

13.2 Development Agreement Process - This item was deleted

13.3 Department of Natural Resources - Councillor G. Langille feels that the issue of a Doe season in Cumberland County should be pressed with the Department of Natural Resources and that there should be clear direction (from DNR) to the public on who is responsible for the removal of road kill.

**IT WAS MOVED by Councillor G. Langille, seconded by Councillor K. Langille that correspondence be forwarded to DNR pressing the issue of a DOE season in Cumberland County and request that they provide the public clear direction on who is responsible for the removal of road kills.**

**MOTION CARRIED #07-103**

*It was agreed that our monthly ad shall include information on keeping our pet populations under control.*

14. **New Business**

14.1 Pugwash Fire Hall - **IT WAS MOVED by Councillor Reid, seconded by Councillor Kellegrew that staff members John Fredericks, Robert Streach and Andrew MacDonald and Councillor K. Langille be appointed to sit on a Committee regarding construction of a new fire hall for the Pugwash Volunteer Fire Department**

**MOTION CARRIED #07-104**

14.2 Letter of Support - Bill Casey -

**IT WAS MOVED by Councillor Kellegrew, seconded by Councillor Redmond to send a letter of support to Bill Casey for his stance on the Atlantic Accord.**

**MOTION CARRIED #07-105**

14.3 Cumberland Wilderness Association - **IT WAS MOVED by Councillor Welton, seconded by Councillor Kellegrew that the Province of Nova Scotia approve a temporary moratorium on forestry operations within the Chigneco Game Sanctuary until the Stewart report is received, analyzed and implemented.**

**MOTION CARRIED #07-106**  
*(1 Nay Vote - Councillor Gilbert)*

- 14.4 East Cumberland Lodge - Correspondence was received requesting council's support of a second mortgage for a full expansion of the long term care beds.

**IT WAS MOVED by Councillor Redmond, seconded by Councillor G. Langille that the municipality support East Cumberland Lodge in their application for a second mortgage in the amount of 1.5 million for an expansion of 10 long term care beds**

**MOTION CARRIED #07-107**

15. **Information Items**

- 15.1 Wentworth Elementary School - Council was informed that Nova Scotia Power and 3G Energy held a competition to name one of the wind turbines located at Higgins Mountain and the children of Wentworth Elementary won the contest. The name chosen will be Big Wind.

16. **Adjournment**

**On motion by Councillor G. Langille, the meeting adjourned at 2:54 p.m.**

17. **God Save the Queen**

\_\_\_\_\_  
Warden

\_\_\_\_\_  
Chief Administrative Officer

\_\_\_\_\_  
Recording Secretary