

1. **Council Convenes - O Canada** –Deputy Warden Kellegrew called to order the April 6, 2011 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 was called by Shelley Hoeg, Executive Assistant to the CAO. All Councillors were in attendance excepting Warden Hunter as he had a previous commitment. Also in attendance were Rennie Bugley, CAO, Stephen Ferguson, Director of Policy and Research, Penny Henneberry, Director of Planning and Development, Andrew Macdonald, Director of Finance, Director of Public Works, Robert Streach, Peter Cottingham, Solid Waste and By-Law Administrator and Vicki Weaver, Physical Activity and Recreation Coordinator.
3. **Approval of Agenda (Additions/Deletions)** - The agenda was approved with the following additions and deletions:
  - Additions:** 9.1 – Zoning, 14.3 – BroadBand Internet, 14.4 – Transportation, 15.5 – letter of support – 15.6 – Springhill Institution, 16.4 – Spring Drama Event SUNSET
  - Deletions:** #7, 10
4. **Approval of Minutes**
  - 4.1 **Minutes from March 2, 2011 Council Session** – **IT WAS MOVED by Councillor Merriam, seconded by Councillor Gilbert to approve the Minutes of March 2, 2011 as circulated.**

**MOTION CARRIED #11-029**

5. **Business Arising from the Minutes**
  - 5.1 **Action List, March 2, 2011**– Staff were asked if the Recreation Grants had been mailed out and they have.
6. **Delegations and Presentations**
  - 6.1 **Volunteer Recognition** – Deputy Warden Kellegrew advised that this is one of the best council days of the year as we get to give a little back to our Community Volunteers who provide the County with immeasurable hours to make our Communities a better place to live.
 

This year, the Municipality honoured the following volunteers:  
 District #1 – Rebecca LeBlanc (Youth Volunteer Award)  
 District #3 – Tanya Tuttle-Comeau  
 District #4 – Kirsteen Thomson  
 District #6 – Thelma Redmond  
 District #10 – Timothy Phinney

District #8 – Sharon Siddall, Municipal Volunteer of the Year
7. **Public Hearings**  
This item was deleted.
8. **Correspondence**  
Correspondence was received from the Town of Amherst requesting the County to determine if there is a financial willingness to construct a sidewalk from the boundaries of the Town of Amherst to the Regional Hospital.
 

Staff were directed to contact the Town of Amherst and request further details regarding a proposed sidewalk from the boundaries of the Town of Amherst to the Regional Hospital.

Correspondence was received from DOTIR asking if the Municipality would like traffic counts done. *At this time it was agreed to not participate.*

## 9. Planning Issues

- 9.1 Zoning – Ms. Henneberry, Director of Planning and Development advised that during the recent past there was an occurrence of dumping debris from the Oxford High School on private property next to a new home and their water supply. Staff have had ongoing discussion with DOTIR and Department of Environment regarding this issue.

Ms. Henneberry advised that although regulated by provincial licensing requirements, municipalities do have the authority to regulate land use within the parameters of the *Municipal Government Act*. So, even though a use may require a provincial license, this does not limit the ability to regulate at a local level – i.e. where the use may be permitted and the terms and conditions under which the use may exist. In fact, some licensing applications typically require the proponent to consult the local land use authority. The Department of Environment DoE ‘*Application for Approval*’ stipulates “Confirmation of Municipal Approval” is required. This confirmation is usually in writing and states whether the use is or is not permitted (usually a zoning confirmation from the Development Officer). Upon issuing a Provincial Permit, DoE will stipulate conditions that must be met prior to proceeding and if there are Municipal approvals required then that becomes a condition of the permit.

The current land use documents for Cumberland do not address C&D uses and are weak in how Salvage Yards are addressed. Upon a quick review, even our definition of salvage yard does not appear to be consistent with other municipal definitions.

### Options

- i) **Status quo** – this would leave all current documents as is and not regulate where these sites are located in the Municipality and would not provide the ability to regulation under the Land Use Bylaw.

**Amend MPS and LUB** – as per the terms of the current Municipal Planning Strategy

*“ Prior to the designation of any land to a designation other than General, a planning study should be carried out to determine the need, desirability and suitability of the proposed designation and policies contained therein.”*

Designations are separate from Zones and represent future intent. Council can direct staff to undertake further study as per the above and look at creating a new Designation such as Rural Industrial. The more changes made to the General Designation by the creation of more zones you begin to change the intent of your ‘General’ and may need to create more designations. The General Designation currently addresses Salvage yards so we may be able to ‘borrow’ from that intent and not require a detailed study at this time.

- ii) **Amend the MPS and LUB** to allow for something like a Rural Industrial Zone within the General Designation.

#### 3.1.1.4 Other Zones

*It shall be the intention of Council, in order to carry out the objectives of this section, to regulate certain uses, such as cemeteries, within the General Designation by use of a separate zone.*

Section 3.1.1.4 could be amended to also allow for a new zone within the General Designation.

- iii) **Amend the MPS and LUB** to not only address C&D sites as per choice 2 or 3 above, but to also review the current Salvage Yard Requirements.

#### 3.1.1.5 Aesthetics

*a) It is the intention of Council to regulate Salvage Yards in order to ensure that any*

*potential land use impacts are minimized. Specifically, salvage yards shall be set back an adequate distance and screened from roads and adjacent residential uses.*

*b) Where the specific distance required in the LUB cannot be met, Council may consider the development of a salvage yard by development agreement. In negotiating the development agreement Council shall ensure that:*

- i) vegetation and / or fences are used to mitigate any potential impacts on surrounding properties;*
- ii) the salvage yard is located so as to minimize impacts on surrounding properties;*
- iii) access to and from the site is situated as to minimize impacts on surrounding properties;*
- iv) outdoor lighting be directed as to not impact on surrounding properties;*
- iv) hours of operation to be set as to minimize impacts on surrounding properties; and any other issue that may be regulated in a land use by-law as per section 220 of the MGA.*

Salvage yards are more than an aesthetic issue and should also be reviewed.

In Summary Ms. Henneberry advised that the Municipality does have the ability to address C&D and Salvage Yard sites even though licensed provincially. There are existing examples with other Municipalities which can be researched and a proposal can be brought forward to Council.

This report needs to address current C&D and Salvage sites within Cumberland, do they get grandfathered and/or deemed existing non-conforming uses, as well as address the direction to take with any future C&D and Salvage uses.

The recommendation from staff was to do further study to determine if a new designation is required is not likely the best solution at this time. This would likely be done under the umbrella of a more detailed 'Plan Review'. Therefore, Staff recommends that Council consider **Option 4** and consider creating something like a Rural Industrial Zone within the General Designation and list a variety of permitted uses within this zone along with special conditions. These conditions could be 'as-of-right' or through other tools such as Development Agreements.

It will take several weeks to put together a detailed report for Council and it will also require a public meeting outside of the Council Public Hearing as per the terms of the Municipal Government Act for Municipal Planning Strategy Amendments.

*Ms. Henneberry was requested to continue to work on this issue and provide information as it becomes available.*

## 10. Strategic Planning

This item was deleted

## 11. Financial Reports/Issues

11.1 Budget Update – Mr. MacDonald, Director of Finance went over dates of future Council (Budget) meetings. The meeting dates will be April 13, and 27<sup>th</sup> and then May 10<sup>th</sup> and the budget would be approved on May 18<sup>th</sup>, 2011 at our regular meeting.

11.2 Recreation Grant(s) –

- **Cross Border Challenge** – This event went from 182 participants in its first year, to 385 last year and this year they are adding a 5km fun run/walk and a half marathon to their event and so they expect to draw upwards of 900 participants in 2011. They are also working with local schools to develop youth running programs. These changes are a major step toward

securing a regional championship for our area. They are requesting \$5,000 – which extends the privilege of having one of the races named for the County. The County can choose which event, but they specifically offer us the 10k race, which is the premiere race (the most participants). They also are looking for it to be a 3 year commitment. This event brought 200 people into the County last year, with average spending of \$50 (not including the race fees) and those numbers are increasing. It is a great investment and marketing opportunity for the County.

**IT WAS MOVED by Councillor Read, seconded by Councillor Redmond to approve a recreation grant in the amount of \$4,000 (\$400 per district) to the Cross Border Challenge and it was agreed to revisit this grant on a yearly basis.**

**MOTION CARRIED #11-030**

- **Cumberland County Minor Hockey Association** – House League Tournament\_ This group is looking for \$500-\$1,000 to help support their house league tournament being held March 17-20<sup>th</sup>. This tournament causes a significant increase in business activity in the County – hotels are all booked during this time. There are 18 teams from away and 10 local teams. Any money made goes back to the association and helps to subsidize the costs so registration fees are reasonable, enabling every child the opportunity to play hockey if they choose to do so.

**IT WAS MOVED by Councillor Read, seconded by Councillor Donkin to provide a recreation grant of \$100 per district (\$1,000 total) to the Cumberland County Minor Hockey Association to assist with the House League Tournament.**

**MOTION CARRIED #11-031**

- **Springhill Sr. High School** – Looking for help in supplying awards to the 2011 Graduating Class Annual Closing Exercises in June. They ask that any administering criteria be enclosed. The County may also donate the money to a student of their choice. They would also like to know who will be presenting the cheque to the student.

**IT WAS AGREED TO NOT APPROVE THIS REQUEST AT THIS TIME.**

- **Sexual Health Centre for Cumberland County** – Go Girl Self Esteem Workshops This group is requesting \$500 to support this program which has been offered in the County since 1997. The program is for 9-12 year old girls and it focuses on good self esteem including the importance of a healthy lifestyle. Locations: Amherst, Oxford, Springhill, River Hebert, Pugwash, Parrsboro. They register approximately 100 girls each year.

**IT WAS MOVED by Councillor Donkin, seconded by Councillor MacNutt to provide a recreation grant in the amount of \$500 (\$50 per district) for the Go Girl Self Esteem Camps being provided by the Sexual Health Centre for Cumberland.**

**MOTION CARRIED #11-032**

- **Nova Scotia Sport Hall of Fame** – Future Hall of Famer's Education Program The goal of this program is to improve the school dropout rate in NS through interactions with our sport heroes via a program which has already demonstrated positive benefits. They use true life stories of our athletes to demonstrate the essential elements of success, dedication, perseverance, self-motivation and hard work. In 2010 they piloted a province-wide education initiative to schools, Tim Horton's Camps, IWK Children's Hospital and numerous Seniors Homes. 10,000 students from across NS heard about our sports heroes and their stories at no charge. This educational program has been successful in generating interest and attention with students that teachers say they often find difficult to achieve. This program will cost \$75,000 annually and they are now asking groups for their support.

**IT WAS AGREED TO NOT SUPPORT THIS REQUEST**

- **Cumberland County 4H Tours Committee** – (Senior & Junior Tours) The Junior Tour will be to a theme park or activity based centre such as Broadleaf Farms. The cost of that trip will be \$1,000-\$2,000. The Senior Tour focuses on youth, recreational, agricultural and educational activities within Nova Scotia. Activities anticipated for this June's trip are a "behind the scenes" tour of Shubenacadie Wildlife Park which, they hope will involve learning about the feeding programs at the park as well as habitat creation and vet services. They are also planning a tour of the Bedford Institute of Oceanography, overnight at Cole Harbour Place, and end the weekend with rock climbing. There are usually 18-24

participants as well as adult chaperones. They intend to host multiple fundraisers and each participant will also pay a registration fee. They are looking for a donation of any size. We have helped this event in the past (2008 - \$1,000, 2009 - \$1,500, 2010 - \$3,500)

**IT WAS MOVED by Councillor Gilbert, seconded by Councillor Donkin to provide a recreation grant in the amount of \$200 per district (\$2,000) to the Cumberland County 4H Tours Committee.**

**MOTION CARRIED #11-033**

- **Wallace & Area Museum Society** – This group is looking for \$5,800 in funding for help in replacing the trail foot bridge, which has been condemned by the Department of Transportation and Infrastructure Renewal because it is rotten, leaning and hazardous. They applied for funding through TIR as well as the Department of Tourism, Culture & Heritage and were declined by both. The main access to the trail system is blockaded and hikers must travel on HWY 6 to begin the trail system until it gets fixed. The foot bridge is also the main access to the museum for auxiliary parking during events. *Councillor Ron MacNutt recommends \$1,500 from the district 5 recreation fund.*

**IT WAS MOVED by Councillor MacNutt, seconded by Councillor Redmond to provide a recreation grant of \$2,500 with \$1,500 coming from District 5, \$500 from District 4 and \$500 from District 6.**

**MOTION CARRIED #11-034**

- Pugwash District High School – **Home & School Association** is looking for \$500 in funding to help provide support for school clubs and sports teams, as well as for a snow fence for the soccer field. *It is recommended that \$125 be given from districts 4, 5, 6 and 7.*
- **IT WAS MOVED by Councillor Gillis, seconded by Councillor Redmond to provide a recreation grant to the Pugwash District High Home and School Association in the amount of \$500, with the funds being provided as \$125 from each of Districts 4, 5, and 6 and 7.**
- **Wallace Consolidated Elementary School** – The school is planning to purchase 5 ping pong tables and supplies. They will be used by students on rainy and snowy days and will be include in a gym session for classes to learn the game. The school was given one table through a school grant and they will be funding 2 more. They are requesting \$500 for the purchase of a 4<sup>th</sup> and 5<sup>th</sup> table. *Councillor Ron MacNutt recommends \$500 from the district 5 recreation fund.*

**MOVED BY Councillor MacNutt, seconded by Councillor Read to provide a recreation grant in the amount of \$500 from District 5 Recreation Funds to the Wallace Consolidated Elementary School to assist with the purchase of 5 ping pong tables and associated supplies.**

**MOTION CARRIED #11-036**

- **Cumberland Wolfpack Minor Football** – The Wolfpack took advantage of a special off season promotion to purchase 4 sets of uniforms at a considerable discount in order to have the same uniforms for all players in the system. They have received funding for one third of the cost from the RCMP Foundation, and the players will be asked to fundraise a matching \$1,800. They would like to request \$1,800 from the Municipality as well. In its inaugural season they ended up with 61 players registered in 4 divisions. All reports from players and parents indicate that the program was a great success. *Staff suggests that \$180 come from each district's recreation funds to meet the \$1,800 request.*

**IT WAS MOVED by Councillor Read, seconded by Councillor Gilbert to provide a recreation grant of \$180 per District from all 10 Districts (\$1,800) to the Cumberland Wolfpack Minor Football Association to assist with their uniform purchase.**

**MOTION CARRIED #11-037**

- **Cumberland County 4-H** – each year Cumberland County 4-H hosts a Beef Clinic for members in the county, and often for 4-H members from other parts of NS and NB join as

well. The clinic is educational with members learning about health, breeding, training, clipping, fitting and showmanship. The clinic takes place at the Maritime Beef Test Station in Nappan on a 2 day weekend in May. The event budget is \$2,750 and they are requesting support with the children's meals. The meal portion of the budget is \$1,750 (5 meals for 70 youth at \$5/per member/meal).

**IT WAS MOVED by Councillor Donkin, seconded by Councillor Reid, to provide a recreation grant for Cumberland County 4H, to assist with a Beef Clinic, with the amount being \$1750 to be divided equally between our 10 municipal districts.**

**MOTION CARRIED #11-038**

- **Maccan** – erected a Cenotaph to honour their veterans some years ago. Their attendance at Remembrance Day ceremonies has been very good, though they have been troubled by sound problems due to their close proximity to the highway and the railway, as well as inclement weather. Their hope is to purchase a Public Address system to remedy the situation. NS Power has agreed to supply a power connection. They are requesting \$600 for this project.

*This request is being deferred for future information.*

- **Maccan Baseball Field** – They have saved up a good portion of fundraising money and are planning to buy a new mower to care for the field this year. Their costs are just above \$5,000 and they are asking for \$2,500 for assistance with purchasing the mower as well as help with repairs, maintenance and gas for the mower. The ball field is the central recreation point in their community, and this one gentleman takes on the care of the field by himself. *Councillor Kellegrew recommends \$2,500 from District 2 Recreation funds.*

**IT WAS MOVED by Deputy Warden Kellegrew, seconded by Councillor Reid that the amount of \$2,500 be taken from District 2 Recreation funds assist with the purchase of a lawn mower for the Maccan Baseball Field.**

**MOTION CARRIED #11-039**

- **Chignecto Glooscap Snowmobile Association** – This Association maintains and develops a trail system in the Southampton, Parrsboro, Advocate, River Hebert area. The trails are used by snowmobilers from all over the county though. By keeping the trail system maintained, they are keeping traffic on the trails and not travelling across the countryside. They have applied to the provincial government for 50% of the costs of this project, which totals \$20,925.00. They are required to come up with the remaining 50%. This year's project involves maintenance (bush cutting) of 3 trails – a total of 64km of trail. It also includes rebuilding 1.5 km of existing trail in the Maccan area on an old existing rail bed. They are able to provide \$5,690 of their portion with in-kind donations from their members. They will still need \$4,772 to finalize the project. They are requesting \$2,000 and would be grateful for any help the Municipality could provide.

**IT WAS MOVED by Councillor Reid, seconded by Councillor Gilbert to provide a recreation grant to the Chignecto Glooscap Snowmobile Association in the amount of \$2,000 with the funds coming equally from Districts 8, 9, and 10 for maintenance of 3 trails.**

**MOTION CARRIED #11- 040**

- **Cumberland East Recreation & Development Association** – is requesting assistance in the purchase of floating docks to be used while hosting summer events in Pugwash Harbour. One of the successful projects this group has run on an annual basis has been the "Harbour Fest". In 2009 they were successful in having Pugwash Harbour designated as a "port of call" for Tall Ships visiting Eastern Canada. During the last visit it became apparent to the committee that some adjustments would be necessary at the Canadian Salt Marine Terminal Wharf facilities to better accommodate the docking of such unique vessels and to allow public access. The project will entail construction of sixteen 16'x6' floating docks to act as floating spacers (fenders) between the vessels at water level and the wharf. An estimate to purchase suitable docks from a private firm was obtained for an amount of \$55,000. The committee plans to build 8 docks this years and 8 more next spring. The cost of this year's project (8 docks) is estimated to be \$18,000. The HarbourFest executive can provide one third, and they have requested one third from the Department of Health & Wellness. They request that Council consider funding the remaining one third at \$6,000.

Councillor MacNutt declared a conflict on this issue and will not be voting.

**IT WAS MOVED** by Councillor Gillis, seconded by Councillor Redmond to provide a recreation grant to the Cumberland East Recreation and Development Association in the amount of \$7,000 with the funds coming from District 4 (\$6,000) and District 6 (\$1,000), to assist with the building of 8 floating docks.

**MOTION CARRIED #11- 041**

- **Pugwash District High School Safe Grad** – is requesting \$1,000 to be used toward their Safe Grad program.

**IT WAS MOVED** by Councillor MacNutt, seconded by Councillor Gillis to provide a recreation grant in the amount of \$1,000 to Pugwash District High School to assist with costs associated with Safe Grad. The funds to be divided as such:

District 4 – \$250

District 5 - \$500

District 6 - \$100

District 7 - \$150

**MOTION CARRIED #11- 042**

- **ARHS JV Girls Basketball** – The team will be hosting the JV Girls Basketball Provincials on April 1-2, 2011. A monetary donation of any amount would greatly enhance their hospitality room, player gift bags and canteen services available to all who attend.

**IT WAS MOVED** by Councillor Read, seconded by Councillor Redmond a recreation grant in the amount of \$500 to the ARHS JV Girls Basketball Team to assist with the cost of Provincials, with the funds being divided as such:

District 1 - \$100

District 2 - \$100

District 3 - \$300

**MOTION CARRIED #11-043**

- **The Age of Sail Heritage Museum** – a \$500 annual grant is a set sum agreed upon by Council in the past. It will be provided to the Museum in return for acting as a public restroom stop along the Fundy coast.

**IT WAS MOVED** by Councillor Merriam, seconded by Councillor Gilbert to provide a recreation grant in the amount of \$500 from District 10 recreation grants.

**MOTION CARRIED #11- 044**

12. **Operational Services/Reports Issues**

There was no discussion on this item.

13. **Committee/Other Reports**

- 13.1 **Interest on Overdue Accounts Policy** - **IT WAS MOVED** by Councillor MacNutt, seconded by Councillor Read to approve the Interest on Overdue Accounts Policy which is as follows:

**Municipality of Cumberland Policy 11-03**

**Interest on Overdue Accounts**

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1. This Policy is entitled “Interest on Overdue Accounts Policy”.

**Introduction**

2. The Municipal Government Act authorizes Council, by Policy, to set interest rates for overdue taxes (s.49 (1)(a), s.113(2), and for matters where the Municipality has incurred remediation expenses, such as for dangerous or unsightly premises or land use by-law infractions, (s.507).

**Terms of the Policy**

3. It is the Policy of the Municipality:
4. On all overdue taxes, rates and charges, and on all debts due to the Municipality which are collectable as a lien against a property, including but not restricted to debts contemplated by s.507 of the *Municipal Government Act*, SNS 1998, c.18, interest shall be payable at a rate calculated as follows:
  - (i) Interest Rate of 15% per annum, calculated monthly on the principal amount owing.
  - (ii) In case of overdue taxes, rates, charges and other debts, where the taxes, rates, charges and other debts are not paid by the due date on the invoice, interest shall be calculated from the interest effective date on the invoice onward, at the rate determined in (i).

<u>Clerk's Annotation For Official Policy Book</u>	
Date of Notice to Council Members of Intent to Consider [7 days minimum]: _____ March 2, 2011	
Date of Passage of Current Policy: _____, 2011	
I certify that this INTEREST RATE ON OVERDUE POLICY was adopted by Council as indicated above.	
_____	_____
Municipal Clerk	Date

**MOTION CARRIED #11-045**

13.2 Fees Policy – **IT WAS MOVED** by Councillor Merriam, seconded by Councillor Redmond to approve the Fees Policy which is as such:

**MUNICIPALITY OF CUMBERLAND POLICY 11- 02**

**Fees Policy**

**This Policy is entitled “Fees Policy”.**

**This Policy applies except to the extent of any conflict with applicable provincial legislation, and, where the fee amounts in this Policy differ from those set out in a By-Law, Policy or Resolution of the Municipality in effect on the effective date of this Policy, the fee amounts set out in this Policy shall amend those previously in effect.**

**The purpose of this Policy is to provide a convenient place to set out and amend the fees the Municipality charges for certain applications, approvals, permits, licenses and services.**

**The fees to be paid to the Municipality for each of the following applications, approvals, permits, licenses or services are set in, or amended to, the respective amounts shown in the set out herein:**

**Fees in Relation to Subdivision**

Please note: In addition to the fees set out below, the cost of registration of plans, notices, deeds and/or instruments of subdivision must be paid to the Municipality in advance, and will be refunded if not expended.

Preliminary Subdivision Application	Free
Processing Fee for Tentative, Final, and Repeal of Subdivision Applications	\$75.00, payable at the time the application is filed - non refundable



Additional Processing fee where a proposed subdivision includes a new, varied or extended public or private road.	\$200.00, payable at the time the application is filed - non refundable
Plus the Open Space/Recreational Capital Fund Fee, to be used in the manner described in section 273(5) of the Municipal Government Act	\$100.00 per lot, payable prior to approval - refundable if lot(s) not approved

**Fees in Relation to Land Use Planning and Development**

**Fee**

Zoning Confirmation letter	\$25.00
Development Permit Processing Fee *	\$25.00
Variance Application Processing Fee *	\$100.00
Development Agreements and Applications to Amend the Municipal Planning Strategy and/or the Land Use By-Law, including rezoning: Processing Fee * -plus- Total Cost of Advertising and Notices	\$500.00 ** -\$500.00 advertising deposit payable at the time application is filed ***
Copies of the Municipal Planning Strategy and Land Use By-Law, including letter sized black and white maps.	\$25.00 per copy
Full size colour copies of existing Municipal Planning Strategy or Land Use By-Law maps.	\$10.00 per map
<p>* Processing fees are non-refundable.                  ** This processing fee will be waived for registered charitable or non-profit organizations if the Agreement or Amendment is for the benefit of the organization.                  *** When the actual cost of advertising or providing notice is known, the difference between the deposit and the actual cost will be refunded or billed to the Applicant.</p>	

**Municipal Sewers**

**Fee**

Sewer Lateral Installation Fee, includes all costs for materials, labour, equipment and permits to install a sewer lateral from the Municipal sewer main to the boundary of the road right of way, payable in advance: a) 4" diameter lateral b) 6" diameter lateral c) 8" diameter lateral	\$2,000.00 \$2,500.00 \$5,000.00
Sewer Lateral Inspection Fee, for inspections of sewer lateral installations within the public road right of way when the lateral is not being installed by the Municipality, payable in advance: a) 6" or smaller diameter lateral b) Larger than 6" diameter lateral	\$100.00 \$250.00
Sewer lateral Re-Inspection Fee, if, on a scheduled inspection an installation is found to be incomplete, or if for any other reason a re-inspection is required.	\$100.00 payable in advance

5. The Building Service Connection, Installation and Inspection Fee Policy and the Subdivision Fees Policy are hereby repealed.

<p><u>Clerk's Annotation For Official Policy Book</u></p> <p>Date of Notice to Council Members of Intent to Consider [7 days minimum]: <u>March 2, 2011</u></p> <p>Date of Passage of Current Policy: _____</p> <p>I certify that this Policy was adopted by Council as indicated above.</p>
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**MOTION CARRIED #11-046**

13.3 Firefighter Level One Incentive Policy – **IT WAS MOVED** by Councillor Reid seconded by Councillor Redmond to approve the Firefighter Level One Incentive Policy which is as such:

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**The Municipality of the County of Cumberland FS11-01**

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**Fire Service**

**Firefighter Level One Incentive Policy**

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1. This Policy is entitled “Firefighter Level One Incentive Policy”.
2. The Purpose of this Policy is to increase the number of active Volunteer Firefighters in the Municipality who have their Level One Certification by providing a cash award as an incentive.
3. In this Policy:
  - (a) “Active Member” means a member of a Volunteer Fire Department who, during the immediately preceding six months attended at least 33% of the regularly scheduled and special emergency meetings of their department, at least 33% of the regularly scheduled training events held or participated in by their department and at least 33% of all responses by their department to render emergency aid. In departments where some members only respond to specific types of calls those members shall be evaluated only with regard to calls of that specific type. In each case the determination as to whether a firefighter is an Active Member shall be made by the Chief of that firefighter’s department.
  - (b) “Level One Certification” means certification from a recognized Canadian or United States fire fighting training institution that an individual has achieved NFPA Standard 1001 (Firefighter) or certification from the Nova Scotia Firefighters School that the individual has been qualified by the school prior to 2005 as a “Firefighter – Level One”. Individuals certified outside Canada or the United States must obtain certification from the Nova Scotia Fire Service Professional Qualification Board.
4. A firefighter who wishes to be considered for the award must provide the Municipality with a copy of their certificate and written proof of their Active Member status from their Chief that refers to the attendance standards set out in section 3(a) above.
5. The Municipality shall give an award in the amount of \$1,000.00 to each Active Member of a Fire Department registered by the Municipality who has Level One Certification. No individual shall be given more than one award.
6. This Policy comes into force upon adoption.

Clerks Annotation For Official Policy Book	
Date of Notice to Council Members: Of Intent to Consider [7 days minimum]: <u>March 2, 2011</u>	
Date of Passage of Current Policy:	
I certify that this Policy was adopted by Council as indicated above.	
_____	_____
<small>Clerk</small>	<small>Date</small>

**MOTION CARRIED #11-047**

13.4 Tax Reduction on Damaged Property –

**IT WAS MOVED by Councillor Merriam, seconded by Councillor Reid to approve the Tax Reduction on Damaged Property which is as follows:**

**Municipality of Cumberland Policy 11-04**

**Tax Reduction on Damaged Property**

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1. This Policy is entitled the “Tax Reduction on Damaged Property Policy”.

**Introduction**

2. Section 69A of the *Municipal Government Act* allows Council, by policy, to provide for the reduction, to the extent that is considered appropriate, of the taxes payable with respect to a property if a building situated on the property has been destroyed or partially destroyed by fire or storm, or otherwise, and the destruction is not reflected in the property’s assessment, and to provide for the reimbursement of any overpayment resulting from the reduction.

**Terms of the Policy**

3. This Policy shall apply to residential assessments only.
4. For the purpose of this Policy, “taxes” includes all applicable area rates which are calculated by reference to assessed values.
5. A taxpayer may submit a written request to the County Treasurer asking for a reduction in, or reimbursement of, their taxes, if their principal residence has been damaged or destroyed by fire, flood or otherwise. The request shall include a sworn declaration confirming the date, cause and extent of the damage, the location of the property and eligibility pursuant to section 6 of this Policy.
6. This reimbursement or reduction shall only apply to owners
  - a. who occupy the property as that owner's principal residence; and
  - b. who have no intention of repairing the damaged structure within 6 months of the application date. Tidying up or securing a fire site to avoid injury, unsightliness or further deterioration of the property shall not be deemed a repair for purposes of this paragraph.
7. Upon receipt of the request the Clerk shall submit a written request to the Director of Assessment to value the property and, for purposes of this Policy, shall submit a valuation to the Municipality, which shall be treated as if it were an interim assessment as described more particularly below.
8. The valuation must be at least 25% lower than the original assessment for the Municipality to proceed with a tax reduction under this Policy.
9. The Municipality will then prorate the tax reduction, based on the difference between the valuation and the original assessment, for the remaining portion of the taxation year, between the date of the damage until March 31 of the same taxation year.
10. If the damage is too late to be reflected in the annual assessment cut-off date of December 1 for the following taxation year, then the tax reduction shall be in effect for that following taxation year as well.
11. The tax reduction shall not follow into future years as the taxpayer has the option of appealing their assessment if it continues to reflect pre-fire values.
12. If the damage occurred during the 12 months immediately preceding the adoption of this Policy, an application for a tax reduction must be held with the Municipality within 6 months of the date this Policy is adopted in all other cases the application must be filed within six months of the date the damage occurred.
13. Taxpayers who have obtained a reduction under this Policy, but who in fact repair or replace the damaged structure within 6 months contrary to their stated intentions pursuant to paragraph 4 shall be ineligible for the tax reduction notwithstanding the acceptance by the Municipality of their application, and shall pay the taxes otherwise payable on the property and any interest thereon.

14. This Policy comes into force upon adoption.

<u>Clerk's Annotation For Official Policy Book</u>	
Date of Notice to Council Members of Intent to Consider [7 days minimum <u>March 2, 2011</u>	
Date of Passage of Current Policy: _____	
I certify that this Policy was adopted by Council as indicated above.	
_____	_____
Clerk	Date

**MOTION CARRIED #11-048**

- 13.5 Pugwash and Area Master Plan – Provided as information.

14. **Old Business**

- 14.1 Meeting with Justice Minister – Councillor Gilbert and CAO, Rennie Bugley attended a meeting with the Minister of Justice and a word of caution is that some programs may be downloaded to the Municipality with respect to Policing costs.

- 14.2 Off Highway Vehicle Groups Meeting – Director of Policy and Research, Steve Ferguson advised that a meeting took place on March 21, 2011. The purpose of the meeting was the exchange of information, and was also intended to help get everyone on the same page and provide the Municipality with the big picture. Mr. Ferguson and Ms. Weaver felt the meeting was helpful and beneficial for all present.

Mr. Ferguson explained that there was some discussion about the OHV (Off Highway Vehicle) funding available from the province and have since had some clarification on the grants provided by the various government departments through Steve Vines – trails consultant for the Department of Health & Wellness.

Council was advised that there is an OHV Infrastructure Grant provided by the Department of Natural Resources, and this grant money is provided by the funds accumulated from the fees paid by trail users for access permits. The grants are available for maintenance of trails, new development as well as capital projects. They do not, however, fund capital equipment such as trail groomers. The Department of Health & Wellness also offers grants for small maintenance (most groups that ask for it get \$1,000 each year for trail maintenance). There is also an engineering assistance fund (usually funds engineering for bridges, but can be for culverts, stabilization, etc.) and a Community Trails Leadership fund (building capacity and leadership development).

funding options available through the county, and the difference between “Grants to Organizations” and “Community Development Grants” was discussed. Some clarification was needed about the grants, and there was certainly a lot of interest in understanding the grant process. Mr. Ferguson and Ms. Weaver explained that although all properly completed grant applications would be considered, those that included long range plans or partnerships between groups would probably get better support.

- 14.3 Broadband Internet Service – Councillor Donkin advised that, at present, there are still customers who haven't access to broadband internet. Councillor Donkin would like information regarding this.

*Staff were directed to contact Broadband providers and receive an update.*

- 14.4 Transportation – **IT WAS MOVED** by Councillor Reid, seconded by Councillor Gillis that correspondence be forwarded to the N.S. Dept. of Transportation and Infrastructure Renewal requesting review and repair of the Lower Maccan Road as the road is in a complete state of disrepair and also dangerous to the travelling public.

**MOTION CARRIED #11-049**

15. **New Business**

- 15.1 Portage Atlantic Community Breakfast – Provided as information.
- 15.2 Update – Tantramar Community Radio Society – Provided as information.
- 15.3 Letter of Support – Local Food Security Project – *It was agreed that Council will provide a letter of support for the Local Food Security Project in River Hebert.*
- 15.4 Memorandum of Understanding – This item was provided as information to Council
- 15.5 Letter of Support – Smith Road – Councillor Read requested a letter of support for the petition of Smith Road residents.

**IT WAS MOVED BY Councillor Read, seconded by Councillor Gilbert, to approve a letter of support for the petition of Smith Road residents regarding speed limits, lighting and flooding.**

**MOTION CARRIED #11-050**

- 15.6 Springhill Institution – Councillor Redmond asked if Council would like a presentation from the Warden or Deputy Warden of the Springhill Institution or if Council would like for her to arrange a tour of the institution. Council requested Councillor Redmond to arrange for a tour of the Springhill Correctional Facility.

16. **Information Items**

- 16.1 N.S. Rural Active Transportation Summit – This is in the Councillors mail boxes. Any Councillors wanting to attend this conference would have their expenses covered by the Municipality. Any Councillors wanting to attend are requested to inform the Executive Assistant.
- 16.2 Caregiver Retreat – This is provided as information and was placed in the Council boxes.
- 16.3 Application to Dissolve the Village of Pugwash – This was provided as information in Councillors boxes.
- 16.4 Spring Drama Event SUNSET – Sunset is having their annual Spring fundraiser, May 7<sup>th</sup>, doors open at 5 p.m., tickets are \$30/ea and it is a roast beef dinner and play.

17. **Adjournment**

The meeting adjourned at 3:05 p.m.

18. **God Save the Queen**

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Warden Keith Hunter

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Municipal Clerk Brenda Moore

**The Minutes of April 6, 2011, were approved with the addition of District 7 providing \$125 to the Pugwash Home and School Association in addition to Districts 4, 5, and 6. This also makes the total approved recreation grant \$500. This was Motion #11-035.**