

1. **Council Convenes - O Canada** –Warden Hunter called to order the September 7, 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 Chief Administrative Officer. Councillors in attendance: Councillor Gerald Read, Deputy Warden John Kellegrew, Warden Keith Hunter, Councillor Ron MacNutt, Councillor Kathy Redmond, Councillor Phillip Donkin, Councillor Ernie Gilbert, Councillor John Reid, and Councillor Ratchford Merriam. Staff in attendance: Rennie Bugley, CAO, Andrew MacDonald, Director of Finance; Penny Henneberry, Director of Planning and Development; Steve Ferguson, Director of Policy and Research and Emily Lutz, Municipal Intern.
3. **Approval of Agenda (Additions/Deletions)** - The agenda was approved with the following additions and deletions:
 

Additions:	6.1 – Service Recognition,
Deletions:	12
4. **Approval of Minutes**
  - 4.1 Minutes from July 20, 2011 Council Session were approved as circulated.
5. **Business Arising from the Minutes**
  - 5.1 Action List, July 20, 2011 – There was no discussion on this issue.
6. **Delegations and Presentations**
  - 6.1 Service Recognition - Warden Hunter presented a certificate and token of appreciation to Mr. Steve Ferguson, Director of Policy and Research for his 20 years of dedicated service to the Municipality of Cumberland.
7. **Public Hearings**
  - 7.1 3798 Hwy 302 Nappan – AAN – 00350753 – Mr. Cottingham, Solid Waste and By-Law Administrator advised of the condition of the property and provided photographic evidence.

At this point in the meeting the Warden asked if any person present would like to present information on this case. Mr. Ferguson, Director of Policy and Research, read aloud correspondence from the solicitor representing the Owner of the property in question.

**IT WAS MOVED by Councillor Read, seconded by Deputy Warden Kellegrew to Order the owner of the property at 3798 Highway 302, Nappan, to remediate the dangerous and unsightly condition of the property by demolishing the remains of the fire damaged house, disposing of the debris at an approved facility and filling in and levelling the basement of the house. This work is to be completed by October 10, 2011.**

**MOTION CARRIED #11-111**

- 7.2 14044 Hwy 6, Wallace – AAN – 01882058 - Mr. Cottingham, Solid Waste and By-Law Administrator advised of the condition of the property and provided photo evidence. Council was also advised that numerous pieces of correspondence had been forwarded to the Property Owner and no reply was ever received.

At this point in the meeting the Warden asked if any person present would like to present information on this case and there was no one present wishing to speak.

**IT WAS MOVED by Councillor MacNutt, seconded by Councillor Redmond, that an Order be issued to demolish the remains of the fire damaged structure at 14044 Highway 6, Wallace, disposal of the debris at an approved facility and that the basement area be filled and leveled. Also, this work shall be completed by the owner on or before September 28, 2011 or the work shall be carried out under the direction of Municipal Staff.**

**MOTION CARRIED #11-112**

8. **Correspondence**

This was provided prior to Council.

9. **Planning Issues**

- 9.1 Proposed Amendments to the Municipal Planning Strategy and Land Use By-Law relating to Wind Energy Developments – Ms. Henneberry, Director of Planning and Development went over the project steps which led up to today.

The summary of the proposed amendments were:

- The separation distance in proposed to remain as currently presented in the LUB (500 metres)

- Separation distance will not only be from residential development, but from buildings deemed as habitable buildings.
- A waiver provision is provided to allow proposed projects to be in the proposed setback.
- The newly created Domestic Scale Turbine will be defined in a new section in order to better address the over the counter installations.
- A provision for allowing new residential development to ...missing the next one after this too.
- The four year time limit permit provision will remain ( including the renewal provision of two years)
- The creation of a Restricted ® Zone map outlining areas of exclusion such as environmental sensitivity and habitable building separation distance.
- Requirement for the Building Official to review domestic scale turbines.

#### Next Steps

- council will be presented with the proposed amendments (First Reading)
- Council will hold a Public Hearing to hear public comments directly

Following the power point presentation and the initial stages of the proposed bylaw presentation, there was debate regarding the proposed Restricted Zone and that the Province and other levels of government should be responsible about what is permitted on their land and that we should remove from the map. It was decided that the restriction zone should not apply to provincial or federal lands.

There was also debate regarding the setback. During that debate 3 scenarios were shown, of 500, 750, and 1000 metres. No change was made to the current proposal of 500 metres.

**IT WAS MOVED by Councillor Read, seconded by Deputy Warden Kellegrew to proceed to public hearing with the proposed change which is to remove the Provincial and Other Level of Government Restricted Areas from our mapping which forms part of the MPS/LUB.**

**MOTION CARRIED #11 - 113**

- 9.2 Summer Student Update – A written summary of the accomplishments of our 2011 Summer Student in the Planning and Development Department was provided to Council. Council was advised that one of the initial objectives of the position was to work on asset mapping with the intended goal of mapping the assets of various communities of Cumberland County – specifically heritage mapping. Ms. Daniel also assisted GIS services during the vacation period. Another area of work was to focus on creating draft brochures that will take a step forward to improving customer service for the Planning and Development Department. She also created new, updated application forms for a variety of our services.

#### 10. Strategic Planning

Mr. Ferguson, Director of Policy and Research, advised Rennie and Emily Lutz developed a project charter to use for each of the action teams. Steve and Emily are using these as outlines for the action teams. There will be a meeting on the 28<sup>th</sup> of this month which will be the kickoff for this item.

#### 11. Financial Reports/Issues

##### 11.1 Grant Request(s) –

**Friends of the Amherst Ramblers** – Requesting \$1,000.

**IT WAS MOVED by Councillor Reid, seconded by Deputy Warden Kellegrew to provide a Grant to Organization in the amount of \$1,000. \$350 from districts 1, 2, and 3 each.**

**MOTION CARRIED #11-114**

**Amherst and Area Chamber of Commerce** – Requesting \$200 for sponsorship of the 2011 Excellence Awards Gala. – This item was deferred for further information.

#### 12. Operational Services/Reports Issues

This item was deleted.

#### 13. Committee/Other Reports

- 13.1 Pugwash and Area Master Plan Steering Committee Update – Emily Lutz, Municipal Intern advised that a meeting was held this week to finalize the membership for the action teams for the four

priorities to be addressed. The Committee will be providing an update to the Pugwash Village Commission and Pugwash and Area Chamber of Commerce at a meeting on Sept 20, 2011 and that the first action team meetings will take place on Sept 27, 2011.

13.2 UNSM Nominating Committee – Provided for perusal by Council.

14. **Old Business**

14.1 Professional Development Update – Council was provided with a list of Professional Development Courses that have been undertaken, by Municipal staff, in the last year.

14.2 CAP Program Review – The decision of the CAP Program Review was circulated to Council. Comments of Council were that the decision of the review was not a surprise, yet still disappointing.

15. **New Business**

15.1 CN Rail Crossing – Councillor Reid advised that he received last minute notification regarding the closing of the Rail Crossing in Maccan.

**IT WAS MOVED by Councillor Reid, seconded by Councillor Gilbert to forward correspondence to CN Rail expressing displeasure at the lack of notification regarding the closure of the Maccan Crossing and requesting that in future, advance notice be provided, at least seven days in advance and that notification be provided at the railway crossing.**

**MOTION CARRIED #11 - 115**

15.2 Continuing Care Month – Warden Hunter declared September, 2011 as Continuing Care Month.

16. **Information Items**

16.1 Police Services Advisory Board/Chief(s) Conference – Council was advised that Councillor Gilbert, who is Chair of the Police Services Advisory Committee and CAO, Rennie Bugley, will be attending this conference mid-September.

16.2 Water/Wastewater Forum – Council was reminded of the Water/Wastewater Forum on September 15<sup>th</sup>, 2011 in Truro.

17. **Adjournment**

On motion the meeting adjourned at 2:30 p.m.

18. **God Save the Queen**