

1. **CALL TO ORDER**1.1 O' Canada

Warden Al Gillis called the December 7, 2016, Council session of the Municipality of the County of Cumberland to Order at 1:00 p.m. The meeting was held at the E. D. Fullerton Municipal Building. O'Canada was sung.

1.2 Roll Call

Municipal Clerk/Records Manager Brenda Moore, called the roll with the following Councillors present: Councillor Porter, Councillor Chase, Councillor vanVulpen, Warden Gillis, Councillor Welton, Councillor Palmer, Councillor Rector, Councillor Gilbert, Councillor McLellan, Deputy Warden Fletcher, Councillor Williams, Councillor Jackson, and Councillor Rafuse

Staff present: Rennie Bugley, CAO; Steve Ferguson, Director of Community Development; Andrew MacDonald, Director of Finance; Justin Waugh-Cress, Director of Engineering and Operations; Michelle Byers, Community Economic Development Officer; Brenda Moore, Municipal Clerk/Records Manager who recorded the meeting.

2. **ADMINISTRATIVE AND PROCEDURAL ISSUES**

2.1 The agenda was approved with the following addition(s)/deletion(s):

Addition(s):	6.8	Road Name Change
	7.2	Council Meeting - December 21
Deletions:	2.4 (iii)	Cape Sharp Tidal Presentation
	6.1	UNSM Report (tabled till next meeting)

2.2 Approval of Minutes November 16, 2016

The minutes of the November 16, 2016 Council Meeting were approved as circulated.

IT WAS MOVED by Councillor vanVulpen, seconded by Deputy Warden Fletcher to approve the minutes of the November 16, 2016 Council meeting.

MOTION CARRIED #16-233

2.3 Business Arising from the November 16, 2016 Council Meetings

The Business Arising and the On Going Business Arising were reviewed and Council was brought up to date on the status of the lists.

Councillor Gilbert inquired about the program for emergency assistance for people with wells that have gone dry this year. COA Rennie Bugley will bring something back to Council on this.

2.4 Delegations, Presentations, Petitions, Proclamationsi) Ron Dauphinee, Municipal Advisor, N.S. Municipal Affairs

Warden Gillis welcomed Ron Dauphinee, Cumberland County's Municipal Advisor, from Nova Scotia Municipal Affairs. Mr. Dauphinee introduced himself and gave a brief history of his work with Municipal Affairs. He then advised that Municipal Affairs has a number of sessions based on the same material presented at the new Councillor training session given in Truro. These presentations can be delivered on site by staff of municipal affairs for Councillors. He explained these sessions are approximately ½ hour long and provide an opportunity for a smaller group to ask questions and discuss the issues. He will work with Rennie to schedule some of these sessions.

ii) UPLAND – MPS/LUB Plan Review

Representatives Ian Watson and Erica Brook were in attendance to make a presentation. Ian introduced the members of the Upland team and briefly explained to Council the importance of within communities. He also outlined the plan for the new Municipal Planning Strategy and Land Use By-Law for the Municipality of the County of Cumberland and how Upland intends to conduct this project.

iii) Anne Murray Centre

The Anne Murray Center representative was unable to attend today's meeting.

iv) Cumberland Connector

The representative was unable to attend today's meeting.

- 2.5 Public Hearings
There are no public hearings for today’s meeting.

- 3. **STRATEGIC PRIORITIES ISSUES**
 - 3.1 Energy Authority Update
A detailed update was included in your meeting materials.

- 4. **MAJOR ORGANIZATIONAL ISSUES**
 - 4.1 Pugwash Source Water Protection Plan
IT WAS MOVED by Deputy Warden Fletcher, seconded by Councillor Gilbert to approve the Source Water Protection Plan and funding in the amount of \$19,500 to come from the Pugwash Water Project Capital Budget.

MOTION CARRIED #16-234

 - 4.2 Reservoir Tender
IT WAS MOVED by Councillor Gilbert, seconded by Councillor Rector to award Tender MCC-1609 Construction of Water Storage Reservoir for Pugwash water to Greatario Industrial Storage Systems for the total tendered price of \$731,000.00 including HST.

MOTION CARRIED #16-235

- 5. **ORGANIZATIONAL POLICY/BY-LAW ISSUES**
 - 5.1 Fees Policy
The draft Fees Policy was included in the meeting package for Council to consider for adoption.

**MUNICIPALITY OF CUMBERLAND POLICY 16- XX
Fees Policy**

- 1. This Policy is entitled “Fees Policy”.
- 2. 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.
- 3. 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.
- 4. 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	Fees
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

Fees	Fees
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-	\$25.00 per copy

Law, including letter sized black and white maps.	
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>	

Fees in relation to, Building, and Demolition Permits

Demolition	\$10.00 total fee
<u>Residential</u>	
Minimum Fee \$10.00	
New Dwelling	\$0.06 per square foot
New Decks	\$0.02 per square foot
New Sheds	\$0.02 per square foot
New Garages	\$0.02 per square foot
Renovations	\$1.00 per \$1,000.00 of Value
<u>Commercial</u>	
Minimum Fee \$10.00	
New Construction	\$2.00 per \$1,000.00 of Value (.2% of Value)
Renovations	\$2.00 per \$1,000.00 of Value (.2% of Value)

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	\$2,000.00
b) 6" diameter lateral	\$2,500.00
c) 8" diameter lateral	\$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	\$100.00
b) Larger than 6" diameter lateral	\$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

Requests for Information

Item	Fee
Personal Information of the applicant	No Fee
<u>Routine Access Records</u>	
Staff Time	
First 2 hours	No Fee
Every hour over and above 2 hours	rate*
-plus- Copying Fees	
One copy of a single document	No Fee
Copies of multiple documents	\$ 0.20 each
<u>FOIPOP Requests</u>	
Staff Time	
First 2 hours	No Fee
Every hour over and above 2 hours	rate*
-plus- Copying Fees	
One Copy of a single document	No Fee
Copies of multiple documents	\$ 0.20 each

* Rate \$15.00 / half hour rounded down to the nearest half hour

5. All former Fees Policies of the Municipality are hereby repealed.

IT WAS MOVED by Deputy Warden Fletcher, seconded by Councillor Welton to adopt the Fees Policy.

MOTION CARRIED #16-236

5.2 Ice Related Activities Protective Helmet Policy

The draft Ice Related Activities Protective Helmet Policy was included in the meeting package for Council to consider for adoption.

**MUNICIPALITY OF THE COUNTY OF CUMBERLAND POLICY 16-XX
Ice Related Activities Protective Helmet Policy**

1. Except for the exceptions listed in 4 and 5 of this policy, the mandatory wearing of a Canadian Standards Association (CSA) approved protective helmet for protection and safety during ice skating activities is mandatory for ALL participants, at the Richard Calder Arena and Springhill Community Outdoor Skating Rink. This is an important initiative for the Municipality of Cumberland, user groups and the public at large.
2. **Policy Statement**
This policy was implemented for the safety and wellbeing of all users while participating in ice skating activities at the Richard Calder Arena and Springhill Community Outdoor Skating.
3. **Policy**
All participants during ice related activities at the Richard Calder Arena and Springhill Community Outdoor Skating shall wear a CSA approved protective helmet for ice sports.

This policy will be clearly posted with the other established regulations for activities and placed at the entrance of the Richard Calder Arena and Springhill Community Outdoor Skating.

4. **Exceptions**
Figure Skating competitors who are registered with Skate Canada and have successfully completed the CanSkate Program are exempt from wearing a protective helmet while competing in a sanctioned event, as standard practice in the sport which is sanctioned by Skate Canada and Skate NS.
5. During organized hockey games at the Richard Calder Arena coaches and team staff are exempt from wearing a protective helmet moving to and from the player benches. Coaches and staff members must use the doors closest to the player benches, thereby not completely crossing the ice. Constant contact must also be made with the arena boards at all times.

IT WAS MOVED BY Councillor Gilbert, seconded by Deputy Warden Fletcher to adopt the Ice Related Activities Protective Helmet Policy.

MOTION CARRIED #16-237

5.3 Parrsboro Dangerous or Unsightly Policy

A memo containing a staff recommendation that Council consider repealing the Former Town of Parrsboro's Dangerous and Unsightly Policy and a draft Repeal Policy was included in the meeting material.

**Municipality of Cumberland Policy 16 – XX
Policy to Repeal the Town of Parrsboro Dangerous or Unsightly Premises Policy**

Whereas the former Town of Parrsboro (the "Town") has been merged with the Municipality of the County of Cumberland (the "Municipality");

And whereas the Municipality wishes to have the power to issue demolition orders and to hear appeals from orders issued by the administrator exercised by Municipal Council, as is now the case under the Municipality's Dangerous or Unsightly Premises Policy;

Now therefore it is enacted that:

1. This policy is entitled the "Policy to Repeal of the Town of Parrsboro Dangerous or Unsightly Premises Policy".
2. The Town of Parrsboro Dangerous or Unsightly Premises Policy is hereby repealed.
3. This Policy comes into force upon adoption.

IT WAS MOVED BY Councillor Rector, seconded by Councillor vanVulpen that Council give notice of intent to consider adoption of the Policy to Repeal the Town of Parrsboro Dangerous or Unsightly Policy at the December 14, 2016 Council session

MOTION CARRIED #16-238

5.4 Divestiture of Surplus Real Property Policy

As discussed at the previous meeting, the previous Divestiture Policy is now outdated. A draft revised Divestiture of Surplus Real Property Policy is included in this package. It is recommended that Council pass a motion giving notice to all Council that a new Policy (draft in the Package) will be considered at a future meeting.

**Municipality of Cumberland Policy 16-XX
Divestiture of Surplus Real Property Policy**

Citation

1. This Policy is entitled the “Divestiture of Surplus Real Property Policy.”

Purpose

2. The purpose of this Policy is to provide for the divestiture of surplus real property owned by the Municipality in compliance with the principles of good municipal governance and in particular with the requirements of the Municipal Government Act. In the event of any conflict between this Policy and any Provincial legislation, the latter shall prevail.

Definitions

3. In this Policy, unless the context otherwise requires:
 - a. “Divestiture Committee” or “Committee” means the Divestiture of Surplus Real Property Committee;
 - b. “Local Councillor” means the Councillor of the District where the property in question is located;
 - c. “Municipal Department” means the Municipality’s Departments of Engineering and Operations, Community Development, Administration, and Finance;
 - d. “Municipality” means the Municipality of the County of Cumberland;
 - e. “non-profit organization” means a registered non-profit or charitable organization; and
 - f. “surplus” means real property owned by the Municipality that is not required for present or anticipated future needs.

Divestiture Committee

4. Council shall appoint a Divestiture of Surplus Property Committee, which shall exercise the Mandate approved by Council for the Committee.
5. The Committee shall be supported by Municipal staff as deemed appropriate by the CAO.
6. The Committee shall assess whether real property owned by the Municipality should be declared surplus, and if so, will recommend to Municipal Council that the property be declared surplus. Before making its assessment, the Committee shall consult with each Municipal Department and the Local Councillor to obtain their input regarding whether each property is or may be required for current or future needs of the Municipality.
7. If Council declares a property to be surplus, the Committee is authorized to divest the property and to select and direct the divestiture process, subject to the provisions of this Policy. The Committee shall report the results to Council.
8. Every divestiture process selected and directed by the Committee shall comply with sections 50, 51, 51A and 273 of the Municipal Government Act, and if the property is offered for sale to the public, the process must be designed to ensure that the public is made as aware of the sale as is reasonably possible.

Property Acquired Pursuant to the Subdivision By-Law

9. Where property recommended by the Committee to be declared surplus was transferred to the Municipality pursuant to the Municipality’s Subdivision By-Law for parks, playgrounds and similar public purposes as authorized by section 271(3) (h) of the Municipal Government Act, the owners of the lots in the subdivision in respect of which the land was conveyed shall be notified by letter addressed to the owners as shown on the current assessment role and by notice in a local newspaper fourteen (14) days before the meeting when Council will consider declaring the property surplus.
10. As required by section 273(13) of the Municipal Government Act, where property described in the preceding section is sold, the proceeds shall be used for capital expenditures for parks, playgrounds and similar public purposes. It shall be the Policy of the Municipality to use such proceeds within the District of the Municipality where the surplus property is located.

Conveyance of Property to Non-profit Organizations

11. If the Committee is of the opinion that a property should be sold or leased at a price less than market value to a non-profit organization carrying on activity that is beneficial to the Municipality, it shall make that recommendation to Council. When considering whether to accept such a recommendation, Council must comply with subsections (2) and (3) of section 51 of the Municipal Government Act regarding a two thirds majority and, if the property is valued at more than \$10,000, a public hearing.

Sale to Abutting Owner

12. If the Committee is of the opinion that a property should be sold to the owner or owners of land abutting that property because it is of insufficient size or dimensions to be capable of any reasonable use, it shall make that recommendation to Council, and if Council is also of the opinion the property is incapable of reasonable use, it may decide, pursuant to section 51A of the Municipal Government Act, that the property shall be sold upon such terms as it sees fit, including sale at less than market value.

General

13. Where the transfer of a property would trigger the requirements of the Land Registration Act to “migrate” the title of the property to the current land registry system, the Municipality shall complete that process before the property is offered for sale. If, during that process, it is discovered that the costs of the title migration will significantly exceed the expected sale price, the Committee or Council may decide to delay or abandon that sale.
14. The following persons shall not purchase surplus property of the Municipality either directly or through an agent:
 - (a) a Council member;
 - (b) an employee of the Municipality;
 - (c) the spouse of a person referred to in subsections (a) or (b); or
 - (d) a company in which a person referred to in subsections (a), (b) or (c) owns or beneficially owns the majority of the issued and outstanding shares.
15. Policy 15-10, the “Divestiture of Surplus Property Policy”, adopted October 21, 2015, is hereby repealed.
16. This Policy comes into force upon adoption.

IT WAS MOVED BY Councillor Gilbert seconded by Councillor Welton that Council give notice of intent to consider adoption of the Divestiture of Surplus Real Property Policy at a future Council meeting.

MOTION CARRIED #16-239

6. BUSINESS ISSUES

- 6.1 UNSM Conference and Annual Meeting Report
This item was tabled until the next Council meeting.

- 6.2 Support for increased access to rural high speed internet
Staff have made recommendations to support three community groups’ projects for funding in the Municipality of Cumberland.

IT WAS MOVED by Deputy Warden Fletcher, seconded by Councillor McLellan to send a letter to the Nova Scotia government Municipal and Community Rural High Speed Internet Funding Program in support of the Advocate District Development Association’s application to have a tower built in the community.

MOTION CARRIED #16-240

IT WAS MOVED by Councillor Deputy Warden Fletcher, seconded by Councillor Rafuse to send a letter to the Nova Scotia government Municipal and Community Rural High Speed Internet Funding Program in support of the Downshore Community Development Association’s application to have a tower built in the community to serve 26 homes.

MOTION CARRIED #16-241

IT WAS MOVED by Councillor Rafuse, seconded by Councillor McLellan to send a letter to the Nova Scotia government Municipal and Community Rural High Speed Internet Funding Program in support of the Downshore Community Development Association’s application to have one big tower built in the community to serve 72 homes.

MOTION CARRIED #16-242

IT WAS MOVED by Deputy Warden Fletcher, seconded by Councillor Chase to approve in principle, a grant from next year’s grant budget in the amount of \$9,000 to the Downshore Community Development Association. This grant is to assist in funding a project to construct a high speed internet tower in the community to serve 72 people through the Nova Scotia government Municipal and Community Rural High Speed Internet Funding Program.

MOTION CARRIED #16-243

- 6.3 Expressions of Interest – UNSM Committees
Information on Committees that UNSM is looking for elected officials to sit on was included in your meeting material. The deadline was extended to December 20, 2016.

- 6.4 Cumberland Energy Authority
Included in your package was an update of the Cumberland Energy Authority.

6.5 Canine Control and By-Law Enforcement Report
A report from the Canine Control and By-Law Enforcement Officer is included in your package.

6.6 January Council Meetings
It was the consensus of Council to hold one Council meeting for the month of January to be held on January 18th, 2016.

6.7 The Sunset Community Board Meeting Minutes
Minutes of the September 22, 2016 Sunset Board Meeting were placed in your mail boxes.

6.7 Grant Request
IT WAS MOVED by Councillor McLellan, seconded by Councillor Gilbert to grant the River Raiders Robotics Club from the River Hebert District High School a grant in the amount of \$825 split equally from the Local Grant funds of District 9 and District 8.

MOTION CARRIED #16-244

6.8 Name Change for Road
Councillor Palmer brought a concern forward from a resident regarding changing the spelling of the "Feely" Road to "Feeley" Road. Councillor Palmer was instructed to speak with Nelson Bezanson on the process for this issue.

7. INFORMATION ITEMS

7.1 Ad Requesting Citizen Membership on Municipal Committees
The ad requesting citizen membership on Municipal boards and committees was included in the meeting material for review of Council.

7.2 December Council Meetings
It was the consensus of Council to hold a Council meeting on December 14, 2016 as a number of agenda items need resolution. A Nominations Committee meeting will also be held on that date. It was decided to hold an additional meeting on December 21, 2016 to review the audited Financial Statements.

The Warden called a brief recess at 2:15. The meeting reconvened at 2:35 p.m.

Warden Gillis made the following announcements:

1. Next week the new councillors should come in an hour or so prior to the meeting to be introduced to staff;
2. the municipality will have a float in the Wallace Christmas parade December 7th; and
3. the Minister of Health will be at the Amherst fire hall on December 15, 2016 to hold a public meeting regarding the services provided at the Cumberland Regional Health Care Center.

8. ADJOURNMENT

8.1 The Queen
The meeting was adjourned at 2:40 p.m. The Queen was sung.

Warden Alison Gillis

Municipal Clerk Brenda Moore