



**PUBLIC COUNCIL SESSION  
AGENDA PACKAGE**

**Wednesday, October 27, 2021**

**3:30 p.m.**

**E. D. Fullerton Municipal Building**

**1395 Blair Lake Road**

**Amherst, N.S.**

**B4H 3Y1**

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**1. CALL TO ORDER**

1.1. Territorial Acknowledgement

*We acknowledge that we are in Mi'kma'ki, the ancestral and unceded territory of the Mi'kmaq people*

1.2. Roll Call

**2. ADMINISTRATIVE AND PROCEDURAL ISSUES**

2.1. Approval of Agenda

Recommended Motion:

**To approve the agenda as presented.**

2.2. Approval of Minutes

Recommended Motion:

**To approve the minutes of the September 22, 2021 Council meeting as presented.**

2.3. Business Arising - CAO Greg Herrett

2.4. Public Hearing(s)

2.4.1. Proposed Amendment to Land Use By-Law to rezone PID'S 25230043 AND 25139593, 1702 Lynn Road, Southampton - Planner, Nelson Bezanson  
Staff have provided a detailed report regarding this item and it is in your package.

Recommended Motion:

**To hold Second Reading of the proposed amendment to the Land Use By-Law to rezone PID's 25230043 and 25139593, 1702 Lynn Road, Southampton.**

- 2.4.2. Dangerous and Unsightly Premise Hearings - Director of Engineering and Operations, Justin Waugh-Cress  
Staff have prepared a report regarding the Dangerous and/or Unsightly condition of 8 Herrett Road, Springhill.

Recommended Motion:

**TO order the demolition and removal of the structure and all debris located at 8 Herrett Rd., Springhill (PID 25229386) to an approved facility by November 10, 2021.**

### 3. STRATEGIC PRIORITIES ISSUES

There are no strategic priority issues for today's meeting.

### 4. MAJOR ORGANIZATIONAL ITEMS

There are no major organizational issues for today's meeting.

### 5. ORGANIZATIONAL POLICY/BYLAW ITEMS

- 5.1. By-Law to repeal Springhill By-Laws - Steve Ferguson, Director of Community Development  
In an ongoing effort to tidy up the by-laws and policies of the former Towns, staff will be bringing repeal by-laws such as this one, to Council. The former By-Law and Policy Committee reviewed the by-laws of the former Town of Springhill and determined that the by-laws contained in this repeal by-law are either obsolete or redundant. This is the second set of Springhill By-Laws to be repealed.

Recommended Motion:

**To approve First Reading of the By-Law to Repeal the Springhill By-Laws and hold Second Reading at the November 24th, 2021 Council session.**

### 6. BUSINESS ISSUES

- 6.1. Grant Request - Springhill Ground Search and Rescue, Roof Replacement - Director of Community Development, Steve Ferguson  
Springhill Ground Search and Rescue has applied for a Capital Grant to cover 50% of the cost of replacing the roof on their Hall and Training Facility. Included in your package is supporting documentation.

Recommended Motion:

**THAT Council approve a Regional Grant of \$4,236.00 for Springhill Ground Search and Rescue to help with the replacement of the roof of their Hall and Training Facility.**

- 6.2. Divestiture of Surplus Property - 123 Church Street - Director of Engineering and Operations, Justin Waugh-Cress

At the September 15, 2021 Council meeting the property known as 123 Church St. Springhill (PID 25225798) was declared surplus, and staff are now recommending a motion to approve the sale of this property to Ms. Twila Deschambault for \$1.00 plus migration and legal fees.

Recommended Motion:

**To approve sale of PID 25225798 123 Church St. Springhill to Ms. Twila Deschambault for \$1.00 plus migration and legal fees.**

- 6.3. Flying of the Mi'kmaq Grand Council Flag - Director of Community Development, Steve Ferguson

Staff were requested to investigate the year-round flying of the Mi'kmaq Grand Council Flag. Items for consideration were the cost of the purchase and installation of a flag pole and whether our Flag Policy would need amendment. Staff have determined that the Flag Policy would not need amendment and have included information in this package regarding the costs associated with the purchase and installation of an additional flag pole.

Recommended Motion:

**That the Municipality erect a fourth pole along side the existing three poles at the Municipal Service Centre in Upper Nappan for the sole purpose of flying the Mi'kmaq Grand Council Flag, at a cost of not more than \$10,340.00 plus applicable HST to be attributed to the Upper Nappan Service Centre building maintenance budget.**

- 6.4. Pugwash Village Commission request for User-Pay Dump Station - CAO Greg Herrett

In this package you will find a memo from the CAO as well as correspondence received from the Pugwash Village Commission requesting the Municipality to investigate the logistics and costs of installing a user-pay dump station in the Village of Pugwash.

Recommended Motion:

**THAT Council refer this request to staff for a report to be delivered before the end of 2021.**

- 6.5. G.O.V.R.C. Grant Request - Director of Community Development, Steve Ferguson

Staff have provided a report outlining a grant request from the G.O.V.R.C.

Recommended Motion:

**THAT Council approve a grant to the GOVRC Workshop Association in the amount of \$28,313.54 to cover the cost of installing a heat pump system at the workshop.**

## 7. INFORMATION ITEMS

- 7.1. Recognition of Continuing Care Assistants Week Oct 11-15, Councillor Houghtaling

Councillor Houghtaling would like to recognize and thank all CCA's for their dedication and commitment to care. CCA's are valued care providers who deliver person focused care to people in their homes or in long term care. So Thank you so much to all the CCA'S for your hard work during these challenging times.

## 8. ADJOURNMENT

<b><u>Action List from The Wednesday, September 22, 2021 Public Council Meeting</u></b>	<b><u>Responsibility</u></b>	<b><u>Status</u></b>
1. Complete and distribute Action List.	Shelley	Completed
2. Complete Minutes.	Shelley	Completed
3. Follow up regarding the following demolitions:  3086 Highway 302, Maccan 541 Wentworth Collingwood Road 4497 Barronsfield Road, River Hebert 1413 Murray Road, Pugwash	Justin	Ongoing
4. Forward correspondence to the N.S. Dept. of Environment outlining Council's response to the consultation on regulations for the Coastal Protection Act.	Nelson Shelley	Completed
5. Execute MOU with the Town of Amherst regarding the extension of Sanitary Sewer to areas of West Amherst.	Greg	Amherst wishes to have further discussion
6. Execute MOU regarding Solid Waste Education and Coordination with the Towns of Amherst and Oxford.	Greg	Delayed by landfill agreement closing date
7. Follow up on approval of the amendment to Land Use By-Law to rezone 556 Valley Road, Westchester.	Nelson Will	Ongoing
8. Follow up on amendments to the Personnel Policy to include National Day for Truth and Reconciliation and Family Day as holidays in our listing of recognized holidays.	Allie	Completed
9. Follow up on second reading of Solid Waste and Solid Waste Collectors By-Laws.	Steve Shelley	Will be effective on publication
10. Advise Parrsboro Band Association of the approval of an operations grant in the amount of \$3000 and forward proper documentation to Finance.	Melanie	Completed
11. Advise Wallace Area Community Centre of the approval of an operations grant in the amount of \$3000 and forward proper documentation to Finance.	Melanie	Completed
12. Forward Rail Safety Week Proclamation to the appropriate parties.	Shelley	Completed

**ONGOING ACTION LIST**  
**(Public Council Meetings)**

<b><u>Ongoing Action Lists From Previous Public Council Meetings</u></b>	<b><u>Responsibility</u></b>	<b><u>Completion</u></b>
1. Amend policies, bylaws and terms of reference necessary to give permanent effect to the changes in Committee's and our schedule of Council meetings.	Steve Shelley	Ongoing
2. Hold Public Hearing of proposed amendment to rezone PID's 25230043 and 25139593, 1702 Lynn Road, Southampton at our October Council session.	Nelson Will	Ongoing Will be on the October 27 <sup>th</sup> Council agenda
3. Appointment of a playground Project Manager to oversee and manage Phase 1 of the project, the design and construction of the natural and traditional playgrounds.	CAO	Ongoing
4. Appoint a Playground Project Advisory Committee to advise and assist the Project Manager.	CAO	Completed
5. Appoint a Parrsboro Park Project Manager to oversee and manage the development of a final design for an inclusive park on lands that include and are adjacent to the site of the former Parrsboro Town Hall.	CAO	Ongoing
6. Appointment of a Parrsboro Park Advisory Committee to assist and advise the Parrsboro Park Project Manager with the development of a final design for an inclusive park.	CAO	Ongoing
7. Purchase 3 framed limited edition prints from the Cumberland Art Bank for a total cost of \$995 plus HST.	Steve	Art Bank has been contacted and we are awaiting the invoice
8. Advise Mr. Larry Manzer that Council has approved the sale of 115 McGee Street to him for \$1500 plus migration and legal fees.	Justin	Letter has been sent advising of Council's approval and next steps
9. Prepare a staff report on recommended revisions to our Flag Policy to allow the flying of the Mi'kmaq flag year round.	Steve Shelley	Completed

10. Follow up on the Order for 46 McGee Street, Springhill for the property to be secured and prepare a report for Council containing information such as whether the property is salvageable at a reasonable cost, the amount of outstanding taxes, when is it eligible for tax sale and when is the next tax sale.	Justin	Ongoing Property is in probate. There has been an offer to purchase. Structural inspection has been completed
11. Follow up on Demolition Order for 7691 Highway 209, Joggins.	Justin	No response to RFQ. Owner awaiting a machine to do demo himself
12. Create a report recommending any possible changes regarding outdoor burning in the Municipality.	Steve	November 17, 2021
13. Staff to investigate the feasibility of applying for funding under the municipal adoption funding program through Divert NS to install ReUse centers at the transfer stations in Cumberland County.	Justin	Ongoing
14. Move the Springhill Salt Storage project from year 2 to year 1 of our Capital Investment Plan and fund this project from the Springhill Area Rate Reserve.	Justin	Tender closed with no bid. Alternate procurement methods in progress
15. Hold Second Reading of the By-Law to Amend the Municipality's Solid Waste By-Law and the Solid Waste Collectors By-Law.	Steve	Completed
16. Follow up on approval of second reading of the Public Highway Signage Bylaw	Will	Waiting on DOTIR approval, then will advertise
17. Discuss with Town of Amherst water extensions to 4 specific areas of the county.	CAO Justin	Ongoing Report has been received.
18. Refer the draft Youth Council Policy to Public Committee of the Whole	Steve Shelley	Discussed at the Oct. 20 COW and an amended draft will be on the Nov 17 COW
19. Follow up on the approval of a development agreement for 14 Chambers Blvd., Parrsboro	Will	Development Agreement has been sent for legal review by the proponent and is with the Proponent's legal counsel

<p>20. Authorize the CAO to continue to work with the Town of Amherst regarding a request from a County resident to connect to the Town of Amherst sewer system, which runs past their property.</p>	<p>Greg</p>	<p>An Agreement has been drafted. Amherst wishes to have further discussions.</p>
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**CUMBERLAND COUNCIL**

**RFD#**

**Date:** October 27, 2021

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**TO:** Mayor and Council  
**FROM:** Nelson Bezanson, Municipal Planner  
**DATE:** October 18, 2021  
**SUBJECT: Public Hearing on amendment to Land Use Bylaw to rezone PIDs 25260043 & 25139593, 1072 Lynn Rd, Southampton**

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**ORIGIN:** On August 18th, 2021, Planning staff received an application regarding the property at 1072 Lynn Rd, Southampton - PIDs 25260043 & 25139593 (the "subject property").

**LEGISLATIVE AUTHORITY:** MGA PART VIII PLANNING AND DEVELOPMENT

MGA Section 205: Requirements for Adoption of Planning Documents

Municipal Planning Strategy Policy 4-66A:

*Council shall, in the Land Use By-law, create the Commercial Recreation Zone, intended to permit outdoor commercial recreation uses, such as campgrounds, RV parks, golf course, and driving ranges. Permitted uses shall include outdoor commercial recreation operations, limited residential development, and a limited range of supportive commercial uses.*

**RECOMMENDATION:** That Council hold a public hearing for the proposed amendment.

**BACKGROUND:** The subject property is located along the Lynn Road, just east of Mapleton. The application is for a rezoning of all of PID 25139593 and 3.5 acres of PID 25260043 to permit the development of an RV Park / Campground with 15 sites for tents and tent trailers.

The neighboring properties are mixed, forested lots and cleared fields, with few neighbouring dwellings, all zoned as Rural Resource (Rsrc).

**DISCUSSION:** The subject property is designated as Resource on Schedule A of the Municipal Planning Strategy (MPS). The current Rural Resource zoning does not permit the development of RV Parks or Campgrounds. Rezoning the subject property to Commercial Recreation would allow the development of an RV Park and campground with 20 sites or fewer by Development Permit.

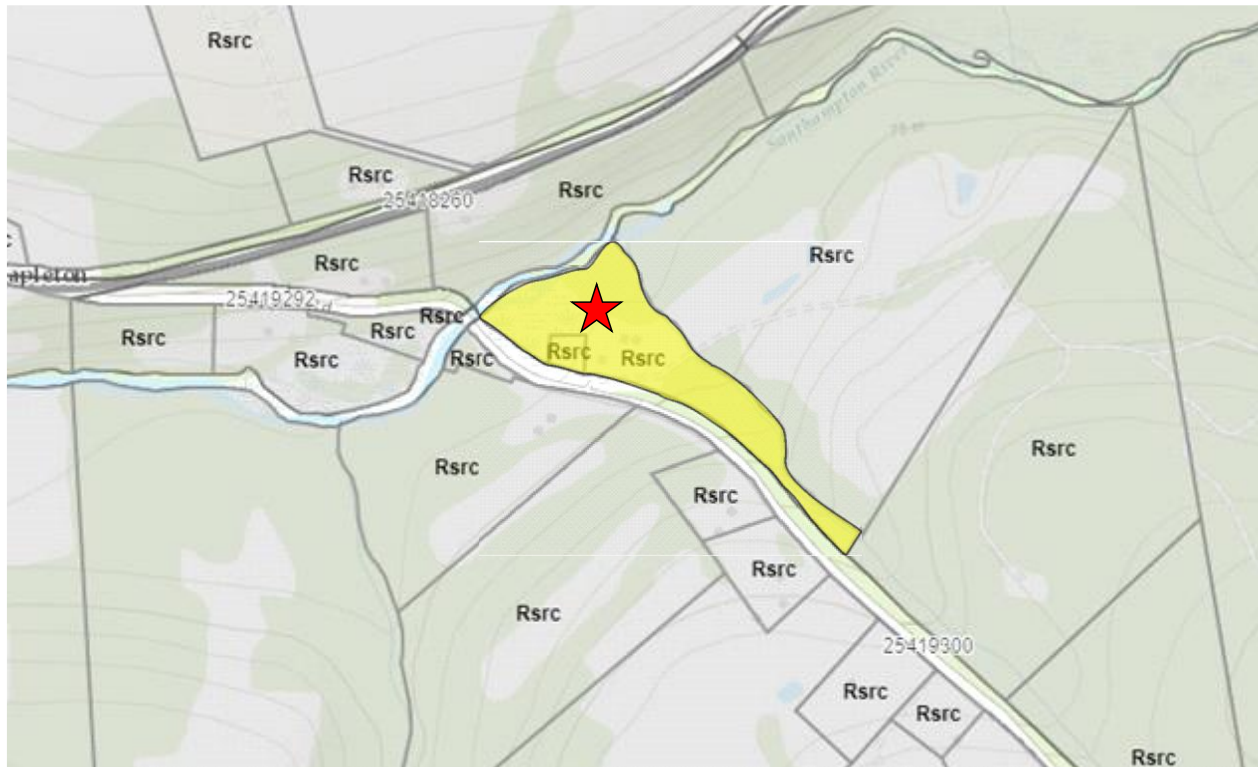
**FINANCIAL IMPLICATIONS:** None specific to this matter.

**ENVIRONMENTAL IMPLICATIONS:** Land cleared, and increased septic load for the property.

**COMMUNITY ENGAGEMENT:** This is the scheduled public hearing. In accordance with MGA Section 206, Notices were placed in the Cumberland Wire, a locally circulated newspaper, on October 13 and 20. There were no submissions received at the time of preparing this memo for the public hearing. There was one phone call from a resident of the area who doesn't want a campground as they consider it will hurt the enjoyment of their property and claims that the applicant has damaged the riverbank.

**ALTERNATIVES:** Council can request more information from staff or applicant prior to second reading.

**ATTACHMENTS:** Map (below)

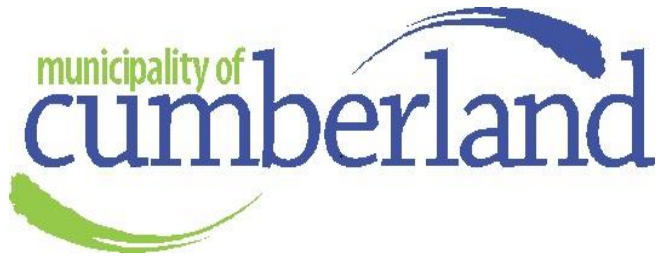


Current Zone: Rural Resource (Rsrc)

Proposed Zone: Commercial Recreation (CRec)

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Report prepared by: Nelson Bezanson, Municipal Planner  
 Report and Financial approved by:



**CUMBERLAND COUNCIL**

**RFD#**

**Date:**

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**TO:** Mayor Scott and Members of Council

**SUBMITTED BY:** Justin Waugh-Cress, P.Eng.

**DATE:** *October 27, 2021*

**SUBJECT:** Demolition Hearings

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**ORIGIN:** Demolition hearings are held for properties that the Administrator of Dangerous and Unightly Premises has deemed a danger to the community.

**LEGISLATIVE AUTHORITY:** Nova Scotia Municipal Government Act Part XV

**RECOMMENDATION:**

Motion to order the demolition and removal of the structure and all debris located at 8 Herrett Rd., Springhill (PID 25229386) to an approved facility by November 10, 2021.

**BACKGROUND:** Properties that have been allowed to decline to a condition that would pose a danger to those accessing the property are investigated by the Administrator of Dangerous and Unightly Premises.

**DISCUSSION:** The following property is in a state of disrepair and would pose a danger to those accessing the property:

8 Herrett Rd. Springhill (PID 25229386)

Photographs of the sites will be presented during the hearing.

**FINANCIAL IMPLICATIONS:** If Council issues a demolition order for a property, quotations for the demolition are requested from Contractors. Cost of demolition ranges from \$3,000.00-\$10,000.00 plus tipping fees. The costs associated with demolitions are assigned to the tax account of each property.

**ENVIRONMENTAL IMPLICATIONS:** Debris is hauled to a facility approved to receive construction and demolition debris.



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**HOW WILL IT BE COMMUNICATED?** Any demolition orders issued will be posted per the requirements of the Municipal Government Act. A copy of the order will be sent by registered letter to the address attached to the property's tax account.

**ALTERNATIVES:** Do not order the demolition.

**ATTACHMENTS:** Copy of Notice of Hearings for each property.

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Report prepared by: Justin Waugh-Cress  
Report and Financial approved by:

# Public Hearing

**8 Herrett Rd.**

**AAN: 00716138**

**PID: 25229386**

October 19, 2021



October 19, 2021



**Part XV of the Municipal Government Act gives Council the authority to order the demolition of the structure.**

**This structure is in a state of disrepair. It presents a dangerous situation should anyone venture onto or take up residence at the property. The property is in an unsightly condition with debris in both the front and back yard.**

**With the potential safety hazard to the public, Staff recommends that Council consider ordering the demolition and removal of the structures and all debris, to an approved facility by November 10, 2021.**



**CUMBERLAND COUNCIL**

**RFD#**

**Date: October 27, 2021**

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**TO:** Mayor Scott and Members of Council

**SUBMITTED BY:** Steve Ferguson

**DATE:** *October 21, 2021*

**SUBJECT:** **By-Law to Repeal Former Town of Springhill By-Laws**

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**ORIGIN:** This is part of an ongoing effort to tidy up the by-laws and policies of the former Towns. Many such by-laws and policies are now obsolete or redundant.

**LEGISLATIVE AUTHORITY:** The procedures to be followed when adopting, amending, or repealing by-laws are found in sections 168 and 169 of the MGA. The powers of municipalities to regulate activity through by-laws are set out in sections 170 to 172 of the same Act. Sections 2, 9A, 14A and 47 are also relevant.

**RECOMMENDATION:** **That Council approve first reading of the attached By-Law to Repeal Former Town of Springhill By-Laws.**

**BACKGROUND:** Following a dissolution and merger process, the by-laws and policies of a former town remain in effect until they are repealed or amended by the surviving municipality.

**DISCUSSION:** The Municipality's former By-Law and Policy Committee reviewed the by-laws of the former Town of Springhill that are included in the attached draft by-law and determined that they are all either obsolete or redundant. In order to more efficiently implement the current by-laws of the Municipality, and to make record keeping more efficient, it is recommended they be repealed.

**FINANCIAL IMPLICATIONS:** None.

**ENVIRONMENTAL IMPLICATIONS:** None.

**HOW WILL IT BE COMMUNICATED?** As part of the normal public communications following Council decisions. In addition, notice of intent to consider the by-law will have to be published before second reading can occur.



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**ALTERNATIVES:** Keep the by-laws in question “on the books” and in effect.

**ATTACHMENTS:** Draft By-Law to Repeal Former Town By-Laws.

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Report prepared by: S. Ferguson  
Report and Financial approved by:

Municipality of the County of Cumberland By-Law 21-05

By-Law to Repeal of Former Town of Springhill By-Laws

1. The following By-Laws adopted by the former Town of Springhill are hereby repealed:

- #2 T. of Springhill - Boundaries and Wards
- #3 T. of Springhill - Town Seal
- #43 T. of Springhill - Appointment of Assessor
- #44 T. of Springhill – Notice of Motions to be Made in Writing
- #45 T. of Springhill - Addition to by-law- Buses
- #46 T. of Springhill - Amendment to Chapter 23  
Permits for Erection, Repair, Alteration of Building
- #49 T. of Springhill - Polls to be Kept Open until 6:00 pm
- #54 T. of Springhill - Repealed By-laws
- #55 T. of Springhill - Early Close By-law
- #67 T. of Springhill - Providing Pension for Kenneth Terris
- #68 T. of Springhill - Agreement with Can Am Containers
- #71 T. of Springhill - Recreation Committee Bylaw
- #74 T. of Springhill - Establish the Springhill Police Commission
- #88 T. of Springhill - Provide Pensions and Schedule A
- #89 T. of Springhill - Amendment to Bylaw to Establish Springhill Police Commission
- #80 T. of Springhill - Election Deposit Bylaw
- #83 T. of Springhill - Resolution—Sell Real or Personal Property
- #89A T. of Springhill - A Provincial Subdivision Regulations for Town of Springhill
- #89B T. of Springhill - Amendments to Subdivision Regulations for Town of Springhill
- #93 T. of Springhill - Building
- #97 T. of Springhill - Pensions
- #102 T. of Springhill - CAO By-law repealed

2. This By-law shall come into force upon publication.

Clerk's Annotation for Official By-Law Book

Date of first reading: October 27, 2021

Date of Advertisement of Notice of Intent to Consider:

Date of second reading:

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

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

**I certify that this By-Law was adopted by Council and published as indicated above.**

\_\_\_\_\_  
Clerk

\_\_\_\_\_  
Date

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



**CUMBERLAND COUNCIL**

**RFD#**

**Date: October 27, 2021**

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**TO:** Mayor Scott and Members of Council

**SUBMITTED BY:** Melanie Prendergast

**DATE:** *October 20, 2021*

**SUBJECT:** Springhill Ground Search and Rescue Grant Request for Roof Replacement

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**ORIGIN:** Springhill Ground Search and Rescue has applied for a Capital Grant to cover 50% of the cost of replacing the roof on their Hall and Training Facility.

**LEGISLATIVE AUTHORITY:** The general authority for the Municipality to provide grants to community organizations is found in sections 2, 9A, and 14A of the Municipal Government Act.

The Act no longer provides specific authority to municipalities to provide grants to non-profit community organizations, however section 65A(5) of the Act applies: "In the event of ambiguity in whether or not the municipality has the authority under this or any other Act to spend money or to take any other action, the ambiguity may be resolved so as to include, rather than exclude, powers the municipality had on the day before this Section came into force."

**RECOMMENDATION:** That Council approve a Regional Grant of \$4,236.00 for Springhill Ground Search and Rescue to help with the replacement of the roof of their Hall and Training Facility.

**BACKGROUND:** The Springhill Ground Search and Rescue members are very dedicated to doing what they do, spending hundreds of hours training and preparing, taking courses, or refreshing skills that they do have, fundraising, helping in the community and of course searching for the lost person. More than half of their members donate at least 100 hours a year with some spending well over 200 hours per year. They are a vital element for Springhill and the Cumberland County area. They assist the R.C.M.P. for missing person searches and evidence searches, to Cumberland E.M.O. during any emergency situations or disasters. They even provided a highly trained group in the recovery effort of the Swiss Air Disaster.

**DISCUSSION:** Springhill GSR submitted three quotes for the roof replacement along with their application. The lowest was \$8,472.23, including HST. They plan to pay half with their own funds.

The County has provided yearly operational grants of \$3000 to the organization for many years.



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**Date:**

If they cannot get their roof replaced soon, outside weather will enter the roof causing damage and ultimately forcing their organization to close the doors until they can source funding to replace the roof.

Uncertainties over COVID-19 have and are affecting normal fundraising activities. They planned to team up with the COHVC to stage an ATV rally in Springhill in Sept 2020 but could not because of COVID restrictions. Also, Firearm Safety courses and Hunter Ed Training have been minimal over COVID-19. With each wave that moves through Nova Scotia and the decisions delegated down by the provincial government, their organization has been at a total standstill for fund raising.

**FINANCIAL IMPLICATIONS:** There is a balance of \$21,528.25 remaining in the grant reserves.

**ENVIRONMENTAL IMPLICATIONS:** N/A

**HOW WILL IT BE COMMUNICATED?** By email to the organization's contact person as well as a letter sent in the mail. Pursuant to the Municipality's Grant Disclosure Policy, the public will be informed of the grant through the Municipal Newsletter and Website.

**ALTERNATIVES:** N/A

**ATTACHMENTS:** None. Application can be provided upon request.

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Report prepared by: Melanie Prendergast  
Report and Financial approved by:



**CUMBERLAND COUNCIL**

**RFD#**

**Date:**

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**TO:** Mayor Scott and Members of Council

**SUBMITTED BY:** Justin Waugh-Cress

**DATE:** October 20, 2021

**SUBJECT:** Surplus Property – 123 Church St. Springhill

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**ORIGIN:** Request from property owner to purchase property.

**LEGISLATIVE AUTHORITY:** Municipality of Cumberland Policy 17-01 “Divestiture of Surplus Real Property” and Section 51A of the Municipal Government Act

**RECOMMENDATION:** Motion to approve sale of PID 25225798 123 Church St. Springhill to Ms. Twila Deschambault for \$1.00 plus migration and legal fees.

**BACKGROUND:** At the September 15, 2021 Committee of the Whole meeting the following motion was made:

**IT WAS MOVED by** Councillor Joseph

**Seconded by** Councillor Gilroy

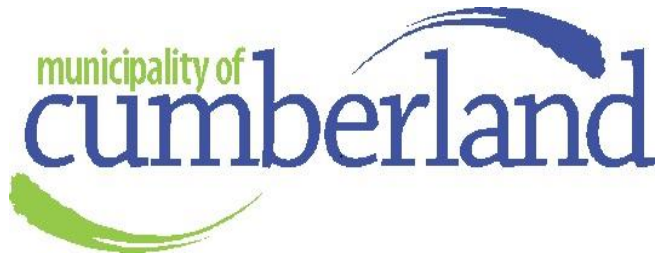
To declare 123 Church Street, Springhill (PID 25225798) surplus to the needs of the Municipality and direct staff to offer the property to abutting landowners for the value not less than the cost to migrate the property and legal fees incurred by the sale.

**MOTION CARRIED**

A letter was sent to three abutting landowners offering the opportunity to purchase the property. One response was received.

**DISCUSSION:** Ms. Deschambault has submitted the highest offer to purchase this property. Ms. Deschambault is aware that migration and legal fees will be in addition to their offer.

**FINANCIAL IMPLICATIONS:** Proceed from the sale of surplus property will be placed in the Capital reserve as per the MGA and its Regulations.



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**ENVIRONMENTAL IMPLICATIONS:** None.

**COMMUNITY ENGAGEMENT:** None.

**ALTERNATIVES:** Decline to sell the property.

**ATTACHMENTS:** "123 Church St Springhill Abutters Letter October 4, 2021"

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Report prepared by: Justin Waugh-Cress  
Report and Financial approved by:

Oct 4, 2021

Address

Re: Surplus Property – 123 Church St. Springhill (PID 25225798)

Dear \_\_\_\_\_;

I am writing to inform you that at the September 15, 2021 Council meeting the property know as 123 Church St. Springhill (PID 25225798) was declared surplus.

The Divestiture of Surplus Property Policy and section 51A of the Municipal Government Act allows the Municipality to sell property to abutting landowners if, "...it is of insufficient size or dimensions to be capable of any reasonable use..."

The Municipality of the County of Cumberland is accepting offers to purchase this property from abutting landowners. This property is not migrated. The Purchaser will be responsible for the costs of migrating the property and for the preparation of an agreement of purchase and sale.

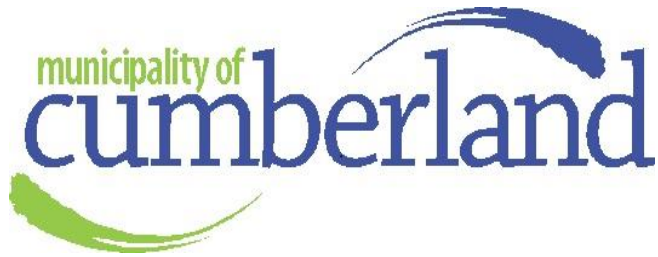
If you are interested in making an offer on 123 Church St. Springhill (PID 25225798), please submit your signed offer in a sealed envelope before 11:00 am October 18, 2021. Please address offer to:

Municipality of the County of Cumberland  
Attention: Justin Waugh-Cress  
1395 Blair Lake Rd.  
Upper Nappan NS  
B4H 3Y4

Please mark, "Offer to Purchase 123 Church St. Springhill" on the front of the envelope. The Municipality will accept the highest offer made by an abutting landowner. If you have any questions, please contact my administrative assistant Terri Lynn Lewis at (902) 667- 3062.

Sincerely,

Justin Waugh-Cress, P.Eng.  
Director of Engineering and Operations



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**RFD#**

**Date: October 27, 2021**

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**TO:** Mayor Scott and Members of Council

**SUBMITTED BY:** Steve Ferguson and Justin Waugh-Cress

**DATE:** October 13, 2021

**SUBJECT:** Flying the Mi'kamq Grand Council Flag

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**ORIGIN:** Requests regarding flying the Mi'Kmaq Grand Council Flag were referred to the former By-Law and Policy Committee.

**LEGISLATIVE AUTHORITY:** The general authority for the Municipality to implement this sort of project is found in sections 2, 9A, and 14A of the MGA.

Section 2 provides that the purpose of the Act is to “*give broad authority to councils... and to respect their right to govern municipalities in whatever ways the councils consider appropriate within the jurisdiction given to them...*” .

Section 9A provides “*The purposes of a municipality are to (a) provide good government; (b) provide services, facilities and other things that, in the opinion of the council, are necessary or desirable for all or part of the municipality; and (c) develop and maintain safe and viable communities.*”

Section 14A provides “*The powers conferred on a municipality and its council by this Act must be interpreted broadly in accordance with the purpose of this Act as set out in Section 2 and in accordance with the purposes of a municipality as set out in Section 9A.*”

**RECOMMENDATION:** That Council adopt the following motion: **That the Municipality erect a fourth pole along side the existing three poles at the Municipal Service Centre in Upper Nappan for the sole purpose of flying the Mi'Kmaq Grand Council Flag, at a cost of not more than \$10,340.00 plus applicable HST to be attributed to the Upper Nappan Service Centre building maintenance budget.**

**BACKGROUND:** The Municipality had received requests in the past to fly an Indigenous flag on June 21<sup>st</sup> each year, and recently there was another request to fly such a flag year-round, as many other organizations are now doing. The By-Law and Policy Committee discussed the matter and directed staff to develop a new policy or policies to address the requests. Research into the current Flag Policy showed that it only sets policy and procedure for occasionally flying



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the flag of community organizations on poles normally used for one of the three government flags. This means the addition of a flag pole for the flying of the Mi'kamq Flag does not require a change to our current Flag Policy.

The flag of the Mi'kmaq Grand Council is the flag most often seen in use by other governments and institutions in this part of Atlantic Canada that wish to show respect and a desire for reconciliation with Indigenous peoples.

**DISCUSSION:** Please see the attached Memo from Justin Waugh-Cress recommending a budget of \$10,340.00 (plus applicable HST) for erecting a new flagpole should Council decide on this option. A new flagpole for the purpose of flying the Mi'kmaq Grand Council Flag would be a significant demonstration of respect and desire for reconciliation with Indigenous people. It would also eliminate scheduling conflicts, such as arose with Pride Week this year

**FINANCIAL IMPLICATIONS:** Up to \$10,340, plus HST, and the modest cost of the flag (about \$200).

**ENVIRONMENTAL IMPLICATIONS:** none

**HOW WILL IT BE COMMUNICATED?** To be determined.

**ALTERNATIVES:** Continue working with the existing three poles and resolve scheduling conflicts as best we can.

**ATTACHMENTS:** Memo regarding the cost of a new flagpole prepared by Justin Waugh-Cress.

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Report prepared by: S. Ferguson  
Report and Financial approved by:

**MEMORANDUM**

**TO:** Greg Herrett, CAO  
**FROM:** Justin Waugh-Cress, P.Eng.  
**DATE:** September 29, 2021  
**RE:** Additional Flagpole – Cost Estimate REVISED

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At the September 08, 2021 Council meeting staff was directed to determine the cost of installing an additional flag pole at the E.D. Fullerton Municipal Building in Upper Nappan.

A quote was obtained from Flag Emporium in Dartmouth, NS for the supply and delivery of a new flagpole. The quoted value was \$3456.33.

Installation cost, including concrete base, was quoted by Flag Emporium. The quoted value was \$5893.75. It is expected these costs can be decreased by local sourcing of bucket trucks, materials, and labour.

I would recommend allocation of the following budget amounts if moving ahead with this project:

Item	Cost
Flag Pole Supply and Delivery	\$3500.00
Installation (including concrete base)	\$5900.00
Contingency (10%)	\$940.00
<b>Total</b>	<b>\$10,340.00</b>

**MEMORANDUM**

**TO:** Council

**FROM:** Gregory D. Herrett, CPA, CA  
Chief Administrative Officer

**DATE:** **October 22, 2021**

**RE:** Letter from Pugwash Village Commission regarding User Pay Dumping Station

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Attached is correspondence from the Pugwash Village Commission requesting that the Municipality investigate the logistics and costs of installing a user-pay dumping station in Pugwash.

It is recommended that Council direct staff to prepare a report for Council's consideration on this issue before the end of December, 2021.

**Suggested Motion: THAT Council refer this request to staff for a report to be delivered before the end of 2021.**



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18<sup>th</sup> October 2021

Mayor Murray Scott and Council  
Municipality of the County of Cumberland  
By e-mail

Dear Council,

The Village of Pugwash Village Hall houses the Pugwash Visitor Information Centre (VIC) which is used by several hundred visitors every year and throughout much of the year. Our local economy depends on tourism and we strive to make this Village and area attractive to visitors to visit and stay for extended periods.

We get a great variety questions and requests at the VIC. A repeated request has been for directions to a dumping station for the use of recreational vehicles (RVs).

Currently, the only dumping station we have found locally is at a campground on the Gulf Shore Road, but only if the RV is registered for at least a night's stay at the campground. RV owners expect to pay a fee for the use of any pumping station, but do not necessarily wish to add a night's rental of a campground they had not intended to use.

The only other facilities that an RV owner can use are in Truro or Amherst. This either means a special, fuel-expensive trip away from Pugwash or a shortened visit to this area because they move on to another destination, not returning to the Pugwash area.

Given there is a highly functioning sewage system in Pugwash, the Commissioners for the Village would like to request that the Municipality investigate the practicalities and costs of providing a user-pay dumping station somewhere in the Village that would be beneficial to RV users visiting northern and eastern Cumberland County and to the local economy.

The Village would be happy to assist in this endeavor.

Best regards,

Roger Mundle  
Chair Pugwash Village Commission

Cc Greg Herrett, Chief Administrative Officer  
Jason Waugh-Cress, Director Engineering and Operations



**CUMBERLAND COUNCIL**

**RFD#**

**Date: October 27, 2021**

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**TO:** Mayor Scott, Members of Council and CAO

**SUBMITTED BY:** Steve Ferguson

**DATE:** *October 11, 2021*

**SUBJECT:** *GOVRC Grant Request (Heat Pumps)*

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**ORIGIN:** The GOVRC applied for a grant in the spring of 2021 to install heat pumps. This will actually save the Municipality a significant amount of money as it would allow the “Old Town Loop” geothermal pump to be decommissioned.

**LEGISLATIVE AUTHORITY:** The general authority for the Municipality to implement this sort of project is found in sections 2, 9A, and 14A of the MGA.

Section 2 provides that the purpose of the Act is to “*give broad authority to councils... and to respect their right to govern municipalities in whatever ways the councils consider appropriate within the jurisdiction given to them...*” .

Section 9A provides “*The purposes of a municipality are to (a) provide good government; (b) provide services, facilities and other things that, in the opinion of the council, are necessary or desirable for all or part of the municipality; and (c) develop and maintain safe and viable communities.*”

Section 14A provides “*The powers conferred on a municipality and its council by this Act must be interpreted broadly in accordance with the purpose of this Act as set out in Section 2 and in accordance with the purposes of a municipality as set out in Section 9A.*”

As a result of amendments made to the MGA in 2019, the Act no longer provides specific authority to municipalities to provide grants to non-profit organisations, however that specific authority did exist prior to the amendments, and section 65A(5) provides: “*In the event of ambiguity in whether or not the municipality has the authority under this or any other Act to spend money or to take any other action, the ambiguity may be resolved so as to include, rather than exclude, powers the municipality had on the day before this Section came into force.*”

It was decided by Council during the budget process that this application would be funded out of the savings expected to be realized from shutting down the geothermal pump and from other surplus funds expected in this year’s budget (rather than the “Grants” budget). Section 65 (2) of the MGA allows such transfers of budget funds to be made subject to section 65B, which



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requires a municipality to have policy in place to govern such transfer. Section 4 (8) of the Municipality's Expenditure Policy provides for the "use of budget authority to be transferred from one budget category to another" as long as it is authorized by a "funds over budget resolution" (see below).

**RECOMMENDATION:** It is recommended that Council approve a grant to the GOVRC Workshop Association in the amount of \$28,313.54 to cover the cost of installing a heat pump system at the workshop.

**BACKGROUND:** The GOVRC is the only remaining user of the "Old Town Loop" geothermal line. The well that serves the Loop is at a higher elevation than the other geothermal wells, and the water level in it sometimes drops too low to supply the loop, resulting in loss of supply for the GOVRC. This, of course is detrimental to their operations and the working conditions for their clients. The Municipality is currently paying approximately \$17,700/yr. in electricity costs alone for this pump.

**DISCUSSION:** The GOVRC has proposed to install heat pumps to replace the geothermal system, at a total cost of \$28,313.54, including HST and the GOVRC's rebate on HST. This would solve their heating problems, provide better environmental control, and save the Municipality approximately \$17,700/yr.

**FINANCIAL IMPLICATIONS:** This will drive grants over budget in the current year. It is anticipated thought savings from ending of electricity costs associated with the "Old Town Loop" geothermal well pump will mostly offset this amount and will not drive the overall budget into a deficit.

This outlay will save the Municipality approximately \$17,700 on an annual basis in geothermal pumping costs.

**ENVIRONMENTAL IMPLICATIONS:** None expected.

**HOW WILL IT BE COMMUNICATED?** The GOVRC Board will be informed directly. The Public will be informed pursuant to the Municipality's Grant Disclosure Policy (website and newsletter).

**ALTERNATIVES:** Continue with the current system.



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**ATTACHMENTS:** None

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Report prepared by: S. Ferguson  
Report and Financial approved by: