

1. **Council Convenes - O Canada** – Warden Hunter called to order the July 8, 2009 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. Also in attendance were Rennie Bugley, CAO; Steve Ferguson, Director of Policy and Research; Andrew MacDonald, Director of Finance and Administration, Peter Cottingham, By-Law and Solid Waste Supervisor, Robert Streach, Director of Public Works and Vicki Weaver, Physical Recreation and Activity Coordinator.
3. **Approval of Agenda (Additions/Deletions)** - The agenda was approved with the following additions and deletions

**Deletions:** No Deletions

**Additions:** 11.2 – WCDC Grant, 11.3 – Remittal (tax), 14.1 - Transportation

4. **Approval of Minutes**

- 4.1 **June 24, 2009 Council Session – IT WAS MOVED by Councillor Gillis, seconded by Councillor Gilbert that the minutes of the June 24, 2009 Council session be approved as presented.**

**MOTION CARRIED #09-070**

5. **Business Arising from the Minutes**

- 5.1 **Action List, June 24, 2009 Council Meeting** - There was no discussion arising from this item.

6. **Delegations and Presentations**

- 6.1 **Tobacco Free Sport and Recreation Policy** – Mr. Todd Benson, Cumberland Health Authority, was on hand to request Council to adopt a Tobacco-Free Outdoor Spaces Policy. Mr. Benson explained that a Tobacco Free Outdoor Spaces Policy would expand protection for the general public (especially children) from exposure to second-hand smoke, and further de-normalize the use of tobacco by expanding tobacco-free areas within the Municipality of Cumberland. Mr. Benson went over the detriment that smoking has on our populace and what it costs us as a society. Council was then informed of places within Canada, N.S., and the Municipality of Cumberland that presently have smoke-free policies. Mr. Benson will provide a model policy to the Municipality for their review.

**IT WAS MOVED by Councillor Read, seconded by Councillor Gilbert to refer the Tobacco-free Outdoor Spaces Policy to the By-Law and Policy Committee.**

**MOTION CARRIED #09-071**

Warden Hunter thanked Mr. Benson for his informative presentation.

7. **Public Hearings**

Warden Hunter called to order the Public Hearing at 1:27 p.m.

- 7.1 **Demolition Order – 859 Williamsdale Road, Cumberland County, AAN – 09315875, PID - 25358508**

Mr. Cottingham, By-Law and Solid Waste Supervisor, provided a digital presentation to Council showing the property in question. Mr. Murray, owner of the property, was present at this meeting.

Warden Hunter opened up the Hearing to members of the Public. Mr. Murray explained that the house is approximately 200 years old. Mr. Murray gave information as to the structural integrity of the building and an ongoing issue of vandalism.

**IT WAS MOVED by Deputy Warden Redmond to order the demolition of the house located at 859 Williamsdale Road, Cumberland County, AAN – 09315875, PID 25358508, as well as the removal of the debris to an approved location within 30 days of this date.**

**MOTION CARRIED #09-072**

- 7.2 Deed Transfer Tax By-Law – Mr. Andrew MacDonald, Director of Finance and Administration provided the main points of this By-Law to Council which are:
- That a deed transfer tax applies in the Municipality of Cumberland
  - The tax is based on 1.5% of the value of the property transferred
  - The Registrar of Deeds shall be appointed the agent, and collector of the deed transfer tax on behalf of the Municipality, subject to the approval by the Minister of Service Nova Scotia and Municipal Relations
  - Effective date is September 1, 2009.

**IT WAS MOVED by Councillor Kellegrew, seconded by Councillor Merriam to give Second and Final Reading of the Deed Transfer Tax By-Law which is as such:**

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## Deed Transfer Tax By-Law

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### General

1. This By-Law is entitled the “Deed Transfer Tax By-Law.”
2. A deed transfer tax applies in the Municipality of the County of Cumberland.
3. The rate of the deed transfer tax in the Municipality is 1.5 per cent of the value of the property transferred.
4. The Registrar of Deeds shall be the agent, and collector of the deed transfer tax for the Municipality in accordance with the agreement to that effect between the Municipality and the Minister of Service Nova Scotia and Municipal Relations.
5. This By-Law shall come into force on September 1, 2009.

|   |              |
|---|--------------|
| <b><u>Clerk’s Annotation For Official By-Law Book</u></b>   |              |
| Date of first reading: _____  | May 20, 2009 |
| Date of advertisement of Notice of Intent to Consider: _____  |              |
| Date of final reading: _____  |              |
| *Date of advertisement of Passage of By-Law: _____  |              |
| Date of mailing to Minister a certified copy of By-Law: _____   |              |
| I certify that this DEED TRANSFER TAX BY-LAW was adopted by Council and published as indicated above. |              |
| _____   | _____        |
| Municipal Clerk   | Date         |
| *Effective Date of the By-Law unless otherwise specified in the text of the By-Law                    |              |

**MOTION CARRIED #09-073**

Warden Hunter now closed the public hearing.

8. **Correspondence**  
 8.1 Info Items

| From                               | Summary  |
|------------------------------------|--|
| Economic & Rural Development       | Murray Scott, Minister, providing information regarding Provincial tendering.<br><b>COPY ENCLOSED</b>  |
| Service N.S. & Municipal Relations | Marvin MacDonald, P. Eng., Director of Grants and Programs, advising that funding support for the local Democracy 250 activities is not available.<br><b>COPY ENCLOSED</b> |
| Indian and                         | Dougal MacDonald, Associate Regional Director General, thanking the  |

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|--|--|
| Northern Affairs                         | Municipality for participation in the annual Mi'kmaq Flag Raising Ceremony on June 19, 2009. Also advising that Councillor Gilbert's speech was well received by those in attendance and his presence certainly added to the importance and dignity of the ceremony. |
| CANSA                                    | Mr. Brian Martin, Chair, thanking Council for the grant of \$1500.   |
| CCRSB                                    | Trudy Thompson, Board Chair, advising that the special election for the African Nova Scotian seat on the CCRSB be held on August 22, 2009 and that Ken Henderson be appointed as Returning Officer for that election.  |
| Brookside Curling Club                   | Greg Wilson, President, thanking Council for the \$2,000 grant. Also advising that it will be put to good use in re-roofing and re-siding of the building.   |
| Cumberland County Transportation Society | Tamara Ashe, Manager, thanking Council for their generous grant.   |
| Pugwash Peace Exchange                   | Advising of events taking place during the month of July. This information has been e-mailed and provided in Councillor's boxes.   |

9. **Planning Issues**

10. **Strategic Planning**

- 10.1 **Strategic Planning Approval** – Mr. Ferguson advised that the time has arrived for Council to make a decision as to whether the Municipality will undertake a full scale strategic planning process in the foreseeable future. Mr. Ferguson also advised that if the process is started in late August or early September it could also incorporate our ICSP.

**IT WAS MOVED by Councillor Reid, seconded by Deputy Warden Redmond to undertake a full scale strategic plan, also incorporating our ICSP.**

**MOTION CARRIED #09-074**

- 10.2 **Recreation and Physical Activity** – Vickie Weaver, Recreation and Physical Activity Coordinator had previously provided Council with a strategic plan for Recreation and Physical Activity and is now at the point where she is requesting input as to whether or not the plan is headed in a direction Council agrees with.. Councillor Gilbert requested Ms. Weaver to provide a sample budget outline for Organizations to follow.

**IT WAS MOVED by Deputy Warden Redmond , seconded by Councillor Gilbert for Council to approve the Recreation and Physical Activity Strategic Plan.**

**MOTION CARRIED #09-075**

11. **Financial Reports/Issues**

- 11.1 **Borrowing Resolution** – Andrew MacDonald, Director of Finance and Administration advised Council that Sunset Residential and Rehabilitation Centre is in need of renovations and repairs and as such has the need to finance the project. Mr. MacDonald provided correspondence showing the scope of work, total project cost and previously approved funding levels. The budget for the project is \$4,055,000 with \$2,400,000 of the funding approved up front. The amount remaining to be financed is \$1,655,000.

**IT WAS MOVED by Councillor Gilbert, seconded by Councillor Gillis that Council approve a temporary borrowing resolution in the amount of \$1,655,000 for Sunset Residential and Rehabilitation Centre subject to entering into an agreement with Sunset for repayment which is as follows:**

**MUNICIPALITY OF THE COUNTY OF CUMBERLAND**

**TEMPORARY BORROWING RESOLUTION**

\$1,655,000

File No. 09/10-01

Sunset Adult Residential Centre

**WHEREAS** Section 66 of the Municipal Government Act provides that the Municipality of the

County of Cumberland, subject to the approval of the Minister of Service Nova Scotia and Municipal Relations, may borrow to expend funds for a capital purpose authorized by statute;

**AND WHEREAS** clause 65(x) of the Municipal Government Act authorizes the Municipality of the County of Cumberland to borrow funds for the purpose of lands and buildings required for a municipal purpose, namely the Sunset Adult Residential Centre;

**BE IT THEREFORE RESOLVED**

**THAT** under the authority of Section 66 of the Municipal Government Act, the Municipality borrow a sum or sums not exceeding One Million Six Hundred Fifty-Five Thousand Dollars (\$1,655,000) in total for the purpose set out above, subject to the approval of the Minister of Service Nova Scotia and Municipal Relations;

**THAT** the sum be borrowed by the issue and sale of debentures of the Municipality to such an amount as the Council deems necessary;

**THAT** the issue of debentures be postponed pursuant to Section 92 of the Municipal Government Act and that the Municipality borrow from time to time a sum or sums not exceeding One Million Six Hundred Fifty-Five Thousand Dollars (\$1,655,000) in total from any chartered bank or trust company doing business in Nova Scotia;

**THAT** the sum be borrowed for a period not exceeding Twelve (12) Months from the date of the approval of the Minister of Service Nova Scotia and Municipal Relations of this resolution;

**THAT** the interest payable on the borrowing be paid at a rate to be agreed upon; and

**THAT** the amount borrowed be repaid from the proceeds of the debentures when sold.

**THIS IS TO CERTIFY** that the foregoing is a true copy of a resolution duly passed at a meeting of the Council of the Municipality of the County of Cumberland held on the day of \_\_\_\_\_ 2009.

**GIVEN** under the hands of the Warden and the Clerk and under the seal of the Municipality this \_\_\_\_\_ day of \_\_\_\_\_ 2009.

\_\_\_\_\_  
Warden

Clerk

**MOTION CARRIED #09-076**

11.2 **WCDC Grant** – At an earlier meeting correspondence from CREDA was provided to Council advising that the awarding of the 2011 Canada Winters Games to Nova Scotia represents a tremendous opportunity for Wentworth as Ski Wentworth will be the venue for all Alpine and Freestyle Skiing events. As such a Consultant was hired to help develop a plan of action and identify opportunities that will enable the community of Wentworth to participate fully in, and benefit from the 2011 Canada Winter Games. The first phase of the study would see significant upgrades to two important community assets: the Old Valley School House and the Wentworth Community Centre. The Project is \$143,000. CREDA is requesting a contribution from the Municipality in the amount of \$10,000 which would help leverage funding in the amount of \$85,000 (ACOA), \$24,000 (Nova Scotia Rural and Economic Development) and \$14,000 (local community).

**IT WAS MOVED** by Deputy Warden Redmond, seconded by Councillor Reid to grant \$10,000 to the WCDC to assist with upgrades to the Old Valley School House and the Wentworth Community Centre. Said funds to be from Council’s Economic Development Reserve Fund.

**MOTION CARRIED #09-077**

11.3 **Remittal (tax)** – Councillor Reid advised Council that he is requesting a remittal (for 2008/2009) on the sewer tax for property belonging to Mr. Robert Eagles of Joggins who

has an approved septic system and confirmation of that from the N.S. Department of Environment.

**IT WAS MOVED by Councillor Reid, seconded by Councillor Gilbert to remit the sewer charges, plus interest, excepting the frontage charge for fiscal year 2008/2009, on the property belonging to Mr. Robert Eagles of Joggins.**

**MOTION CARRIED #09-078**

12. **Operational Services Reports/Issues**

12.1 **County Wide Bulky Item Pick Up** – Mr. Cottingham provided information to Council on the successful tender bid of PBS Waste Services of Amherst in the amount of \$109,610.00 (incl. HST) for the County Wide Bulky Item pick-up. Council suggested that this pick-up take place earlier (Spring) in future years and that information regarding the pick-up be provided earlier.

12.2 **Illegal Dumping** – Mr. Cottingham, By-Law and Solid Waste Supervisor advised that Provincial work crews from the N. S. Department of Transportation recently cleaned up an illegal dump-site on Burns Drive. The Department has also provided assistance by placing sign posts at strategic locations, at the Municipality’s request, so that “No Dumping” signs can be posted.

**IT WAS MOVED by Deputy Warden Redmond, seconded by Councillor MacNutt to send a letter of thanks to N.S. Department of Transportation for their clean up of an illegal dump site on Burns Drive.**

**MOTION CARRIED #09-079**

13. **Committee/Other Reports**

13.1 **CREDA Incorporation** – It was agreed to bring this item (and request CREDA to be on hand) at our next Council session which will be July 22, 2009 10 a.m.

14. **Old Business**

14.1 **Transportation** – Following discussion,

**IT WAS MOVED by Councillor Merriam, seconded by Councillor Reid to forward correspondence to the N.S. Department of Transportation requesting immediate servicing/repairs to the Apple River and Sand River bailey bridges, the Shulee Bridge and the Barronsfield Road Bridge.**

**MOTION CARRIED #09-080**

**IT WAS MOVED by Councillor Gilbert, seconded by Councillor Reid to forward correspondence to the N.S. Department of Transportation requesting decking or some type of noise remediation on the bridge over the Maccan River on Highway 302. in Athol, N.S.**

**MOTION CARRIED #09-081**

15. **New Business**

15.1 **UNSM Nominations** – Information only.

16. **Information Items** – There were none.

17. **Adjournment**

The meeting adjourned at 2:35 p.m.

18. **God Save the Queen**