

1. **Council Convenes - O Canada** –Warden Keith Hunter called to order the May 19, 2010 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, Andrew MacDonald, Director of Finance, Stephen Ferguson, Director of Policy and Research, and Penny Henneberry, Director of Planning and Development,
3. **Approval of Agenda (Additions/Deletions)** - The agenda was approved with the following additions and deletions:

**Additions:** 9.3 - Public Participation Policy; 11.2 - CJSMA Leachate Treatment Facility – Debt Financing, 11.3 – Sunset; 13.3 – Safety Policy Review; 14.2 – Municipal Day; 16.3 – Dandelion Festival; 16.4 – Dr. Willard Boyle Celebration Update.

**Deletions:** # 6, 10, 12

4. **Approval of Minutes**
  - 4.1 Minutes from May 5, 2010 Council Session – The minutes of the May 5, 2010 council session were approved as circulated
5. **Business Arising from the Minutes**
  - 5.1 Action List, May 5, 2010 – There was no discussion on this item.
6. **Delegations and Presentations**  
This item was deleted.
7. **Public Hearings**  
Warden Hunter opened the public hearing at 1:13 p.m.
  - 7.1 Tax Reduction and Exemption By-Law Repeal By-Law –  
**IT WAS MOVED by Councillor Kellegrew seconded by Deputy Warden Gilbert to approve second and final reading of the Tax Reduction and Exemption By-Law Repeal By-Law which is as follows:**

Municipality of County of Cumberland By-Law 10-XX

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Tax Reduction and Exemption By-Law Repeal By-Law

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1. By-Law 07-07, Tax Reduction and Exemption By-Law and By-Law 08-09, By-Law to Amend Tax Reduction and Exemption By-Law 07- 07 are hereby repealed.

Clerk's Annotation for Official By-Law Book	
Date of the first reading:	
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 Tax Reduction and Exemption By-Law Repeal 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.	

**MOTION CARRIED #10-080**

- 7.2 Tax Deed Fee By-Law Repeal By-Law -  
**IT WAS MOVED by Councillor Read, seconded by Councillor Reid to approve second and final reading of the Tax Deed Fee By-Law Repeal By-Law which is as follows:**

Municipality of County of Cumberland By-Law 10-XX

By-Law to Repeal the Tax Deed Fee By-Law

1. By-Law 85-01, the Tax Deed Fee By-Law, is hereby repealed.

<u>Clerk's Annotation For official By-Law Book</u>	
Date of first reading: _____, 2010	
Date of second reading: _____, 2010	
*Date of advertisement of Passage of By-Law _____, 2010	
Date of mailing to Minister a certified copy of By-Law _____, 2010:	
I certify that this Tax Deed Fee By-Law Repeal 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 #10-081**

The public hearing closed at 1:14 p.m.

8. **Correspondence**  
 8.1 **Information**

From	Summary
Natural Resources	John MacDonell, Minister, responding to our correspondence of February 2, 2010 requesting residents be able to continue to use camps that are located on the land that was recently purchased by the province in Cumberland County. Advising their policy is under review and the Minister is prepared to allow the camps to remain at their current locations until January 31, 2011. This will allow the department time to consider other options. <b>COPY ENCLOSED</b>
Finance	Graham Steele, Minister, thanking Warden Hunter for attending a meeting held in Amherst on April 16 <sup>th</sup> , 2010. Also advising that he has advised staff to move forward with the idea of establishing a working group of Amherst-area business people and government officials..
Municipal Finance Corporation	Mark Peck, A/Chief Executive Officer, advising of a change of location of their offices and in their staffing. <b>COPY ENCLOSED</b>

Councillor Redmond advised Council on correspondence received by her regarding the rerouting of traffic and destruction of a the road in her district.

**IT WAS MOVED by Councillor Redmond, seconded by Deputy Warden Gilbert to forward correspondence to the Department of Transportation requesting repairs to**

the section of road that was destroyed due to the rerouting of traffic.

**MOTION CARRIED #10-082**

8.2 Action

From	Summary	Action
River Hebert Village Commission	<p>Judy Jollymore, Village Clerk, advising that residents are concerned about old homes and buildings in the area becoming fire hazards. Requesting assistance in dealing with these properties.</p> <p><i>Council was advised that these concerns have been addressed by staff.</i></p>	Forward to Staff
UNSM	<p>Councillor Clarence Prince, requesting support of Yarmouth's request for Provincial and Federal Government's to provide funding necessary to re-instate the Yarmouth to New England Ferry Service for the 2010 season and beyond.</p> <p><b>IT WAS MOVED by Councillor Kellegrew, seconded by Councillor Read to forward a letter of support for Provincial and Federal Government's to provide funding necessary to re-instate the Yarmouth to New England Ferry Service for the 2010 season and beyond.</b></p>	<p>Forward to Council</p> <p><b>MOTION CARRIED #10-083</b></p>

9. Planning Issues

- 9.1 Appointment of Fire Inspector - Ms. Henneberry advised that there is a requirement for each Municipal Council to formally appoint, through a motion of Council the position of the Municipal Fire Inspector.

**IT WAS MOVED by Councillor Reid, seconded by Councillor Gillis that it be resolved pursuant to Section 19(1) (b) of the province of Nova Scotia *Fire Safety Act*, that John Fredericks be removed from the record as Municipal Fire Inspector and that James Triff be formally appointed as the Municipal Fire Inspector for the Municipality of the County of Cumberland in order conduct fire inspections and to educate and encourage persons and communities to apply the principles of fire safety so as to prevent fires, preserve human life and avoid unwarranted property loss due to the destructive forces of fire by administering the National Fire Code of Canada, the National Building Code of Canada and any legislation pertaining thereto.**

**MOTION CARRIED #10-084**

- 9.2 Private Members Bill -Ms. Henneberry advised that a Private Members Bill is being brought forth requesting an amendment to the *Radiocommunications Act* recommending that all volunteer fire departments and other volunteer emergency organizations should be exempt from having to pay radio licence fees.

**IT WAS MOVED by Councillor Redmond, seconded by Deputy Warden Gilbert to forward a letter of support to M.P. Scott Simms, with a copy being forwarded to our local MP, supporting Bill C-482.**

**MOTION CARRIED #10-085**

- 9.3 Public Participation Policy – Council was advised that they are required to have a Public Participation Policy.

**IT WAS MOVED** by Councillor MacNutt, seconded by Deputy Warden Gilbert to give notice of adoption of the public participation policy for the June 9<sup>th</sup>, 2010 Council session.

**MOTION CARRIED #10-086**

10. **Strategic Planning**

This item was deleted.

11. **Financial Reports/Issues**

11.1 **2010/2011 Budget Approval**

**IT WAS MOVED** by Deputy Warden Gilbert, seconded by Councillor Reid that the following operating budget, totaling \$15,207,964, be approved as presented.

Operating Budget

**Revenue**

Taxes	\$13,736,119
Grants in Lieu of Taxes	282,218
Services provided to other governments	20,641
Sale of Services	39,288
Other revenue from own sources	- 270,008
Unconditional transfers from other governments	839,690
Conditional transfers from Federal or Provincial governments or agencies	<u>20,000</u>
	<b><u>\$15,207,964</u></b>

**Expenditures**

General Government Services	\$2,721,985
Protection Services	4,354,173
Transportation Services	375,105
Environmental Health Services	2,062,557
Public Health	37,500
Environmental Development Services	1,171,344
Recreational & Culture Services	384,633
Education	3,077,688
Financing & Transfers	<u>1,022,979</u>
	<b><u>\$15,207,964</u></b>

**MOTION CARRIED #10-087**

**2010/2011 Tax Rates**

**IT WAS MOVED** by Deputy Warden Gilbert, seconded by Councillor Reid that the residential tax rate of \$1.04 per \$100 of assessment and the commercial tax rate of \$2.63 per \$100 of assessment be approved for the 2010/2011 fiscal year.

**MOTION CARRIED #10-088**

**Area Rates**

**IT WAS MOVED** by Deputy Warden Gilbert, seconded by Councillor Gillis that the sewer, school enhancement, septage and street light rates, as listed on page 7 and 8 of the 2010/2011 budget document, be approved and to accept the village rates.

**MOTION CARRIED #10-089**

**Due Date and Interest**

**IT WAS MOVED** by Deputy Warden Gilbert, seconded by Councillor Redmond that the due date for the 2010/2011 levy be June 30, 2010 and that the interest rate charged on outstanding tax accounts be set as 1.25% per month (15% per annum), effective June 1<sup>st</sup>, 2010.

**MOTION CARRIED #10-090**

**Capital Budget**

**IT WAS MOVED by Deputy Warden Gilbert, seconded by Councillor Reid that Council approve the following 2010/2011 capital budget totaling \$809,203.**

**Capital Budget****Project Description****General Government**

ED Fullerton Building	\$	76,800
Software		40,000

**Environmental Health****Sewer**

Biggs Drive Retro Fit-Construction	397,903
Maccan Waste Water Treatment Design	65,000
Septage Facility	125,000
UV Upgrade River Hebert	25,000
Debenture Balloon Payment Upper Nappan Phase 2	27,500

**Planning & Development**

Software	52,000
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-	\$	<u>809,203</u>
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**Financing**

General Revenue	168,800
Reserves	121,784
Gas Tax	286,785
Building Canada Fund	204,334
Debt	<u>27,500</u>

-	\$	<u>809,203</u>
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**MOTION CARRIED #10-091**

**Borrowing Resolution - Operating**

**IT WAS MOVED by Deputy Warden Gilbert, seconded by Councillor Read that a borrowing resolution in the amount of 2.5 million dollars, for the purpose of defraying 2010/2011 operating expenditures be approved.**

**MOTION CARRIED #10-092**

- 11.2 CJSMA Leachate Treatment Facility – Debt Financing –  
The Board is recommending the capital cost be paid out of reserves.

**IT WAS MOVED by Councillor Read, seconded by Deputy Warden Gilbert to approve that the financing for the leachate facility be done by reserves.**

**MOTION CARRIED #10-093**

- 11.3 Sunset - IT WAS MOVED by Councillor MacNutt, seconded by Councillor Gillis to approve a borrowing resolution for Sunset in the amount of 4.655 M dollars which is as such:

**MUNICIPALITY OF THE COUNTY OF CUMBERLAND**

**TEMPORARY BORROWING RESOLUTION**

\$4,655,000

File No. 10/11-01  
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 Four Million Six Hundred Fifty-Five Thousand Dollars (\$4,655,000) 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 Four Million Six Hundred Fifty-Five Thousand Dollars (\$4,655,000) 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 \_\_\_\_\_ 2010.

**GIVEN** under the hands of the Warden and the Clerk and under the seal of the Municipality this \_\_\_\_\_ day of \_\_\_\_\_ 2010.

\_\_\_\_\_  
Warden

\_\_\_\_\_  
Clerk

**MOTION CARRIED #10-094**

12. **Operational Services Reports/Issues**  
This item was deleted.

13. **Committee/Other Reports**

13.1 **CREDA Minutes** - These are in Councillors boxes.

13.2 **By-Law and Policy Committee Recommendation – Condolence Policy** – This is to ensure consistency.

**IT WAS MOVED by Councillor Reid, seconded by Councillor Redmond to consider the adoption of the Condolence Policy at the June 9<sup>th</sup>, 2010 Council session.**

**MOTION CARRIED #10-095**

13.3 **Safety Policy Review** - Mr. Ferguson, Director of Policy and Research advised that Section 27(1) of the Occupational health and Safety Committee states that “the employer shall prepare and review, at least annually, a written occupational health and safety policy, in consultation with the committee..” in its capacity as “Employer” Council must review

the Safety Policy annually. Mr. Ferguson also advised that this Policy has been reviewed and that the Committee recommends that no changes to this Policy are required at this time. Council agreed to place this item on the next regularly scheduled council meeting at which time Council may recommend changes to the Policy if they so desire.

14. **Old Business**

14.1 Chignecto Crown Lands Meeting- Councillor Reid provided an update from the meeting as well as a report by Ms. Henneberry, Director of Planning and Development.

14.2 Municipal Day – Councillor Redmond proposed that Municipal Day be held in different communities throughout Cumberland county rather than having it at the E. D. Fullerton Municipal Building. There was a consensus of Council that the E. D. Fullerton Municipal Building would be the most suitable site for Municipal Day.

15. **New Business**

15.1 Proposed Federal Wastewater Regulations –

**IT WAS MOVED by Councillor Kellegrew, seconded by Councillor Read to write to our Federal Minister of Environment, the Provincial Minister of Environment, as well as our local member of Parliament and Members of our Legislative Assembly outlining our concerns with the regulations and asking that a tri-party funding agreement be put in place to share in the cost of implementing the new Federal regulations.**

**MOTION CARRIED #10-096**

16. **Information Items**

16.1 Household Hazardous Waste Events – Provided as information to Councillors

16.2 Nuclear Free World/Nuclear Free County – Provided as information.

16.3 Dandelion Festival - Councillor MacNutt advised that on May 29<sup>th</sup>, Wallace will be holding their 3<sup>rd</sup> annual Dandelion Festival.

16.4 Dr. Willard Boyle Celebration Update – Dr. Boyle attended this event. It was very well attended by the public as well. Dr. Boyle presented a video of the week he spent in Stockholme and spoke to the students and general assembly. Councillor MacNutt commend the students and teachers of Pugwash as they did a great job and Councillor MacNutt is very proud of them. Councillor MacNutt also thanked the Municipality for their monetary contribution to the event.

16.5 June Council Session – The first June Council session will be June 9<sup>th</sup>, 2010.

17. **Adjournment**

The meeting adjourned at 2: 23 p.m.

18. **God Save the Queen**