

1. **Council Convenes - O Canada** –Warden Hunter called to order the June 13, 2012 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. Councillors in attendance were: Warden Keith Hunter, Councillor Gerald Read, Councillor John Kellegrew, Councillor Allison Gillis, Councillor Ron MacNutt, Councillor Phillip Donkin, Councillor Ernest Gilbert, Councillor John Reid, and Councillor Ratchford Merriam. Councillor Redmond was absent. Staff in attendance were: CAO, Rennie Bugley, Director of Finance, Andrew MacDonald, Director of Policy and Research, Steve Ferguson,
3. **Approval of Agenda (Additions/Deletions)** –The Agenda was approved with the following additions and deletions:

Additions:	11.3 – Peace Conference; 16.5 – Oxford Regional Education Centre Thank You Banner
Deletions:	#9, 10
4. **Approval of Minutes**
 - 4.1 **Minutes from May 16, 2012 Council Session**
The minutes of May 16, 2012 were approved as circulated.
5. **Business Arising from the Minutes**
 - 5.1 **Action List, May 16, 2012** – There was no discussion on this item.
6. **Delegations and Presentations**
 - 6.1 **Cumberland YMCA** – Trina Clarke, Executive Director and Mac Hawco were on hand to provide this update/presentation to Council:

Volunteers

In 2011 the Cumberland YMCA benefited from the help of 145 volunteers, who combined logged over 3600 hours of volunteer time. Their many volunteers support the YMCA through fundraising events, committees, instructing fitness classes, and as members of the Board of Directors.

Financials 2011/2012

Revenue of \$1,700,000

Expense \$1,600,000

Net \$100,000

In 2008 the Net was \$(52,204), so you can see the improvement in the financial situation. Mrs. Clarke expressed the appreciation of the funding agreement between the Cumberland YMCA and the Municipality of Cumberland.

Mrs. Clarke advised that the YMCA is currently offering programs in 10 area of the County and that there has been a significant increase in County Residents participating in membership. The membership number has increased by 61% due to a combination of the upgraded fitness centre and the expansion of programming within the County. The expanded childcare centre has enabled the Cumberland YMCA to provide quality care for more working families from areas in the county, currently 122 children from Cumberland County are enrolled in YMCA childcare.

At this point Mrs. Clarke opened the floor for questions. Councillor MacNutt expressed his appreciation for the outreach programs being offered by the Cumberland YMCA. Councillor Reid requested the number of County children being provided childcare and Mrs. Clarke provided that number.

Warden Hunter thanked Mrs. Clarke for her presentation.

7. **Public Hearings**

Warden Hunter called the Public Hearing to Order at 1:18 p.m. and closed the public hearing at 1:21 p.m., due to technical difficulties. The Warden re-opened the Public Hearing at 1:31 p.m.

- 7.1 **AAN 01350811, 3140 Highway 303, Maccan** – Mr. Cottingham, ByLaw and Policy Administrator advised of the condition of the property and provided photographic evidence.

Staff are recommending that Council Order the demolition of the structure and removal of the debris to an approved facility to be completed by July 13, 2012.

Warden Hunter asked if there were any members of the public present who wished to speak and there were none. The Public hearing was closed at 1:33

IT WAS MOVED by Councillor Kellegrew, seconded by Councillor Reid to Order the demolition of the structure and removal of the debris for AAN 01350811, 3140 Highway 303,

Maccan, to an approved facility to be completed by July 13, 2012.

MOTION CARRIED #2012-086

Warden Hunter called a second Public Hearing to Order at 1:34 p.m.

7.2 AAN 01315986, 187 Pit Road, River Hebert

Mr. Cottingham, By-Law and Enforcement Administrator, advised of the state of the property and provided photographs to Council.

Staff are recommending the demolition of the house and mobile home on the property, removal of the debris to an approved facility and the filling in and leveling of any basement or crawlspace; said work to be completed by July 13, 2012.

The Warden asked if any members of the public who were present wanted to speak to this issue and the property owner, Mrs. McKeigan was present to discuss the property and advised that she is intending to demolish the structures and hopes to have this completed in one month. Mrs. McKeigan also provided a letter thanking Council for information regarding the property and provided some history to the disrepair of the property.

Warden Hunter closed the public hearing at 1:47 p.m.

IT WAS MOVED by Councillor Reid , seconded by Councillor Kellegrew, to Order the demolition of the house and mobile home on the property, removal of the debris to an approved facility and the filling in and leveling of any basement or crawlspace for AAN 01315986, 187 Pit Road, River Hebert; said work to be completed by July 13, 2012.

MOTION CARRIED #12-087

Warden Hunter called to Order a third Public Hearing at 1:48 p.m.

7.3 04260147, 120 Highway 302, Southampton

Mr. Cottingham, ByLaw and Policy Administrator advised Council of the state of this property and provided photographic evidence regarding his findings. The Owner has requested that they be granted a six month time period to either repair and renovate the dwelling for occupation or demolish and replace with a new home.

Staff are recommending that the owner either repair or demolish the house by October 31, 2012. Failure to do so will see the demolition carried out under Municipal Supervision.

Warden Hunter asked if any members of the public wanted to speak to this issue and there were none present.

Warden Hunter closed the Public Hearing at 2:01 p.m.

IT WAS MOVED by Councillor Gilbert, seconded by Councillor Merriam, to Order that the owner of AAN 04260147, 120 Highway 302, Southampton, either repair or demolish the house by October 31, 2012. Failure to do so will see the demolition carried out under Municipal Supervision.

MOTION CARRIED #12-088

8. **Correspondence**

Executive Assistant to the CAO, Shelley Hoeg advised Council of the following pieces of correspondence:

A Memorandum from UNSM requesting nominations for the positions of President, Vice President/Secretary-Treasurer.

An invitation from Sprott Power Corp. to attend the official Ribbon Cutting Ceremony of the Amherst Wind Farm.

A LED Streetlight update from UNSM

A Memorandum from UNSM regarding nominations for Diamond Jubilee Medals

A letter from the Town of Parrsboro advising that Councillors David Harrison and David Howe were their representatives on the Energy Authority Board of Directors.

Correspondence from Sandra Dillman regarding the condition of the D'Orsay Road.

IT WAS MOVED by Deputy Warden Read, seconded by Councillor Kellegrew, to forward correspondence to the N.S. Department of Transportation and Infrastructure Renewal

requesting consideration of repairs to the D'Orsay Road as it in deplorable condition.

MOTION CARRIED #12-089

9. **Planning Issues:**

This item was deleted.

10. **Strategic Planning**

This item was deleted.

11. **Financial Reports/Issues**

11.1 **Remittal (s) – IT WAS MOVED** by Councillor MacNutt, seconded by Deputy Warden Read to approve a remittal for AAN 07496834 in the amount of \$200.64.

MOTION CARRIED #12-090

IT WAS MOVED by Councillor Kellegrew, seconded by Councillor Gillis to approve a remittal for AAN 10124964 in the amount of \$378.60.

MOTION CARRIED #12-091

11.2 **Community Development Grants -**

The Amherst Rambler Alumni Scholarship Society: This group will be holding their 5th Annual Golf tournament in Amherst on August 11th. The society was formed to provide bursaries to athletes living or playing in the Amherst area. All profits from the day's fundraiser go to the bursary fund. They are requesting support through the donation of a gift certificate or merchandise that could be used for prizes or the sponsorship of one hole at the cost of **\$150**. They are also seeking teams for the tournament, at the cost of \$75 per player (includes golfing and steak dinner). We have funded this project for \$150 for the past three years.

District 1 Community Development Grant for \$150

Advocate School: The school is helping to set up a free, local, summer soccer program for preschool, children and youth in advocate and the surrounding area. A teacher and two parents will run the program. There is currently no soccer program in the community and this will keep the families from having to transport their kids to outlying communities and it will give them a chance to learn soccer skills and have fun. They are requesting **\$600** to help with the cost of 2 sets of nets, 10 balls and some pinnies.

District 10 Community Development Grants \$600

Brookdale Community Hall: The hall is contracting someone to add a frost wall to the building, as well as leveling and stabilizing the building. We funded this project through Grants to Organizations for \$21,000 and they are asking for the remaining **\$7,000** to complete the project.

Deputy Warden Read recommends that \$4,000 be debited from District 1 Community Development funds.

Councillor Kellegrew recommends that \$3,000 be debited from District 2 Community Development funds.

Maccan Youth Recreation Fund: This funding is intended to provide some infrastructure at the Maccan multi-purpose court. We funded them last year for professional style, heavy hockey nets, which have proved to be very well-used. This year they are requesting funding for some permanent (gooseneck style) basketball nets. The cost for 2 nets is **\$2,606.89**.

District 2 Community Development Grants \$2,000

District 9 Community Development Grants \$606.89

Other Grants that are being followed up on are:

Rebekkah Minto Lodge – **Council agreed to not provide funding.**

Cumberland Wolfpack Minor Football – Council agreed to fund County participants at the cost of \$40/per county participant

Amherst Curling Club – Council requested a further breakdown of the number of County participants.

Springhill Mixed Martial Arts – Once addresses of participants are received, fund as \$40 per county participant.

Autism Walk - \$100 from each District to up to District 8 with District 8 providing \$200 and District 10 not participating.

Harbourfest – Requesting \$1,000 for a County wide promotion to bring tourism into the area. Councillor Gillis feels this should be contingent on the other units providing funding as well. Deputy Warden Read feels the funding should not be contingent on the other units.

IT WAS MOVED by Deputy Warden Read, seconded by Councillor Reid to approve the following Community Development Grants:

Amherst Rambler Alumni Scholarship Society	-	\$150	District 1
Advocate School – Summer Soccer program	-	\$600	District 10
Brookdale Community Hall	-	\$4,000	District 1
		\$3,000	District 2
Maccan Youth Recreation Fund	-	\$2,000	District 2
		\$606.89	District 9
Cumberland Wolfpack Minor Football	-	\$40/County Child	
Springhill Mixed Martial Arts	-	\$40/County resident	
Autism Walk	-	\$1000	

MOTION CARRIED #12-092

11.3 Grants to Organizations –

Peace Conference - **IT WAS MOVED by Councillor Gillis to provide funding in the amount of \$2,000 for the Peace Conference taking place in Pugwash.**

MOTION CARRIED #12-093

Councillor MacNutt declared a conflict with this item and abstained from voting.

Tidnish Crossroads Community Association – **IT WAS MOVED by Councillor Kellegrew, seconded by Councillor Merriam to fund \$5,000 from Subdivision Funds for the Tidnish Crossroads Community Association for their outdoor ball hockey/tennis court project.**

MOTION CARRIED #12-094

IT WAS MOVED by Councillor Gillis, seconded by Councillor Read to fund the following Development Associations in the amount of \$3,000:

- Tidnish Crossroads and Area Community Association**
- Malagash Heritage Development Association**
- Wallace and Area Development Association**
- Advocate District Development Association**
- River Heber/Joggins and Area Development Association**
- Shore Drive Development Association**
- Spencer’s Island Community Association**

MOTION CARRIED #12-095

IT WAS MOVED by Deputy Warden Read, seconded by Councillor Kellegrew to fund the ground search and rescue operations (Springhill and Pugwash) in the amount of \$3,000 each.

MOTION CARRIED #12-096

IT WAS MOVED by Councillor Gillis, seconded by Deputy Warden Read to approve a Grant to Harbourfest in the amount of 1150 for their cake auction.

MOTION CARRIED #12-097

11.4 Donation of Surplus Building – Andrew MacDonald, Director of Finance advised that due to the new garage we now have a baby barn which is surplus. Council was advised that the Cumberland Wolfpack has expressed interest in having this building and would be responsible for any costs associated with relocating the building.

IT WAS MOVED by Councillor Gilbert, seconded by Councillor MacNutt to donate the surplus babybarn to the Cumberland Wolfpack with them being responsible for the moving of the building and any costs incurred.

MOTION CARRIED #12-098

- 11.5 2012/2013 Tax Levy Update – Mr. MacDonald, Director of Finance advised that the tax bills have been mailed and that tax payments are being received.

12. Operational Services/Reports Issues

- 12.1 Fire Protection Service Updates – Mr. Carter, Fire Protection Services Coordinator advised Council of the following:

New tankers: Dave Kennedy of Maritime Fire Apparatus has found some build issues that need to be resolved and has drafted a letter to Fort Garry stating his concerns. Mr. Kennedy has been requested to stay on top of this.

Stantec Consultants: Consultants were in Cumberland County this past weekend and visited all of County as well the Town Depts. Photos of equipment were taken and discussions with the Chiefs were held. Consultants will return at the end of July to meet with Chiefs and the Strategic planning committee.

FF of the year: Warden Hunter presented three members of the Tidnish Bridge Fire Dept. the 2011 Fire Fighter of the Year Award for their efforts in saving the life of a man at a Shediac campground by performing CPR. These volunteers are Ian Haynes, Kenny Embree and Ricky Comeau.

Station Visits: The Coordinator has been visiting the local departments gathering information and meeting with the Chief Officers.

13. Committee/Other Reports

- 13.1 Ratification of Sunset Members – **IT WAS MOVED by Councillor MacNutt, seconded by Councillor Gillis to ratify the appointments of Mr. Ken Jupp (January 1, 2012 – December 31, 2015 and Ms. Margaret Jamison (April 1, 2012 – December 21, 2012 – Replacing Ralph Welton) as Citizen Board Members of the Sunset Board of Directors.**

MOTION CARRIED #12-099

- 13.2 Fire Inspection Policy – **IT WAS MOVED by Councillor Merriam, seconded by Councillor Donkin to approve the Fire Inspection Policy which is as such:**

**Municipality of Cumberland Policy
Fire Inspection Policy
FS12-01**

1. This Policy is entitled the “Fire Inspection Policy”.
2. The Municipality of Cumberland recognizes that pursuant to section 19 of the Nova Scotia Fire Safety Act, a system of fire inspections must be established to provide compliance with that Act and the Fire Safety Regulations. The purpose of this Policy is to establish a system of fire inspections that complies with Section 19 of the Act and Regulations and that recognizes the Municipality’s resources, geography and priorities, based upon a risk analysis.
3. In this Policy:
 - a) **Assembly Occupancy (Group A)**, means the Assembly Occupancy as defined in the National Building Code of Canada (2010), as amended from time to time.
 - b) **Residential Occupancy (Group C)**, means a Residential Occupancy as defined in the National Building Code of Canada (2010), as amended from time to time.
 - c) **Business And Personal Service Occupancy (Group D)**, means a Business and Personal Service Occupancy as defined in the National Building Code of Canada (2010), as amended from time to time.
 - d) **Mercantile Occupancy (Group E)**, means a Mercantile Occupancy as defined in the National Building Code of Canada (2010), as amended from time to time.

- e) **Industrial Occupancy (Group F)**, means an Industrial Occupancy as defined in the National Building Code of Canada (2010), as amended from time to time.
 - f) **Municipal Fire Inspector**, means a person appointed by the Municipality as a Municipal Fire Inspector pursuant to Fire Safety Act.
 - g) **Fire Safety Act (the “Act”)**, means “An Act to Promote and Encourage Fire Safety”, Chapter 6 of the Acts of 2002, Nova Scotia, as amended from time to time, and any other successor legislation.
 - h) **Fire Safety Regulations(the “Regulations”)**, means the Regulations Respecting Fire Safety made by the Governor in Council pursuant to Section 51 the Fire Safety Act.
 - i) **Council**, means the Council of the Municipality of the County of Cumberland.
4. Pursuant to Section 19 of the Fire Safety Act, Council shall appoint one or more Municipal Fire Inspectors, who shall carry out the System of Municipal Fire Inspections set out in section 5 herein, in accordance with the requirements of the Fire Safety Act and Fire Safety Regulations. If, due to human resource limitations or operational demands, the Inspection Schedule is not met, that fact shall be reported to Council, which shall reconsider the Schedule and/or resource allocations.

5.

Occupancy Class	Inspection Schedule
Assembly Occupancy (Group A)	Every 3 years as per Section 13 and 14.1 of the Fire Safety Regulations. Also upon written request of the owner or tenant or if the Fire Inspector deems that a more frequent inspection is required.
Residential Occupancy (Group C) – 4 Units and over Residential Occupancy- 3 units and under	Inspected every three (3) years unless a written request is received from the owner or the Fire Inspectors deems that a more frequent inspection is required. Inspected upon written request from the owner or tenant or if the Fire Inspector deems that an inspection is required.
Business and Personnel Services Occupancy (Group D)	Inspected every five (5) years unless a written request is received from the owner or tenant or the Fire Inspectors deems that a more frequent inspection is required.
Mercantile Occupancy (Group E)	Inspected every five (5) years unless a written request is received from the owner or tenant or the Fire Inspectors deems that a more frequent inspection is required.
Industrial Occupancy (Group F)	Inspected every Four (4) years unless a written request is received from the owner or tenant or the Fire Inspectors deems that a more frequent inspection is required.

<u>Clerk’s Annotation for Official Policy Book</u>	
Date of Notice to Council Members of Intent to Consider (7 days minimum): _____	
Date of Passage of Current Policy: _____	
I Certify that this Fire Inspection Policy FS 12 - 01 was adopted by Council as indicated above.	
_____	_____
Municipal Clerk	Date

MOTION CARRIED #12-100

13.3 JFI Board Membership - Councillor Reid would like to see an additional member on the JFI Board. The JFI Board has replied to the Municipality and advised that they feel there is no need to have an additional member from the Municipality on the JFI Board of Directors. Councillor Reid attended the meeting and feels the minutes are not correct as he had been advised that the Board will look into the issue. Deputy Warden Read wants us to ensure that the proper process is followed.

IT WAS MOVED by Councillor Kellegrew, seconded by Councillor Gilbert to forward correspondence to the JFI requesting an amendment to their By-Laws to allow for an additional member from the Municipality of Cumberland, which may be a staff member, on their Board of Directors.

MOTION CARRIED #12-101

14. **Old Business**

- 14.1 **Cape D'Or Lighthouse** – Written information, provided by Penny Henneberry, Director of Planning and Development was provided and advised of the following information:

In March of 2011, a report was presented to Council regarding the potential acquisition of the Cape D'Or Light property. Council agreed that Staff negotiate with Fisheries and Oceans and a tentative agreement had been reached. Subsequent to this agreement, Fisheries and Oceans discovered there was a requirement to further investigate aboriginal concerns regarding this transfer of title and until this consultation was completed the transfer would be placed on hold.

Fisheries and Oceans contacted the *Kwilmu'kw Maw-klusuaqn Negotiation Office (KMKNO) whose mission is to “address the historic and current imbalances in the relationship between Mi'kmaq and non-Mi'kmaq people in Nova Scotia”*.

On 4 June 2012 Fisheries and Oceans notified me of the outcome of the consultation. The response of this consultation is as follows:

KMKNO's Archaeological Research Division (MU) has reviewed the Cape d'Or Lighthouse Lands in Cumberland County. There are at least two archaeological sites recorded on the parcel for which the notification has been made and another one within a five kilometre radius. The Cape D'Or area has tremendous cultural significance to the Mi'kmaq of Nova Scotia, and the presence of the archaeological sites on the parcel under review also indicates that this parcel is highly sensitive for cultural as well as archaeological value. KMKNO has no objections to the disposal of this property. However, KMKNO wishes to recommend the Municipality of County of Cumberland work with the Mi'kmaq of Nova Scotia to develop a communications plan on the heritage preservation and tourism of Cape d'Or Lighthouse and 15 acres of land prior the completion of this land transfer.

The KMKNO also recommends that the archaeological sites be protected under Nova Scotia Special Places Protection Act.

Fisheries and Oceans will attempt to verify where the archaeological sites may be located by touching base with the Province through the Department of Communities, Culture and Heritage.

While KMKNO has no objections to the transfer between the two levels of government, they emphasize that there is a need to protect the site. This issue presents the Municipality with a great opportunity to work with the Mi'kmaq and to protect a very important part of Mi'kmaq-Cumberland-Nova Scotia Heritage. It's a win-win for everyone involved.

IT WAS MOVED by Councillor Merriam, seconded by Councillor Donkin to begin dialogue with the Mi'kmaq and the Department of Communities, Culture and Heritage to develop a communications plan regarding heritage preservation (and/or Special Places protection) for those areas of archaeological significance at the Cape D'Or site in order to be able to proceed with completing the acquisition of the property and more importantly, to proceed with protecting a valuable cultural and archaeological site.

MOTION CARRIED #12-102

- 14.2 **Age Friendly Communities** - Mrs. Weaver, Physical Activities and Recreation Coordinator advised that they are planning for each district to have 2 benches for their district. The District Councillor would work with staff and the DOTIR on the placement of these benches.

Councillor MacNutt is requesting that benches for his district be purchased from Sunset Industries as there are benches by that manufacturer there now and he would like them to be aesthetically pleasing and would like to use the local provider. Mrs. Weaver will accommodate this.

15. **New Business**

- 15.1 **UNSM Conference Resolutions** - There is a request for submissions for the Conference. The submission date is June 29, 2012. Councillors wanted resolutions to be submitted are asked to have the information to Mr. Bugley as soon as possible.
- 15.2 **Beef Farmer Hardships** – Warden Hunter advised that he has been approached by Jillian Foster who is trying to set up a cooperative for grass fed beef and she would like to attend Council and do a presentation. A presentation will be scheduled for a future meeting.

16. **Information Items**

- 16.1 **Budget Implementation Act** – This was a topic at the recent FCM Conference and provided as information. As information, Warden Hunter advised that the UNSM is not opposing this Bill.
- 16.2 **Preventing Cancer through healthy public policy (in boxes)** – This was a topic at the recent FCM Conference and provided as information.
- 16.3 **Firefighter of the Year** – Dealt with under an item in Operational Services.
- 16.4 **Future of Provincial Parks Public Meeting** – Provided as information. Councillor's are encouraged to attend.
- 16.5 **Oxford Regional Education Centre Thank You Banner** – Councillor Donkin advised that he and Councillor Redmond were at the OREC in May and received a thank you banner from the students for Community Development Funding and it is on display in the foyer. Councillor Merriam thinks the recognition from the children is wonderful, but feels the Teachers and Parents should also receive credit for their efforts.

IT WAS MOVED by Councillor MacNutt, seconded by Councillor Gillis recommended that correspondence be forwarded to the Pugwash Village Commission and advise of our willingness to continue to work with the Pugwash Village Commission.

MOTION CARRIED #12-103

17. **Adjournment:** On motion the meeting was adjourned at 3:04 p.m.

18. **God Save the Queen**

Warden Keith Hunter

Municipal Clerk Brenda Moore