

1. **Council Convenes - O Canada** –Warden Hunter called to order the January 9th, 2013 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 Brenda Moore, Municipal Clerk/Records Manager. Councillors in attendance were: Warden Keith Hunter, Deputy Warden Don Smith, Councillor Kellegrew, Councillor Gillis, Councillor Welton, Councillor Baker, Councillor Rector, Councillor Gilbert, and Councillor McLellan. The CAO and many staff were in attendance.
3. **Approval of Agenda (Additions/Deletions)** –The Agenda was approved with the following additions and deletions:
 - Additions: 6.2 - Crossborder Challenge, 9.1 - MPS Pugwash Village, 12.1 – Sugarhill School Property, 12.2 – Pugwash Rescue Vehicle, 12.3 – Notice of Intent to Consider – Tax Reduction on Destroyed Property Policy, 14.3 – Canada Post, 16.1 – RFP For Audit Services.
 - Deletions: 7 - Public Hearings
4. **Approval of Minutes**
 - 4.1 **Minutes from December 5, 2012 Council Session**

The minutes of the December 5, 2012 Council were approved as presented.
5. **Business Arising from the Minutes**
 - 5.1 **Action List, December 5, 2012**
6. **Delegations and Presentations**
 - 6.1 **Cumberland Snowmobile Club** – Mr. Andrew Wallis, of the Cumberland Snowmobile Club was on hand to provide this presentation to Council.
 - 6.2 **Cross Border Challenge** – Mr. and Mrs. Giroux presented a certificate to Warden Hunter to thank Council for their generous support for the Cross Border Challenge.
7. **Public Hearings**

This item was deleted.
8. **Correspondence**

Provided for information. No actions required
9. **Planning Issues:**
 - 9.1 **Plan Amendment to MPS re Pugwash** - The Municipal Planning Strategy (MPS) and Land Use Bylaw (LUB) for the Village of Pugwash were approved by Council in 2008 and adopted in early 2009. These documents are specific to the Village of Pugwash and also depend on the County wide planning documents for things such as definitions. The Municipal Planning Strategy is Council’s strategic plan for guiding land use. This guide in turn impacts such issues as economic development and regional growth by providing direction via a series of goals and policies. This direction from the MPS is implemented through the regulations as set out in the LUB.

As Council is aware, there has been a significant focus on the Village for the past several months and growth and development through the permitting process has brought to light a significant issue; restrictive architectural controls. It is normal for communities to define areas that they wish to protect or enhance through specific design measures. This would normally be found in areas of heritage value or downtown main street programs. Unfortunately for Pugwash this guideline was not that specific and applies to most of the Village’s planning area. In recent months 4 applicants

have encountered frustration at attempting to meet the terms of this bylaw which is as follows:

Building Design Requirements

Applications for Development Permits to construct new buildings or to renovate or alter the external appearance and facades or add to existing buildings in the Village Commercial Centre zone and for non-residential buildings in the Village Residential zone shall be accompanied by scale drawings of the buildings' position on their sites (site plans) and their external appearances (architectural features). These plans will demonstrate how the project will be sensitive to the appearance of nearby existing buildings and be compatible with and contribute to the overall character and aesthetic value of the village. The drawings and site plans shall also consider such matters as external building materials, colours, height, bulk, setbacks from public streets and other lot lines and landscaping. The drawings and plans shall be prepared by a professional architect.

Moving Forward

Application to amend the MPS and/or LUB is typically made by an individual and there are fees associated with such an application. In this case, it is a village-wide matter and the Village can therefore request a change versus applying on behalf of a specific individual. There is no fee associated with this request.

The Municipal Planning Strategy is Council's document and therefore Council decides if and when it is to be amended. This is typically done at the Committee of the Whole level where Council provides direction to Staff.

Recommendation

This design requirement is not only onerous to the public making application, but also to staff in administering such awkward language. Therefore, it is recommended that Council direct staff to proceed with a plan amendment and to work with the Village of Pugwash and the residents of the community to develop a revision

It was recommended by Warden Hunter and agreed unanimously all Councillors that Council direct staff to proceed with an amendment to the Municipal Planning Strategy (and the Land Use By-Law) for the Village of Pugwash and to work with the Village of Pugwash and the residents of the community to develop to develop this revision to the Building Design Requirements.

10. Strategic Planning

10.1 Strategic Planning Session – For the Fire Service on January 19, 2013 - Information Item

11. Financial Reports/Issues

11.1 Allowance for Doubtful Accounts -

IT WAS MOVED by Councillor Kellegrew and seconded by Councillor Gillis that Council approve the reduction in the Allowance for Doubtful Accounts and Accounts Receivable in the amount of \$166,217.48 in association with Local Improvement Charges of Riverbend Drive, Southview Drive and Hunter's Ridge.

MOTION CARRIED 13-001

11.2 Valuation Allowance -Andrew MacDonald advised Council that staff will be making recommendations for the write off of uncollectible accounts at the next Council meeting. As of December 31, 2012 total taxes receivable were \$2,746,230. Of this total \$697,262 represents taxes for the current year, \$1,464,885 represents accounts that are various stages of the tax sale process, \$163,980 are problem accounts that may require further legal work to bring to tax sale, \$129,382 non-lien-able (business occupancy & mobile homes), \$290,721 Government owned entities (farm loan board, federal, provincial and municipal). The Municipality currently has a valuation allowance reserve in the amount of \$793,519.

- 11.3 Community Development Grants – Emily Burke, Recreation and Physical Activity Coordinator provided the following information to Council:

Tidnish Crossroads and Area Community Association – this group is requesting funding to cover the costs of new sign at the community center to help inform residents of what is going on in the community and at the hall itself. Following a survey done in the summer, the association realized communication is an area residents would like to see improved. The group is putting together a communication strategy and the new sign would be one of the main sources of communication within the community. This will be a huge benefit for individuals in the community who do not use modern technology methods for communication. This group is seeking **\$3,800** in assistance. The sign has been quoted for **\$3,783.50**. We have assisted this group in the past, the most recent being a \$15,000 contribution towards the installation of a hard surface court.

IT WAS MOVED by Councillor Kellegrew and seconded by Councillor Baker to provide \$3,783.50 to Tidnish Crossroads and Area Community Association from District 3 Sub Division funds for the installation of signage to utilized for community communication purposes.

MOTION CARRIED 13-002

Special Olympics Amherst – this group is looking for funding to help cover the costs of travelling to the Special Olympics Nova Scotia Provincial Winter Games in February. They are hoping to send 20 athletes, from all over the county, to Yarmouth where they will compete in floor hockey. They have received funding from the Town of Amherst, as well as from other donors like the Knights of Columbus, the Amherst Lioness Club, the Pythian Sisters and the CACL. They also do a lot of fund raising on their own to help with costs. They are seeking any support from Council for this event. We have supported this group in the past, giving them **\$3,000** last year (\$300.00 from each District).

IT WAS MOVED BY Deputy Warden Smith and seconded by Councillor Welton to provide funding in the amount of \$3,000.00 (\$300 from each district's recreation funds) for Special Olympics Amherst, to assist in the costs of participating in the Nova Scotia Winter Games in February, 2013 to be held in Yarmouth, N.S.

MOTION CARRIED 13-003

- 11.4 2013 Assessment Roll – Mr. MacDonald, Director of Finance and Administration advised that the following is a summary of the 2013 taxable assessments by district and by assessment type. Also included is the tax levy calculation using last year's tax rate.

Taxable Assessments

Total taxable assessment for 2013 is \$1,133,488,550. This represents a 5.3% increase over 2012. Percentage increases by assessment type are as follows:

- Residential 5.9%
- Commercial 1.5%
- Resource 4.1%

It should be noted that the Maritime and Northeast Pipeline Assessment, which accounts for more than 30% of the County's commercial assessment, continues to depreciate by 4% per year. Depreciation will end in 2017 when the assessed value reaches 50% of the original assessment.

Based on the 2012/13 tax rates, tax revenue would be \$625,345 greater than last year.

Business Occupancy

2012 was the last year of a seven year phase out for business occupancy assessment. For the past few years only financial institutions (banks and insurance companies) had been assessed business occupancy. In 2012/13 the total business occupancy taxes were only \$3,650.

Capped Assessment Program

For 2013 the cap rate is 1.4%, which is the change in CPI Nova Scotia from Oct 2012 to Oct 2013. The cap applies to residential and resource properties that are at least 50% owned by a Nova Scotia Resident and have a market value increase that exceeds the cap percentage.

There are 11,851 accounts that received the cap in 2013 (12,388 in 2012). The difference in between market value and capped value for 2013 is \$253,104,400.

12. Operational Services/Reports Issues

12.1 Sugar Hill School Property PID 25249558 -

IT WAS MOVED BY Councillor Gilbert and seconded by Councillor Rector to authorize Warden Hunter and CAO Rennie Bugley to execute a Quit Claim Deed in favour of Canaan Mountain Acres Limited (the abutter) in return for payment of the outstanding balance on the tax account as of December 2012.

MOTION CARRIED 13-004

12.2 Pugwash Rescue Vehicle -

IT WAS MOVED by Councillor Gillis and seconded by Councillor Rector that the recommended rescue vehicle be purchased for the Pugwash Fire Department for the amount of \$70,000 plus taxes to be funded from the Fire Service Operating Reserve, with the condition that an agreement be completed stipulating all required repairs be completed prior to purchase and the Pugwash department agrees to give their current hydraulic cutters to another department in accordance with the recommendations of FPS Coordinator Mike Carter.

MOTION CARRIED 13-005

12.3 Notice of Intent to Consider

IT WAS MOVED by Councillor Kellegrew and seconded by Councillor Baker that notice be given to Council of the intent to consider a Tax Reduction of Destroyed Property Policy at the January 23, 2013 council meeting.

MOTION CARRIED 13-006

13. Committee/Other Reports

13.1 Year In Review Report – Mr. Bugley, CAO, advised of the following that has taken place in 2012:

- 8 Fire Trucks
- ≈ \$2.2 M
- Tankers
- Vehicle Replacement Plan
- FPS Strategic Plan

- Acquisition of Cape D'Or WIP
- Part of Fundy Shore Tourism Destination Strategy

- Groundwater Source for the Village of Pugwash
300+ Customers
Growth Centre
- Citizen Engagement Strategic Plan – 2013 Implementation
- 3 Stream Curbside Collection Solid Waste Management Services
- Maccan STP Tender In 2013/Discussions with Amherst re Watermain Extension to Maccan
- Sprott Power Windfarm in Fort Lawrence
- Signed the Energy Authority Agreement/Energy Strategy In 2013
- Recipient of the Atlantic Planners Institute Environmental Planning Award
- Pugwash and Area Master Plan Completed
- Procurement Agreement Cooperation with the Town of Amherst
- Oct 20, 2012 Municipal Elections
5 New Councillors
Good Voter Turnout
- Atlantic Climate Adaptation Solutions Project Partnership

Municipal Climate Adaptation Plan Completed In 2013
- County CAO Rennie Bugley Elected As President of the of Municipal Administrators of Nova Scotia
- Warden Keith Hunter Elected As Chair of the Rural Caucus of the Union of Nova Scotia Municipalities.

13.2 Cumberland Public Libraries Report – This report was provided as information for Council.
Included for information

14. **Old Business**

14.1 Fracking – Councillor Welton made a presentation to Council regarding the dangers of Fracking.

IT WAS MOVED by Councillor Welton and seconded by Councillor Baker that correspondence and “Say No To Fracking” document be sent to the UNSM requesting they include a complete ban on fracking in Nova Scotia in their resolutions. Also ask UNSM to request all three party leaders put forth their position on the fracking issue prior to the next campaign for Premier of Nova Scotia.

MOTION CARRIED 13-007

14.2 Code of Conduct for Elected Officials - The Councillors all signed the Code of Conduct for Elected Officials Certificates.

14.3 Canada Post –
IT WAS MOVED by Councillor Kellegrew and seconded by Councillor Gillis that a letter be sent to Canada Post expressing concern about the delay in mail deliveries in Cumberland County and the transfer of sorting jobs to Halifax resulting in the loss of 4 positions in our area.

MOTION CARRIED 13-008

15. **New Business**

15.1 Rural Taskforce Committee –.

IT WAS MOVED by Warden Hunter and seconded by Councillor Welton that correspondence be sent to the Province of Nova Scotia asking how Council can ensure input into the Nova Scotia Commission on Building our New Economy; and that the Municipality form a committee with the other 4 municipalities in Cumberland County to identify the issues they feel are important to be brought to the Commission.

MOTION CARRIED 13-009

15.2 CNTA 2012 Marketing Plan – CAO Rennie Bugley suggested that the Marketing Plan be sent to the people who completed the Regional Marketing Strategy and the Regional Marketing Strategy we sent to the CNTA

16. **Information Items**

16.1 RFP for Audit Services

Andrew MacDonald, Director of Finance advised council that they had received 3 responses to this request for proposals . Warden Hunter declared himself in conflict and left the chamber. Andrew asked for a Councillor to sit on the selection committee.

IT WAS MOVED by Councillor Kellegrew and seconded by Councillor Gilbert that Councillor Welton sit on the Audit Services RFP Selection Committee.

MOTION CARRIED 13-010

17. **Adjournment:** On motion the meeting was adjourned at 3:10 p.m.

18. **God Save the Queen**

Warden Keith Hunter

Municipal Clerk Brenda Moore