

1. **Council Convenes - O Canada** – Deputy Warden Smith called to order the October 2, 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 Shelley Hoeg, Executive Assistant to the CAO. Councillors in attendance were: Deputy Warden Don Smith, Councillor Kellegrew, Councillor Gillis, Councillor Welton, Councillor Baker, Councillor Rector, Councillor Gilbert, Councillor McLellan and Councillor Fletcher. The CAO and many staff were in attendance.
3. **Approval of Agenda (Additions/Deletions)** –The Agenda was approved with the following additions/deletions:

Additions: 15.4 – Joint Council JFI Community Consultation Meeting

Deletions: 7, 8, 9, 10, and 12.3

4. **Approval of Minutes**

4.1 **Minutes from September 18th, 2013 Council Session**

IT WAS MOVED by Councillor Kellegrew, seconded by Councillor Gillis that the minutes of the September 18, 2013 Council session be approved as circulated.

MOTION CARRIED #13-194

IT WAS MOVED by Councillor Gilbert seconded by Councillor Fletcher to approve the minutes of the September 18, 2013 Special Session of Council with the amendment to motion 13-181 to include that the request for funding was to the Department of Service Nova Scotia and Municipal Relations.

MOTION CARRIED #13-195

5. **Business Arising from the Minutes**

5.1 **Action List, September 4, 2013** – There was no discussion on this item.

6. **Delegations and Presentations**

6.1 **Northumberland Links** – Liz Roscoe, John Mills, and Chris Paley were on hand to provide this presentation. A background of the Northumberland Links and their financial situation was provided to Council. Council was also advised of the CRA ruling that has caused some difficulty, financially, for the club. In order to comply with the direction from the CRA, the club must change its organizational structure and incorporate under the Companies Act. Once this happens, the Club would no longer be eligible for the tax exemption available pursuant to section 29 of the Assessment Act, which would also cause a financial hardship for the Club.

If all the Club's property was assessed as residential pursuant to the section the amount of tax payable on an annual basis would be about \$7,300 more than it now pays. If the Club has to pay tax on its now exempt land as commercial, the annual additional tax would be approximately \$47,000.

The delegation today is requesting to the property be considered to be assessed/taxed at residential. They have completed the applicable form and brought it here today.

The Warden thanked the delegation and advised they will be notified once a decision has been made.

6.2 **Cumberland YMCA** – Trina Clarke, Dale Fawthrop, and Paul Pugsley were on hand to provide this presentation.

Dale Fawthrop advised of the circumstances 5 years ago and how the YMCA arose from difficulties.

Ms. Clarke went over the County Programs and their locations. Those programs were Childcare and After School and Health and Wellness. Group participation numbers were also reviewed and the changes from 2008/2009 to now. The percentage of positive change was staggering. Also reviewed were the number of staff and the percentage of those staff that reside in the County.

In the past year there have been over 3700 volunteer hours done by 155 volunteers.

Revenue and Expenses from 2008/2009 and 2012/2013 were compared. Revenue in 2008/2009 was \$1,375,912.00 and is now \$1,903,324.00, with the net being \$-52,204.00 and now is \$139,527.00.

The Cumberland YMCA will be completing a formal multi-year funding request.

Deputy Warden Smith thanked the presenters for this very informative presentation and commended Ms. Clarke for her leadership of the organization.

7. Public Hearings
This item was deleted.

8. Correspondence
This item was deleted.

9. Planning Issues:
This item was deleted.

10. Strategic Planning
This item was deleted.

11. Financial Reports/Issues

11.1 2012/2013 Non Consolidated Financial Statements –

Mr. MacDonald advised that these were emailed to all Councillors and provided some high points.

11.2 Community Development Grants – Vicki Weaver, Recreation and Physical Activities Coordinator advised of the following grant request:

Advocate District School

The school wants to enhance to physical, mental and emotional health of staff and students by creating a room with comfortable chairs and a tv for respite/safe space. They also want some funding (\$400) for their “Christmas by the Sea” dance. They anticipate a cost of \$1,400 for the respite room. They are hoping that \$600 will come from the Municipality, they are requesting \$500 from SPAR and they will fundraise the remainder. The full grant request is for **\$1,000**.

IT WAS MOVED by Councillor Fletcher, seconded by Councillor McLellan to provide a Community Development Grant in the amount of \$1,000 with the funds coming equally from Districts 9 and 10.

MOTION CARRIED #13-196

11.3 Grants to Organizations:

Dr. D.M. Cochrane Medical Centre – **IT WAS MOVED by Councillor Baker, seconded by Councillor Kellegrew to deny the request for \$5000 for the D. M. Cochrane Medical Centre.**

MOTION CARRIED #13-197

Advocate Ballfield – Advocate District Development Association – It was agreed that a letter be forwarded requesting the funds not used for the ballfield be returned and proper an application filled out for funding of future projects..

Amherst Food Network – The Amherst Food Assistance Network Association made application for a grant in March, 2013 and it was declined. They are requesting reconsideration of their request for funding. It was agreed to not grant this request and to forward correspondence advising of Council’s decision.

Youth on the Move - \$500 per County school is the request.

IT WAS MOVED by Councillor Gilbert, seconded by Councillor Rector to provide a Grant To Organization in the amount of \$2,000 to Youth on the Move.

MOTION CARRIED #13-198

11.4 Audit Committee – Director of Finance and Administration, Andrew MacDonald is requesting the Warden and three Councillors to sit on this committee.

Deputy Warden Smith, Councillor Gilbert, and Councillor Welton volunteered and will form the Committee, along with the Warden.

12. Operational Services/Reports Issues

12.1 Capital Project(s) Update/Slideshow Presentation – The first update was on the Pugwash Groundwater Project. Mr. Patterson explained the difficulties being encountered to find a water source.

The second update was on the Maccan Sewer Project. Mr. Patterson explained the aspects of this system and that construction is running on budget and is expected to be finished before Christmas.

The third update is Maccan Water and the current timeframe for this project will see the final design and tender package prepared this year ready for a spring 2014 tender call. Water main construction and installation of services will take place in 2014 for water supply to residents by the end of year.

The Amherst RFP for the site survey has closed and a selection committee have chosen a land survey company to do the work which will be awarded by the Amherst Town Council in the near future. This work will involve gathering information relative to road centerline, shoulder and ditch elevations at 30 meter intervals well as front property line and front house corner elevations for properties along the water main route. This survey information will then form the basis for the final engineering design of the water distribution system.

The RFP for the Engineering final design and tender package preparation has been issued to 4 Engineering Firms and closes October 11th.

13. Committee/Other Reports

13.1 CNTA Report – Circulated for the information of Council.

14. Old Business

14.1 Thinker's Lodge Restoration Project – Mr. Ferguson advised that things are falling into place. Most of the creditors have already received their money. The reassignment of the remainder of ACOA funding should happen in the next month.

IT WAS MOVED by Councillor Gillis, seconded by Councillor Kellegrew that the Municipality confirm its contribution to the completion of the Thinkers Lodge Restoration Project in the amount of \$100,000.

MOTION CARRIED #13-199

15. New Business

15.1 Warden/Deputy Warden Policy- Councillor Welton advised that she would be in favour of the Policy being amended to allow for a two year position.

It was agreed to not amend the Warden/Deputy Warden Policy

15.2 First Reading – REMO By-Law – This By-Law was provided prior to the meeting for Councillors Review

IT WAS MOVED by Councillor Kellegrew, seconded by Councillor Gillis to approve First Reading of the REMO By-Law which is as such:

Regional Emergency Management By-Law

A By-Law to Provide for a Prompt and Coordinated Response to a State of Local Emergency

The Council of the Municipality of the County of Cumberland, under the authority vested in it by the *Municipal Government Act*, R.S.N.S. 1999, and the *Emergency Management Act*, R.S.N.S. 1990, C.8, s. 10, enacts as follows:

SHORT TITLE

1. This By-Law may be cited as the "*Regional Emergency Management By-Law*."

INTERPRETATION

2. In this By-Law,

- a. "Act" means the *Emergency Management Act*, R.S.N.S. 1990, c.8;
- b. "Agreement" means the inter-municipal emergency services agreement among the Municipality of the County of Cumberland, Town of Springhill, Town of Parrsboro, Town of Amherst, and the Town of Oxford pursuant to Section 10 (2) of the *Act*, dated July 31, 1990, and as amended from time to time.

- c. "Council" means the Council of the Municipality of the County of Cumberland;
- d. "Councils" means the councils of the Municipality of the County of Cumberland, Town of Springhill, Town of Parrsboro, Town of Amherst, and the Town of Oxford;
- e. "Councillor" means a member of the Council;
- f. "Deputy Head/CEO" means the Deputy Head/CEO of the Nova Scotia Emergency Management Office;
- g. "Emergency" means a present or imminent event which requires the prompt co-ordination of action or regulation of persons or property to be undertaken to protect property or the health, safety or welfare of people;
- h. "Minister" means the member of the Executive Council to whom is assigned the administration of the *Act* and Regulations;
- i. "Emergency Management Plans" means plans, programs or procedures prepared by the Regional Emergency Management Organization (REMO) that are intended to mitigate the effects of an emergency or disaster and to provide for the safety, health or welfare of the civil population and the protection of property in the event of such an occurrence;
- j. "Regional Emergency Management Advisory Committee" means the committee established by the Agreement to plan for and be responsible for the executive direction and management of emergency activities;
- k. "Regional Emergency Management Coordinator" (REMC) means the person appointed to serve as the staff person in accordance with the Agreement;
- l. "Regional Emergency Management Organization" (REMO) means the Organization established as per the Agreement;
- m. "Regional Emergency Management Planning Committee" (REMPC) means the Committee responsible to recommend policy to the Regional Emergency Management Advisory Committee;
- n. "State of Emergency Regulations" means regulations approved by the Governor in Council by Order in Council 92-61, Regulation 17/92, as amended from time to time;
- o. "State of Local Emergency" means a state of local emergency declared by the Council of a participating municipality pursuant to the *Act* by a Mayor or Warden in the event Council cannot be assembled in a timely manner or renewed pursuant to the *Act* and Regulations made pursuant thereto and this By-Law.

REGIONAL EMERGENCY MANAGEMENT ORGANIZATION

- 3. The Council hereby agrees to the establishment of a Regional Emergency Management Organization in accordance with the Agreement.
- 4. The Regional Emergency Management Organization shall consist of the following persons and Committees:
 - a. a Regional Emergency Management Advisory Committee;
 - b. a Regional Emergency Management Coordinator; and
 - c. a Regional Emergency Management Planning Committee.

REGIONAL EMERGENCY MANAGEMENT ADVISORY COMMITTEE

- 5. Council shall appoint representatives to the Regional Emergency Management Advisory Committee in accordance with the Agreement from its members for such term as the Agreement provides.
- 6. Council's representation on the Regional Emergency Management Advisory Committee shall at all times be no fewer than two members of the Council or as required by the Agreement.
- 7. The Regional Emergency Management Advisory Committee shall:
 - a. be responsible for directing and overseeing the development of the regional emergency management plans;
 - b. brief Council(s) on the development of these plans;

- c. recommend the declaration of a State of Local Emergency to the Council(s) of participating municipalities, as required, or in the event such Council(s) cannot be assembled in a timely manner, the senior elected official of the affected municipality(s) may declare such a state in accordance with the *Act*;
- d. be responsible for the executive direction and management of emergency activities during a State of Local Emergency;
- e. with the approval of the Minister, recommend the renewal of a State of Local Emergency;
- f. brief Council(s) on developments during a State of Local Emergency;
- g. recommend the termination of a State of Local Emergency;
- h. ensure a copy of any signed declaration of a state of local emergency is delivered to the Minister and the Deputy Head/CEO.

REGIONAL EMERGENCY MANAGEMENT COORDINATOR

- 8. The Regional Emergency Management Coordinator shall be appointed in accordance with the Agreement.
- 9. The Regional Emergency Management Coordinator shall be paid for work incurred under this by-law in accordance with the Agreement.
- 10. The Regional Emergency Management Coordinator shall:
 - a. chair the Regional Emergency Management Planning Committee;
 - b. coordinate and prepare regional emergency management plans;
 - c. following the declaration of a State of Local Emergency, prescribe necessary duties to be fulfilled by employees, servants and agents of the municipalities;
 - d. perform such duties as may be required by the Regional Emergency Management Advisory Committee or as provided for in the Agreement.

REGIONAL EMERGENCY MANAGEMENT PLANNING COMMITTEE (REMP)

- 11. Each municipality shall appoint representatives to the Regional Emergency Management Planning Committee as outlined in the Agreement.
- 12. The provision of appropriate representatives and their alternates to the REMPC will be coordinated by the REMC. The Regional Emergency Management Planning Committee shall include, but not be limited to, persons responsible during an emergency to provide:
 - i. community services;
 - ii. law enforcement;
 - iii. fire-control;
 - iv. engineering services;
 - v. health services;
 - vi. public information;
 - vii. transportation;
 - viii. communications;
 - ix. hospital/health centre services;
 - x. utilities;
 - xi. financial services; and
 - xii. legal services.

- 13. The Regional Emergency Management Planning Committee shall:
 - a. assist the Regional Emergency Management Coordinator in the preparation and coordination of regional emergency management plans;
 - b. advise the Regional Emergency Management Advisory Committee, as required, on the development of regional emergency management plans;
 - c. upon request, assist the Regional Emergency Management Advisory Committee in the briefing of Councils on the development of regional emergency management plans;
 - d. perform such other duties as may be required by the Regional Emergency Management Advisory Committee or the Agreement.

AGREEMENTS

14. The Council hereby agrees that the Regional Emergency Management Advisory Committee may enter into agreements with the Government of Canada, the Province of Nova Scotia, a municipality, city or town, or any other agency or any person. In the event that any such agreement may involve financial costs, the agreement will require approval by all participating REMO municipalities.

DUTY OF COUNCIL

15. The Council may appropriate and expend monies:
- a. "to pay reasonable expenses of members of the Regional Emergency Management Advisory Committee, the Regional Emergency Management Coordinator and the Regional Emergency Management Planning Committee; and
 - b. to fulfill the terms and conditions of any agreements as per Section 14.

DUTIES DURING A STATE OF LOCAL EMERGENCY

16. Following the issuance of a declaration under Section 7.c, and for the duration of the State of Local Emergency:
- a. every Councillor shall keep the Mayor/Warden apprised respecting their whereabouts;
 - b. Every employee, servant and agent of the municipality who has a key role to play in such emergencies as identified in the regional emergency management plans shall:
 - i. advise the Regional Emergency Management Coordinator of their whereabouts; and
 - ii. fulfill such duties as may be prescribed by the Regional Emergency Management Coordinator.

REPEAL

17. The EMERGENCY MEASURES BY-LAW of the **Municipality of the County of Cumberland** passed on March 17, 2006 is hereby repealed.

MOTION CARRIED #13-200

- 15.3 REMO Agreement – This document had been circulated for review of Council.

IT WAS MOVED by Councillor Gilbert, seconded by Councillor Rector to approve the REMO Agreement as presented today.

MOTION CARRIED #13-201

- 15.4 Council, JFI, Joint Community Consultation Meeting – It was indicated that approximately 5 years have passed since the FJI became operational. During the concept and construction of the project, there was community engagement and communication with local residents regarding employment opportunities, business opportunities, land use planning revisions, community beautification, and other positive community results attributable to the JFI project.

Given that community support and ongoing engagement is important to project success and a positive visitor experience, it would be appropriate to continue to engage the local residents regarding the JFI experience.

It was agreed to request the JFI and Council partner in a community engagement process.

16. Information Items

16.1 UNSM Regional Meeting – Councillors felt this meeting was very beneficial and informative.

16.2 Key Municipal Issues for Provincial Election Candidates – Provided for information.

17. Adjournment

On motion the meeting adjourned at 3:13 p.m.

18. God Save the Queen