

1. CALL TO ORDER**1.1 O' Canada**

Warden Al Gillis called the November 14, 2018 Council session of the Municipality of the County of Cumberland to Order at 6:00p.m. The meeting was held in the council chambers of the E.D. Fullerton Municipal Building, Upper Nappan. O'Canada was sung.

1.2 Roll Call

Municipal Clerk, Brenda Moore, called the roll with the following Councillors present: Councillor Porter, Councillor Chase, Warden Gillis, Councillor Welton, Councillor Palmer, Councillor Rector, Councillor Gilbert, Councillor McLellan, Councillor Fletcher, Councillor Williams, Councillor Rafuse, Deputy Warden Van Vulpen, and Councillor Jackson

Staff present: Steve Ferguson, Director of Community Development; Andrew MacDonald, Director of Finance; Allie McCormick, Manager of Organizational Development & Innovation; Ron Moore, Administrator of Dangerous and Unsightly, By-Law Enforcement Officer.

2. ADMINISTRATIVE AND PROCEDURAL ISSUES**2.1 Approval of Agenda**

The agenda was approved with the following additions:

- 6.7 Cliffs of Fundy
- 6.8 Two Stream Recycling Memorandum of Understanding
- 6.9 Salary Scale Adjustment
- 6.10 Grants to Organizations
- 7.5 Amherst Courthouse Accessibility

2.2 Approval of Minutes of October 17, 2018 Council meeting.

IT WAS MOVED by Councillor Fletcher seconded by Councillor Rafuse to approve the minutes of the October 17, 2018 Council meeting with the following amendments:

4.1 Wheeler Report the Dalhousie student's names will be added to the minutes; 5.1 Flag Policy there were two minor type o's in the Flag Policy to be corrected, and 6.10 Councillor Welton attended the Malagash Remembrance Day ceremony.

MOTION CARRIED #18-200

2.3 Action List(s) from the October 17, 2018 Council meeting

The Action Lists were reviewed and Council was brought up to date on the status of the items.

2.4 Delegations, Presentations, Petitions**(i) Fire Service Dispatch**

Terry Canning and Andy Yarrow provided information to Council along with a power point presentation regarding our Fire Service Dispatch. Warden Gillis thanked the gentlemen for the presentation.

(ii) Off Highway Vehicle Club

Faron Young President of the Cobequid Off Highway Vehicle Club provided a verbal update along with a power point presentation to Council on the activities of the Off Highway Vehicle Club. . Warden Gillis thanked Mr. Young for the informative presentation.

2.5 Public Hearings

- (i) Dangerous and/or Unsightly - 11545 Highway 2, Leamington, N.S.
AAN 02113147; PID 25136623

Warden Gillis called the Public Hearing to order at 7:01 p.m.

The Administrator of Dangerous or Unsightly Properties, Ron Moore provided a power point report.

Warden Gillis called for questions from the property owner, representatives of the property owner or Council. Hearing none, Warden Gillis closed the hearing at 7:02 p.m.

IT WAS MOVED by Councillor Williams and seconded by Councillor Chase to order the demolition of the house on the property 11545 Highway 2, Leamington, N.S., AAN 02113147; PID 25136623, and removal of all debris to an approved facility by December 12, 2018.

MOTION CARRIED #18-201

- (ii) Dangerous and/or Unsightly - 51 Chapel Street, Springhill, N.S.
AAN 00886017; PID 25224882

Warden Gillis called the Public Hearing to order at 7:03 p.m.

The Administrator of Dangerous or Unsightly Properties, Ron Moore provided power point report.

Warden Gillis called for questions from the property owner, representatives of the property owner or Council. Hearing none, Warden Gillis closed the hearing at 7:04 p.m.

IT WAS MOVED by Councillor Jackson and seconded by Councillor Porter to order the demolition of the house on the property 51 Chapel Street, Springhill, N.S. AAN 00886017; PID 25224882 and removal of all debris to an approved facility by December 12, 2018.

MOTION CARRIED #18-202

- (iii) Dangerous and/or Unsightly - 659 Beaver Dam Road, Parrsboro, N.S.
AAN 00464236; PID 25214099

Warden Gillis called the Public Hearing to order at 7:04 p.m.

The Administrator of Dangerous or Unsightly Properties, Ron Moore provided a power point report.

Warden Gillis called for questions from the property owner, representatives of the property owner or Council. Hearing none, Warden Gillis closed the hearing at 7:05 p.m.

IT WAS MOVED by Councillor Rafuse, seconded by Councillor Rector to order the demolition of the house and removal of all debris on the property 659 Beaver Dam Road, Parrsboro, N.S., AAN 00464236; PID 25214099 and removal of all debris to an approved facility by December 12, 2018.

MOTION CARRIED #18-203

- (iv) Dangerous and/or Unsightly -20 McFarlane Street, Springhill, N.S.
AAN 04768744, PID 25236910

Warden Gillis called the Public Hearing to order at 7:05 p.m.

The Administrator of Dangerous or Unsightly Properties, Ron Moore provided a power point report.

Warden Gillis called for questions from the property owner, representatives of the property owner or Council. Hearing none, Warden Gillis closed the hearing at 7:06 p.m.

IT WAS MOVED by Councillor Williams, seconded by Councillor Fletcher to order the demolition of the house on the property at 20 McFarlane Street, Springhill, N.S., AAN 04768744, PID 25236910 and removal of all debris to an approved facility by December 12, 2018.

MOTION CARRIED #18-204**3. STRATEGIC PRIORITIES ISSUES**Deputy Warden Election

The Municipal Clerk called the meeting to elect a Deputy Warden. Nominations were called. Councillor Joe van Vulpen was nominated by Councillor Porter, and Councillor Ernie Gilbert was nominated by Councillor Welton. Both Councillors accepted nomination. The candidates spoke to Council.

IT WAS MOVED by Councillor Chase seconded by Councillor Welton to appoint Andrew MacDonald and Stephen Ferguson as scrutineers.

MOTION CARRIED #18-205

Ballots were prepared and distributed to Council.

Ballots were gathered and counted by the scrutineers. Municipal Clerk Brenda Moore declared Councillor van Vulpen Deputy Warden by majority vote.

It was moved by Councillor Fletcher seconded by Councillor Palmer that the ballots be destroyed.

MOTION CARRIED #18-206**4. MAJOR ORGANIZATIONAL ISSUES**4.1 Discussion on Wheeler Report

A memo from the Director of Community Development, and the next section of the Wheeler Report for review and discussion, were included in the meeting package. Council had brief discussion on the last section reviewed.

4.2 Pugwash Groundwater Recharge Area – Protected Area Designation

IT WAS MOVED by Councillor Fletcher seconded by Councillor Porter to direct staff to arrange to hold a public consultation meeting regarding the regulations and designation of the Pugwash Groundwater Recharge Area as a protected Area under Section 106(7) of the Environment Act for Thursday, December 6, 2018 from 5 p.m. to 7 p.m. at the Pugwash Village Hall.

MOTION CARRIED #18-207

5. ORGANIZATIONAL POLICY/BY-LAW ISSUES

5.1 Municipal Planning Strategy and Land Use Bylaw Amendment – Second Reading

Warden Gillis called the Public Hearing to order at 7:39 p.m.

Municipal Planner Nelson Bezanson reviewed and clarified the amendments for Council.

Warden Gillis called for questions from the public and Council.

Warden Gillis closed the Public Hearing at 7: 51 p.m.

IT WAS MOVED by Deputy Warden van Vulpen seconded by Councillor Fletcher to approve the second reading and adoption of the Amendments to the Municipal Planning Strategy and the Amendments to the Land Use By-Law.

The Municipality of the County of Cumberland Land Use By-law is hereby amended as follows:

1. Subsection 3.2.1 is amended by inserting the following clause after clause (g), as shown in bold:
(h) Radiocommunication antennas and radiocommunication towers.

2. Part 3 is amended by inserting the following section after Section 3.2, as shown in bold:
3.2A Radiocommunication and Broadcasting Antenna Systems
The Municipality does not regulate radiocommunication equipment or antenna systems. Jurisdiction over such development lies with Industry Canada. Persons wishing to install radiocommunication equipment and antenna systems must follow the public consultation requirements contained in Industry Canada's Default Public Consultation Process.

Although municipalities do not issue permits for such structures this protocol requires that persons wishing to install radiocommunication equipment contact and inform adjacent landowners and consider any concerns they raise. Once it is advised that the applicant has addressed any concerns, the Municipality shall prepare a letter to Industry Canada to confirm the consultation process has been followed. The Development Officer shall be designated administer such requests for letters regarding the antenna site protocol.

3. Part 3 is amended by inserting the following section after Section 3.4, as shown in bold:
3.5 Encroachment Agreements
If an applicant applies for a development permit for a building or structure that encroaches property owned by the Municipality of Cumberland, the Development Officer shall require the applicant to enter an encroachment agreement with the Municipality, in a form and on the terms and conditions satisfactory to the Municipality, or may impose any other conditions the Municipality considers necessary to mitigate or address the impact of the encroachment, including with respect to compensation, indemnities, insurance, or a duty to remove the encroaching structure on receipt of notice.
4. Subsection 4.4.2 is amended by inserting the following text, as shown in bold, deleting text, as shown in strikethrough, and by inserting the following clauses after clause (g), as shown in bold:
4.4.2 Notwithstanding minimum lot frontage, ~~setback~~, and area requirements, the Development Officer shall issue a development permit on existing lots having less than the minimum frontage, ~~width~~, or area required by this By-law for a use permitted in the zone in which the lot is located and a building may be erected on the lot provided:

- (a) the lot is not zoned Wellfield 1 (W1), Wellfield 2A (W2A), Wellfield 2B (W2B), Wellfield 2C (W2C), Wellfield 3A (W3A), Wellfield 3B (W3B), or Environment (ENV);
 - (b) if the lot is zoned Recreational Residential (RRC), the lot area is a minimum of 900 m²;
 - (c) maximum lot coverage is 10 percent;
 - (d) all other applicable provisions of this By-law are met;
 - (e) all applicable wastewater treatment requirements are met;
 - (f) if a dwelling is proposed, the means of wastewater treatment is not a holding tank or privy; ~~and~~
 - (g) the lot has not less than 4 metres of lot frontage;
 - (h) for main buildings only, setbacks shall be no less than 50% of the zone requires; and**
 - (i) in no circumstance shall any setback be reduced to less than 1.4 metres.**
5. Subsection 4.4.5 is amended by inserting the following text, as shown in bold, and by deleting clause (c), as shown in strikeout:
- 4.4.5 Notwithstanding lot frontage requirements, the Development Officer shall issue a development permit on an existing lot with less than 4 metres of lot frontage for a use permitted in the zone in which the lot is located and a building may be erected on the lot provided:
- (a) the applicant has a right-of-way easement from a street or private road to the lot;
 - and,**
 - (b) all other requirements of this By-law are met.;~~and,~~
 - ~~(c) no additional dwelling units are created.~~
6. Subsection 4.10.1 is amended by inserting the following text after the first paragraph, as shown in bold:
- Minimum lot frontage requirements shall not apply to lots approved pursuant to any section in the Subdivision By-Law that provides an exemption from the lot frontage requirement or any requirement that a lot abuts a street or road.**
7. Subsection 4.17.1 is deleted and replaced with the following text, as shown in bold:
- 4.17.1 No building shall be constructed with the floor level of any habitable area located below the following elevations, relative to the Canadian Geodetic Vertical Datum of 2013, on lands identified as such on Schedule D, the Coastal Elevation Map:**
- (a) 2.6 metres on the Northumberland coast.**
 - (b) 8.7 metres on Chignecto Bay.**
 - (c) 7.1 metres on the Minas Basin.**
8. Subsection 5.18.1 is amended by inserting the following text, as shown in bold, and by inserting the following clause after clause (d), as shown in bold:
- 5.18.1 Accessory dwellings shall meet the following requirements:
- (a) Only one accessory dwelling shall be permitted on a lot.
 - (b) The accessory dwelling shall be subject to zone requirements for main buildings.
 - (c) Lot coverage shall not exceed 25 percent in the Rural Resource (RE) Zone, Country Residential (CR) Zone, **Agriculture (AG) Zone**, or Recreational Residential (RRC) Zone.
 - (d) The gross floor area of the accessory dwelling shall not exceed the gross floor area of the single-unit dwelling.
 - (e) The gross floor area of the accessory dwelling shall not exceed 100 m².**
 - (f) No accessory dwelling unit shall be permitted on a lot with a recreational vehicle parking site.**

9. Section 5.21 is deleted and replaced with the following, as shown in bold:
- 5.21 Recreational Vehicle Parking Sites**
- 5.21.1 Recreational vehicle parking sites, where permitted, shall meet the following requirements:**
- (a) No other recreational vehicle parking site or accessory dwelling shall be permitted on the lot.
 - (b) The recreational vehicle parking site shall meet the zone setbacks for single-unit dwellings.
 - (c) The recreational vehicle parking site shall be marked and shall consist of a stable surface.
 - (d) The recreational vehicle parking site shall be rectangular and shall be sized to accommodate the recreational vehicle at its largest size, inclusive of all expandable sections and attached structures (e.g. decks), plus an additional 1 metre in all directions.
10. Part 5 is amended by inserting the following subsection after Section 5.21, as shown in bold:
- 5.22 Shipping Containers**
- 5.22.1 Shipping containers shall be permitted to be temporarily used as accessory structures in all zones and no development permit shall be required, provided:**
- (a) The total amount of time shipping containers are located on a lot does not exceed four months in a year; and
 - (b) The shipping container structures meet zone requirements for accessory structures.
- 5.22.2 Shipping containers shall be permitted to be used as accessory structures for more than four months in a year in the Agriculture (AG) Zone, Rural Resource (RE) Zone, Country Residential (RR) Zone, Country Commercial (CC) Zone, Highway Commercial (CH) Zone, Institutional (INS) Zone, Parks and Open Space (P) Zone, Commercial Recreation (CR) Zone, and Wellfield 1 (W1) Zone. A development permit for an accessory structure shall be required.**
- 5.22.3 Notwithstanding Subsections 5.22.1 and 5.22.2, there shall be no restrictions or permits required for shipping containers in the Urban Industrial (IND) Zone and the Rural Industrial (IR) Zone.**
- 5.22.4 Notwithstanding Subsections 5.22.1 and 5.22.2, shipping containers shall be permitted as a building material integrated into larger structures.**
11. Section 6.5 is deleted and replaced with the following, as shown in bold:
- 6.5 Bicycle Parking Space Standards**
- 6.5.1 Each required bicycle parking space shall:**
- (a) be located between the main building and the front lot line, unless, in the opinion of the Development Officer, this location is impossible due to the main building being located on or near to the front lot line;
 - (b) be accessible to the public;
 - (c) have dimensions meeting the requirements of the Municipal Engineering Standards; and
 - (d) include a bicycle rack meeting the requirements of the Municipal Engineering Standards.
- 6.5.2 For greater clarity, one bicycle rack may be used to fulfill the rack requirements for two adjacent bicycle parking spaces by placing it on the shared border of the two spaces.**
- 6.5.3 Clauses 6.5.1 (a) and (b) shall not apply to bicycle parking spaces for dwellings.**
12. Subsection 6.8.1 is amended by inserting the following clause after clause (d), as shown in bold:

- (e) **No mechanical work, pressure washing, excessive idling, or other obnoxious activity shall be permitted.**

13. Subsection 7.4.1 is amended by inserting the following clause after clause (k), as shown in bold:

- (l) Signs erected in compliance with any Municipality of Cumberland signage program, such as a “Uniform Offsite Signage” program, and holding a valid permit as may be required by any by-law or Council policy applicable to any such program.**

14. Subsection 7.8.1 is amended by deleting clauses (a) and (b), as shown in strikeout, and replacing them with the following clauses, as shown in bold:

7.8.1 Ground signs advertising off-site businesses shall be permitted in the General Commercial (CG) Zone, Highway Commercial (CH) Zone, and Urban Industrial (IND) Zone, provided:

~~(a) a business establishment is not advertised on more than one off-site sign;~~

~~(b) the sign is only advertising businesses located within the same zone; and~~

(a.1) a business establishment is not advertised on more than three off-site signs;

(b.1) the signs are located within 10 kilometres of all business establishments they are advertising; and

(c) notwithstanding the area and height requirements for ground signs, the height of the sign does not exceed 20 metres and the total sign area does not exceed 25 m².

15. Subsection 8.1.4 is amended by adding the following clause, as shown in bold:

- (a) Commercial Uses – MPS Policy 5-9A**

16. Subsection 8.2.4 is amended by adding the following clause, as shown in bold:

- (a.1) Commercial Uses – MPS Policy 5-9A**

17. Subsection 11.1.2 is amended by inserting the following clause after clause (a), as shown in bold:

- (a.1) Accessory Dwelling**

18. Subsection 11.1.2 is amended by inserting the following clause after clause (r), as shown in bold:

- (r.1) Recreational Vehicle Parking Site**

19. Subsection 11.2.2 is amended by inserting the following clause after clause (w), as shown in bold:

- (w.1) Recreational Vehicle Parking Site**

20. Subsection 11.4.2 is amended by inserting the following clause after clause (i), as shown in bold:

- (i.1) Recreational Vehicle Parking Site**

21. Subsection 11.5.3 is amended by inserting the following clause after clause (b), as shown in bold:

- (b.1) Expansion of Level 2 Home-Based Business or Size-limited Uses Outlined in Subsection 11.5.2**

22. Subsection 11.6.2 is amended by inserting the following clause after clause (f), as shown in bold:

- (f.1) Recreational Vehicle Parking Site**

23. Subsection 11.6.5 is amended by deleting clause (a) and replacing it with the following clause, as shown in bold:

- | | | |
|---------------------------------|---|--------------------------------|
| (a) Minimum Lot Area | 2,000 m² / dwelling unit or | 5,000 m² |
| | housekeeping unit | |

- (a.1) Minimum Lot Area** **5,000 m² for up to three dwelling units or housekeeping units, and 2000 m² for each additional dwelling unit or housekeeping unit** **5,000 m²**
24. Subsection 11.6.5 is amended by deleting clauses (f) and (g) and replacing them with the following clauses, as shown in bold:
- | | | |
|-------------------------------------|-----------------|-----------------|
| (f) Minimum Rear Setback | 12 m | 12 m |
| (g) Minimum Side Setback | 12 m | 12 m |
| (f.1) Minimum Rear Setback | 8 m | 8 m |
| (g.1) Minimum Side Setback | 8 m | 8 m |
| (h) Maximum Building Height | | |
| (i) Main Building | 12 m | 12 m |
| (ii) Accessory Buildings | 8 m | 8 m |
25. Subsection 12.3.2 is amended by inserting the following clause after clause (d), as shown in bold:
- (d.1) Recreational Vehicle Parking Site**
26. Subsection 12.4.2 is deleted and replaced with the following, as shown in bold:
- 12.4.2 The following uses shall be permitted in the Commercial Recreation Zone, subject to all applicable requirements of this By-law:**
- (a) Accessory Dwelling**
 - (b) Campground**
 - (c) Cultural Uses**
 - (d) Driving Range**
 - (e) Duplex Dwelling**
 - (f) Fixed-Roof Overnight Accommodations**
 - (g) Golf Course**
 - (h) Home-based Business – Level 1**
 - (i) Interpretive Centre**
 - (j) Indoor Commercial Recreation**
 - (k) Licensed Liquor Establishment**
 - (l) Marina**
 - (m) Outdoor Commercial Recreation:**
 - (n) Recreational Vehicle Park**
 - (o) Semi-detached Dwelling**
 - (p) Short-term Rental**
 - (q) Single-unit Dwelling**
27. Subsection 12.4.3 is deleted and replaced with the following, as shown in bold:
- 12.4.3 The following uses shall be permitted in the Commercial Recreation Zone, subject to Part 13 and all applicable requirements of this By-law:**
- (a) Expansion of a non-conforming use**
 - (b) Grouped Dwellings – 4 or Fewer Dwelling Units on a Lot**
 - (c) Home-based Business – Level 2**
 - (d) Multi-unit Dwelling – 4 or Fewer Dwelling Units on a Lot**
 - (e) Off-site and Shared Parking**
 - (f) Track**
 - (g) Townhouse Dwelling – 4 or Fewer Dwelling Units on a Lot**

28. Subsection 12.4.4 is amended by deleting clauses (a) and (b), as shown in strikeout, and inserting clauses (a.1), (b.1), and (c) as shown in bold:

~~(a) Airports – MPS Policy 4-67~~

~~(b) Dwellings – MPS Policy 4-67~~

(a.1) Airports – MPS Policy 4-67A

(b.1) Dwellings – More than 4 Dwelling Units on a Lot – MPS Policy 4-67A

(c) Dwellings – Not Meeting Zone Requirements – MPS Policy 4-67A

29. Subsection 12.4.5 is deleted and replaced with the following, as shown in bold:

12.4.5 Except as otherwise permitted by this By-law, the Development Officer shall not issue a development permit for a use on a lot in the Commercial Recreation Zone unless the following requirements are met:

Requirement	Multi-unit, Grouped, And Townhouse Dwellings	All Other Dwelling s	All Other Permitted Uses
(a) Minimum Lot Area			
(i) Central sewer	175 m ² / dwelling unit	450 m ²	10,000 m ²
(ii) On-site wastewater treatment	1,000 m ² / dwelling unit	2,700 m ²	10,000 m ²
(b) Minimum Lot Frontage			
(i) Central sewer	15 m	12 m	15 m
(ii) On-site wastewater treatment	30 m	30 m	30 m
(c) Minimum Front/Flankage Setback			
(i) Central sewer	3 m	3 m	3 m
(ii) On-site wastewater treatment	6 m	6 m	6 m
(d) Minimum Rear Setback	6 m	6 m	6 m
(e) Minimum Side Setback			
(i) Central sewer	1.4 m	1.4 m	1.4 m
(ii) On-site wastewater treatment	3 m	3 m	6 m
(f) Maximum Building Height			
(i) Main building	15 m	15 m	15 m
(ii) Accessory buildings	8 m	8 m	8 m

30. Subsection 12.5.3 is amended by inserting the following clause after clause (a), as shown in bold:

(a.1) Recreational Vehicle Parking Site

31. Subsection 12.6.5 is amended by inserting the following clauses after clause (b), as shown in bold:

(c) Minimum Front/Flankage Setback 6 m

(d) Minimum Rear Setback 6 m

(e) Minimum Side Setback 6 m

32. Subsection 12.7.5 is amended by inserting the following clauses after clause (b), as shown in bold:

(c) Minimum Front/Flankage Setback 6 m

(d) Minimum Rear Setback 6 m

(e) Minimum Side Setback 6 m

33. Section 13.10 is amended by deleting all instances of the text “dwellings and short-term rentals”, “dwelling or short-term rental”, and “dwelling, short-term rental” and replacing them with the text “dwellings, recreational vehicle parking sites, and short-term rentals”, “dwelling, recreational vehicle parking site, or short-term rental”, and “dwelling, recreational parking site, short-term rental”, respectively.

34. Part 13 is amended by adding the following section after Section 13.1:

13.1A Expansion of Level 2 Home-based Business or Size-limited Uses

13.1A.1 Where a zone permits expansion of a Level 2 Home-base Business or Size-limited Use by site plan approval, the Development Officer shall approve a site plan where the requirements of this Land Use By-law and the following matters have been addressed:

(a) Size

(i) The gross floor area of the expansion shall not exceed 200 square metres or the gross floor area of the existing portion of the use at the time of site plan approval application, whichever is larger.

(b) Servicing and Utilities

(i) All utility equipment shall be enclosed within a building or screened from the street. Utility equipment includes, but is not limited to, utility boxes, meters, and air compressors.

(ii) Solid waste handling areas shall be located in the main building or within an enclosure with the same or complimentary materials as the building and with a wall height sufficient to conceal solid waste dumpsters.

(c) Landscaping

(i) Areas not used for structures, solid waste handling, automobile parking and circulation, or pedestrian walkways shall be landscaped. Such landscaping shall consist, at a minimum, of sod but may also include decorative grasses, trees, shrubs, flowers, mulch, fountains, ponds, and/or decorative pavers.

(d) Parking Areas

(i) Parking lots and driveways shall not be located in any minimum setback that abuts a dwelling.

(ii) Parking lots shall be screened at all times of the year from dwellings on adjacent lots by privacy fences, berms, or vegetation.

35. Part 14 is amended by deleting the definition of “Commercial Recreation, Outdoor” and by adding the following definitions, as shown in bold:

COMMERCIAL RECREATION, OUTDOOR means the use of land for commercial recreation or entertainment purposes together with necessary and accessory buildings and structures and, without limiting the generality of the foregoing, may include such establishments as ski hills, paintball fields, drive-in movie theatres, outdoor miniature golf courses, ropes courses, tennis clubs, and summer camps but does not include tracks for the racing of animals or for the racing of any type of motor vehicle or any use that is obnoxious. For greater clarity, and without limiting the generality of the foregoing, uses accessory to outdoor commercial recreation may include uses such as, but not limited to, eat-in and take-out restaurants; licensed liquor establishments; “pro shops” and other rental, maintenance, and retail sales of equipment related to the recreation activity; spas; child minding services; and staff accommodations.

SHIPPING CONTAINER means a standardized metal container designed to facilitate the shipping of goods by truck, ship, air, or rail, whether or not used for that purpose, but does not include a motor vehicle.

36. Schedule 'B' is amended by deleting all instances of the word "Judisdictional" and replacing them with the word "Jurisdictional".
37. Schedule 'C' is amended by deleting all instances of the word "Setback" and replacing them with the word "Buffer".
38. All Parts and Schedules of the By-law are amended by deleting references to zoning map symbols, as shown below in ~~strikeout~~, and replacing them with new zoning map symbols, as shown below in **bold**, as outlined in the following table:

Existing Zoning Map Symbols	Replacement Zoning Map Symbols
RL	RLow
RM	RMul
CM	CMix
CD	CDwn
CG	CGen
RE	RSrc
IR	IRur
RR	RCou
CC	CCou
RRC and RCC	RRec
CH	CHwy
CR	CRec

The Municipality of the County of Cumberland Municipal Planning Strategy is hereby amended as follows:

- Policy 4-45 is deleted and replaced with the following policy, as shown in bold:
Policy 4-45A: Council shall, through the Land Use By-law, prohibit coastal development within the following vertical elevations relative to the Canadian Geodetic Vertical Datum of 2013 (CGVD2013), with the exception of low-value development and development that is required to be at the water:
 - 2.6 metres along the Northumberland coast.**
 - 8.7 metres along Chignecto Bay.**
 - 7.1 metres along the Minas Basin.**
- Subsection 4.8.4, Policy 4-66, and Policy 4-67 are deleted and replaced with the following subsection and policies, as shown in bold:
4.8.4A Commercial Recreation
Commercial recreation operations—golf course, campgrounds, RV parks, tracks, paintball fields, and other similar uses—serve as recreation options for residents, and as a tourism draw for visitors. Indoor uses are often similar to other commercial uses and are appropriate for commercial areas. However, Council recognizes that residents can have concerns when a large outdoor recreation use is proposed, and that these uses can often have special considerations in terms of servicing and design. Council, therefore, will require a rezoning to permit outdoor commercial recreation operations.
Some of the larger outdoor commercial recreation uses, such as golf course and ski hills, will typically have a wide range of accessory uses, such as restaurants or sporting equipment sales. These accessory uses will be permitted. Some limited residential development may also be necessary to provide housing for staff. However, there are also other uses—airports and large residential development in particular—that may be desirable in creating a "resort"

environment for the outdoor commercial recreation use, but that have planning considerations and land use impacts that make them difficult to consider as mere accessory uses. These uses will only be considered by development agreement in the Commercial Recreation Zone.

Policy 4-66A: Council shall, in the Land Use By-law, create the Commercial Recreation Zone, intended to permit outdoor commercial recreation uses, such as campgrounds, RV parks, golf course, and driving ranges. Permitted uses shall include outdoor commercial recreation operations, limited residential development, and a limited range of supportive commercial uses. Zone standards shall be in keeping with the large area of land these uses require for the activity, parking, and on-site services.

Policy 4-67A: Council shall consider approval of larger residential developments, residential development that does not meet zone standards, and airports in the Commercial Recreation Zone by development agreement, subject to the following requirements:

- (a) the dwellings and/or airport shall be integrated with, and subordinate to, an outdoor commercial recreation use by means of building orientation, location, shared access points, architectural design, and landscaping;
- (b) appropriate visual and noise screening shall be provided between the use and neighbouring dwellings; and
- (c) the proposal shall meet the policies for development agreements outlined in Section 6.3.

3. Section 5.2 is amended by adding the following subsection and policy after Subsection 5.2.4, as shown in bold:

5.2.5 Commercial Uses

With careful consideration, limited commercial uses can responsibly be integrated into residential neighbourhoods. There are also many cases of former institutional buildings (such as former churches) located within Cumberland's residential neighbourhoods, that could be restored and converted to different uses. Council wishes to support reinvestment in these buildings. As a result, Council will consider commercial uses in the Lower Density Residential Zone and Multi-unit Residential Zone by development agreement.

Policy 5-9A: Council shall consider proposals to establish commercial uses in the Lower Density Residential Zone and Multi-unit Residential Zone by development agreement, subject to the following criteria:

- (a) the proposal shall be located in a conversion of an existing building and/or new construction that meets the scale and character of the surrounding neighbourhood;
- (b) any potential nuisance on the surrounding neighbourhood shall be limited by the nature of the use and/or restrictions placed on the use, such as screening, building design, and limits on hours of operation; and
- (c) the proposal shall meet the development agreement policies of Section 6.3.

4. Policy 5-24 is amended by adding the following clause after clause (h), as shown in bold:

(h.1) Recreational Residential Zone

5. Policy 5-34 is amended by adding the word "agreement" after the word "development" in clause (c), as shown in bold:

- (c) the proposal shall meet the development **agreement** policies of Section 6.3.

5.2 Grants to Organizations Revised Application Form and Guidelines

IT WAS MOVED by Councillor Gilbert seconded by Councillor Chase to approve the revised Grant Program Guidelines and application form.

Municipality of Cumberland**Grant Program Guidelines**

1. The Municipality of Cumberland recognizes the important contribution that volunteer organizations make to the sustainability of our communities and our County and wishes to support their efforts by providing financial assistance when that is necessary. This program may be used to support any type of activity that benefits the community including recreation, health and healthy living, social opportunities and community service, stewardship of the environment, education and life-long learning, community economic development & tourism, heritage, culture and creative arts.

Program Description

2. The Grants program supports community activities in four categories:
 - Capital construction, renovations and major repairs
 - Operation and maintenance
 - Programs
 - Special events and initiatives – e.g. one-time projects, planning, training, marketing & promotion.

Deadline**Requests above \$3,000**

The normal deadline for applications for funding in excess of \$3,000 is March 31st.

In exceptional circumstances an application for funding in excess of \$3,000 may be accepted after March 31st if the project could not reasonably have been anticipated prior to the deadline (e.g. emergency repairs).

Requests below \$3,000

Grant requests for less than \$3,000 do not have a deadline, and may be taken to council throughout the year, although they are still dependent on what remains in the budget.

All applicants are encouraged to submit their applications well before March 31st so that staff can provide feedback and so that the grant, if approved, can be included in the Municipality's annual budget. Applications received after the annual budget is approved may be turned down due to lack of funds.

Eligibility

3. Only not-for-profit organizations are eligible to apply and must be incorporated (normally under the Societies Act, but alternative incorporation status will be considered). For requests of less than \$3,000, unincorporated organizations may work under the umbrella of an incorporated organization; in this case, the incorporated organization must be the applicant. Individuals are not eligible to apply.
4. In the case of capital construction, renovation, or major repair projects, applicants must own or have a long-term lease to the property or other acceptable form of written agreement with the land owner.
5. Applicants are not eligible if they have failed to provide the required report and accounting for funds granted in previous years.

6. Churches and religious organizations are eligible to apply for assistance with facilities, projects and programs which are readily available to the community at large. Projects relating to the sanctuary and programs relating to the religious activities of the church are not eligible.

Capital Construction, Renovations and Major Repairs

7. This category refers to projects which involve construction of a new indoor or outdoor community facility, or renovations or major repairs to an existing one. Eligible applicants may apply for up to 50% of the total cost of the project. A portion of the applicant's contribution may be in the form of "in kind" providing the value of the contribution is included in the budget listed on the application form. In exceptional circumstances Council may decide to contribute more than 50% of the cost of a project but will do so only if the need is clear and urgent and all other potential sources of funding have been investigated.

Operation & Maintenance

8. This category refers to applications for assistance with the costs of operating and maintaining indoor or outdoor community facilities which provide services and benefits to residents of Cumberland County.
9. Applicants may apply for 20% of total annual operating costs of the facility (excludes programs) to a maximum of \$3000 per year. A portion of the applicant's contribution may be in the form of "in kind" providing the value of the in-kind contribution is included in the budget on the application form and directly offsets operational costs that would otherwise be incurred. In exceptional circumstances Council may decide to contribute more than 20% of the cost of a project but will do so only if the need is clear and urgent and all other potential sources of funding have been investigated.

Programs

10. The purpose of this funding is to assist organizations with the costs of providing ongoing programs or services for the benefit of the community. The application must include a copy of the organization's financial statement from the previous year and a project budget for the current year. The budget must include all projected program costs as well as estimated revenue. It is recognized that some programs have a greater potential to generate revenue than others. This funding is based on the over-all annual budget for the organization and is intended to support the organization to provide a service to the community.
11. Applicants may apply for up to 30% of the total budget for a program to a maximum of \$5000. The value of in-kind contributions may be included in the program or event budget providing they offset costs that would otherwise be incurred by the organization in order to provide the program or event. In exceptional circumstances Council may decide to contribute more than 30% of the cost of a project but will do so only if the need is clear and urgent and all other potential sources of funding have been investigated.

Special Events & Initiatives

12. Funding in this category may be used to offset costs associated with hosting an annual special event or festival. It may also apply to new or one-time programs or events, or special initiatives that an organization may undertake from time to time such as (but not limited to) the development of a master plan, engineering or design work for a facility or trail, marketing & promotion, or hosting an event, conference or training workshop. Projects in this category may qualify for up to 30% of the total cost of the program or event to a maximum of \$5000. Persons involved with or planning a program, project or event that may qualify under this category, are encouraged to contact Municipal staff or their local Councillor before the planning is complete.

In exceptional circumstances Council may decide to contribute more than 30% of the cost of a project, or more than \$5000, but will do so only if the need is clear and urgent and all other potential sources of funding have been investigated.

Application Procedure & Checklist

13. Applications for any of the above categories must be submitted using the Grant application form available at <http://www.cumberlandcounty.ns.ca/grant-opportunities.html> and must include all additional materials listed on the form. Applications will be considered on a case by case basis and are subject to budget availability.
14. All applications must include:
 - The complete application form (there is a checklist to ensure application is complete)
 - Capital construction, renovations and major repairs projects require proof of property ownership (normally a deed), or long-term lease or written agreement.
 - A financial report for the organization from the previous year
 - A financial statement for the organization, which includes all current funds, surpluses, reserves along with copies of recent bank statements for all accounts.
 - The organization's annual budget for upcoming/current year
 - A detailed budget for this project (a template is provided in the application form)
 - Minutes from the organization's most recent Annual General Meeting (AGM)
**If the organization does not have an AGM, please include the meeting minutes from the most recent meeting.*
 - Copies of quotes for any goods or services to be purchased as part of this project.

Application Review & Approval Process

15. Interested applicants are encouraged to contact the Municipality to discuss their application prior to submitting it. Staff will be pleased to explain this funding program and make suggestions to support the application.
16. Upon receipt of the application applicants will receive a notification of receipt (usually email if possible) and will be notified of any additional information that may be required for the application to be considered.
17. Only applications that have demonstrated financial need and accountability for previous funding will be recommended to Council.
18. All complete applications will be assessed using the following criteria:
 - Benefit to the community
 - Project feasibility and likelihood of success
 - Community support
 - Financial information provided
 - Long term sustainability
 - Organizational practices
 - Environmental impact
 - Was the application received on time?
 - Was the original application complete?
19. Complete applications and recommendations will be submitted to Municipal Council for approval.

Payment of Grants

20. All applicants will receive a response to their application.

- 21. Final reports are required and shall consist of a completed financial statement form, and a brief description of the results of the program or event and, in the case of capital projects, a detailed description of the work completed as per the original application.

Contact Information

- 22. To submit your application and for inquiries please contact the Community Development and Grants Program Administrative Assistant at:

Mail: Municipality of Cumberland
 Upper Nappan Service Centre
 1395 Blair Lake Road
 Upper Nappan, NS B4H 3Y4
 Attention: Melanie Prendergast

Email: grants@cumberlandcounty.ns.ca

Phone: 902-667-2470

**GRANTS TO NON-PROFIT ORGANIZATIONS
 APPLICATION FORM**

The grant application process is an important tool to permit diligent use of the Municipality’s financial resources. This process is intended to provide the information necessary for the Municipality to properly evaluate and rank projects for funding.

Grants will only be given to those organizations where there is a clearly demonstrated financial need.

In this application the word “project” will be used in place of the project, activity, facility, or event you are applying for.

GENERAL INFORMATION	
All applicants must be registered with the Nova Scotia Registry of Joint Stock Companies (or equivalent). Who are you registered with? What is your organization’s full registered name?	
Contact Person:	Position:
Full Mailing Address:	Phone: Alternate Phone: E-mail Address:
Brief description of the organization’s activities and mandate: <i>(Attach printed materials if available)</i>	
Description of proposed project: <i>(Attach separate sheet if necessary)</i>	
BENEFIT TO THE COMMUNITY	
Please list the expected benefits to the community as a result of this project.	
Will this project meet a significant community need? If so, please describe. Yes <input type="checkbox"/> No <input type="checkbox"/>	
Will this project improve the health and well-being of residents? If so, please describe. Yes <input type="checkbox"/> No <input type="checkbox"/>	
Will this project attract visitors? If so, who and how many? Yes <input type="checkbox"/> No <input type="checkbox"/>	
Will this project focus on decreasing barriers (i.e. accessibility, financial, transportation, etc.) If so, please describe. Yes <input type="checkbox"/> No <input type="checkbox"/>	

<p>Inclusivity can be described as including any member of society regardless of gender, income level, race, sexuality, age, disability, etc. Do you feel that your project is inclusive according to this description? If so, please explain. Yes <input type="checkbox"/> No <input type="checkbox"/></p>	
<p>Will this project benefit business? If so, please describe. Yes <input type="checkbox"/> No <input type="checkbox"/></p>	
PROJECT FEASIBILITY AND LIKELIHOOD OF SUCCESS	
<p>Is this a continuation of an existing project or a new one?</p>	N/G
<p>Why is it believed that this project will be successful?</p>	
<p>How many people are involved in planning this project?</p>	
<p>What skills do the people in your organization have to make this project successful?</p>	
<p>Is there a similar project currently offered in your area? Yes <input type="checkbox"/> No <input type="checkbox"/></p>	
<p>If so, describe how both will be successful.</p>	
	/4
COMMUNITY SUPPORT	
<p>Please describe what public interest has been expressed in the project.</p>	
<p>What effort has been made to determine the support of the community?</p>	
<p>Who are the stakeholders (<i>a <u>person</u> or <u>group of people</u> who have an interest in the project</i>)?</p>	
<p>Please describe how you are engaging the community in this project (i.e. marketing, meetings, social media, etc.).</p>	
<p>How many people are involved in implementing this project and how many are volunteers?</p>	
<p>Approximately how many volunteer hours will be dedicated to this project?</p>	
<p>Please list your partners for this project. (<i>Individuals or other organizations who have some degree of involvement with your project</i>).</p>	
<p>Please attach letters of support for this project. (max. 3)</p>	
	/10
LONG TERM SUSTAINABILITY	
<p>Does your organization have a history of successful projects? Please list.</p>	
<p>Does your organization have any debt? If so, please describe how you are managing it.</p>	
<p>Does your organization have any reserves? If so, please indicate the amount of reserves and describe what they are intended for.</p>	
<p>How are you addressing the lifecycle costs of the facility or project?</p>	
<p>How many new members have joined your organization in the past year?</p>	
<p>Please briefly describe your organization's long term financial plan.</p>	
<p>Does your organization foresee requiring funding from the Municipality every year to be able to remain operational?</p>	
	/7
ORGANIZATIONAL PRACTICES	
<p>Do you publicly disclose your budget? Yes <input type="checkbox"/> No <input type="checkbox"/></p>	

Do you publicly disclose your financial statements? Yes <input type="checkbox"/> No <input type="checkbox"/>	
Do you hold an Annual General Meeting (AGM)? Yes <input type="checkbox"/> No <input type="checkbox"/>	
Do you have a written strategic plan (by any name)? Yes <input type="checkbox"/> No <input type="checkbox"/>	
What is your organizational structure?	
	/5

ENVIRONMENTAL IMPACT

Will any existing negative impacts on the environment be reduced or would there be any other positive effects on the environment, as a result of this project?	
Will the project incorporate "Green" technology or energy efficient components intended to minimize future impacts to the environment (i.e. better energy ratings, "Green" materials, natural systems, lower GHG emissions, erosion control, etc.)? Please provide a description of the "green" components.	
What is your organization doing to reduce the amount of waste material generated for this project?	
Do you have the proper sorting receptacles for public use? <i>CJSMA Cumberland Joint Services Management Services has sorting stations available for community events and can be reached by calling (902) 667-5141 to book one for your event.</i>	
What policies and practices do you have in place regarding second-hand smoke (tobacco, vaping or cannabis)?	
	/5

FINANCIAL

****Please note that the deadline for all applications is March 31 if more than \$3,000 is requested***

Please indicate which category of grant this application applies to:

- Capital construction, renovations & major repairs (must supply copy of deed or lease)
*Up to 50% of the total cost of project
- Operation and maintenance
*Up to 20% of total annual operating costs, to a max of \$3,000
- Programs
*Up to 30% of the total program budget, to a max of \$5,000
- Special events and initiatives
*Up to 30% of the total cost, to a max of \$5,000

The Municipality has specific guidelines for each grant category listed. For full details such as eligibility, criteria and deadlines, please refer to: <http://www.cumberlandcounty.ns.ca/grant-opportunities.html>

What is the total cost of your project?	NG
Amount of assistance requested from the Municipality: \$_____ (Specify a dollar amount)	
Total contribution made by your organization: Cash: \$_____	
In kind (labour) \$15/hour X _____ # of hours = \$ _____	
In kind (professional services) \$25/hour X _____ # of hours = \$ _____	

In kind (other*) \$ ____ / hour X _____ # of hours = \$ _____	
Total Contribution (cash plus in kind) \$ _____	
*If using "other" in kind, please provide a justification of the hourly rate used.	
Please list the results of all fundraisers held by your organization in the past year and any planned fundraisers for this year.	
Please list all sponsors for your organization.	
Has the Municipality provided financial assistance for this project in the past? Yes <input type="checkbox"/> No <input type="checkbox"/>	
If yes, list when and the amount.	
Do we provide any other funding or assistance to your organization?	
Please list all other grants your organization has applied for in regards to this project.	
How will you fund this project if you do not receive a grant from the Municipality?	
	/8

DETAILED PROJECT BUDGET
 (A separate document may be used instead of this section
 as long as all revenues and expenditures are included)

REVENUE:	
Fees or charges	
Membership	
Fundraising	
Grant requested from Municipality	
Grants requested from other sources	
Sponsorships	
Monetary contributions/donations	
In-kind contributions (Value)	
Other (specify)	
TOTAL REVENUES:	

EXPENDITURES:	
Equipment & materials	
Transportation	
Facility rental	

Utilities	
Other (specify)	
Other (specify)	
Other (specify)	
Other (specify)	
TOTAL EXPENDITURES:	

CHECKLIST:

The following checklist is to be used by the applicant and submitted with the application.

If a listed item is not applicable to your application, it must be indicated as such.

Please attach the following:

- A copy of Deed or Lease if a capital application
- A financial report for the organization from the previous year
- A financial statement for the organization, which includes all current funds, surpluses and reserves along with copies of recent bank statements for all accounts.
- Organization’s annual budget for upcoming/current year
- Detailed Budget for this project (a template is provided) } **Unless they are the same*
- Minutes from organization’s most recent Annual General Meeting (AGM).
**If you do not have an AGM, please include the meeting minutes from your most recent meeting.*
- Copies of quotes for any goods or services to be purchased as part of this project
- Up to three letters of support for this project

For office use only:

Has the applicant demonstrated financial need? Yes No

Has the applicant accounted for previous grants from the County? Yes No

All complete applications will be evaluated based on the following criteria:

BENEFIT TO THE COMMUNITY (18%)	/7	x 2.57=
PROJECT FEASIBILITY AND LIKELIHOOD OF SUCCESS (18%)	/4	x 4.50=
COMMUNITY SUPPORT (18%)	/10	x 1.80=
FINANCIAL (18%)	/7	x 2.57=
LONG TERM SUSTAINABILITY (8%)	/5	x 1.60=
ORGANIZATIONAL PRACTICES (8%)	/5	x 1.60=
ENVIRONMENTAL IMPACT (8%)	/8	x 1.00=
WAS THE APPLICATION RECEIVED ON TIME (2%)	/2	x 1.00=
WAS THE APPLICATION COMPLETE (2%)	/2	x 1.00=
TOTAL	/50	x 2.00=

MOTION CARRIED #18-209

6. BUSINESS ISSUES

- 6.1 Partners for Climate Protection (PCP) Program – Federation of Canadian Municipalities
The Partners for Climate Protection (PCP) program is a network of Canadian

IT WAS MOVED by Councillor Fletcher seconded by Councillor Welton to approve participation in the FCM Partners for Climate Protection Program.

MOTION CARRIED #18-210

- 6.2 Audit Committee Report
IT WAS MOVED by Councillor Palmer seconded by Councillor Fletcher to approve \$500 funding for the training for Council members to attend a Finance Course to be put on by our Auditors, McIsaac Darragh, Chartered Accountants.

MOTION CARRIED #18-211

IT WAS MOVED by Councillor Welton seconded by Councillor Gilbert to approve the Audit Invoice in the amount of \$73,250.00 plus hst

MOTION CARRIED #18-212

IT WAS MOVED by Councillor Palmer seconded by Councillor Fletcher to direct staff to update the RFP for Audit Services and proceed with the procurement process with the awarding of the contract by January 31, 2019.

MOTION CARRIED #18-213

- 6.3 Springhill Communities in Bloom – Pit Pond Revitalization Project
An update, in the form of a memo, regarding the Pit Pond Revitalization Project was provided in the meeting material.

- 6.4 Request for Community Water Source – Pugwash Village Commission

This will go back to staff to allow them to provide Council with more information.

- 6.5 Request for Use of Property Agreement – Parrsboro Shore Historical Society
Council gave direction to staff to discuss a formal agreement on their use of the property by Ottawa House Museum with the Parrsboro Shore Historical Society and bring information back to Council.
- 6.6 NSFM Conference Update
Councillors who attended the recent NSFM Conference provided a brief update on the Conference.
- 6.7 Cliffs of Fundy
IT WAS MOVED by Councillor Fletcher seconded by Deputy Warden van Vulpen to approve the structure of the proposed Cliffs of Fundy Aspiring Geopark Society as well as the structure of the proposed Cliffs of Fundy Aspiring Geopark Transition Committee and authorize staff to move forward with the necessary actions to put those into effect.

CLIFFS OF FUNDY ASPIRING GEOPARK
Organization and Management Structure

Note: The name “Cliffs of Fundy” has been registered by the Cumberland Geological Society (the “CGS”). The Board of Directors of the CGS has passed a motion committing to transfer the Cliffs of Fundy Aspiring Geopark project, including the ownership of the name to a new governance body to be created by the Municipality of the County of Cumberland (“Cumberland”) and/or the Municipality of the County of Colchester (“Colchester”). As described below, Cumberland and Colchester (together, the “Municipalities”) are in the process (as of mid-November, 2018) of creating that new governance body. For the sake of consistency, the name “Cliffs of Fundy” will be used throughout this document. The ownership of the name, and the great debt owed to the CGS in advancing the project to this point, are gratefully acknowledged.

The municipalities of Cumberland and Colchester have agreed to jointly incorporate a new, independent, non-profit society (the “Society”) to complete the Cliffs of Fundy Aspiring Geopark application for designation, to manage the Aspiring Geopark pending the decision of UNESCO on the application, and, upon receiving designation, to manage the Cliffs of Fundy Geopark. The mandate of the Society will be to achieve the elements of the Management Plan while maintaining at its core community leadership; all the while, of course, ensuring compliance with all applicable UNESCO Global Geopark Guidelines.

The Society will be incorporated under the laws of the Province of Nova Scotia. Due to the requirement for the Councils of the Municipalities to meet and pass resolutions authorising their officials to create and register the Society, it is anticipated the incorporation will be completed in mid-December, 2018. The Board of Directors of the Society will provide governance oversight and policy direction for the Geopark. The Project Coordinator currently employed by the CGS will become the employee of the Society and report directly to the Board of Directors. The Board will create a number of committees to manage various aspects of the application for designation and of the operation of the (Aspiring) Geopark. The committees will report to the Board and their authority will be limited to the matters specifically delegated by the Board.

The original Board of Directors shall be appointed by the Municipalities (each Council shall pass a motion approving the nominations). The Board shall be constituted as follows:

- Two elected officials from each of the Municipalities
- Three community representatives, one from the central (Parrsboro) area, one from the eastern section, and one from the western section, preferably with backgrounds in tourism or education.

- One First Nations representative from the Confederacy of Mainland Mi'kmaq
- One Geoscience representative
- 2 Technical Representatives (e.g. GIS, Information Technology)
- Geoconservation representative
- Provincial Parks representative (Five Islands or Cape Chignecto)
- Educational representative

The Board shall be supported by non-voting staff from the Municipalities and the Province of Nova Scotia.

The Municipalities have agreed that until such time as the Society is registered and functioning, the project will be managed by the Project Coordinator (who shall continue to be an employee of the CGS and report to the Director of the Fundy Geological Museum) and an Inter-Municipal Cliffs of Fundy Aspiring Geopark Transition Committee composed of:

- One elected official from each Municipality
- Three community representatives
- A First Nations representative
- A Geoscience representative
- One staff member from each Municipality

Appointments to the Steering Committee shall be made jointly by the Chief Administrative Officers of the Municipalities. The overarching goal of the Steering Committee shall be to complete and submit the UNESCO Global Geopark application. Terms of Reference for the Steering Committee shall be prepared and approved jointly by the Chief Administrative Officers.

The Functions of the Organization, Administration, Interpretive Programming, Site Management, Marketing the Geopark, Community Engagement, Tourism Development, Partnerships, Brand Management, and Contact Person sections of the O&M structure of the application will require minor rewrites to effect the above and other practical requirements.

MOTION CARRIED #18-214

- 6.8 MOU Two Stream Recycling
IT WAS MOVED by Councillor Fletcher seconded by Councillor Welton to direct staff to execute the Memorandum of Understanding with Miller Waste for Two Stream Recycling after amending it to include Districts 1-13.

Memorandum of Understanding
 Between
 The Municipality of the County of Cumberland (The Municipality)
 And
 Miller Waste Systems Inc. (Miller)

This Memorandum of Understanding (MOU) sets the terms and understanding between the Municipality of the County of Cumberland and Miller Waste Systems Inc. regarding a change in the curbside collection aspects of our Solid Waste Contract required due to changes in Cumberland Joint Services Management Authority (CJSMA) recycling process.

Background

The Municipality has approved amendments to its Solid Waste By-Law (the “By-Law”), that require residents to separate their recycling into two streams when placing the material at curbside for collection in order to comply with CJSMA processing changes. As a result, the terms of THE MUNICIPALITY OF THE COUNTY OF CUMBERLAND AGREEMENT - CURBSIDE COLLECTION OF SOLID WASTE IN DISTRICTS 1 TO 10 TENDER NO. MSW 11-02 (the “Contract”) require modification to reflect the changes in the By-Law.

Purpose

The purpose of this MOU is to ensure that each party will be able to adapt to the changes in the By-Law in a fair and equitable manner. It is not intended to be a legally binding agreement, and in the event it does not prove satisfactory to either party the terms of the Contract will apply.

Methodology

The above purpose will be accomplished by undertaking the following activities:

In a spirit of trust and understanding, both parties are prepared to proceed with a variation to the current **Solid Waste Contract to reflect the potential monetary cost increases incurred by Miller Waste, provided that:**

- The Municipality, in conjunction with CJSMA will be responsible for curbside compliance for the period of Monday December 3, 2018 thru Friday December 7, 2018 and Monday December 17, 2018 thru Friday December 21, 2018. This will be achieved by proceeding in front of the collection trucks to inspect for compliance with the new recycling separation rules.
- Curbside compliance inspections after December 21, 2018, will be conducted by Miller Waste as per the Contract.
- All public education regarding these changes to the By-Law will be managed by the CJSMA.
- The existing spare truck in Miller’s fleet will be replaced by a split rear loading truck.
- The primary method of determining extra effort required as a result of the changes to the “By-Law” will be comparing productivity (tonnes/hour to the landfill) against historic productivity data.
- Miller Waste will make representatives available to discuss this MOU with Municipal Council in response to a request made with reasonable notice.

Reporting

Miller Waste agrees to monitor and record statistics related to curbside recycling pick up for the month of December 2018 and through the remainder to the Contract.

Miller Waste agrees to provide (in confidence to Municipality staff) access to the production statistics for recycling collection. In addition, Miller Waste agrees to provide the historic data from previous year’s recycling collection for the purpose of comparison.

The Municipality and Miller Waste will meet quarterly commencing February 2019. The intention of these meetings is to determine the effect on productivity, if any, incurred by Miller Waste for separating and transporting recycling in two separate streams to the Municipal Land Fill at Little Forks.

Negative impacts to productivity attributed to the amendments made to the “By-Law” will be expressed in hours.

Municipality Staff may request additional data be provided by Miller Waste including, but not limited to, monthly production, historic monthly production, GPS data, weigh scale tickets, and daily records.

The Municipality will from time to time request data from the CJSMA to corroborate data provided by Miller Waste Systems.

Reporting to Council and the Public on these impacts on cost and productivity will be expressed in additional hours or a percentage increase over the "Contract". Productivity expressed in tonnes/hour will be considered confidential information and not disclosed. The Municipality will not take possession or ownership of any production data, digital or otherwise, owned by Miller Waste systems Inc.

Funding

The Municipality agrees to reimburse Miller Waste for expenses incurred as a direct result of the aforementioned changes to the By-Law beginning December 3, 2018.

The amount to be reimbursed will be determined quarterly. It is understood that the hourly rate for a truck and crew is \$100/hr.

The cost incurred by the change to a split rear loading truck is \$15,000/yr. This shall be reimbursed in equal installments on monthly invoicing.

Duration

This MOU may be terminated without penalty by either party by giving written notice to the other; otherwise it will expire at the end of the Contract. It is understood that a party giving notice will endeavor to provide reasonable notice.

Per:

Rennie Bugley, CAO
Municipality of the County of Cumberland

Jeff Traver, District Manager,
Miller Waste Systems Inc.

Allison Gillis, Warden
Municipality of the County of Cumberland

Kevin Matheson, Operations Manager,
Miller Waste Systems Inc.

Date

Date

MOTION CARRIED #18-215

- 6.9 Salary Classification
IT WAS MOVED by Councillor Jackson seconded by Councillor Welton to approve the Payroll and Benefits position salary scale reclassification to the "Specialist" retroactive to January 1, 2018.

MOTION CARRIED #18-216

- 6.10 Grants to Organizations
IT WAS MOVED by Councillor Williams seconded by Deputy Warden van Vulpen to approve a grant in the amount of \$976.06 to The Claus Cause in Parrsboro. The Disbursement of Local Grant Funds:
District 13 - \$365.96
Districts 1, 2, 3, 4, 5, 6, 7, 9, 10, 11 and 12 - \$55.46 each

MOTION CARRIED #18-217

IT WAS MOVED by Deputy Warden van Vulpen seconded by Councillor Rector to approve a grant in the amount of \$1,000.00 to the Sparkle of Light Campaign. Funds to come from District 4 Local Grant Fund.

MOTION CARRIED #18-218

IT WAS MOVED by Councillor Chase seconded by Councillor Fletcher to approve a grant in the amount of \$1,000.00 to the Cumberland Health Care Foundation Light the Way Campaign.

Disbursement of Local Grant Funds:**District 1 – \$333.34****District 2 - \$333.33****District 3 - \$333.33****MOTION CARRIED #18-219**

IT WAS MOVED BY Councillor Rector seconded by Councillor Palmer to approve a grant in the amount \$1,965.00 for the Oxford Regional Educational Centre (OREC) Home and School Committee.

Disbursement of Local Grant Funds:**District 6 - \$982.50****District 7 - \$982.50****MOTION CARRIED #18-220****7. INFORMATION ITEMS**

- 7.1 Pugwash Village Commission – Multi-purpose Centre Support
Correspondence was received from the Pugwash Village Commission expressing their support for the proposed Pugwash Multi-Purpose Centre.
- 7.2 Hosteling International
A letter of thanks for granting tax exemption for the Wentworth International Hostel was included in the meeting material for Council review.
- 7.3 Progress Report on the Partnership Framework between NSFAM and DMA
A progress report on the Partnership Framework between NSFAM and DMA signed in May was included in the meeting material.
- 7.4 Upcoming AMAN's Training and Events
Included in your meeting material was information on an upcoming training session being held by the Association of Municipal Administrators.
- 7.5 Amherst Court House Accessibility Renovations
The Province is issuing an RFP for alterations to make the court house compliant with Nova Scotia accessibility legislation.

8. ADJOURNMENT

- 8.1 The Queen
The meeting was adjourned at 8:45 p.m. The Queen was sung.