

In March of 2020, in response to the Covid 19 Pandemic, the Minister of Municipal Affairs and Housing declared that Municipal Councils will not meet in person but will instead hold virtual meetings. Under this order Council of the Municipality of the County of Cumberland held the June 3, 2020 Council video meeting via Zoom.

## 1. CALL TO ORDER

1.1 Warden Al Gillis called the June 3, 2020 Council session of the Municipality of the County of Cumberland to Order at 6:00 p.m.

### 1.2 Roll Call

Municipal Clerk, Brenda Moore, called the roll with the following Councillors present: Councillor Paul Porter; Councillor Marlon Chase; Councillor Joe Van Vulpen, Warden Al Gillis; Councillor Welton, Councillor Barb Palmer, Councillor Dan Rector, Deputy Warden Ernie Gilbert, Councillor Mike McLellan, Councillor Don Fletcher, Councillor Doug; Williams, Councillor Maryanne Jackson; and Councillor Norman Rafuse.

Staff present Rennie Bugley, Chief Administrative Officer; Steve Ferguson, Director of Community Development; Andrew MacDonald, Director of Finance; Justin Waugh Cress, Director of Operations and Engineering; Shelley Hoeg, Communications and Executive Assistant to the CAO; Amanda MacLeod, Sustainable Communities Marketing Officer; Allie McCormick, Manager of Organizational Development and Innovation; Nelson Bezanson, Planner; Vicki Weaver, Recreation and Physical Activity Coordinator; Melanie Prendergast, Administrative Assistant; Dannie Sampson, IT; Mike Johnson REMO Coordinator; and Brenda Moore who recorded the meeting.

## 2. ADMINISTRATIVE AND PROCEDURAL ISSUES

### 2.1 Approval of Agenda

The agenda was approved with the following additions and deletions:

#### **Additions**

- 4.2 Borrowing Resolution
- 6.5 Glooscap Campground
- 6.6 Update on TIR speed Restrictions
- 6.7 Announcement of Federal funding available for

Infrastructure

- 6.8 letter of support to the agenda

#### **Deletions**

- 2.3 Action Lists
- 6.2 Increments

### 2.2 Approval of the Minutes of the May 20, 2020 Council Meeting

**IT WAS MOVED BY Councillor Fletcher seconded by Councillor Jackson to approve the minutes of the May 20, 2020 meeting.**

**MOTION CARRIED**

### 2.3 Action List and on-going Action List from the May 20, 2020 Council Meeting

The Action List and On-going Action List from the May 20, 2020 meeting were reviewed, and Council was brought up to date on the actions.

### 2.4 Presentations, Delegations, Petitions, Public Hearing(s)

Wood Fueled Heating System - Athol Forestry cooperative Ltd. –  
Warden Gillis welcomed Ian Ripley of Athol Forestry Cooperative Ltd. To the meeting and Mr. Ripley provided a presentation to Council on an opportunity to convert the Springhill Institution's oil heating system using 900,000 liters per year, to a modern, high-efficiency wood fueled heating system. The Warden went around the room to facilitate questions and comments from Councillors. The Warden thanked Mr. Ripley for his presentation.

Council was in agreement to add 6.8 letter of support for this project to the agenda

## 3. STRATEGIC PRIORITIES ISSUES

There were no strategic priority items.

## 4. MAJOR ORGANIZATIONAL ISSUES

### 4.1 Five-Year Capital Investment Plan

Andrew Mac Donald, Director of Finance reviewed the Capital Investment Plan Committees recommended 5-Year Capital Investment Plan covering the years 2020/21 to 2024/25. This report is included in the meeting material.  
**IT WAS MOVED by Councillor Rafuse seconded by Councillor Welton to approve the Five-Year Capital Investment Plan totalling \$19,955,143.**

**No Objections  
 MOTION CARRIED**

4.2 Spring Debenture Issue  
**IT WAS MOVED by Councillor Palmer seconded by Councillor Rafuse to approve the following Debenture**

Name of Unit: **Municipality of the County of Cumberland**

**Resolution for Pre-Approval of Debenture Issuance Subject to Interest Rate**

**WHEREAS** Section 91 of the *Municipal Government Act* provides that a municipality is authorized to borrow money, subject to the approval of the Minister of Municipal Affairs (hereinafter "the Minister"); **AND WHEREAS** the resolutions of council to borrow for **River Hebert Lagoons Refinance, Pugwash Water Supply, Maccan Sewer, and Purchase of CIBC Building in Parrsboro** were approved by the Minister \_\_\_\_\_;

**AND WHEREAS** clause 91(1)(b) of the *Municipal Government Act* authorizes the council to determine the amount and term of, and the rate of interest, on each debenture, when the interest on a debenture is to be paid, and where the principal and interest on a debenture are to be paid;

**AND WHEREAS** clause 91(2) of the *Municipal Government Act* states, that in accordance with the *Municipal Finance Corporation Act*, the mayor or warden and clerk or the person designated by the council, by policy, shall sell and deliver the debentures on behalf of the municipality at the price, in the sums and in the manner deemed proper;

**BE IT THEREFORE RESOLVED**

**THAT** under the authority of Section 91 of the *Municipal Government Act*, the **Municipality of the County of Cumberland** borrow by the issue and sale of debentures a sum or sums not exceeding **\$1,704,700**, for a period not to exceed **ten** years, subject to the approval of the Minister;

**THAT** the sum be borrowed by the issue and sale of debentures of the **Municipality of the County of Cumberland** in the amount that the mayor or warden and clerk or the person designated by the council deems proper, provided the average interest rate of the debenture does not exceed the rate of **5.5%**;

**THAT** the debenture be arranged with the Nova Scotia Municipal Finance Corporation with interest to be paid semi-annually and principal payments made annually;

**THAT** this resolution remains in force for a period not exceeding twelve months from the passing of this resolution.

**THIS IS TO CERTIFY** that the foregoing is a true copy of a resolution duly passed at a meeting of the Council of the **Municipality of the County of Cumberland** held on the 3<sup>rd</sup> day of June, 2020 **GIVEN** under the hands of the Warden and the Clerk of the **Municipality of the County of Cumberland** this \_\_\_\_ day of June 2020  
 Warden \_\_\_\_\_ Clerk \_\_\_\_\_

**No Objections  
 MOTION CARRIED**

**5. ORGANIZATIONAL POLICY/BY-LAW ISSUES**

5.1 Low Income Tax Exemption Policy  
**IT WAS MOVED by Councillor van Vulpen seconded by Councillor Fletcher to approve the low-Income Tax Exemption Policy**

Section 69 of the Municipal Government Act allows Council to establish a Policy for granting an exemption from tax for a person whose income is below a specified amount. This policy will establish the amount of the tax exemption, who is eligible and the process for applying for the exemption.

“Income” means a person’s total income from all sources for the calendar year preceding the fiscal year of the Municipality, and includes the income of all other members of the same family residing in the same household, but does not include an allowance paid pursuant to the *War Veterans Allowance Act* (Canada) or pension paid pursuant to the *Pension Act* (Canada)

1. **Amount of Exemption**

When the income of the person, spouse and other household members combined is less than \$20,301 the exemption shall be \$450.

When the income of the person, spouse and other household members combined is between \$20,302 and \$31,068 the exemption shall be \$225.

Income cut off levels and exemption amounts shall increase by an amount equal to the annual average percentage change in the Consumer Price Index, all-items, for the Province of Nova Scotia for the previous calendar year, as determined by Statistics Canada. If that index is negative in any given year, the amount of the increase will be zero.

2. **To Qualify for the Exemption**

The exemption shall apply only to property of a ratepayer occupied by him or her as his or her principal residence.

The applicant shall complete the application regarding the household income for the previous calendar year. A Councillor, a Commissioner of Oaths or the Municipal Clerk must witness the applicant’s signature on the application.

3. **To receive the Exemption**

An application for a fiscal year shall be submitted by December 31<sup>st</sup> of that fiscal year.

**General**

(1) County Staff shall annually send out a reminder letter and an application form to all persons who received the exemption the previous year.

(2) The operating budget shall make allowance for this exemption on a yearly basis.

(3) Should a person’s total tax bill for that year be less than the exemption for that year, then the exemption will be equal to the full amount of the tax bill for that year.

(4) The Municipality requires a copy of the prior year’s Canada Revenue Agency Notice of Assessment for all household members prior to approving an application.

(5) The deadline for applications and any other pertinent information shall be advertised, at least once, in the local paper.

(6) Total income is based on Line 150 of the T1 Income Tax and Benefit return for all household members.

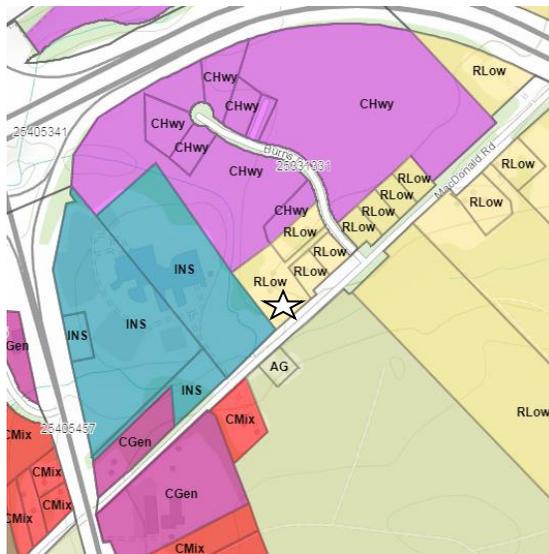
4. This Policy is effective upon adoption and replaces any previous Low Income Exemption Policies.

**No Objections  
MOTION CARRIED**

5.2 **Amendment to Land Use Bylaw to rezone PID 25337460, 467 MacDonald Road, Upper Nappan**

First reading was held at April 15th, 2020 Council session and a public hearing was held May 20, 2020.

**IT WAS MOVED by Councillor Chase seconded by Councillor Porter to approve 2<sup>nd</sup> Reading and adoption of the Amendment to the Land Use By-Law to Rezone 467 MacDonald Road, Upper Nappan, from Residential to General Commercial [CGen].**



**No Objections  
MOTION CARRIED**

### 5.3 Livestock Control Bylaw

**IT WAS MOVED by Deputy Warden Gilbert seconded by Councillor Welton to approve Second Reading and adoption of the Livestock Control By-Law.**

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Municipality of Cumberland By-Law 20-xx  
Livestock Control By-Law

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1. This By-Law is entitled the Livestock Control By-Law.
2. Section 49 (1)(iv) and (e), Section 172 (1)(a),(b) and (d), and Section 174 (f) of the *Municipal Government Act* grants municipalities authority to institute By-Laws relating to livestock.

#### **Definitions**

3. In this by-law
  - (a) "Destroy: means to kill, euthanize, put down;
  - (b) "Enclosure" means
    - i. a secure barn or building; or
    - ii. a parcel of land properly surrounded by fences built and maintained in accordance with the *Fencing Guidelines of Nova Scotia* established by the Nova Scotia Department of Agriculture;
  - (c) "Impound" means to seize and take legal custody of something due to an infringement of a law, bylaw, or regulation;
  - (d) "Impoundment Fees and Expenses" means all costs and expenses incurred for the impounding, seizure, transport and maintenance of any impounded livestock;
  - (e) "livestock" means cattle, chickens, donkeys, emus, geese, goats, horses, lamas, mules, ponies, ostriches, rabbits, swine, turkeys, or other animals or fowl (excluding dogs and cats);
  - (f) "livestock farm" means a parcel of land that is used for grazing, pasturing or housing livestock;
  - (g) "Municipality" means the Municipality of the County of Cumberland; and
  - (h) "owner" means
    - i. with respect to livestock any person who has lawful custody of the livestock; and,
    - ii. with respect to a livestock farm, the person occupying or operating the farm.

#### **Interpretation**

4. Any livestock that are not on property owned, leased, rented or utilized by the owner of such livestock, and are not under the continuous restraint and control of some person shall be deemed to be "at large" for the purposes of this By-Law.
5. An owner of livestock who becomes aware, or should reasonably be aware, that any of those livestock may be at large or are at large, must immediately take all reasonable steps to regain custody and control of that livestock.
6. Subject to Section 8 of this By-law, every owner of livestock whose livestock is or are at large or who fails to comply with Section 4 of this By-Law, is in contravention of this By-Law.

7. Every livestock owner shall take all necessary steps to prevent livestock from escaping from their property, including, but not limited to, erecting and maintaining fences adequate for the type of livestock being contained; and, subject to Section 8 of this By-Law, every owner who fails to take such steps is in contravention of this By-Law.
8. No owner shall be found to have contravened this By-Law if it is proven to the satisfaction of the Court that the owner has exercised due diligence in securing their livestock and that the alleged contravention is proven to be a first-time occurrence.
9. Whenever livestock strays onto land owned by someone other than the owner of the livestock and that person has detained said livestock, they shall communicate this to the Municipality. This communication must include a description and location of the livestock. Should such person not wish to further detain the livestock, the Municipality shall arrange accommodation pending the determination of ownership.
10. The By-Law Officer who receives notification of livestock at large, or who arranges accommodation as per Section 9 shall post a notice at the Municipal Service Centers with the information outlined in Section 9. The Notice shall also be distributed in a fashion applicable to the practices of the Municipality, i.e. newspaper, social media, web-notice, etc.
11. If the owner of the livestock at large is not established within 14 days or the owner is unable or unwilling to claim the livestock, the livestock will be sold. Proceeds from this sale will be used to cover expenses incurred during the impoundment with the balance (if any) to go to the owner if, and when they are identified.

#### **Seizure of livestock at large**

12. Whenever livestock at large is causing physical damage to neighbouring properties or unnecessary emotional distress to neighbouring individuals, the Municipal By-Law Officer may take whatever steps necessary to remove the offending livestock, including, but not limited to herding, confiscating, corralling or destroying the offending livestock.

#### **Penalties**

13. Any person who contravenes this By-Law is guilty of an offence punishable by a summary conviction subject to a fine of not less than \$100 and not more than \$1000 for a first offence, not less than \$200 and not more than \$2000 for a second offence, and not less than \$500 and not more than \$5000 for subsequent offences. For the purposes of this section it is irrelevant whether the offences were prosecuted pursuant to the same section of this By-Law.
14. Where a person is given a Notice of By-Law violation by the Municipality's By-Law Enforcement Officer in accordance with the Municipality's Payment in Lieu of Prosecution Policy, the person may pay to the Municipality, at the place specified in the Notice, the sum of \$100 within 14 days of the date of Notice and shall thereby avoid prosecution for that contravention.
15. All previous Livestock At Large By-Laws of the Municipality are hereby repealed.
16. This By-law shall come into force upon publication.

**No Objections  
MOTION CARRIED**

#### **6. BUSINESS ISSUES**

##### **6.1 Amherst Golf Course - Christie Foundation Funds**

**IT WAS MOVED by Councillor Porter seconded by Councillor van Vulpen to receive funds from the Christie Foundation in the amount of \$15,000 to be dispersed to the Amherst Golf Club.**

**No Objections  
MOTION CARRIED**

##### **6.2 Increments**

This item was deleted.

##### **6.3 Grants to Non-Profit Organizations**

Council will meet at 6:00 p.m. Monday, June 8, 2020. To review the grants.

##### **6.4 Canada Day Fireworks**

**IT WAS MOVED by Councillor Welton seconded by Councillor Fletcher to cancel the fireworks display for the July 1<sup>st</sup> celebrations in Springhill and Parrsboro.**

**No Objections  
MOTION CARRIED**

**IT WAS MOVED by Councillor Palmer seconded by Councillor Welton to reallocate the \$10,000 allocated in the budget for fireworks to reserve fund.**

**No Objections  
MOTION CARRIED**

6.5 Glooscap Campground

Councillor Chase asked to add discussion about reopening the Glooscap Campground to the agenda

**IT WAS MOVED by Councillor Chase seconded by Councillor McLellan to open the Glooscap Campground by June 17th**

**MOTION RESCINDED**

**IT WAS MOVED by Councillor Chase seconded by Councillor McLellan to open the Glooscap Campground by June 17<sup>th</sup> for seasonal campers.**

**9 votes yes  
4 votes no  
MOTION CARRIED**

6.6 Update on TIR Speed Restrictions on D'Orsay Road

No response has been received from TIR to date regarding the request to reduce the speed limit on D'Orsay Road. Justin Waugh-Cress will follow up with the Dept of Transportation and Infrastructure Renewal.

6.7 Announcement of Federal funding

Deputy Warden Gilbert indicated there is new Federal money available for infrastructure. Staff is aware and watching for opportunities to apply for this funding. On potential project is Athol Road water.

6.8 Letter of support

**IT WAS MOVED by Councillor Gilbert seconded by Councillor Jackson that the Municipality provide a letter to Athol Forestry in support of the proposed Springhill Penitentiary Conversion Project for converting the penitentiary from oil to wood heat.**

**No Objections  
MOTION CARRIED**

## 7. INFORMATION ITEMS

7.1 Learn 2 Lead Spring Workshop Series

Staff have provided a memo to Council outlining the list of training opportunities we have already offered and are currently offering.

7.2 Community Support Navigator Program

The Province of NS has set up a service to provide support for individuals and families impacted by the tragic events on 18 to 19 April 2020. There is no fee for the service. The site is: <https://novascotia.ca/community-support-navigator-program/> One of the sites will be the Wentworth Learning Centre and Councillor Palmer has graciously offered her office, free of charge for the program. The program will run from Monday to Saturday, 10:00 a.m. to 5:00 p.m.

7.3 Newville Lake Park

A new lease for the operation of Newville Lake Park has been signed. A memo from the Director of Community Development is included in the meeting material.

## 8. ADJOURNMENT

8.1 The Queen

The meeting was adjourned at 7:34 p.m.