MUNICIPALITY OF THE DISTRICT OF WEST HANTS Committee of the Whole July 3, 2012

In attendance:	G. Cochrane	Chair
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R. Dauphinee Warden
S. Pineo Councillor
R. Matheson Councillor
R. Allen Councillor
T. Brown Councillor

P. Ainslie Councillor (arrived at 7:15 pm)

R. Gaudet Councillor
G. Shanks Councillor
C. Chislett CAO

J. Wood Director of Finance
K. Kehoe Director of Recreation
L. Davis Director of Planning
R. Sherrard Director of Public Works
J. Woodman Administrative Assistant

The meeting was called to order at 6:00 pm.

1. Approval of Minutes of June 5th, June 18th and 25th, 2012

MOVED by Warden Dauphinee and Councillor Gaudet that the Minutes of the June 5th, 18th, and 25th, 2012 Committee of the Whole Meeting be approved as circulated, with any errors or omissions noted.

Motion Carried.

2. <u>Presentations</u>

a. Helen Smith, Department of Environment, Protected Areas

Ms. Smith, Outreach Coordinator for NS Environment, Protected Areas and Wetlands presented a PowerPoint presentation (as attached). She mentioned her colleague Dave McKinnon was scheduled to attend the meeting however was unable to. She asked that if Council had any concerns or feedback to please contact her directly.

Councillor Matheson asked whether there was a plan to move beyond the 12% process once it has been achieved. H. Smith responded she had been given no indication that it would go beyond the 12%, however once reached they also have to work on official designation, and management plans.

Councillor Pineo indicated in her area residents had investigated expanding a piece of land owned by the Fundy Gypsum Company and an environmental assessment was completed. She went on to say that the citizens have come out very strongly in trying to protect the land because of endangered vegetation and other species however they weren't successful. She suggested that as it is a unique area this may be something that could be reviewed by the Department.

H. Smith advised that the Municipality does not have as many areas up for review as other places. Warden Dauphinee mentioned the Gypsum Company closed down however they still own a significant amount of land in the area, and he felt if there is no intention to have it mined then perhaps it could be reviewed. H. Smith advised that there is a list of areas and could be added to be considered.

There was a brief discussion in regards to investigating whether the watersheds could be designated preserved areas. H. Smith advised the first step would be to determine the land ownership pattern so they could decide what would apply. She continued to explain they partner with the Nature Trust & Conservancy and if the land qualifies and an easement is added they have funds where they retain ownership and the department covers their taxes for them. Warden Dauphinee requested that she look in the three watershed areas French Mill Lake, Davison Lake, and Mill Lake which are located in the Municipality. H. Smith agreed to forward the information on to the new Regional Coordinator for the area.

MOVED by Councillor Matheson and Councillor Pineo that the presentation from Helen Smith, Department of Environment, Protected Areas be received and placed on file.

Motion Carried.

K. Aldous - Cheverie Park Land

K. Aldous, West Hants Active Living Coordinator advised in order to develop a plan for trails in West Hants; she needed to know what land is available. This led her to look at Crown land, how it is designated and which provincial department is responsible. She discovered that the Department of Environment is currently in the process of designating additional lands as protected areas. She advised that the department is still in the consultation stage she felt it is the opportune time to provide input about the lands under consideration in West Hants.

She mentioned that H. Smith informed Council about the lands under review by Department of Environment and other crown land is under the jurisdiction of the Department of Natural Resources. She stated that there is one piece of land in particular that she wanted to draw to Council's attention. She reported that Natural Resources has recently released its strategic plan for Parks and is also in a consultation phase which has identified three goals that directly relate to her work: shared stewardship, far-sighted planning and recreation.

She indicated that there are two Provincial Parks in West Hants: Smiley's, a camping park near Brooklyn, and Falls Lake, a picnic park near Vaughan's. She mentioned that there are also two parcels of land called park reserves one in Ste. Croix and the other in Cheverie which has beach access. She went on to say that the property in Cheverie is still usable and people have evidently been using the beach area for bonfires and camping. She went on to say from her perspective, it is important that it remains public land, particularly as it provides access to the beach. She indicated that beach access is becoming increasingly important; many of the residents use the shoreline for recreational activities and so far it has not been a problem to get access to the shoreline through neighbours' properties. She added this could change if and when the land starts to be purchased. She noted the South Shore is finding themselves in this predicament already, with foreigners buying the land and closing off access.

She advised that the land is located near the Cheverie Salt Marsh and could see developing a walking loop between the two. She clarified this is a park reserve within the Department of Natural Resources and like all departments, has a diminishing budget – so they may be looking at divesting themselves of some of the lands. She suggested that Council write to Department of Natural Resources stating that this is an important piece of public land – for reasons of beach access, physical activity and tourism – and encourage Department of Natural Resources to keep it in the public domain.

MOVED by Warden Dauphinee and Councillor Allen that a recommendation be made to Council that a letter be written to the Department of Natural Resources and copied to NS Environment requesting that the Cheverie Park be reserved in the public domain or transfer ownership to the Municipality of the District of West Hants.

Motion Carried.

Direction was given to Kathy Aldous to investigate the park reserve in Ste. Croix.

3. Hearing (s) – Dangerous & Unsightly

There were no hearings scheduled.

4. Report of the By-law Enforcement Officer

MOVED by Warden Dauphinee and Councillor Gaudet that the Report of the By-Law Enforcement Officer be received and placed on file.

Motion Carried.

C. Chislett clarified that she did not put forth to Committee of the Whole the matter of hiring someone else when G. Lunn is not available as the report reflects and will discuss the matter with G. Lunn. She indicated that G. Rafuse fills in when she is available however it is difficult when G. Lunn is being called to work after

normal working hours and on weekends.

5. Business Arising from Minutes

There was no business arising from the minutes.

6. Report of the Director of Recreation

MOVED by Councillor Pineo and Councillor Shanks that the report of the Director of Recreation be received and placed on file.

Motion Carried.

K. Kehoe reported that she has been working diligently with the insurance company in regards to the vandalism at the Ste. Croix Recreation Site. She informed Council that she was speaking with the insurance adjuster to stress the importance of having the work done right away as the Eastern Canadians is scheduled for the third week in August as well as another event scheduled for the first week in August. She reported that the electrician used by the Municipality spoke with Nova Scotia Power Inspector and will attempt to get him on site to see whether he can expedite the process.

Warden Dauphine expressed concern with the delay from the insurance company and suggested that the company's services be reevaluated. Councillor Pineo advised the coordinator of the Eastern Canadians tournament is very concerned that the site will not be ready in time as he has teams traveling from many different areas to participate. She suggested that the Municipality should consider having a solicitor contact the insurance company on the matter as it is very time sensitive. K. Kehoe agreed to immediately attempt to reach the inspector for Nova Scotia Power to see what could be done to move the process along as quickly as possible.

K. Kehoe added to the report that the sign unveiling for the Ryan Lahey Memorial Soccer tournament went very well and the family was very appreciative towards the Municipality for its cooperation.

She noted that she was approached by a number of community groups looking for a decision on the grants with one group requiring a decision immediately in order to move forward with an event. Council agreed where it is time sensitive that K. Kehoe could issue the grant to the group.

7. <u>Administrative Report</u>

a. McInnes Cooper re In-Camera Sessions of Council (Minute Taking) - email June 20, 2012

MOVED by Councillor Pineo and Councillor Shanks that the correspondence dated June 20, 2012 from McInnes Cooper regarding In-Camera Sessions of Council (Minute Taking) be received and placed on file.

Motion Carried.

C. Chislett informed Council that the correspondence came from direction given at the last meeting to determine whether clarification was required. The response received from the solicitor was that the wording was correct in its intent and change was not required.

b. Municipal Poor Farm Cemetery Maintenance (Memo June 21, 2012)

MOVED by Warden Dauphinee and Councillor Gaudet that the memorandum dated June 21, 2012 regarding Municipal Poor Farm Cemetery Maintenance be received and placed on file

Motion Carried.

C. Chislett reported as per Committee of the Whole's direction, she had confirmed that because of failing health, Mr. Murray Greenwood is no longer able to do maintenance work at the Municipal Poor Farm Cemetery.

She contacted Mr. Mark Harvey further to discussion that took place at the last meeting and arranged for him to mow the grass as soon as possible. C. Chislett was informed at the meeting that the work had not been completed and she agreed to contact Mr. Harvey again to clarify the matter.

Direction was given to C. Chislett to give a token of appreciation on behalf of the Municipality to Mr. Greenwood for his work over the years at the cemetery.

8. Report of Director of Planning

MOVED by Warden Dauphinee and Councillor Pineo that the Report of the Director of Planning be received and placed on file.

Motion Carried.

L. Davis added to her report that their Department had received a new application for Land Use By law Amendment, to consider adding microbreweries to the definition of what an Agricultural Use can be. The By-law currently allows wineries and she felt that microbreweries are similar.

She clarified that she assumes the Robertson/Smith court date was cancelled because they received advice from their lawyer. A request came in through the Municipality's solicitor that the matter be settled on the basis of a consent order. She continued by saying the owners would apply for the proper permits and would follow the direction of the Building Inspector and Development Officer and complete the work by September 5th. If they do not comply a court date has been scheduled for September 19th.

9. Report of Director of Public Works

MOVED by Councillor Pineo and Councillor Shanks that the Report of the Director of Public Works be received and placed on file.

Motion Carried.

Report of Waste Reduction Coordinator

MOVED by Councillor Gaudet and Councillor Shanks that the Report of the Waste Reduction Coordinator be received and placed on file.

Motion Carried.

Water Test Results - Falmouth & Three Mile Plains (May 2012)

MOVED by Councillor Matheson and Councillor Allen that the Water Test Results – Falmouth & Three Miles (May 2012) be received and placed on file.

Motion Carried.

Councillor Pineo commented on the statements made in regards to G. Lunn distributing brochures at the landfill. She suggested that he should not be doing this if it is taking time away from his other By-law duties and asked whether it could be done by staff on site. R. Sherrard confirmed Waste Management does distribute brochures however he indicated that it is not their job to enforce the Municipal By-law. He noted they have been advised that they cannot accept a statement from landfill staff on any particular case as it would be considered hear say and could not be accepted as evidence. Councillor Pineo suggested that if this was the case that G. Lunn should proceed in handing out fines as opposed to issuing warnings. C. Chislett clarified that she has not been notified by the landfill of any issues or concerns. Councillor Pineo felt if this was true then it was not necessary for G. Lunn to be present. R. Sherrard had requested that G. Lunn provide him with the times that he has been on site as he can be reimbursed some enforcement costs. C. Chislett agreed to follow up on the matter.

10. Report of Director of Finance

MOVED by Councillor Pineo and Councillor Shanks that the Report of the Director of Finance be received and placed on file.

Motion Carried.

a. Deloitte - Consolidated Financial Statement Presentation

MOVED by Councillor Gaudet and Warden Dauphinee that the correspondence dated June 25, 2012 from

Deloitte regarding the Consolidated Financial Statement Presentation be received and placed on file.

Motion Carried.

b. BFD/CC ACOA Application - West Hants Contribution

MOVED By Warden Dauphinee and Councillor Brown that the correspondence dated June 25, 2012 regarding BFD/CC ACOA Application - West Hants Contribution be received and placed on file.

Motion Carried.

J. Wood explained during the process of the application there were temporary borrowing allowances for completing the project. He continued to say when he began his assessment he realized the transfer was not completed as he was given no direction from Council to do so. The \$215,201.00 was the commitment from West Hants as taxpayers funding was not permitted to be utilized per the agreement with ACOA. He confirmed the money had to be transferred from the Reserve. Councillor Matheson stated it was his understanding that the motion directed Council to pay the amount and he assumed it was paid and questioned why it was not paid. J. Wood replied that there was no actual movement of cash, explaining that Council approved an application agreeing to this commitment. He added there was discussion at that time whether it would be covered by outside sources, but West Hants did not transfer the cash because all the bills were paid for the project. He explained during that period there was ongoing significant borrowing resolutions that allowed the cash flows to absorb it until the point was reached that the major project was finalized.

MOVED by Councillor Matheson and Warden Dauphinee that a recommendation be made to Council to approve the transfer of \$215,201.00 from the Tipping Fee reserve to the General Capital fund to meet the commitment as approved by Council in the ACOA application.

Motion Carried.

Councillor Pineo stated at the time of discussions the money was to be paid from the Brooklyn Civic Center but because of the wording the Municipality now has to pay the amount. Councillor Matheson disagreed with her comments and indicated that the motion was very clear in its intent. He felt there was no question that the Municipality was to pay the amount and the commitment was made and would be paid out of surplus.

c. MV Farm Limited Tax Write-off

MOVED by Warden Dauphinee and Councillor Pineo that the correspondence dated June 25, 2012 regarding MV Farm Limited Tax Write-off be received and placed on file.

Motion Carried.

MOVED by Councillor Matheson and Warden Dauphinee that that a recommendation be made to Council to approve the write-off of 50% of the outstanding taxes \$1,953.41 re MV Farm Limited.

Motion Carried.

Direction was given to J. Wood to obtain clarification on what options are available through the Farm Loan Board before the motion is approved at Council.

11. 2012 – 2013 Budgets (Including Grants to Organizations)

2012-2013 Municipal Grants to Organizations Budget

MOVED by Warden Dauphinee and Councillor Brown that a recommendation be made to Council to approve the 2012-2013 Municipal Grants to Organizations Budget in the amount of \$40,000 as presented.

Motion Carried.

<u>2012- 2013 Recreation Department Budget – Grants to Organizations</u>

MOVED by Warden Dauphinee and Councillor Pineo that a recommendation be made to Council to approve the 2012-2013 Recreation Grants to Organizations budget in the amount of \$51,600 as presented.

Motion Carried.

2012-2013 Information Technology Budget

MOVED by Warden Dauphinee and Councillor Gaudet that a recommendation be made to Council to approve the 2012-2013 Information Technology Budget in the amount of \$110,865 as presented.

Motion Carried.

2012-2013 Landfill Budget

MOVED by Councillor Pineo and Warden Dauphinee that a recommendation be made to Council to approve the 2012-2013 Landfill Budget in the amount of \$53,731 as presented.

Motion Carried.

2012-2013 Waste Collection & Disposal Budget

MOVED by Councillor Gaudet and Councillor Pineo that a recommendation be made to Council to approve the 2012-2013 Waste Collection & Disposal Budget in the amount of \$579,082 as presented.

Motion Carried.

2012-2013 Waste Diversion Budget

MOVED by Warden Dauphinee and Councillor Gaudet that a recommendation be made to Council to approve the 2012-2013 Waste Diversion Budget in the amount of \$60,882 as presented.

Motion Carried.

2012-2013 Hants County Courthouse Budget

MOVED by Councillor Gaudet and Councillor Shanks that a recommendation be made to Council to approve the 2012-2013 Hants County Courthouse Budget in the amount of \$73,889 as presented.

Motion Carried.

2012-2013 Roads & Street Budget

MOVED by Councillor Pineo and Councillor Gaudet that a recommendation be made to approve the 2012-2013 Roads & Street Budget in the amount of \$240,094 as presented.

Motion Carried.

2012-2013 Three Mile Plains Water Utility Operating Budget

MOVED by Warden Dauphinee and Councillor Shanks that a recommendation be made to Council to approve the 2012-2013 Three Mile Plains Water Utility Operating Budget in the amount of \$539,142 as presented.

Motion Carried.

2012-2013 Three Mile Plains Sewage Operating Budget

MOVED by Warden Dauphinee and Councillor Shanks that a recommendation be made to Council to approve the 2012-2013 Three Mile Plains Sewage Operating Budget in the amount of \$216,290 as presented.

Motion Carried.

2012-2013 Falmouth Water Utility Operating Budget

MOVED by Councillor Gaudet and Councillor Ainslie that a recommendation to approve the 2012-2013 Falmouth Water Utility Operating Budget in the amount of \$497,236 as presented.

Motion Carried.

2012-2013 Falmouth Sewage Operating Budget

MOVED by Councillor Gaudet and Councillor Ainslie that a recommendation be made to Council to approve the 2012-2013 Falmouth Sewage Operating Budget in the amount of \$364,956 as presented.

Motion Carried.

2012-2013 Planning Department Budget

MOVED by Warden Dauphinee and Councillor Shanks that a recommendation be made to Council to approve the 2012-2013 Planning Department Budget in the amount of \$552,800 as presented.

Motion Carried.

2012-2013 Recreation Department Budget

MOVED by Councillor Gaudet and Warden Dauphinee to approve the 2012-2013 Recreation Department Budget in the amount \$399,966 as presented.

Motion Carried.

2012-2013 REMO Budget

MOVED by Warden Dauphinee and Councillor Gaudet that a recommendation be made to Council to approve the 2012-2013 REMO Budget in the amount of \$83,853 as presented.

Motion Carried.

2012-2013 Salaries & Benefits Budget

MOVED by Councillor Pineo and Councillor Brown that a recommendation be made to Council to approve the 2012-2013 Salaries & Benefits Budget in the amount of \$508,601 as presented.

Motion Carried.

2012-2013 General Government Budget

MOVED by Councillor Gaudet and Councillor Pineo that a recommendation be made to Council to approve the 2012-2013 General Government Budget in the amount of \$1,771,235 as presented.

Motion Carried.

2012-2013 Maintenance Budget

MOVED by Couniclor Pineo and Councillor Brown that a recommendation be made to Council to approve the 2012-2013 Maintenance Budget in the amount of \$42,600 as presented.

Motion Carried.

2012-2013 Office Administration Budget

MOVED by Councillor Pineo and Warden Dauphinee that a recommendation be made to Council to approve the 2012-2013 Office Administration Budget in the amount of \$68,610 as presented.

Motion Carried.

2012-2013 Fire Services Budget

MOVED by Warden Dauphinee and Councillor Gaudet that a recommendation be made to Council to approve the 2012-2013 Fire Services Budget in the amount of \$1,641,121 as presented.

Motion Carried.

2012-2013 Statement of Estimates

MOVED by Warden Dauphinee and Councillor Shanks that a recommendation be made to Council to approve the Statement of Estimates for the year ending March 31, 2013.

Motion Carried.

2012-2013 Taxation Resolution

MOVED by Warden Dauphinee and Councillor Gaudet that a recommendation be made to Council to approve the 2012-2013 Taxation Resolution:

BE IT RESOLVED that the sums that are required for the lawful purposes of the Municipality of the District of West Hants for the year 2012-2013 after crediting the probable revenue from all sources other than the rates for the year and making the allowance for the abatement and losses that may occur in the collection of taxes and taxes for the current year that may not be collected or collectable is \$10,810,127 and this Council hereby authorizes the levying and collection of a rate of one dollar & sixty eight cents (\$1.68) per one hundred dollars (\$100) of the assessment of the assessed value of commercial and business occupancy property and the assessed value of residential property and general resource property that will equal ninety-four cents (94¢) per one hundred dollars (\$100) of the assessment on residential and general resource property.

BE IT FURTHER RESOLVED that the taxpayers in the said Municipality are required to pay the whole of their taxes on or before the 1st day of September, A.D., 2012 provided that if the total amount of taxes owing not be paid in full on or before the 1st day of September, A.D., 2012 the balance of current and prior years taxes then owing will bear interest at a rate of 12% per annum, such rate to be calculated monthly at the end of each month at a rate of 1.0% until the sums are paid and that after a demand for the full amount of the said taxes, a Warrant may be issued after the 1st day of September, A.D., 2012 to collect all amounts of rates and taxes then remaining unpaid.

Motion Carried.

12. Referrals from Other Committees

There were not referrals from other committees.

13. Fire Advisory Committee (Agenda Items)

The Fire Advisory Committee did not meet.

14. Correspondence

There was no correspondence.

15. Miscellaneous/New Business

Dykeland Lodge By-law Revision

MOVED by Warden Dauphinee and Councillor Brown that the correspondence regarding Dykeland Lodge By-law Revision be received and placed on file.

Motion Carried.

MOVED by Warden Dauphinee and Councillor Ainslie that a recommendation be made to Council to approve the revised Hants County Residence for Senior Citizens By-law.

Motion Carried.

Tax Bill & Inserts

J. Wood asked permission to add a section on the tax bills directing residents to the Municipality's website or to contact the office for the Budget report as opposed to inserting it in the tax bill mailout. Council agreed with the suggestion.

MOVED by Councillor Gaudet and Warden Dauphinee that a recommendation be made to Council to approve up to a maximum of \$600 towards the cost of a new uniform for the Town Crier, Lloyd Smith.		
Motion	Carried.	
16.	Date of the Next Meeting – August 7 th , 2012	
The nex	ct regular meeting is scheduled for August 7 th , 2012 at 6:00 p.m.	
17.	Adjournment	
MOVED by Councillor Pineo and Warden Dauphinee that the meeting adjourn at 9:00 pm.		
Motion Carried.		

Cheryl Chislett, CAO

New Uniform Town Crier – Lloyd Smith

Gary Cochrane, Chair