

COUNCIL MEETING AGENDA

Tuesday, October 20, 2015 at 7:30pm

Municipal Administration Centre

- 1) Call to Order – Chairman, Warden Russell Boucher
- 2) Approval of Agenda
- 3) Approval of Municipal Council Minutes of September 15th, 2015
- 4) Business Arising from Minutes
- 5) Presentations
 - i. Antigonish Community Transit
 - ii. Listening to Our Neighbours – Documentary by Antigonish Climate Resilience
- 6) Correspondence
 - i. Chez Deslauriers
 - ii. Lynda Mills – Request for Sewer Line Extension
 - iii. Burchells LLP – Notice of opportunity to intervene in Court of Appeal proceedings. Municipality of the County of Richmond v. Attorney General of Nova Scotia and Nova Scotia Utility and Review Board
- 7) Committee Reports
 - i. E-Poll from September 24th
 - ii. Committee of the Whole – October 6th, 2015
 - iii. Committee of the Whole – October 20th, 2015 (Will be provided at the meeting)
- 8) Motion(s)
- 9) Reports from Individual Council Members on Outside Boards, Committees, and Commissions
- 10) Miscellaneous Business
- 11) Adjournment



MUNICIPALITY OF THE COUNTY OF ANTIGONISH

Municipal Council Meeting - Minutes

Tuesday, September 15, 2014

7:30pm

Present: Warden Russell Boucher, Chairperson
Deputy Warden Owen McCarron

Councillors: Bill MacFarlane Rémi Deveau
Mary MacLellan Vaughan Chisholm
Angus Bowie Donnie MacDonald
Pierre Boucher Hughie Stewart

Also present: Glenn Horne, Municipal Clerk/Treasurer
Shirlyn Donovan, Interim Deputy Clerk
Corey LeBlanc, Antigonish Casket
Grant McDaniel, Port Hawkesbury Reporter
Bill MacCuish, 98.9 XFM
Greg Morrow, 101.5 The Hawk
Greg Tkacz
Michael Moeller
Gallery

The meeting was called to order at 7:39pm by the Chair, Warden Russell Boucher.

APPROVAL OF AGENDA

Warden Boucher called for any additions or deletions to the agenda.

The following items were added to the agenda:

1. Presentation – Certificate of Appreciation from L’Arche
2. Motions - Request to attend Library Conference

Min #2015-104 (Approval of Agenda)

MOVED by Deputy Warden McCarron, SECONDED by Councillor MacFarlane, that the agenda be approved as amended. Motion carried.

APPROVAL OF MINUTES

Warden Boucher called for the approval of the Municipal Council Minutes of June 23rd, 2015.

Min #2015-105 (Approval of June 23rd Council Minutes)

MOVED by Councillor MacDonald, SECONDED by Councillor MacLellan, that the Municipal Council Minutes of June 16th, 2015 be approved. Motion carried.

BUSINESS ARISING FROM THE MINUTES

Mr. Horne brought up two items of old business. The first was that we received petition from the residents of Cape George and Ballantyne's Cove requesting the Nova Scotia Provincial Government and the Department of Transportation take immediate action to have 6km of Highway 337 resurfaced from the District 2 line north towards Ballantyne's Cove. Municipal Council made a motion to endorse the letter from the concerned residents at its May 2015 Council meeting.

The second item of old business presented was the statistics on car accidents and fatalities between Antigonish and the Canso Causeway between 2009-Present. The statistics will be circulated by email.

PUBLIC HEARINGS

A request for a variance was granted by the Eastern District Planning Commission for a section of Mount Cameron. The variance was granted to reduce the lot size requirements from 5000 sq. ft. per dwelling unit to a minimum of 3500 sq.ft. per dwelling unit. The request for the variance is to allow the placement of duplex dwelling units on lots adjacent to existing units on similar size lots. There was a 14 day appeal period for residents living within thirty (30) metres of the subject line. There was one appeal letter received and therefore this public hearing is necessary.

Mr. Bain from the Eastern District Planning Commission reviewed the three (3) criteria from the Municipal Government Act that they must give consideration to when approving a variance request.

Municipal Government Act – Section 235

(3) A variance may not be granted where the

- (a) Variance violates the intent of the development agreement or land-use by-law;
- (b) Difficulty experienced is general to properties in the area; or
- (c) Difficulty experienced results from an intentional disregard for the requirements of the development agreement or land-use by-law.

Mr. Bain posed the question on whether it violates the intent of the Land Use Bylaw as mentioned in the Municipal Planning Strategy. The policy that establishes the R1 Zone

Policy L-2.3 It shall be the policy of Council to encourage residential development that is orderly and compact and that does not strain or exceed the capacity of community services and facilities.

Mr. Bain states that granting the variance does not violate the intent of the by-law, in fact it is in keeping with the Municipal Planning Strategy, increasing the density as proposed by the variance encourages residential development that is orderly and compact.

What makes the situation unique is that the old by-law had a lesser standard. The developer designed the whole subdivision based on the old standard. Based on the criteria, the variance was granted by the Development Officer and the residents within thirty (30) metres of the property were notified.

Warden Boucher asked if anyone was present who wished to speak for or against the variance. Mike Moeller was present to speak out against the variance.

Mr. Moeller presented his letter of appeal (provided in agenda package).

Warden Boucher thanked Mr. Moeller for his presentation.

Councillor MacLellan asked who paid the expense to put in the already existing driveways. The developer was in the gallery and stated that the developer paid to have the driveways put in when the power lines were going in so they would not interfere with the driveways or on the front lawn of potential properties.

Min #2015-106 (Approval of Variance)

MOVED by Councillor MacFarlane, SECONDED by Councillor Stewart that the variance granted to Mount Cameron be approved. (One nay vote, Councillor MacDonald). Motion Carried.

PRESENTATIONS

Economics Conference Coming to StFX in 2017

Dr. Greg Tkacz provided Council with a presentation of an upcoming conference coming to Antigonish in June 2017. The Annual Conference of the Canadian Economics Association will take place from June 1-5, 2017 and typically draws in about 1000 participants. Discussion followed. Mr. Tkacz was thanks for his presentation. (Presentation attached)

Antigonish Emergency Fuel Fund

Warden Boucher presented a cheque to Councillor Bowie who was representing the Antigonish Emergency Fuel Fund Committee.

Marking of the Queen's Reign

On September 9, 2015, Queen Elizabeth II surpassed Queen Victoria as the longest servicing monarch in modern times. To commemorate this event, Municipal Council unveiled a picture of the Queen on the wall of the Council Chambers.

CORRESPONDENCE

Correspondence has been received from the following:

1. A letter from Chuck Curry to Lloyd Hines requesting upgrades and completion of paving of the Antigonish-Guysborough Road.

Min #2015-107 (Letter of Support)

MOVED by Deputy Warden McCarron, SECONDED by Councillor MacDonald that Municipal Council draft a letter of support to send to Guysborough-Eastern Shore-Tracadie MLA Lloyd Hines, Geoff MacLellan, Minister of Transportation and Infrastructure Renewal, Gerard Jessome, Director TIR and Jamie Chisholm, Area Manager for TIR, supporting the upgrade and completion of paving of the Antigonish-Guysborough Road. Motion Carried.

2. Zach Churchill – Minister of Municipal Affairs
3. Antigonish Heritage Museum – letter of thanks.
4. Jack Sobel – letter requesting speed limit change on Highway 337 by Mount Cameron.

Min #2015-108 (Letter of Support)

MOVED by Councillor MacDonald, SECONDED by Councillor MacLellan that Municipal Council draft a letter of support to decrease the speed limit along the Mount Cameron section of Highway 337 and send it to Geoff MacLellan, Minister of Transportation and Infrastructure Renewal, Gerard Jessome, Director TIR and Jamie Chisholm, Area Manager for TIR. Motion Carried.

5. Eastern District Planning Commission – 2014-2015 Annual Reports and Financial Statements

COMMITTEE REPORTS

Committee of the Whole Report E-Polls – September 15, 2015

Min #2015-109 (Awarding Tender for new Truck)

MOVED by Councillor Deveau, SECONDED by Councillor Chisholm that the tender for a new ¾ tonne truck be awarded to MacDonald Chrysler. Motion Carried.

Min #2015-110 (IPAC Attendance)

MOVED by Councillor MacDonald, SECONDED by Councillor MacLellan that the Municipal Clerk Treasurer attend the IPAC Annual conference in Halifax NS. Motion Carried.

Min #2015-111 (Approve Student Exchange)

MOVED by Deputy Warden McCarron, SECONDED by Councillor Chisholm that the Municipality take part in the YMCA Summer Student Work Exchange and host one participant. Motion Carried.

Min #2015-112 (Approve New Hire)

MOVED by Deputy Warden McCarron, SECONDED by Councillor Boucher that the Municipality hire Laura Duggan as the interim Physical Activity Coordinator, commencing immediately and ending by June 30, 2016. Motion Carried.

Min #2015-113 (Approve MOU with Town of Antigonish)

MOVED by Councillor Deveau, SECONDED by Councillor MacFarlane that the Municipality approve the MOU between the Municipality of the County of Antigonish and the Town of Antigonish, which sets out the terms and understanding between the parties to enter into an Inter-municipal Agreement for the Antigonish Arena. Motion Carried.

Min #2015-114 (Awarding of Municipal Mural Competition)

MOVED by Councillor Chisholm, SECONDED by Councillor Stewart that the Municipality engage the NSHA Health Equity and Social Justice Committee and engage for the completion of the first Municipal Mural and provide this group with the \$2000 honorarium.. Motion Carried.

Min #2015-115 (Approval for Use of Jail)

MOVED by Councillor Stewart, SECONDED by Councillor MacLellan that the Municipality approve agreement for the short-term use of the kitchen at the former Antigonish Correctional Facility for a small-scale commercial operation. Motion Carried.

Committee of the Whole Report – September 1, 2015

Min #2015-116 (Approval for New Sewer Pumps)

MOVED by Councillor Deveau, SECONDED by Councillor MacFarlane that the Municipality pilot five (5) E-One Grinder Pumps and one (1) Barnes pump in the Pomquet Sewer System. Motion Carried.

Min #2015-117 (Approval of 2015/16 Water Utility Budget)

MOVED by Councillor MacFarlane, SECONDED by Councillor Chisholm that Municipal Council approve the Municipality's 2015-2016 Water Utility Budget. Motion carried.

Min #2015-118 (Approval of 2015/16 Capital Infrastructure Plan)

MOVED by Councillor MacDonald, SECONDED by Councillor Deveau that Municipal Council approve the Municipality's 2015-2016 Capital Infrastructure Plan. Motion Carried.

Min #2015-119 (Write Off Uncollectable Provincial Tax Accounts)

MOVED by Councillor Stewart, SECONDED by Councillor MacFarlane that uncollectable balances on Provincial tax accounts be written off. Motion Carried.

Min #2015-120 (Approval of Fine Amount for Dog Violation)

MOVED by Councillor Chisholm, SECONDED by Councillor Stewart that a fine amount be set at \$3000 for a violation of the dog bylaw. Motion Carried.

Min #2015-121 (Awarding Tender of Truck)

MOVED by Councillor Bowie, SECONDED by Deputy Warden McCarron that Municipal Council award the tender for purchase of the 2006 Chev 2500 to Ron Chisholm Hydro-Seeding for \$740 +HST. Motion Carried.

Committee of the Whole Report – September 15, 2015

Min #2015-122 (Cluster Sewer Development)

MOVED by Councillor Boucher, SECONDED by Deputy Warden McCarron that the Municipality further engage with STRUM and the developer to more fully explore the potential of Cluster Systems. Motion Carried.

Min #2015-123 (Evolve Special Event Permit)

MOVED by Councillor MacLellan, SECONDED by Councillor MacDonald that the following conditions be placed on any permit application to be considered from Evolve for the 2016 festival: enhance health services, enhanced entrance and site control, shorten the duration and limit hours of operation, and address challenges with the location (One Nay Vote, Deputy Warden McCarron). Motion Carried.

Min #2015-124 (StFX Mens Hockey Golf Scramble)

MOVED by Councillor Deveau, SECONDED by Councillor Stewart that The Municipality sponsor a team in the StFX Men's Hockey Golf Tournament at a cost of \$400. Motion Carried.

Min #2015-125 (RK Loan Guarantee)

MOVED by Councillor MacLellan, SECONDED by Councillor Bowie that the Municipality approve the borrowing of the RK MacDonald Nursing Home to replace the Boiler and Smokestack and sign the Guaranteed resolution for one-half of the amount totaling \$177,807. Motion Carried.

Min #2015-126 (Havre Boucher Soccer Field)

MOVED by Deputy Warden McCarron, SECONDED by Councillor Deveau that the Tax Exemption Policy for Non-Profit Organizations be amended to include the soccer field in Havre Boucher, owned by the Havre Boucher and Area Culture, Development and Recreation Association. Motion Carried.

Min #2015-127 (Havre Boucher Soccer Field)

MOVED by Councillor Chisholm, SECONDED by Councillor MacDonald that the Municipality write off the 2015-2016 property tax on the Havre Boucher soccer field. Motion Carried.

MOTIONS

Min #2015-128 (Road Name Change)

MOVED by Councillor Bowie, SECONDED by Councillor MacFarlane that Municipal Council approve a road name change from Unnamed Private lane at 194 Old Ferry Road in Bayfield to Jonathan Lane. Motion Carried.

Min #2015-129 (Tax Sale)

MOVED by Councillor Chisholm, SECONDED by Councillor MacDonald that Municipal Council initiate a Tax Sale as per the authority granted by section 134 of the Municipal Government Act. Motion Carried.

Min #2015-130 (Approval to attend Library Conference)

MOVED by Councillor Boucher, SECONDED by Councillor Chisholm that Councillor MacLellan attend the library conference in Halifax. Motion Carried.

PRESENTATION

Councillor Chisholm presented Municipal Council with a Certificate of Appreciated from L'Arche Antigonish. With the funding received from the Municipality, L'Arche was able to offer summer day camps for children with disabilities.

UPDATES/REPORTS FROM INDIVIDUAL COUNCIL MEMBERS

Councillor Bowie reported that he attended:

- Town and County Canada Day festivities
- Antigonish Community Transit meetings
- Championship party for Heatherton Warriors who won the AGR ball league

Deputy Warden McCarron reported that he attended:

- Town and County Canada Day festivities
- Marina meeting

Councillor Deveau reported that he attended:

- Crime Prevention meetings
- Highland Games parade
- Antigonish Arena Commission meetings

Councillor MacLellan reported that she attended:

- Tourism strategy meeting

Warden Boucher reported that he attended:

- Antigonish East Graduation
- Dorothy Melong's 90th birthday in Cape Jack
- StFX Dinner for Highland Society
- REN meeting
- CACL BBQ
- Coady Welcome
- Highland Games parade
- Antigonish Arena Commission meetings
- Bionovations
- Indigenous Graduation
- Town & Gown meeting
- Chancellors luncheon
- Stanley Cup celebration

Warden Boucher gave a brief update on the Antigonish Arena. The pouring of cement is complete and is now curing. Things are rolling along very well and they are within the time frame of the upgrade.

MOTION TO ADJOURN

Min #2015-131 (Motion to Adjourn)

MOVED by Councillor Boucher, SECONDED by Councillor Deveau that the Council meeting adjourns at 8:31pm. Motion carried.

Warden Russell Boucher

Glenn Horne, Municipal Clerk/Treasurer



Antigonish Community Transit Society

One Year Operational Update to County Council

October 20th, 2015



One Year and Going Strong!

Evolution of ACTS in the County



- Began as 5 routes to cover each area
- Now focusing daily on fringe areas, becoming more flexible with dial-a-rides in the county
- Purchased a 6 passenger van to ease vehicle maintenance, fuel costs and create a more comfortable ride
- Increasing ridership and awareness by opening our service area
- Photo Credit: The Casket

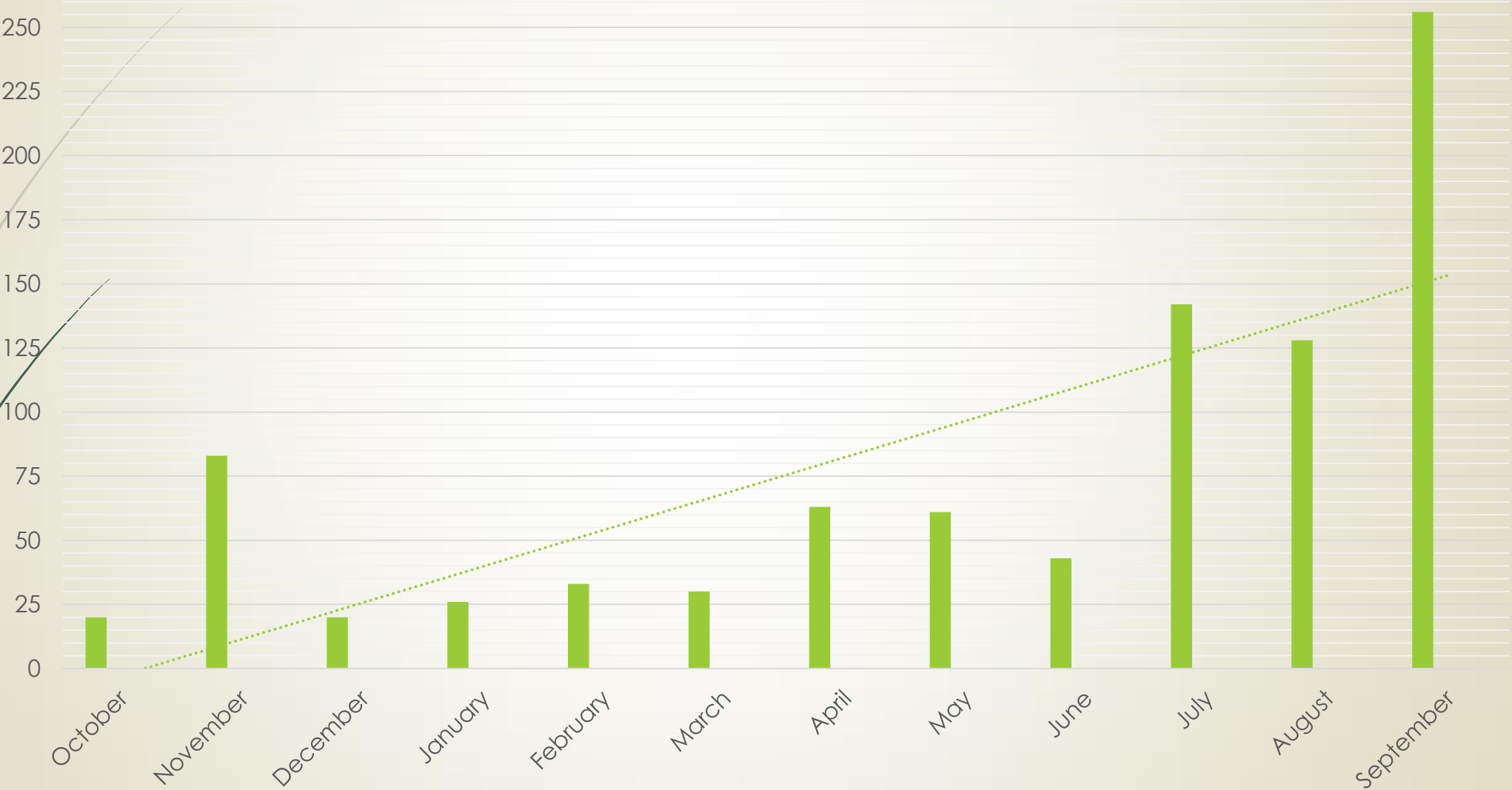


Ridership



- ▶ Steady ridership of dedicated customers
- ▶ Increasing use of the system by organizations wishing to see the County in various forms
 - ▶ Helping organizations such as St. FX departments and student groups, The Coady International Institute, County Recreation, Town Recreation
- ▶ An increase in the use of the system by County residents in Wheelchairs
- ▶ Increase in the amount of interested County residents inquiring about the system

Total Ridership in the County





Partnerships



- ▶ Beginning a conversation with CACL, VON and the Carevan to consolidate services to better serve county residents
- ▶ Combining resources and coverage areas could streamline the services and increase the ability of all services to meet demand and increase accessibility



Preparing for the Future and Sustainability

- ▶ Currently developing a proposal to open the entire county up to Dial-a-Ride
 - ▶ Exploring rates
 - ▶ Negotiating booking tiers
 - ▶ Developing partnerships with other businesses and organizations
 - ▶ Calculating financial changes – i.e. funding, wages, maintenance, fuel
 - ▶ Developing policies and procedures
- ▶ Researching delivering prescriptions to County residents

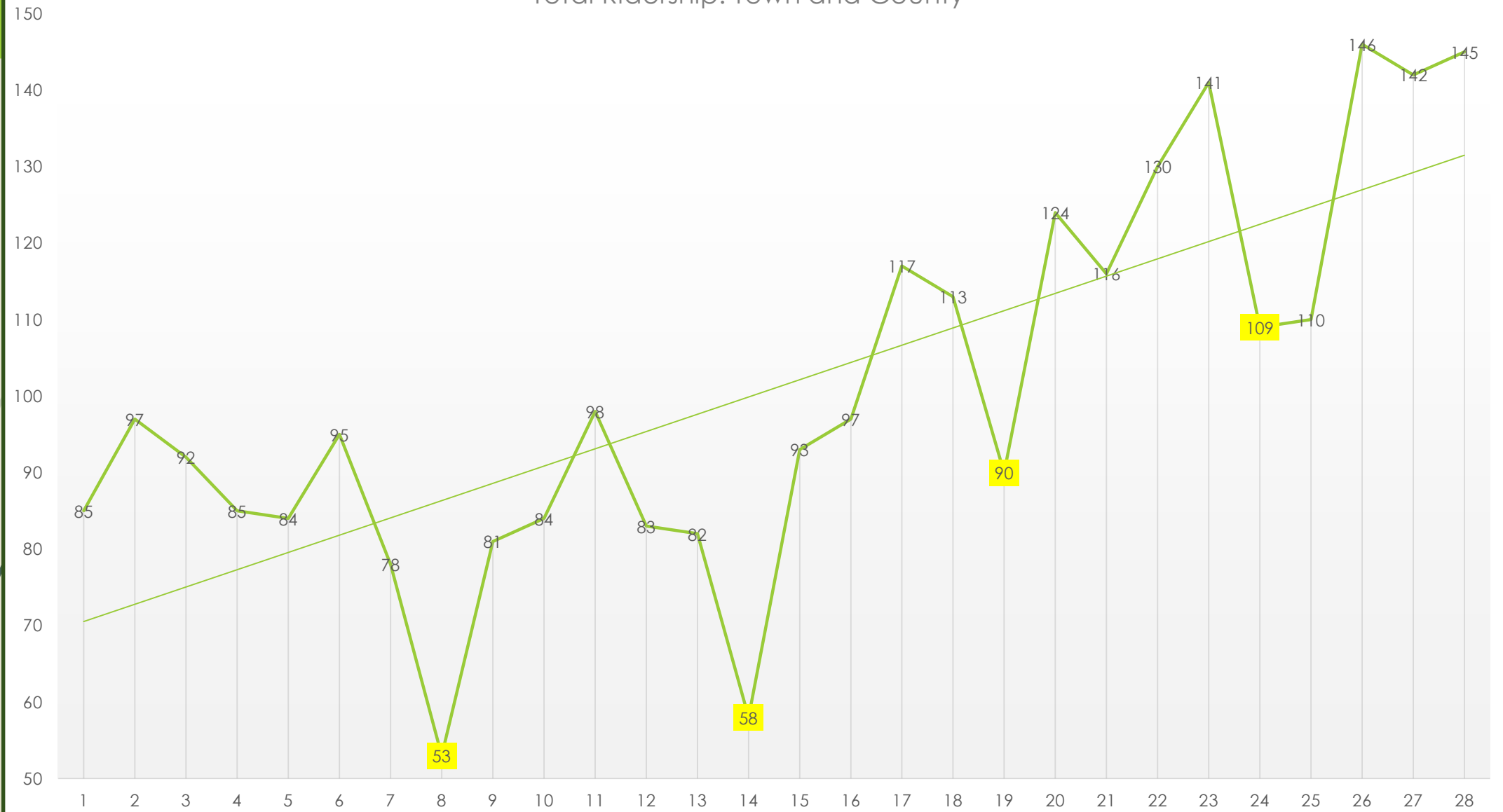


Sustainability



- ▶ Working with pharmacies to deliver prescriptions
 - ▶ Increases eligibility for funding programs, revenues, sponsorships and partnerships
- ▶ Around 1000 passengers a month, Town and County combined
 - ▶ Increases fare revenue, visibility and the possibility of sponsorships
 - ▶ September Total: 695
- ▶ Being flexible to the needs of County residents
- ▶ Continuing to offer friendly, safe and reliable service to all riders of the Antigonish Community Transit System

Total Ridership: Town and County



Questions?





Société de Développement de Pomquet

260 Pomquet Beach Road
Antigonish, Nova Scotia B2G 2L4
October 2, 2015

Municipal Clerk
Municipality of the County of Antigonish
285 Beech Hill Road
RR#6, Antigonish, Nova Scotia
B2G 0B4

Dear Mr. Horne,

Please find attached a document outlining the work conducted at the Chez Deslauriers property over the 2015 summer/fall seasons. The improvements were made possible with funds acquired through the Community Non-Profit Grant received by the Pomquet Development Society in spring, 2015. The support of the Municipality of the County of Antigonish is gratefully acknowledged.

Thank you.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Colette Rennie', with a stylized flourish at the end.

Colette Rennie
Chairperson
Pomquet Development Society

Work Conducted at Chez Deslauriers – 2015

1. Interior

- a) Kitchen Improvements including the construction of storage shelves, extension of the countertop
- b) Purchase and installation of an industrial dishwasher
- c) Purchase and installation of a water conditioner
- d) Purchase and installation of an under-counter freezer
- e) Purchase of a storage freezer
- f) Construction of a new swinging door from the kitchen to the dining area
- g) Construction of a fixed desk in the entryway for the sale of meal tickets
- h) Purchase of three antiques for dining room/washroom décor

2. Exterior

- a) Purchase and installation of four window boxes
- b) Removal of old accessibility ramp
- c) Construction of new accessibility ramp (to be completed in fall, 2015)

Doug & Lynda Mills
105 Somers Road
Antigonish, NS B2G2K8

6 October 2015

Vaughan Chisholm
Municipal Councillor District #4
Antigonish, NS

Cc: Glenn Horne
Municipal Clerk/Treasurer

Dear Mr. Chisholm/Horne:

I am writing this letter to explore the possibility of extending the water & sewer line on Somers Road along our property line adjacent to the existing road. This would be approximately 750-800' commencing at our property line and extending to lands of Robert Landry.

It is our intention to sell approximately 5 or so lots with Somers Road frontage. I have already been approached (without advertising) to sell a lot. However, with no water & sewer availability, this will probably not be viable.

Please feel free to contact us if any additional information is need at 863-4011. We look forward to hearing from you in the near future.

Thank you for your time and consideration.

Best regards,

A handwritten signature in cursive script that reads "Lynda Mills".

Lynda Mills

October 5, 2015

VIA REGULAR MAIL

Glenn Horne
Municipal Clerk
Municipality of the County of Antigonish
285 Beech Hill Road
RR6 Stn Main
Antigonish, NS B2G 0B4

Dear Mr. Horne:

**Re: Municipality of the County of Richmond v. Attorney General of Nova Scotia and
Nova Scotia Utility and Review Board – C.A. No. 442005
Notice of opportunity to intervene in Court of Appeal proceedings**

We are counsel for the Municipality of the County of Richmond ("Richmond County"). On January 28, 2016, the Court of Appeal will hear the appeal of a July 2015 Utility and Review Board Order that reduces the size of Richmond County's municipal council from 10 to 5 councillors and redraws its electoral boundaries.

We have been directed by the Hon. Justice Cindy Bourgeois to provide notice of this appeal to the Chief Administrative Officer of each Municipality in the province. In view of the issues raised, the Court anticipates that one or more municipalities may wish to intervene in the proceedings.

A copy of Justice Bourgeois' Order and Notice, as well as our Notice of Appeal, are attached to this letter. As per the terms of the Order, any interested party seeking to intervene must file a motion to intervene on or before **November 6, 2015**.

Thank-you for your attention to this matter.

Yours very truly,

BURCHELLS LLP


D. Bruce Clarke, Q.C.

DBC/jlh
Encl.

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