

Call to Order

The Council meeting was called to order with Warden Thurber in the chair at 7:31 p.m.

Attendance

Councillors present:

- Jim Thurber, Warden
- Jimmy MacAlpine, Deputy Warden
- Linda Gregory, Councillor
- Randall Amero, Councillor
- Maritza Adams, Councillor

Staff present:

- Linda Fraser, Chief Administrative Officer
- Gordon Wilson, Deputy Chief Administrative Officer
- Marsha Lewis, Secretary

Prayer

Warden Thurber welcomed everyone to the meeting, read the Municipality's mission statement and then asked everyone to pause to seek guidance for the meeting.

Agenda

Councillor Amero pointed out that he would not be in attendance for number one and three on the agenda in Old Business because of a conflict of interest. Councillor Gregory wanted to add Posting of Meetings on Website as New Business #3.

MOVED by Councillor Gregory, seconded by Councillor Amero that the agenda be approved as amended.

MOTION CARRIED

Presentations

Rick Jacques – Trails Coordinator

MOVED by Councillor Gregory, seconded by Councillor Adams that Mr. Rick Jacques, Trails Coordinator come before Council to make a presentation.

MOTION CARRIED

Mr. Jacques gave a presentation to Council outlining the projects that are underway. He also submitted two annual reports, one from September 11, 2007 to August 28, 2008 and the other from September 1, 2008 to March 31, 2009.

Councillor Gregory asked the question pertaining to noise regarding residents adjacent to the trails with ATV's etc., What was being done on this issue? Mr. Jacques noted that abutments of earth, or fence like structures with styrofoam, and crushed asphalt shingles are used for noise control.

Warden Thurber asked about wheelchair accessibility. Mr. Jacques replied that not all trails are wheelchair accessible but those that do not allow other vehicles access.

Warden Thurber asked if Mr. Jacques could place an article in the Coastline Newsletter about the trails and what things were allowed on each trail.

Warden Thurber thanked Rick Jacques on behalf of Council.

Peter Robertson – Wharf
Rat Rally

MOVED by Deputy Warden MacAlpine, seconded by Councillor Adams that Mr. Peter Robertson from the Wharf Rat Rally come before Council to make a presentation.

MOTION CARRIED

Peter R. Robertson, Executive Director of the Wharf Rat Rally gave Council updates on the progress of the rally. He noted that school is starting two days before Labour Day and was concerned for the safety of children because of the rally being on those days. He was trying to get the school board not to open for children on those two days. Events are planned for Weymouth. They were working on securing an American company for the Airport. They are meeting with RCMP regarding traffic control, and the Red Cross for the emergency response drive.

Deputy Warden MacAlpine asked when we will know about confirmation with the Airport. Mr. Robertson stated that he would know by Friday, July 3, 2009. They are presently working with lawyers.

Councillor Amero asked if their budget was up-to-date. Mr. Robertson said that their budget was up-to-date and it would be sent to the CAO within ten days.

Warden Thurber thanked Mr. Robertson for the presentation.

Minutes

May 25, 2009

MOVED by Councillor Amero, seconded by Deputy Warden MacAlpine that the minutes from May 25, 2009 be approved as distributed.

MOTION CARRIED

Old Business

#1 Municipal Planning
Strategy and Land Use
By-law for the Regulation
of Wind Turbines in the
Municipality of the
District of Digby

MOVED by Councillor Gregory, seconded by Deputy Warden MacAlpine that Council give second and final reading of the Municipal Planning Strategy and Land Use By-law for the Regulation of Wind Turbines in the Municipality of the District of Digby.

Discussion ensued regarding the matters brought forth in the Public Hearing which preceded this Council meeting. The Councillors had issues and decided to postpone this motion until it could be revisited.

MOVED by Deputy Warden MacAlpine, seconded by Councillor Adams that Council postpone the second and final reading of the Municipal Planning Strategy and Land Use By-law for the Regulation of Wind Turbines in the Municipality of the District of Digby until a future Special Council Meeting.

**MOTION CARRIED
ONE OPPOSED – (Councillor Gregory)**

#3 Amendments to
Conway Area Land Use
By-law Regarding
Tideview Terrace

MOVED by Councillor Amero, seconded by Councillor Adams that Council give second and final reading of the amendments to the Conway Area Land Use By-law regarding Tideview Terrace.

MOTION CARRIED

#4 Automated External
Defibrillators (AED's) –
Response from EHS

Council met with representatives of the Municipal Fire Association concerning AED's. This was revisited due to other funding from EHS not being available. Nine out of the eleven Fire Departments qualify for AED's from EHS. It was suggested that the two that do not qualify, the Brighton/Barton Fire Department and Bear River Fire Department, receive Municipal funding. Bear River had purchased an AED already. It was noted that all fire departments have training in Medical First Response.

MOVED by Deputy Warden MacAlpine, seconded by Councillor Gregory that Council purchase an Automated External Defibrillator in the amount of \$2,300.00 for Brighton/Barton and reimburse Bear River Fire Department in the amount of \$2,300.00 for their purchase of same.

MOTION CARRIED

Warden Thurber

No Old Business.

Deputy Warden
MacAlpine

Deputy Warden MacAlpine asked about the sidewalk in Conway. The CAO reported that the project was submitted as a Build Canada Fund application. Costing estimates to be updated.

Councillor Gregory

Councillor Gregory asked about the Dangerous and Unsightly property on Lighthouse Road. She was advised that the property changed hands.

Councillor Amero

No Old Business.

Councillor Adams

No Old Business.

New Business

#1 Statement of
Estimates 2009-2010 –
Tax Rate Resolution

See attached 2009-2010 Tax Rate Resolution.

MOVED by Councillor Gregory, seconded by Deputy Warden MacAlpine that the Tax Rate Resolution for 2009-2010 be approved as presented.

MOTION CARRIED

Deputy Warden MacAlpine noted that Council were able to lower the residential rate by five cents due the increase in assessments.

#2 UNSM – 2009 Annual Conference Resolutions UNSM is requesting that any resolutions be submitted for the Fall Conference be sent by August 17, 2009. Councillor Gregory suggested that the Municipality put forward a resolution requesting that Dec. 26th become a paid holiday. Councillor Adams noted that at the FCM conference there was not as much for rural areas. She would like to see the UNSM ask FCM for more sessions for rural areas.

#3 Posting meetings Councillor Gregory stated that she would like to see other meetings in which Councillors are involved to be posted on the website so that the general public will know when there are meetings scheduled that they might want to attend. She suggested several meetings not listed.

Administration

Request for decision/direction

Household Hazardous Waste Depot – Awarding of Contract **MOVED by Councillor Gregory, seconded by Deputy Warden MacAlpine, that the contract for the construction of the Household Hazardous Waste Depot be granted to D.J. Lowe in the amount of \$68,227.71 including HST.**

MOTION CARRIED

CAO Report The CAO report for the month of June 2009 was included in the meeting package.

Summer Meetings There will be no scheduled Council meetings for July and August except special meetings.

Governor General's Cup Cross Canada Centennial Flight Event There will be thirty-one planes here in August for the Governor General's Cup Cross Canada Centennial Flight Event.

Payables **MOVED by Councillor Gregory, seconded by Councillor Amero that the payables in the amount of \$286,048.58 for the month of May 2009 be approved as presented.**

MOTION CARRIED

Financial Report N/A

Council Committees

Committee of the Whole

Upper Clements Park Deputy Warden MacAlpine stated that the Upper Clements Theme Park will be negatively impacted by school starting before Labour Day. He also stated that this will impact other tourist businesses as well. He would like a letter written to the Premier. Councillor Gregory would like to see a letter written

to the School Board to see if those two days could be in-service days and not days that children would be present.

MOVED by Councillor Gregory, seconded by Deputy Warden MacAlpine that a letter be written to Premier Dexter to make September 3rd, and 4th, 2009 in-service days and not have children present in school. This letter is to be carbon-copied to the School Board; Department of Education; and Department of Tourism.

MOTION CARRIED

Bylaw & Policy Review N/A

Advisory Committees

#1 REMO Management Planning Committee The minutes from April 29, 2009 were included in the meeting package. Becky Doucet attended the last meeting. A REMO coordinator is to be hired.

MOVED by Councillor Amero, seconded by Councillor Adams that Deputy Warden MacAlpine be appointed to the Regional Emergency Management Advisory Group along with the Warden.

MOTION CARRIED

#2 Heritage Advisory Committee **MOVED by Councillor Adams, seconded by Councillor Amero that Louise Mullen be appointed to the Heritage Advisory Committee.**

MOTION CARRIED

#3 Planning Advisory Committee The PAC minutes for April 30, 2009 were included in the meeting package. There is a Public information meeting scheduled for July 20, 2009 at 7:00 p.m. on land use options for Robinson Weir Road, Conway.

MOVED by Councillor Gregory, seconded by Deputy Warden MacAlpine that Council direct the Planning Advisory Committee to initiate the process to consider amendments to the Conway Area Secondary Municipal Planning Strategy and Land Use By-law as per request from Tom Rice of V J Rice Concrete Limited.

MOTION CARRIED

#4 Police Advisory Committee There is a public meeting scheduled for July 16, 2009 at Bear River Fire Hall at 8:00 p.m. to discuss policing issues in Bear River.

#5 Tri County Housing Authority The Tri County Housing Authority reports are prepared on a quarterly basis, and the last report was received in May.

**Regional / Joint
Committees**

- #1 Airport working group Deputy Warden MacAlpine stated that the group has not met since the last Council meeting. He noted that they are gearing up for the air rally.
- #2 Annapolis Digby Economic Development Agency The ADEDA minutes for April 23, 2009 were included in the meeting package. The Managing Director's report was also included for the month of May. Warden Thurber stated that NS Business Inc. and ACCOA spoke highly of the new ADEDA team.
- #3 Buy Back Nova Scotia Coalition Councillor Gregory and Councillor Amero sent word and hoped to hear from them. Councillor Amero stated that the Irving land was sold and had been split into three parcels by a private company and that one of these parcels was sold to a company which was not Canadian.
- #4 Digby Annapolis Development Corp There is a DADC meeting scheduled for July 2, 2009. Warden Thurber had been talking to Convergys and stated that the rumor concerning cutbacks is false. Employees who want extra vacation can have it but they are not downsizing their workforce.
- #5 Digby Area Tourism Association The DATA minutes for April 4, 2009 were included in the meeting package. The March 2008 Annual General Meeting Minutes were also included. Councillor Gregory attended the Annual Meeting in May, the minutes of which are not available yet. Discussion on a marketing levy will be on their agenda.
- #6 Digby Area Recreation Committee The DARC meeting minutes for April 15, 2009 were included in the meeting package, as well as the Recreation Manager Report for May 2009. Councillor Gregory gave a report on what's happening at the arena. The pool is now open. Councillor Adams and Councillor Gregory attended Senior Safety Days. This was well attended and the RCMP was also in attendance. The budget will be perused at committee level. The day camp is full and more staff was hired. Warden Thurber commented on how very well the Relay for Life was accommodated because of rain and asked that his comments be passed on to DARC staff.
- #7 Digby Harbour Port Association The minutes for April 16, 2009 were included in the meeting package. There will be a meeting next week.
- #8 Fundyweb Broadband The meeting minutes from November 26, 2008 were included in the meeting package. Deputy Warden MacAlpine attended a meeting on June 23rd at the Municipality of Annapolis. Deputy Warden MacAlpine was appointed Chair. It was stated that they felt Fundy Broadband had fulfilled its mandate and should be disbanded and the assets sold. Deputy Warden MacAlpine asked for more discussion at the Board level. The Board agreed to meet quarterly.
- #9 Industrial Commission The minutes for February 18, 2009 were included in the meeting packages.

- #10 Kings Transit Authority The next Kings Transit Authority meeting is scheduled for July 2, 2009. Councillor Amero stated that the Kings Transit Authority decided not to meet monthly during the summer.
- #11 Senior Safety Committee There was a 2008-2009 RCMP Seniors' Safety highlight report included in the meeting package. There will be a fun day at the last of both July and August. They hired Janice Oliver to help with transportation.
- #12 Tideview Terrace The Tideview Terrace meeting minutes from April 2009 were included in the meeting package.
- #13 Waste Check The minutes from May 11, 2009 as well as the General Manager's Report from June 2009 were included in the meeting package. Deputy Warden MacAlpine noted that on June 15th, Waste Check decided to change the meeting schedule to eight meetings a year. He noted that there have been some compost regulation changes by the Province. Also, Region 7 received the Mobius award by RFB for best division with 381 kg. We should let people know through our "Coastline" newsletter.
- #14 Western Counties Regional Library The Western Counties Regional Library February 5, 2009 meeting minutes were included in the Council package.

Council Reports

- Warden Thurber** Warden Thurber gave an oral presentation to Council outlining the various meetings he has attended during the past month.
- Deputy Warden MacAlpine** Deputy Warden MacAlpine gave an oral presentation to Council outlining the various meetings he has attended during the past month.
- Councillor Gregory** Councillor Gregory gave an oral presentation to Council outlining the various meetings she has attended during the past month.
- Councillor Amero** Councillor Amero gave an oral presentation to Council outlining the various meetings he has attended during the past month.
- Councillor Adams** Councillor Adams gave an oral presentation to Council outlining the various meetings she has attended during the past month.

- Comments from the gallery The meeting was opened up for a question and answer session.
- In response to a question, Deputy Warden MacAlpine noted that more information regarding the wind turbines and noise decibel levels need to be reviewed.
- It was stated that noise levels rise with water present. The Digby Neck project is in the middle with water on each side, not like Pubnico with water only on one side of the wind farm.
- Warden Thurber stated Council felt that they needed more information before making a final decision on the Wind Turbine By-law.

Tax Resolution 2009-2010

BE IT RESOLVED THAT pursuant to the authority contained in section 72 of the Municipal Government Act, the Council of the Municipality of the District of Digby hereby adopts the Statement of Estimates in the amount of \$ **6,621,432** as presented for the fiscal year ending March 31, 2010.

FURTHER BE IT RESOLVED that a commercial rate pursuant to section 72 (6) (a) of the Municipal Government Act be established at \$1.85 per \$100 of assessment, a residential and resource rate pursuant to section 72 (6) (b) of the Municipal Government Act be established at \$1.30 per 100 of assessment.

AND FURTHER BE IT RESOLVED that the following area rates pursuant to section 75 (2) be established for the provision of fire protection, street lighting and sidewalk maintenance.

Sidewalk Maintenance		Codes	
Conway Sidewalk		CM	4.5 cents per \$100 of assessment
Mount Pleasant		MM	4.5 cents per \$100 of assessment
Street lighting			
Weymouth Falls Light Rate		10	11.00 cents per \$100 of assessment
Bear River Light Rate		01	15.00 cents per \$100 of assessment
Digby Neck Light Rate		03	15.00 cents per \$100 of assessment
Barton Light Rate		05	15.00 cents per \$100 of assessment
Culloden Light Rate		07	9.00 cents per \$100 of assessment
Smith's Cove Light Rate		08	6.70 cents per \$100 of assessment
Weymouth North		09	11.00 cents per \$100 of assessment
Fire Protection			
Digby Neck Fire District	1		5.0 cents per \$100 of assessment
Smiths' Cove Fire District	2		6.0 cents per \$100 of assessment
Freeport Fire District	3		5.0 cents per \$100 of assessment
Tiverton Fire District	4		5.0 cents per \$100 of assessment
Westport Fire District	5		5.0 cents per \$100 of assessment
Barton/Brighton Fire District	6		5.0 cents per \$100 of assessment
Plympton Fire District	7		5.0 cents per \$100 of assessment
Weymouth Fire District	8		5.0 cents per \$100 of assessment
Bear River Fire District	9		5.0 cents per \$100 of assessment
Digby Fire District	10		5.0 cents per \$100 of assessment
Southville/Danvers Fire District	11		15.0 cents per \$100 of assessment

FURTHER BE IT RESOLVED that the Municipality will bill and collect on behalf of the Commissioners for the Village of Weymouth, Village of Tiverton, Village of Freeport and the Village of Westport an amount as determined by each Commission at duly convened meetings.

Pursuant to the authority granted by the Municipal Government Act and Policy # 2001 Municipal Tax Collection, the Municipal Council hereby sets the interest rate on overdue taxes at the rate of **16 percent per annum**, and an interest rate of 10 percent per annum be established for overpayment on taxes due to assessment appeals.

This is to certify that the foregoing is a true copy of a resolution adopting the tax rates for the Municipality of the District of Digby passed the 29th day of June, 2009.

Linda Fraser
Chief Administrative Officer
Municipal Clerk

Municipality of the District of Digby
Municipal Council Minutes
June 29, 2009
Seabrook, Nova Scotia