

August 8, 2017

The Municipal Council for the Municipality of the County of Pictou met in the Council Chambers of the Municipal Administration Building on Tuesday, August 8, 2017 at 7:00 p.m.

PRESENT

Dist.	1	Clr. Don Butler
	2	Clr. Deborah Wadden
	3	Clr. Darla MacKeil
	4	Clr. Ronald Baillie
	6	Warden Robert Parker
	7	Clr. David Parker
	9	Clr. Peter Boyles
	11	Clr. Andy Thompson
	12	Clr. Chester Dewar

ABSENT

Dist.	5	Deputy Warden Murray (Out of Province)
	8	Clr. Larry Turner (Illness)
	10	Clr. Randy Palmer (Out of Province)

IN ATTENDANCE

Donn Fraser, Solicitor, MacIntosh, MacDonnell & MacDonald
Brian Cullen, CAO/Municipal Clerk-Treasurer
Karen E. Cornish, Deputy Municipal Treasurer
Anne MacCarthy, Dog Control/By-Law Enforcement Officer
Jane Johnson, Recording Secretary

CALL TO ORDER

Warden R. Parker called the meeting to order and requested that Councillors stand and take a moment in silence to pray or simply reflect, as may be their preference, to help Council focus and properly do the work of the County.

AGENDA

It was moved by Clr. Boyles and seconded by Clr. MacKeil that the agenda be approved with the addition of a closed session.

Motion carried.

MINUTES

It was moved by Clr. D. Parker and seconded by Clr. Butler that the minutes of July 4, 2017 be approved as presented.

Motion carried.

CORRESPONDENCE

Correspondence was received and acknowledged from the following:

(a) Office of the Information & Privacy Commission – Asking that Council proclaim September 25th – October 1st as “Right to Know Week” in the Municipality

(b) Cards of appreciation (uncirculated) for financial assistance were received from NRHS, the Betsy 250 Committee, & William Austin.

MOTION – RIGHT TO KNOW WEEK

It was moved by Clr. D. Parker and seconded by Clr. Baillie that Council proclaim September 25th to October 1st as “Right to Know Week” in the Municipality.

Motion carried.

RECOGNITION OF INDIVIDUALS & GROUPS

There was no recognition of individuals and groups.

COMMUNITY ANNOUNCEMENTS

August 13th Hopewell Ceilidh, parade at 12:45, entertainment 2 – 4 p.m.
August 13th Little Harbor Annual Plank Salmon Dinner from 3 – 7 p.m.
August 20th Annual Music LORDA, Local Music 1 – 5 p.m.
August 12th Pictou & Area Lyons Club Open House at Pictou Quarry Pond for potential public park from 10 a.m. to Noon.

REPORT – PROPERTY SERVICES COMMITTEE

Clr. Thompson presented the report of the Property Services Committee as follows:

PROPERTY SERVICES COMMITTEE REPORT

For information purposes the Property Services Committee submits the following report on the activities of the Committee for the month of July:

1. Reviewed and discussed the reports of the Building Inspector, By-Law Enforcement/Dog Control Officer and Warden for the month of June.
2. Due to the absence of the Director of Public Works & Development, there was no update available on the status of capital projects.
3. Directed staff to look into the possibility of taking over the water line on the McLellan’s Brook Road, seek necessary approvals from the NSUARB, and determine the possibility of accessing federal funding to replace the line.
4. Considered an applications for 3 intersection street lights in District 11. (Resolution to follow)
5. Agreed to recommend the adoption of a GSA Boundary Policy (Resolution to follow)
6. Agreed to write the Department of Transportation & Infrastructure Renewal seeking the placement of “Children Playing” signs near 1061 Alma Road in Loch Broom.
7. Agreed to write NS Power asking for the company’s rules on tree removal on power lines to homes.
8. Discussed a resolution to noise complaints in the Ponds area of District 1.

DATED at Pictou, N.S. this 8th day of August, 2017.

(Sgd.) Andy Thompson
Chester Dewar

MOTION

It was moved by Clr. Thompson and seconded by Clr. Dewar that the preceding report be adopted as presented.

Clr. D. Parker referred to item #3 regarding the Town of New Glasgow's water line and asked if there will be consultations with the current owner of that water line.

Warden R. Parker replied that New Glasgow would first have to agree to let go of its water customers.

Clr. D. Parker asked if there will be consultations with the Department of Transportation and Infrastructure Renewal and the CAO responded that all current users would be contacted as part of the process.

Clr. D. Parker asked if we would buy water from the Town of New Glasgow and then resell to these users and the CAO replied that the line would become part of our utility. He further advised that we would be buying it wholesale and selling it retail to customers.

Clr. D. Parker pointed out that the night Clr. Palmer made the motion to bring this forward to the Financial Services Committee he then asked why it appeared on the Property Services agenda.

The CAO replied it was moved to the Property Services Committee because it was more of a Property issue.

Clr. Thompson clarified that TIR is not the main user of the Water Utility in that area and they are only 1 user of 30.

Warden R. Parker asked that copy of the letter sent to TIR regarding "Children Playing" signs be sent to Karla MacFarlane, MLA, Pictou West.

Motion carried.

DANGEROUS & UNSIGHTLY PREMISES HEARING – MICHELLE ANGELA JOHNSON (7:15 P.M.)

At 7:15 p.m. Warden R. Parker convened a hearing with respect to a dangerous and unsightly premises assessed to Michelle Angela Johnson, 33 West River Station Road (AAN 04352408). Neither Ms. Johnson nor anyone else representing this property were present in the Chambers.

Council viewed an electronic presentation of pictures taken earlier today by the By-Law Enforcement Officer showing the property in question.

Ms. MacCarthy reported that this property was brought to her attention on May 30, 2016. On June 24, 2016 the initial notice was sent on this property and it was returned to her on July 7, 2016 marked "moved; unknown" by the Post Office. There was some clean up or looting of household debris in the yard over the summer and fall of 2016 and spring of this year. A second complaint form was received on April 13, 2017 and given some information on the whereabouts of the owner. A title search was requested on June 21, 2017 and was received June 21, 2017. Initial notices to 2 addresses, with 1 being in Scotsburn and to the property address in West River Station. Both were returned unclaimed. A Notice of Opportunity to attend this Council meeting was posted July 31, 2017 on the property and mailed to all parties with an interest in the property. The property is 0.27 acres and the taxes are being paid. The site has C & D materials lying about with an accumulation of dry wood, flammable grass, and some household items. There are exposed electrical wires coming from the power meter and she checked with NSP in June, 2016 and power was disconnected as of October 8, 2015. The main concerns regarding the house is the foundation falling away; heavy winds and snowfall will enhance the chances of it collapsing. The siding and roof shingles are coming off and the property is unsightly and of a condition that depreciates the value of land or buildings in the immediate vicinity. Should this site catch fire it is a highly wooded area and will cause concern for many residents of the West River Station community. Most concerning is the fact that the closest neighbor is within 40 ft. of the site.

Clr. D. Parker informed Council this was a complaint initiated by former Clr. Fraser and then he followed up on it earlier this spring. The biggest concern is the closest neighbor is 40 ft. from the property line where there is tall grass and bushes and the weather has been very dry. The property owners are very concerned if the property was to catch fire it would endanger their home as well. He knows who the owner is but they are not responding to our request.

Clr. Thompson asked if the order also includes brush cutting and Warden R. Parker referred to the order where it states to demolish the house and to remove all debris, vinyl siding, wood, household items and garbage.

RESOLUTION – DEMOLITION ORDER

Clr. D. Parker presented a resolution to Council as follows:

RESOLUTION

BE IT RESOLVED by the Municipal Council for the Municipality of the County of Pictou that Council finds that the property located at 33 West River Station Road, West River Station (Tax Account #0435248), and further described in the attached Order is dangerous and unsightly;

AND BE IT RESOLVED that Council, pursuant to Section 346 of Part 15 of Chapter 18 of the Acts of 1998, the *Municipal Government Act*, make an Order in the form attached hereto and forming part of this resolution, the said Order to be signed and issued forthwith on behalf of the Council by the Chief Administrative Officer of the Municipality or his designate.

DATED at Pictou, N. S. this 8th day of August, 2017

(Sgd.) David Parker
Ronnie Baillie

ORDER

MUNICIPAL GOVERNMENT ACT, STATUTES OF NOVA SCOTIA, 1998, CHAPTER 18 ORDER REQUIRING DEMOLITION

TO: Michelle Angela Johnson
33 West River Station Road
West River Station, NS B0K 2A0

TAKE NOTICE that pursuant to Section 346 of *The Municipal Government Act*, The Council of the Municipality of the County of Pictou ("the Council" and "the County") has determined that the property located at 33 West River Station Road, Pictou County, Nova Scotia, associated with Tax Account Number 0435248, and PID #00850016, which lands are included in those more particularly described in Schedule "A" hereto attached and forming a part hereof ("the Property") is dangerous or unsightly.

AND FURTHER TAKE NOTICE that the Council orders you to remedy these conditions by doing all of the following work, acts or things ("the work") on the property, that is to say:

Complete all required work to the property as listed below:

- (1) Demolish the house which is in a ruinous or dilapidated condition, leaving the site in a safe condition.
- (2) Remove all debris, vinyl siding, wood, household items, and garbage from the property and dispose at an approved site.

THE WORK IS TO BE COMPLETED AND DONE WITHIN THIRTY (30) DAYS OF THE DATE OF SERVICE OF THIS ORDER.

AND FURTHER TAKE NOTICE

THAT in the event of failure by you to comply with the requirements of this Order within Thirty (30) days after its date of service, the administrator may enter upon the property without warrant or other legal process and carry out the work specified in this Order;

THAT the cost of the work, with interest at the rate determined by the Council, from the date of the completion of the work until the date of payment:

- (a) Is the first lien on the property upon which the work was done and that the property is liable to be sold in a tax sale in accordance with *The Municipal Government Act*, and;
- (b) May at any time be sued for and recovered in an action in the name of the County.

THAT after this Order is served; any person who permits or causes a dangerous or unsightly condition, continues to permit or cause a dangerous or unsightly condition or fails to comply with the terms of the Order is liable, on summary conviction, to a penalty of not less than One Hundred (\$100.00) Dollars, and not more than Five Thousand (\$5000.00) Dollars, and, in default of payment, to imprisonment for not more than three (3) months;

THAT every day during which the condition is not remedied is a separate offence.

MOTION

It was moved by Clr. D. Parker and seconded by Clr. Baillie that the preceding resolution be adopted as presented.

Clr. Butler asked if the owner of the property is living in the County and Ms. MacCarthy replied that she was given information that the owner lives in Scotsburn but everything was returned.

Clr. Butler asked if we have any responsibility to contact and present this information to the owner in person.

The CAO replied that the information was posted to the property in question and it was also mailed to the last known address, thereby meeting the requirements of the MGA.

Clr. D. Parker thanked Ms. MacCarthy for the prompt action on this property and hopefully this property gets cleaned up before winter.

Motion carried.

REPORT – FINANCIAL SERVICES COMMITTEE

Clr. D. Parker presented the report of the Financial Services Committee as follows:

FINANCIAL SERVICES COMMITTEE REPORT

For information purposes the Financial Services Committee submits the following report on the activities of the Committee for the month of July:

1. Reviewed the list of Accounts Paid for the month of June.
2. Discussed the funding request from the Hemlock Group for improvements to the Trenton Park, and the overall issue of “regional assets” The Committee has agreed to provide a letter of support for the project with no financial commitment at this time. The funding request will be considered in the 2018/19 fiscal period. The Mayors & Warden Committee has been asked to address the issue of

what is a regional asset, how something becomes a regional asset, and what that designation means in terms of financial commitment.

3. Considered several requests for financial assistance. (Resolution to follow)
4. Discussed the recommendations of the Economic Development Working Group with respect to a Regional Enterprise Network. (Resolution to follow)

DATED at Pictou, N.S. this 8th day of August, 2017.

(Sgd.) David Parker
Ronald Baillie

MOTION

It was moved by Clr. D. Parker and seconded by Clr. Baillie that preceding report be adopted as presented.

Motion carried.

REPORT – MUNICIPAL ALCOHOL PROJECT

Clr. Wadden gave a report on the activities of the Municipal Alcohol Project Committee as follows:

“You should have received our minutes from our July meeting as well as a letter to all councils outlining our proposal for an information session for Councillors and staff outlining information concerning the legalization of cannabis scheduled for July 2018 as well as an intergenerational forum we are planning for later in the fall after we have had an opportunity to discuss this issue with councils. Our MAP committee feel it is most important all councils basically hear the same message as those of us who were able to attend the Cannabis symposium in May but with a local voice and the issues pertinent to our local area, although at the end of the day all municipalities will experience the same problems and concerns.

I have already discussed the council event with our Warden, Deputy Warden and CAO, so have put forward the request we hold this event at an evening session for no more than Two (2) hours or a Saturday morning later in Sept.

All the distributed information is pretty self-explanatory so any questions or concerns please do not hesitate to discuss with me.

A concern raised in our county is the number of "Cannabis Dispensary Stores" currently operating in some of the towns in Pictou County. These stores are advertising they fill prescriptions for cannabis. Legally, the only way for medicinal cannabis to be distributed is through Canada Post. Doctors do not write prescriptions for this drug but a recommendation this drug can be used for medicinal purposes for the effected person(s). These stores are operating under their own rules since we do not have any legislation in place to guide how they operate.

My question to the Councillors here is how you would feel if such a store opened today somewhere in our county. For me, as a municipality we should be concerned this facility would be operating illegally and we should not condone such a business. We have seen with alcohol how advertising is directed towards the young adults, and in particular women, so how do we see those storefronts being advertised. Should you be allowed to have no limitations on how you advertise? What is the message we want our residents and their families as well visitors to our area to see?

We have seen firsthand the mishandling of alcohol in our communities especially in NS. As Councillors we must take this issue very serious and become involved with how we work with the legalization of cannabis so we can deal with the fallout as best we can.

Take for example calling it "recreational use of cannabis". What does that really mean? We need drugs to enjoy a hike or a bike ride - what do you associate recreation with. These can be clever advertising tools used to promote the use of cannabis.

This is truly a very serious issue for all Canadians and the sooner we learn about it and strive to control that portion as elected officials that we can, then I feel we will be doing our job.

Clr. Boyles asked about the light on the Pictou Landing Road that is facing the wrong way and the CAO replied that the request was part of the old list and should have been done.

Clr. Boyles asked why it was taking so long and the CAO replied that the fixtures were in short supply but that has been remedied.

Motion carried.

RESOLUTION – GSA BOUNDARY POLICY

Clr. Butler presented a resolution to Council as follows:

RESOLUTION

BE IT RESOLVED by the Municipal Council for the Municipality of the County of Pictou that Council adopt the following policy with respect to General Service Area Boundaries:

POLICY # 2017-08-46



MUNICIPALITY OF THE COUNTY OF PICTOU GENERAL SERVICE AREA BOUNDARIES POLICY

PURPOSE

To provide a uniform policy for the modifications of existing community boundaries throughout the Municipality.

POLICY

1. The Municipality of Pictou County recognizes the need to provide for a standardized means of setting community boundaries, referred to as “General Service Areas” (GSA) in the Nova Scotia Civic Address File.
2. The Municipality, the Nova Scotia Geomatics Centre or the Emergency Management Office of Nova Scotia may initiate a change to an existing GSA where it is felt that the adjustment to the boundary will enhance and/or improve efficiencies of emergency responder services.
3. A resident may apply to the Municipality to adjust the boundaries or change the name of an existing GSA.
4. In the event that the application deals with the name of the GSA, the Municipality will complete a review of the proposed name change to ensure that it does not conflict with other GSA names within the Municipality.
 - a. If, in the opinion of the Civic Addressing Coordinator, a conflict is determined, the applicant will be required to suggest an alternate name.
5. The application shall set out the rationale for the suggested change to the General Service Area.
 - a. Where there is more than one property affected there must be a majority agreement on the proposed changed.
 - b. It shall be the responsibility of the resident applying for the change to demonstrate and document whether there is support amongst the affected properties.

6. Upon receipt of the completed application and prior to its presentation to Municipal Council, the Civic Addressing Coordinator for the Municipality shall consult with the Nova Scotia Geomatics Centre and Emergency Management Office, and other emergency response providers as required to determine if the changes meet with their approval and are within acceptable practices.
7. A recommendation report shall be prepared and presented to Council outlining the application and Council shall render a decision on the application.
8. The form of application shall be approved by the chief Administrative Officer and may be modified as required.
9. All other policies enacted with respect to boundaries and naming of General Service Areas are hereby repealed.

DATED at Pictou, NS this 8th day of August, 2017.

(Sgd.) Don Butler
Deborah Wadden

MOTION

It was moved by Clr. Butler and seconded by Clr. Wadden that the preceding resolution be adopted as presented.

Motion carried.

RESOLUTION – MUNICIPAL GRANTS

Clr. Boyles presented a resolution to Council as follows:

RESOLUTION

BE IT RESOLVED by the Municipal Council for the Municipality of the County of Pictou that Council approve the payment of the following Municipal Grants:

Council:

Chelsea Pettipas	\$ 100.00	Travel Expenses – Autism Award
Lindsey Wilson	100.00	Travel Expenses – Miss Teenage Ca.
Sarah English	<u>100.00</u>	Travel Expenses – Nat. Music Festival
	\$ 300.00	

Municipal Services:

D08 Abercrombie Comm. Ctr.	\$ 5,736.85	Heat Pump & Yard Mtnc.
D08 Mt. William Cemetery Ltd.	2,740.00	Fence Repairs & Mtnc. Contract
D08 Abercrombie Cemetery	<u>4,000.00</u>	Mtnc. & Stone Repairs
	\$12,476.85	

GRAND TOTAL: \$12,776.85

DATED at Pictou, N.S. this 8th day of August, 2017.

(Sgd.) Peter Boyles
Chester Dewar

MOTION

It was moved by Clr. Boyles and seconded by Clr. Dewar that the preceding resolution be adopted as presented.

Motion carried.

RESOLUTION – REGIONAL ENTERPRISE NETWORK

Clr. D. Parker presented a resolution to Council as follows:

RESOLUTION

BE IT RESOLVED by the Municipal Council for the Municipality of the County of Pictou that Council approve the establishment of a Regional Enterprise Network to promote economic development in Pictou County;

AND FURTHER BE IT RESOLVED that the funding formula for the REN be based on 50% of the municipal contribution being shared equally and the remaining 50% shared based on population;

AND BE IT RESOLVED that Council approve the use of PRDA surplus funding for the municipal contribution in year 1 of the newly formed REN.

DATED at Pictou, NS this 8th day of August, 2017.

(Sgd.) David Parker
Ronald Baillie

MOTION

It was moved by Clr. D. Parker and seconded by Clr. Baillie that the preceding resolution be adopted as presented.

Clr. MacKeil asked if there would be a timeline on the contract if the Municipality enters into an inter-municipal agreement with the other municipal units on a REN.

Warden R. Parker explained that the inter-municipal agreement would outline the conditions of the agreement, including the term of the agreement.

The CAO pointed that most RENS are established for a 5 year period but there is a precedent that the Province only provides 1 year funding at this point so they go on a year-to-year basis.

If it is agreed upon by all parties to move forward, Clr. MacKeil asked if a safeguard will be in place if something is not working so the Province can step in to evaluate the process.

The CAO responded that if the Board is not meeting the metrics established then the Province has the right to withdraw its funding. He expected that there would have to be some mechanism put in place for the units to do so as well.

Clr. Wadden asked if there was any money associated with a potential REN as yet and Warden R. Parker replied that there is no funding until an inter-municipal agreement is negotiated with the other units.

The CAO informed Council that a budget will have to be developed and approved by the Province for its commitment of funding.

Clr. Boyles asked if all the municipal units have to agree to move forward with a REN and Warden R. Parker responded that all the units have to be involved because it is a requirement of the Province.

AMENDMENT

It was moved by Clr. MacKeil and seconded by Clr. D. Parker that motion to adopt the resolution be amended to add the words: "subject to approval of all terms of an inter-municipal agreement by Council" at the end of the first paragraph.

The motion to amend carried.
The motion, as amended, carried.

RESOLUTION – SUBDIVISION ST. AGREEMENT

Clr. Baillie presented a resolution to Council as follows:

RESOLUTION

BE IT RESOLVED by the Municipality Council for the Municipality of the County of Pictou that Council authorize the Warden and Chief Administrative Officer to sign Cost Share Agreement No. 2018-016 between Her Majesty The Queen in Right of the Province of Nova Scotia, represented in this behalf by the Minister of Transportation and Infrastructure Renewal for the Province of Nova Scotia, and the Municipality with respect to the paving of subdivision streets

DATED at Pictou, NS this 8th day of August, 2017.

(Sgd.) Ronald Baillie
Darla MacKeil

MOTION

It was moved by Clr. Baillie and seconded by Clr. MacKeil that the preceding resolution be adopted as presented.

Motion carried.

EMERGENCY RESOLUTIONS

There were no emergency resolutions.

REFERRALS TO COMMITTEES & NOTICES OF MOTION

SOCIAL MEDIA PRESENCE

Clr. MacKeil reported that she would like to have a discussion on the County's presence on social media and the updating of our website. She pointed out that we need to have a Facebook Page as that is the first place people search for information and it would provide a good means of assisting newcomers to the area and would promote the community.

Warden R. Parker informed Clr. MacKeil that every meeting the Deputy Warden, he and the CAO had that item has come up and it is being worked on.

The CAO reported they did issue a call for proposals several months ago and have selected a vendor to do a redesign of our website. They are meeting tomorrow and once that is done they will move onto content so at that time they will ask Councillors the items they want added.

Clr. MacKeil pointed out that it was important the website be user friendly and a Facebook page should be available as well so we are engaging.

FIRE HYDRANT RATES

Clr. Dewar reported that a resident in his area has a concern about fire hydrant rates and would like to see different ways to cover the costs of fire hydrants. There was already some discussion on this

issue approximately a year ago from the same resident. Clr. Dewar asked that this topic be put on the next Property Services Committee for further discussion.

RIVERTON WIND TURBINES

Clr. Dewar reported the wind turbines in Riverton have not been working which means the Municipality is losing revenue so we have to get them up and running again. He asked if there was an update regarding the insurance company because this is a problem that needs to be fixed. Clr. Dewar asked that this topic be put on the next Property Services Committee agenda.

NOVA SCOTIA HIGHLANDERS

Clr. Boyles reported that he received a call from Gary Stewart a member of the Nova Scotia Highlanders that submitted a request to the Municipality for a donation to their AGM. The Deputy Municipal Treasurer informed Clr. Boyles that she has not received any requests to date.

CLOSED SESSION

Council met in closed session at 8:10 p.m. to discuss matters relating to contract negotiations and the sale of municipal property.

OPEN SESSION

Council met in open session at 8:30 p.m.

MOTION – DIVEST LAND

It was moved by Clr. MacKeil and seconded by Clr. D. Park that the Municipality divest a piece of land on the West Side of Willow St. to the Town of Pictou for the sum of \$1 at no cost to the Municipality.
Motion carried.

ADJOURN

It was moved by Clr. Wadden and seconded by Clr. D. Parker that the meeting adjourn.
Motion carried. (8:30 p.m.)

Robert Parker
Warden

Carolyn MacIntosh
Deputy Municipal Clerk