

MINUTES OF A REGULAR MEETING OF THE TOWN COUNCIL HELD ON WEDNESDAY, FEBRUARY 4TH, 2009

The Town Council met in the Council Chamber of the Town Hall at Shelburne, Nova Scotia on Wednesday, February 4th, 2009 at 7:00pm.

Those present were His Worship Mayor Alan Delaney, Deputy Mayor Elizabeth Acker, and Councillors Tony Mahaney, Karen Mattatall, Bernard Nickerson, Michael Race and Elizabeth Rhuland.

The meeting was called to order.

It was moved by Councillor Nickerson and seconded by Councillor Mahaney, "Resolved that the Agenda for the February Council meeting be approved as received". Motion Carried

It was moved by Councillor Rhuland and seconded by Deputy Mayor Acker, "Resolved that Minutes of a Regular Meeting of Town Council held on January 8th, 2009 be received and adopted as amended". Motion Carried

Mayor Delaney informed Council that Mr. Frank Anderson, CEO South West Shore Development Authority was not able to attend tonight's meeting as a result of illness and that his presentation will be scheduled at the next Finance and Audit Committee meeting.

Mr. Jim Spencer representing the Shelburne Area Chamber of Commerce came before Council pertaining to the recent study on the Repopulation of Rural Communities. Mr. Spencer referred to the population decline in the Shelburne County area and noted that the Chamber realized this was an issue which had the ability to bring about economic diversification and assist in addressing other areas of concern. He noted that a project was created to identify the factors of how to attract additional people to the area, and funding was acquired through a job creation project with Service Canada. Two individuals were hired and they conducted interviews with a large number of new comers to the area. A multiple choice survey was established which provided participants the opportunity to state their own personal answers to the questions. The results of those interviews indicated that the largest groups of people coming to the area were seniors who require services such as property care and management, carpentry and other skilled trades for renovations. Some have family connections and the third group which is the smallest has the most potential for helping to grow our community. Mr. Spencer noted that the third group comprises of younger people in their thirty's and forty's that earn their living via the internet. He noted that while family is the largest percentage in which people are finding Shelburne the internet follows with approximately 16%. Mr. Spencer noted that the community should build on our strengths and he indicated those strengths are friendly people, a relaxed lifestyle, and natural attractions. He suggested that area has tremendous assets and that we need to get the word out to people living around the world that we have a lifestyle worth moving for. Mr. Spencer suggested that many professionals work at home on their computers accessing the internet and he felt that this was an open market and could be used by this area to try and convince young professionals to locate here. He noted we have the assets although there are a few areas which need improvement. Mr. Spencer closed his presentation by indicating that the results of the project show the potential of Shelburne County for a repopulation campaign and the results of the marketing strategy will be available in mid to late February. He indicated that the Chamber is looking for support from the municipal units and would like to move forward to the next stage and actually try and convince young professionals to locate in the area. Mayor Delaney thanked Mr. Spencer for his informative presentation noting that it was a wonderful opportunity to offer assistance to a wide range of people and the Town looks forward to receiving a copy of the Report.

It was moved by Councillor Mahaney seconded by Councillor Mattatall, "Resolved that the correspondence be received as circulated." Motion carried.

The correspondence was dealt with in the following manner.

It was moved by Councillor Mattatall seconded by Councillor Mahaney, "Resolved that the Town of Shelburne proclaim February 15th, 2009 to be National Flag of Canada Day and that the Mayor be authorized to sign a Proclamation to that effect." Motion Carried

Under discussion of the Motion it was agreed that the Town obtain some lapel pins, hand flags and other related information pertaining to National Flag of Canada Day.

It was moved by Councillor Mahaney and seconded by Councillor Race, "Resolved that the Town accept the correspondence from Nova Scotia Labour and Workforce Development pertaining to Municipal Responsibility for Fire Inspections." Motion Carried

It was agreed to refer the letter from Bob Légere, Chair of Physician Recruitment Committee looking for an agreement with municipal units to begin the process of hiring an individual to work on issues related to the establishment of a new medical clinic to later in the meeting.

It was moved by Deputy Mayor Acker seconded by Councillor Nickerson,
“Resolved that Council accept the letter from James Mahaney, Treasurer of the Loyalist Landing 2008 Society expressing appreciation to the Town for its cooperation and contribution to the celebrations.” Motion Carried

It was agreed to refer the memorandum from Jerry Locke, Director of Parks and Recreation regarding Volunteer Week to later in the meeting.

It was moved by Deputy Mayor Acker seconded by Councillor Mahaney,
“Resolved that the Building Inspector’s Report for December be received.” Motion Carried

It was moved by Councillor Mattatall seconded by Councillor Nickerson,
“Resolved that the Special Constable’s Report for January be received.” Motion Carried

It was moved by Councillor Nickerson seconded by Councillor Mattatall,
“Resolved that the Parks and Recreation Director’s Report for December 2008 and the Annual Report for the Shelburne Parks and Recreation Commission be received.” Motion Carried

It was moved by Deputy Mayor Acker seconded by Councillor Race,
“Resolved that the Physical Activity & Community School Coordinator Report for January 2009 be received.” Motion Carried

It was moved by Deputy Mayor Acker seconded by Councillor Race,
“Resolved that bills as approved amounting to \$405,947.68 be received and paid.” Motion Carried

Committee Reports

Councillor Mahaney reported on a meeting of the Water Utility Committee which had taken place on January 27th. He noted that Mr. Thomas, water treatment plant operator was invited to attend the meeting to discuss the upgrades to the Water Treatment Plant. Discussion took place on the deficiency list which had been received from ACL. Mr. Thomas also noted that he has finished his Level 1 in Water Distribution; he will be continuing his studies in writing Level 2 in March and Level 3 in September. Mr. Thomas also brought to the Committees attention three (3) workshops which were coming up that he would like to receive permission to attend. Mr. Thomas also requested the Committees consideration in purchasing an isolator modular and a cell phone. Councillor Mahaney also noted that a request was received to open a 100 foot long portion of Cornwallis Street off Minto Street which would enable the property owner to build a home; the estimated cost of that project will be approximately \$10,000. He further noted that the Committee approved Motions recommending to Council that the Town purchase a cell phone for the Water Treatment Plant and Mr. Thomas be granted permission to attend the three (3) courses and that the Town develop a 100 ft extension on Cornwallis Street at the corner of Cornwallis and Minto Street. It was moved by Councillor Mahaney seconded by Councillor Race,

“Resolved that this Report and Minutes of the Water Utility Committee Meeting held on January 27th, 2009 be received and adopted.” Motion Carried

Councillor Mahaney also gave a brief report on behalf of the Personnel Committee noting a meeting had been held on January 27th. He noted that the probationary period for Herb Locke would soon expire and the Committee had received letters from both Department Heads regarding Herb’s work ethics and knowledge of the position. He further noted that the Personnel Committee were recommending to Council that Mr. Locke be hired as a fulltime employee after completion of his probationary period. The Committee considered establishing a non-smoking policy with respect to Town owned vehicles. Councillor Mahaney had also noted that he had received a letter from Mary Lee Gonzaga providing formal notice of her retirement effective in April 2009. That position is being posted internally and externally and meetings will be held the middle of February to review applications and interview candidates. It was moved by Councillor Mahaney seconded by Councillor Mattatall,

“Resolved that this Report and Minutes of the Personnel Committee Meeting held on January 27th, 2009 be received and adopted.” Motion Carried

Councillor Mattatall reported on a meeting of Revision of By-Laws Committee which had taken place on January 5th. Committee members reviewed a draft Civic Numbering By-law, made appropriate changes and agreed to provide the draft By-Law to various emergency services for review and comment with responses to be received by February 16th. The Committee will meet again on February 17th, to prepare a final draft. It was moved by Councillor Mattatall seconded by Deputy Mayor Acker,

“Resolved that this Report and Minutes of the Revision of By-Law Committee Meeting held on January 5th, 2009 be received and adopted.” Motion Carried

Councillor Mattatall reported on a meeting of the Integrated Community Sustainability Plan Committee which had taken place on January 21st. The Committee reviewed a draft press release which had been submitted by Stantec and they agreed to start advertising to make people aware of the Town's future plans with developing a Community Sustainability Plan. Representatives from the Acadia Management Group Inc. joined the meeting to discuss a municipal energy audit. The Committee reviewed the audit procedures and timelines and also were informed of the cost of the work to be performed. It was noted that the Committee could see the final presentation of the completed report in early June. The Committee discussed holding a logo contest before the consultation program begins and also discussed the possibility of visiting the High School and Hillcrest Academy to involve students in the logo contest. The Committee also undertook discussions on the public consultation process and a draft schedule of events was reviewed. It was moved by Councillor Mattatall seconded by Councillor Nickerson, "Resolved that this Report and Minutes of the Integrated Community Sustainability Plan Committee Meeting held on January 21st, 2009 be received and adopted." Motion Carried

Councillor Rhuland gave a verbal report on behalf of Waterfront Development Committee. She noted the Committee had met on January 19th, 2009 a new executive was elected and she was appointed Chair of the Waterfront Development Committee and Councillor Race was elected as Vice Chair. Discussion took place on last year projects and the Committee extended a vote of thanks to Doug Langley for his work over the years on the Waterfront Development Committee. Discussion took place on projects to be considered for the coming fiscal year and Councillor Rhuland noted she will be meeting with officials from ACOA and Economic Development to discuss contributions from those agencies towards next years projects. Under discussion of Councillor Rhuland's verbal report, she elaborated on projects under consideration for the coming year and those included updating the strategic plan, refurbishing the roof of the Muir Cox Shipyard Building, windows and skirting in the Visitor Information Centre and the former BIDC office roof. Councillor Mahaney questioned whether the Committee would be looking at realigning the sidewalk on Dock Street in the vicinity of the Barrell Factory. Councillor Rhuland noted that matter would be discussed by the Committee.

Deputy Mayor Acker reported on a meeting of the Parks and Recreation Commission which had taken place on January 21st. She noted that Constable Brian Vaughn had addressed the Parks and Recreation Commission. As part of the training component of his posting he is required to initiate a project in the area and he has chosen to address the issues of the recent damage of the George Street Playground. He elaborated on his proposed project which included a number of areas and Deputy Mayor Acker noted that the Parks and Recreation Commission had approved a Motion recommending that Town Council support this project. The Committee reviewed the Parks and Recreation Directors Reports for November and December and a brief discussion was held on the upcoming IPSOS Reid Survey on Municipal Physical Fitness and Recreation, and the Committee reviewed the 2008 Annual Report for the Parks and Recreation Commission. It was moved by Deputy Mayor Acker seconded by Councillor Nickerson, "Resolved that this Report and Minutes of the Parks and Recreation Commission Meeting held on January 21st, 2009 be received and adopted." Motion Carried

Deputy Mayor Acker reported on recent meetings of the Joint Services Board which had taken place on December 18th and January 15th. She noted during the December 18th meeting that committee members had received a copy of the financial snapshot and it was noted that there was currently a deficit due to unexpected costs, and the Board approved a Motion to increase tipping fees at the Recycling Depot and they would be increased to \$60. per tonne for sorted material and \$85. per tonne for unsorted material. During the 15th of January meeting the auditors were in attendance to present the 2007/08 audit for the Joint Services Board and discussion took place regarding the management team, cost recovery and various departments overages. It was moved by Deputy Mayor Acker seconded by Councillor Mattatall, "Resolved that this Report and Minutes of Joint Services Board Meetings held on December 18th, 2008 and January 15th, 2009 be received." Motion Carried

Deputy Mayor Acker reported on a meeting of the Shelburne Regional High School Community Use Policy Committee, which had been held on January 19th. She noted discussion had taken place on the Community Use Policy pertaining to the appointment of the Chairperson and it was noted that the Chairperson will be appointed annually with the municipal units and the Tri-County Regional School Board alternating making the appointment and again this year the Committee agreed that Bernice Goodick be recommended to the Town and the Municipality of the District of Shelburne to serve as Chairperson during 2009/10.

The Committee were informed that there has been a 17% increase in the number of individuals participating in community sponsored activities at SRHS. Most of the Keep It Moving merchandise has been received. IPSOS Reid will conduct a telephone survey to 300 residents in the Town and the Municipality from January 22nd- February 1st. Cocoa Cola Limited has partnered with participation to offer the Sogo Active Program. The Committee were informed that the 2010 Olympic torch run will not appear along the South Shore and contact has already been made with Gerald Keddy, MP to express concern regarding that, and the Regional High School has received a grant for \$4,400 from the Department of Education's work program to build and install a two sided sign that will be used to promote school and community use activities. It was moved by Deputy Mayor Acker seconded by Councillor Rhuland, "Resolved that this Report and Minutes of the SRHS Community Use Policy Committee Meeting held on January 19th, 2009 be received and adopted." Motion Carried

Deputy Mayor Acker reported on a meeting of the Planning Advisory Committee which had taken place on January 6th. She noted she was elected Chair of the Committee and the Waterfront Heritage Conservation District Plan was briefly discussed as a work in progress and it was noted that there were four (4) outstanding policies that Committee members needed to review. The Chair also advised Committee members that a request for rezoning had been received with respect to property located at 42 Falls Lane and before any detailed discussions and recommendations can be made all members will need to review the Town's Land-Use By-Law and Municipal Planning Strategy. The role of the Planning Advisory Committee was also briefly reviewed. It was moved by Deputy Mayor Acker seconded by Councillor Nickerson, "Resolved that this Report and Minutes of the Planning Advisory Committee Meeting held on January 6th, 2009 be received and adopted." Motion Carried

Deputy Mayor Acker also reported on a meeting of the Planning Advisory Committee which had taken place on January 29th. She noted the Committee had reviewed the four (4) remaining policies with respect to the Waterfront Heritage Conservation District Plan and made changes where appropriate. The Committee had approved a Motion recommending to Council that they approve the draft Waterfront Heritage Conservation District Plan. Discussion also took place on the request to rezone 42 Falls Lane from Commercial to Industrial. After a detailed discussion the Committee approved a Motion recommending to Town Council that they do not undertake a request to rezone 42 Falls Lane. That Motion was carried with two (2) nay votes. Committee members were also informed that the Clerk and Mrs. Comeau had met several times to put together the revisions of the Municipal Planning Strategy and Land Use By-Law and they were now ready for scanning in order to update the documents. It was moved by Deputy Mayor Acker seconded by Councillor Rhuland, "Resolved that Town Council accept the recommendation from the Planning Advisory Committee to approve the draft Waterfront Heritage Conservation District Plan." Motion Carried

It was moved by Deputy Mayor Acker seconded by Councillor Rhuland, "Resolved that Town Council accept the recommendation from the Planning Advisory Committee not to undertake a request to rezone 42 Falls Lane." Voting for the Motion six (6) voting against the Motion one (1) Motion Carried Councillor Mattatall requested her vote against the Motion recorded.

It was moved by Deputy Mayor Acker seconded by Councillor Mahaney, "Resolved that Minutes of the Planning Advisory Committee Meeting held on January 29th, 2009 be received and adopted." Motion Carried

Councillor Nickerson reported on a meeting of the Occupational Health and Safety Committee which had taken place on January 22nd. He noted discussion had taken place on the salt shed doors and quotes were received for a new door and repairs to the existing doors. New Officers were elected for the first part of 2009. An audit was undertaken prior to the meeting of the sewer treatment plant, safety inspection sheets were reviewed, and there are a few employees who require some courses. It was moved by Councillor Nickerson seconded by Councillor Race, "Resolved that this Report and Minutes of the Occupational Health and Safety Committee Meeting held on January 22nd, 2009 be received and adopted." Motion Carried

Mayor's Items

Mayor Delaney reported on a meeting of the Shelburne Port Authority which had taken place on January 15th. He noted that there were a number of guests in attendance, and a power point presentation was made on the Shelburne Marine Terminal. The presentation centered around expansion of the facility with questions being asked on what the Federal and Provincial Departments require from the Port Authority.

The Port Authority approved a Motion to contribute \$100 towards the cost of the Port Readiness Workshop. A letter will be sent to all municipal units requesting support for the Port expansion. The wharf manager's report was reviewed, the Port Authority awarded a tender to Williams Electric for the broken light pole, and tenders for repairs to the wharf were reviewed. The wharf manager would work with the two tenders received and provide a breakdown and the Committee approved a Motion that once the breakdown had been completed the tender be awarded to the lowest bidder, and the Committee agreed to contact Fisheries and Oceans pertaining to port development as they control the harbour bed. It was moved by Councillor Mahaney seconded by Councillor Race,

“Resolved that this Report and Minutes of the Port Authority Committee Meeting held on January 15th, 2009 be received and adopted.” Motion Carried

Mayor Delaney reported on a meeting of the Finance and Audit Committee which had taken place on January 20th. He noted discussions had taken place on the sand/salt budget, on the blocking and clearing of Town streets for snow removal, the Committee will consider sending two (2) Town employees to Gloucester for the lighting of the Christmas Tree. The Town will be writing a letter of support in principle to the South West Shore Development Authority in support of the Marine Terminal expansion. The committee has authorized the Mayor to spend up to \$600 for the purchase of a laptop. A letter will be sent expressing an interest in drawing up a proposal for a wind farm, the Committee approved a Motion recommending to Council the approval of the Region 6 Solid Waste Management Budget. The Committee approved a Motion to provide an additional grant of \$1,700 to assist the arena with their sewer bill and a review of outstanding taxes was conducted. It was moved by Councillor Mahaney seconded by Councillor Race,

“Resolved that this Report and Minutes of the Finance and Audit Committee Meeting held on January 20th, 2009 be received and adopted.” Motion Carried

Mayor Delaney referred to the upcoming Mayors and elected officials EMO course which will take place on February 16th and he noted that during the month of January he attended a Team Shelburne Meeting, the strategic planning session for the South West Shore Development Authority, the fire departments annual smoker, the port readiness seminar, he was a judge at the Family Literacy Day at the MacKay Memorial Library and on February 3rd he participated in a meeting with the Honourable Minister Hurlburt, Minister of Service Nova Scotia and Municipal Relations pertaining to infrastructure projects and he noted that the Town has to set a list of priorities as soon as possible so that we can take advantage of the new infrastructure projects.

Clerk's Items

It was moved by Councillor Mattatall seconded by Deputy Mayor Acker,
“Resolved that Darren Jacklyn be appointed to the Parks and Recreation Commission for 2009.”
Motion Carried

New Business

Councillor Mattatall brought to Councils attention the issue of numerous power outages across Shelburne County which affected residents and business owners. It was moved by Councillor Mattatall seconded by Deputy Mayor Acker,

“Resolved that the Town of Shelburne request Nova Scotia Power Incorporated to provide the Town of Shelburne with actual expense information respecting the maintenance of their pole lines and pole line right of ways in Shelburne County for each year beginning with the year prior to the privatization of the service to date. These costs should include staff, vehicles and other resources dedicated (in whole or in part) to this purpose.

Further Resolved that the Town of Shelburne request Nova Scotia Power dedicate additional permanent linesmen to Shelburne in an effort to prevent these numerous, potentially dangerous, unacceptable and inconvenient outages from occurring so frequently.” Motion Carried

Councillor Mattatall also brought to Councils attention the recent telephone service outages which occurred when battery powered telephone equipment lost AC Power. At this point Councillor Mahaney declared a conflict of interest and did not participate in any discussion or motion on the matter. It was moved by Councillor Mattatall seconded by Councillor Rhuland,
“Resolved that the Town of Shelburne request from Bell Aliant their plan to deal with such failures in the future.

Further Resolved that the Town of Shelburne request Bell Aliant to dedicate additional permanent staff and sufficient portable generators to prevent these unacceptable outages.”
Motion Carried

Councillor Mahaney brought to Councils attention the fact that the Personnel Committee would be conducting interviews for the Town office position in the month of February, however due to the short timetable involved the individual hired should start as soon as possible. It was agreed that the Personnel Committee be authorized to hire the successful candidate as soon as interviews are completed.

Deputy Mayor Acker gave a verbal report on behalf of the Roseway Manor Board. She noted that a meeting had been held on January 19th, a letter had been received from the Fire Chief pertaining to fire hydrants in the area. The Manor has purchased a new vehicle and the Manor will be doing a follow-up with respect to the Lake Road apartments, when those apartments were originally constructed they were supposed to be extended housing for the Manor and that has never been the case. It was moved by Deputy Mayor Acker seconded by Councillor Mattatall,

“Resolved that this verbal Report be received.” Motion Carried

Deputy Mayor Acker reported on a recent meeting of the South West Shore Development Authority which had taken place in Clare. She noted that a copy of the staff report, agenda and correspondence had been provided to members of Council. The letter from the Town with respect to the Oceans First Task Force received a lot of discussion by the members of the Shelburne County units. Deputy Mayor Acker noted that Mr. Anderson has responded to those questions and she had provided a copy to all members of Council. She further noted that at the end of the meeting she had the opportunity to visit the Clare Health Centre, this centre was built by the Municipality of Clare and presently they have four (4) doctors operating out of the Centre and they have room for six (6). The Health Centre is managed by the Municipality who provides staff and this situation makes it easier to attract doctors. It was moved by Deputy Mayor Acker seconded by Councillor Nickerson,

“Resolved that this verbal Report be adopted.” Motion Carried

Deputy Mayor Acker also reported on a meeting of the Physician Recruitment Meeting. She noted that Emily Tipton has sent out 3,000 letters to doctors across the Country and the aim of project is to send out 27,000 more letters. The letters are computer generated and the assistance of all individuals and the Town is being requested to help with this project. She noted that Community Health Board has set up a sub committee to assist in recruiting doctors and discussions have taken place on a new health centre. It was noted that the young doctors want a turnkey operation and be able to operate out of a modern clinic. The Department of Health would be sending an engineer down to look at the possibility of renovating the existing medical clinic. It was moved by Deputy Mayor Acker seconded by Councillor Mahaney,

“Resolved that this verbal Report be adopted.” Motion Carried

Deputy Mayor Acker also noted that she along with Councillors Mattatall and Rhuland attended the annual ladies evening and during that evening she on behalf of Mayor Delaney presented Barbara Goulden with a Certificate in Appreciation for her forty four (44) years of service to the Ladies Auxiliary of the Fire Department. Deputy Mayor Acker suggested that perhaps Jim and Suzanne Mahaney could be considered for nomination by the Town for Volunteer Week based on all of the work they had done over the last couple of years with respect to the Loyalist Landing 2008 Celebrations. Other members of Council had some other ideas and it was agreed to delay this issue until the Finance and Audit Committee meet later in the month.

Further Business

Councillor Rhuland noted that she had attended a Discover Shelburne County Tourism meeting on January 13th. She noted there was a lot of discussion on FAM Tours and it was noted that this tour will take place in Shelburne approximately the 16th-18th of June and this tour will be a wonderful opportunity for local tourism operators and she noted the Town may be solicited for some funding for this event.

Councillor Rhuland had also noted that she had attended the Port Readiness Workshop and all five (5) municipal units had been represented along with some non-profit organizations. A variety of topics were covered and a full report would be forwarded to the Town of Shelburne and the Port Authority in a couple of weeks or so.

Deputy Mayor Acker mentioned a couple of items with respect to Parks and Recreation including Take the Roof off Winter from February 2nd-March 1st and Our Community Something For Everyone in Shag Harbour April 25th.

The Following meetings were scheduled:

Finance and Audit Committee	February 10 th	6:30pm
Police Department and License	February 11 th	6:00pm
Revision of By-Laws	February 17 th	10:00am
Personnel Committee	February 17 th	6:30pm
Port Authority	February 18 th	7:00pm
Personnel Committee	February 19 th	7:00pm
Finance and Audit Committee	February 24 th	6:30pm

There being no further business at 9:00 pm, on Motion the meeting adjourned.

Mayor

Clerk