

**DIGBY TOWN COUNCIL
REGULAR MEETING
APRIL 6, 2009**

MEMBERS PRESENT: Mayor Ben Cleveland
Councillor Jean Brittain
Councillor Danny Harvieux
Councillor Brian Manzer
Councillor Ron Matsusaki
Councillor Peter Turnbull
Deputy Mayor Mike Bartlett

STAFF PRESENT: Tom Ossinger, Town Clerk
Matthew Raymond, Deputy Clerk
Susan Rice, Recording Secretary

REGRETS:

A. CALL TO ORDER

Mayor Cleveland called the meeting to order at 7:00 PM.

B. AGENDA

B.1 Additions/Deletions

There were additions under new business H.13 Bay Ferries and H.14 Discussion on new committee.

B.2 Approval of the agenda

a) April 6, 2009

Moved by: Councillor Harvieux

Seconded by: Councillor Manzer

That the agenda of April 6, 2009, be approved as presented with the additions under new business.

MOTION CARRIED.

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C. DELEGATION

C.1 Heather Jenkins

Ms. Jenkins made a presentation to Council in regards to vehicles idling. She stated that there are 30 municipalities in Ontario that have adopted the idling control bylaw. There a number of municipalities in Nova Scotia adopting voluntary policies and/or policies for municipal fleet. The Town of Kentville has become the first town in Atlantic Canada to have an enforceable anti-idling bylaw. Ms. Jenkins stated to Council that there is no cost to implement an anti-idling bylaw. Ms. Jenkins presented her handout to the Town Clerk. The Mayor stated that under the ICSP the Planning Advisory Committee will be looking at the idling of vehicles. Ms. Jenkins stated that she had guests at her house and they were complaining about Acadian Bus Lines idling there bus for at least 30 minutes; therefore, she contacted the bus company and they stated that they do not have an anti-idling policy/bylaw in place but if the Town has one they would obey by it. Council thanked her for coming to make a presentation.

Councillor Matsusaki arrived at 7:10 p.m.

C.2 Nora Robichaud

Ms. Robichaud and Ms. Chandler from Buy Back Nova Scotia made a presentation to Council in regards to the 170,000 acres of land being sold by J.D. Irving. They are asking the Town to send a letter to the Provincial Government asking them to hold off selling the land.

Moved by: Councillor Harvieux
Seconded by: Councillor Brittain

That the Town of Digby send a letter of support to the Buy Back Nova Scotia coalition endorsing their efforts to lobby all levels of government to engage in a meaningful dialogue with the JD Irving Company and stakeholders in order to delay the private sale of lands in question until all

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viable and mutually-acceptable options for public ownership are explored and considered, and a copy of this letter be forwarded to the Honourable Harold (Junior) Theriault, the Honourable Carolyn Bolivar-Getson, Minister of Natural Resources, Premier Rodney MacDonald and our sister municipal councils in Yarmouth County, Digby County, and Shelburne County.

MOTION CARRIED.

D. MINUTES OF PREVIOUS MEETING

D.1 March 2, 2009 – Public Meeting

Moved By: Councillor Brittain
Seconded By: Councillor Harvieux

That the minutes of March 2, 2009, public meeting be approved as presented.

MOTION CARRIED.

D.2 March 2, 2009

Moved by: Councillor Turnbull
Seconded by: Councillor Manzer

That the minutes of March 2, 2009, Council meeting be approved as circulated.

MOTION CARRIED.

D.3 March 16, 2009 – Special Council Meeting

Moved by: Councillor Harvieux
Seconded by: Councillor Bartlett

That the minutes of March 16, 2009, Special Council meeting be approved as circulated.

MOTION CARRIED.

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E. BUSINESS ARISING FROM THE MINUTES

**E.1 REMO Agreement and First Reading of the Regional
Emergency Measures Bylaw**

Moved by: Councillor Harvieux
Seconded by: Councillor Brittain

That Council approve the REMO Agreement.

MOTION CARRIED.

Moved by: Councillor Harvieux
Seconded by: Councillor Bartlett

That Council approve the first reading of the REMO Bylaw.

MOTION CARRIED.

E.2 Digby Clare Mental Health – Volunteers funding request

Discussion ensued with the funding request for Digby Clare
Mental Health.

Moved by: Councillor Bartlett
Seconded by: Councillor Harvieux

That the Digby Clare Mental Health funding request be forwarded
to budget.

MOTION CARRIED.

E.3 Wharf Rat Rally

Discussion ensued with the Wharf Rat Rally's requests.

Moved by: Councillor Turnbull
Seconded by: Deputy Mayor Bartlett

That the amended letter be approved by Council. (See attached)

MOTION CARRIED.

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Moved by: Deputy Mayor Bartlett
Seconded by: Councillor Harvieux

That the Wharf Rat Rally be able to use the Heritage Centre property and facilities.

MOTION CARRIED.

Moved by: Deputy Mayor Bartlett
Seconded by: Councillor Harvieux

That Council forward the financial request to budget.

MOTION CARRIED.

E.4 Second Reading of Bylaw #2009-02 A Bylaw to Repeal the Town of Digby Instalment Billing Bylaw #1976-01

Moved by: Councillor Brittain
Seconded by: Councillor Harvieux

That Council approve the second reading of Bylaw #2009-02 A Bylaw to Repeal the Town of Digby Instalment Billing Bylaw 1976-01.

MOTION CARRIED.

E.5 Casey Fisheries – Maiden Lane

The Casey Fisheries issue was moved to in camera.

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F. REPORTS

**F.1 FINANCE COMMITTEE/ADMINISTRATION
COMMITTEE**

Report for March 2009 was reviewed and accepted as presented.

Moved By: Councillor Brittain
Seconded By: Councillor Harvieux

That accounts payable in the amount of \$189,312.61 be approved for payment for the month of March.

MOTION CARRIED

Moved by: Councillor Brittain
Seconded by: Councillor Manzer

That Council approve the application from the Apple Blossom Festival Committee for a donation from the Town of Digby in the amount of \$1,200 as has been given in the past.

MOTION CARRIED

F.2 FIRE, POLICE, AND LICENSE COMMITTEE

Report for March 2009 was reviewed and accepted as presented.

**F.3 STREETS, SEWER, AND PUBLIC PROPERTY
COMMITTEE**

No report.

F.4 TOURISM COMMITTEE

Report for March 2009 was reviewed and accepted as presented. On April 23, 2009 Councillor Harvieux, Deputy Mayor Bartlett, Mayor Ben Cleveland, and the Town Clerk will be going to Saint John, NB.

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F.5 TIDEVIEW TERRACE

Mayor Cleveland gave a verbal update. The architecture is 99% done and they should start building in June or July 2009.

F.6 DIGBY AND AREA RECREATION COMMISSION

Report for March 2009 was reviewed and accepted as presented.

F.7 LIBRARY BOARD

No meeting.

F.8 WASTE CHECK

Report for March 2009 was reviewed and accepted as presented.

F.9 PLANNING ADVISORY COMMITTEE

Report for March 2009 was reviewed and accepted as presented.

Moved by: Councillor Brittain
Seconded by: Councillor Matsusaki

That Council approve the rezoning of the section of Sydney Street from Victoria Street easterly to the Public Works property from R2 to R1.

MOTION CARRIED.

Moved by: Councillor Brittain
Seconded by: Councillor Turnbull

That Council approve to hold a public meeting on May 4, at 6 p.m. with respect to rezoning Sydney Street.

MOTION CARRIED.

F.10 EMERGENCY MEASURES ORGANIZATION

No Report.

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F.11 WATER COMMISSION

Report for March 2009 was reviewed and accepted as presented. The Town Clerk stated that the work on the transmission line started today.

F.12 INDUSTRIAL COMMISSION

No meeting.

F.13 DIGBY AREA LEARNING ASSOCIATION

There was no meeting due to no quorum.

F.14 SENIOR SAFETY BOARD

No meeting.

F.15 PESTICIDE COMMITTEE

No meeting.

**F.16 ANNAPOLIS/DIGBY ECONOMIC DEVELOPMENT
AGENCY**

ADEDA made a presentation to both Councils on March 30, 2009.

F.17 CLERK TREASURER'S REPORT

Report for March 2009 was reviewed and accepted as presented. The Town Clerk stated that he is reviewing three site plans at this point in time. Third Avenue site plan approved and we are now in period of appeals. There was one appeal received to date. There will be a special council meeting on Wednesday, April 15, 2009, at 5:45 p.m. to review the appeals. Council can approve the site plan, overturn the site plan or approve the site plan with the amendment.

F.18 POLICE ADVISORY BOARD REPORT

No meeting.

F.19 AIRPORT COMMITTEE

No meeting.

F.20 MAYORS REPORT

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Report for March 2009 was reviewed and accepted as presented.

G. CORRESPONDENCE

G.1 DC Riders

The letter from DC Riders was an information item.

G.2 Municipality of Barrington

The letter from the Municipality of Barrington was already brought up at the Buy Back Nova Scotia presentation.

G.3 Cruise Fundy.com

Council forwarded the funding request to budget.

H. NEW BUSINESS

H.1 Property Valuation Service Corporation – Upcoming Presentation

The Property Valuation Service Corporation will be presenting May 4, 2009, at the regular Council meeting and we will be putting in an ad in the Courier for the public.

H.2 Digby Regional High School – Funding Request

Council move the funding request to budget.

H.3 Society for the Friends of Ferals – Funding Request

Council move the funding request to budget.

H.4 VON – Funding Request and to Proclaim the week of May 17-23, 2009

Council move the VON funding request to budget.

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**H.5 Boar's Head Lighthouse property at Tiverton and
Central Grove**

Moved by: Deputy Mayor Bartlett
Seconded by: Councillor Turnbull

That Council send letter of support.

MOTION CARRIED.

**H.6 Municipality of the District of Barrington – Year of
the Lobster**

Moved by: Councillor Turnbull
Seconded by: Deputy Mayor Bartlett

That Council send a letter of support.

MOTION CARRIED.

H.7 Malaria Prevention Group

Moved by: Councillor Harvieux
Seconded by: Councillor Turnbull

That Council proclaim April 25, 2009, as Malaria Day.

MOTION CARRIED.

H.8 Trinity Anglican Church – Funding Request

Council move the funding request to budget.

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H.9 Priority Resolution Building Canada Fund

Moved by: Councillor Harvieux
Seconded by: Councillor Manzer

That Council identify the Wastewater Treatment Plant project as their number one priority under the Building Canada Fund. (see attached)

MOTION CARRIED

H.10 UNSM – Spring Workshop Registration

The Town Clerk informed Council that whoever is attending the UNSM Spring Workshop to fill out the registration form and give to the Administrative Assistant.

H.11 Discussion on New Committee

Councillor Matsusaki informed Council that there will be a Digby Area Health Care Liaison Committee formed and was wondering who would like to put their name forward to sit on the Committee. Councillor Brittain offered her position on MEDIC to Councillor Matsusaki and Councillor Matsusaki accepted and they meet at 1 p.m. every third Tuesday of the month. The MEDIC committee asked for an appointment in the past. The Mayor declared Councillor Matsusaki as a member of the MEDIC Committee.

H.12 Bay Ferries

Deputy Mayor Bartlett stated that we should try to organize a meeting with the politicians. The Mayor mentioned that we must be careful not to interfere with the Municipality of Digby's effort. Deputy Mayor stated that we need to work with the Municipality of Digby to meet with the politicians. The concern is that Yarmouth will get a ferry and Digby will be left without. The Mayor mentioned that he has met with a group that has tried to put our needs in order to present to the group doing a study for the Province and as to ferry situation for all of Southwest Nova.

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Councillor Matsusaki left at 8:50 p.m.

H.13 In Camera – Staffing and Citizen Appointments

Moved by: Councillor Brittain
Seconded by: Councillor Harvieux

That Council move to go into "In Camera".

MOTION CARRIED.

Council resumed to the regular scheduled meeting.

Moved by: Councillor Bartlett
Seconded by: Councillor Turnbull

That the Town enter into an agreement with Employment Opportunities Partnership to contract an employee for a 50 week period.

MOTION CARRIED.

Moved by: Councillor Brittain
Seconded by: Councillor Harvieux

That the Citizen Appointment for the RCMP Advisory Board be Bob Handspiker, Planning Advisory Committee be Lori VanTassell, Planning Advisory Committee be John Nichols for two more years, Bill Schrank be reappointed to ADEDA, and Bill Leblanc was asked to sit on the Pesticide Committee as an advisor because he does not live in Town.

MOTION CARRIED.

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Moved by: Councillor Turnbull
Seconded by: Councillor Harvieux

That the survey be done and proceed with development of boat launch pending results of survey.

MOTION CARRIED.

I. QUESTION PERIOD

None.

J. ADJOURNMENT

There being no further business the meeting adjourned on motion of Councillor Brittain and Councillor Turnbull.

TIME: 10:05 p.m.

MAYOR

TOWN CLERK