

**REGION OF QUEENS MUNICIPALITY
REGULAR COUNCIL
TUESDAY, FEBRUARY 28, 2017
9:00 a.m.**

PRESENT:

Mayor David Dagley, Chair
Councillor Kevin Muise
Councillor Heather Kelly
Councillor Brian Fralic
Deputy Mayor Susan MacLeod
Councillor Jack Fancy
Councillor Raymond Fiske
Councillor Gilbert Johnson
Richard MacLellan, Chief Administrative Officer
Anne MacDonnell, Municipal Clerk & Coordinator
Christine Watson, Recording / Management Secretary

1.0 CALL TO ORDER:

Mayor Dagley called the meeting to order at 9:00 a.m.

2.0 CHANGES / APPROVAL OF AGENDA

It was moved by Councillor Kelly and seconded by Councillor Fancy:

THAT Item 13.2 Vending Bylaw be deferred to the Committee of the Whole on March 21, 2017.

MOTION CARRIED unanimously.

It was moved by Councillor Muise and seconded by Councillor Fralic:

THAT the agenda be approved as amended.

MOTION CARRIED unanimously.

3.0 PRESENTATION(S):

3.1 Department of Environment – Carter’s Beach

Ms. Sally Steele, Protected Areas Coordinator – Western Region, Mr. Russell McKinley and Mr. Miles Silver were welcomed to Council to make a presentation on the interim management intent of Carters Beach (copy of presentation attached to original set of Minutes).

Some highlights included:

- Reviewed conservation values:
 - ecological,
 - historical, and
 - cultural
- Reviewed human use issues:
 - dune erosion,
 - human waste concerns,
 - parking problems
- Reviewed efforts to date:
 - public consultations,
 - improvements to parking lot,
 - installation of garbage container,
 - widening Carters Beach Road

- Reviewed management principles:
 - protect ecological and archeological assets,
 - maintain / enhance cultural values,
 - create strong partnerships
- Reviewed human use impacts:
 - installation of outhouse,
 - installation of interpretative and directional signage,
 - create public communications plan,
 - trial pack in and pack out garbage management system
- Reviewed boundary and designation intentions:
 - designation as provincial nature reserve,
 - to provide suitable access and use of the lighthouse
- Reviewed the need to create a Management Advisory Committee and to identify its purpose and roles.

Ms. Steele explained the next steps to be taken in preparation for summer 2017, including:

- the preparation and release of a community newsletter that will outline the management plans for 2017,
- a public meeting that will discuss the management approach,
- creation of an Advisory Committee to develop recommendations for the summer and a communication plan, and
- the installation of signage and outhouses.

She explained a summer student could be present to provide education on the ecological and historical aspects of Carters Beach and to direct visitors to other beaches in the area such as Summerville Beach and the Raddall Adjunct.

It was moved by Councillor Muise and seconded by Councillor Kelly:

THAT the Council of the Region of Queens Municipality:

- 1. Refer the presentation to staff for a report to return to Council on budget implications, and**
- 2. Direct staff to work with Government on further community engagement.**

MOTION CARRIED unanimously.

3.2 Privateer Farmers' Market

Ms. Cindy Rubinfine, President of the Privateer Farmers' Market made a presentation to Council (copy of presentation attached to original set of Minutes) that provided background on the creation of the Farmers' Market. It was created three years ago and she compared it against the farmers' markets in Lunenburg and New Glasgow. She commented on what her vision for a farmers' market in Liverpool would be: a permanent space located downtown that could be open year round to provide space for farmers' produce, for concerts, for crafters, and other uses as identified.

It was moved by Councillor Fancy and seconded by Councillor Fralic:

THAT the Council of the Region of Queens Municipality refer the presentation to staff for a report.

MOTION CARRIED unanimously.

4.0 TABLING OF PETITIONS:

There were no petitions to come before this meeting.

5.0 PUBLIC QUESTION / COMMENT SESSION:

Leon Robertson, 45 College Street, Liverpool – Mr. Robertson provided his opinion on Item 3.1, stating another entrance to the beach could be at Cranberry Hall. Regarding Item 8.1, he suggested that the proposed use of the Courthouse would be a good attraction for the town. He then asked if public tours of Port Mersey would be possible in future. Mayor Dagley stated the Region could present the enquiry to the supervisors of the Port and it would be their decision.

Stan Clark, 48 Carters Beach Road – Mr. Clark commented on being disappointed on not being able to fully hear the presentations. He then addressed Carters Beach, commenting that the beach should be kept as it is and that government should develop a parking lot and boardwalks to the beach. He proceeded to ask if the meeting recently held at the Astor Theater was open to the public or by invitation because in conversations he has had with other merchants it appears it was not all inclusive. He feels transparency is lacking, further referencing the changes made at QPEC to support his point.

Mayor Dagley stated that there have been issues with the sound system in Chambers and they are being addressed. He further stated that the Carters Beach presentation today was preliminary and there will be stakeholder consultations in the coming months. He further stated the public meeting with businesses held at Town Hall was not open to the media or public because the Region wanted business owners to speak openly.

Mary White, Beach Meadows – Ms. White suggested Carters Beach has a transportation issue which needs to be addressed and she suggested a beach shuttle would provide an opportunity to educate visitors about the protected area. She echoed Mr. Clark's view when she asked that meetings held with the Chamber of Commerce or the Region with businesses be more transparent.

Kim Williams, Barss Street, Liverpool – Ms. Williams offered her opinion on farmers' markets, stating that an indoor facility would be great for Liverpool and could have multiple users. She further commented on Hillview Acres and suggested that if having a new facility were planned, touring the facility in Digby would be advantageous as the plans already exist and could be easily adapted. She asked that larger highway signs advertising Queens County be constructed and thanked the RCMP for their community meeting which was very informative although poorly attended.

Bill Cox, 121 Bog Road, White Point – Regarding Item 8.1, Mr. Cox was concerned that heat and lights were provided by the Region and suggested that as the Region has been providing grants annually to the museum, he is concerned there would be an increase to run the new facility. He stated that he hoped that there would be no requests through Grants to Organizations to assist with the Courthouse operation.

6.0 APPROVAL OF MINUTES:

6.1 Council Minutes – January 24, 2017

It was moved by Deputy Mayor MacLeod and seconded by Councillor Muise:

THAT the minutes of the Regular Council meeting held January 24, 2017 be approved as circulated.

MOTION CARRIED unanimously.

6.2 Council Minutes – February 14, 2017

It was moved by Councillor Muise and seconded by Councillor Fancy:

THAT the minutes of the Regular Council meeting held February 14, 2017 be approved as circulated.

MOTION CARRIED unanimously.

7.0 DANGEROUS OR UNSIGHTLY PREMISES:

There were no items to come before this meeting.

8.0 ECONOMIC DEVELOPMENT:

8.1 Unsolicited Proposal, Courthouse

It was moved by Councillor Muise and seconded by Councillor Fiske:

THAT the Council of the Region of Queens Municipality accept the Proposal from the Queens County Museum to program the Courthouse at 137 Church Street, Liverpool and approve the facility user agreement as per Attachment One of this report.

Prior to asking the question,

It was moved by Councillor Fancy and seconded by Councillor Fralic:

THAT Attachment 1 referenced in the Main Motion be amended to expand bullet "3(n)" under Municipality's Covenants of the Queens County Museum Lease.

COUNCIL RECESSED AT 10:15 A.M. TO OBTAIN WRITTEN AMENDMENT TO MOTION.

COUNCIL RECONVENED AT 10:40 A.M.

It was moved by Councillor Fancy and seconded by Councillor Fralic:

THAT Attachment 1 be amended to read under clause 3(n):

The Municipality will maintain its right to book and use the facility, at no charge, with advance notice; "advance notice" is defined as seventy-two (72) hours, during which time the Business is not permitted to book a competing event and / or rental. Moreover, the Business is required to provide to the Municipality its schedule of use regarding planned events on a monthly basis and any revenue generated from said use of the facility originated from the Municipality's initiative shall flow exclusively to the Municipality.

Through discussions with Councillors, it was confirmed that the intent of the clause is to allow the Municipality the right to book and use the facility, and not book for another organization.

THE MOTION TO AMEND THE ATTACHMENT CARRIED unanimously.

THE AMENDED MOTION CARRIED unanimously.

THE ORIGINAL MOTION AS AMENDED CARRIED with 7 in favour and 1 against, and reads as follows:

It is recommended that Council of the Region of Queens Municipality accept the Proposal from the Queens County Museum with the amendment to clause 3(n) as circulated during recess, to program the Courthouse as 137 Church Street, Liverpool and approve the facility user agreement as per Attachment One of this report.

8.2 South Shore REN Newsletter

The South Shore REN Newsletter is included for information purposes.

9.0 CAOs OFFICE:

9.1 COW Meeting Protocol

It was moved by Deputy Mayor MacLeod and seconded by Councillor Muise:

THAT Mayor David Dagley be permitted to participate in discussion during Committee of the Whole meetings without the requirement of having to vacate the Chair, provided that The Mayor hold himself to a higher standard than other Councillors regarding duration and frequency of speech, meaning:

- 1. The Mayor does not seek to bias the direction of discussion, and**
- 2. The Mayor limits himself to no more than three minutes of speaking time in each instance of participating in discussion, and**
- 3. The Mayor does not participate in discussion more than two times unless each Council Member has had and acted upon their opportunity to speak.**

MOTION CARRIED with 7 in favour and 1 against.

10.0 ENGINEERING AND WORKS:

10.1 Region 6 Solid Waste Management – 2017/2018 Budget

It was moved by Councillor Fralic and seconded by Councillor Fiske:

THAT Council of the Region of Queens Municipality approve the Region 6 Solid Waste Management proposed budget for the year 2017/2018.

Mr. Scott LeBlanc, Solid Waste Clerk, gave background on Region 6 Solid Waste Management, stating that they serve 13 Municipal units including the Region of Queens. The Region's contributions for the 2017/2018 fiscal year are projected to be \$10,974, which is an increase of \$284.

The Provincial enforcement money for the Region 6 area will decrease from \$100,000 to \$89,560. The Region received \$12,707 from this program last year.

MOTION CARRIED unanimously.

10.2 Landfill Tipping Fees

It was moved by Councillor Johnson and seconded by Councillor Fiske:

THAT Council of the Region of Queens Municipality approve the tipping fees as presented, for solid waste disposal and contracts for Residual Municipal Solid Waste, Sorted Construction and Demolition Material, Mixed Construction and Demolition Material, Metal/White Goods, Blue Bag Recyclables and Contaminated Soil, effective April 1, 2017.

MOTION CARRIED unanimously.

11.0 FINANCE

11.1 Administrative Policy No. 9 – Respecting Tax Exemptions

It was moved by Councillor Kelly and seconded by Councillor Fralic:

THAT Council of the Region of Queens Municipality approve Administrative Policy 9 respecting tax exemptions as amended (copy attached).

Ms. Jennifer Keating-Hubley, Director of Finance, stated this item comes before Council each year. The maximum amount for households is adjusted as set out on the CRA

website. The federal single and married income supplement is \$17,544 and \$23,184, respectfully. It is therefore recommended that the qualifying income level be increased to \$23,184, and the exemption remains at \$250. The recommendation for the 2017/2018 budget will be for an amount to cover 260 qualified applicants, given that there was a greater uptake for this program in 2016/2017 than in previous years.

MOTION CARRIED unanimously.

12.0 RECREATION AND COMMUNITY FACILITIES:

There were no items to come before this meeting.

13.0 PLANNING:

13.1 Planning Advisory Committee – Appointment of Chair

It was moved by Councillor Fiske and seconded by Councillor Fralic:

THAT the Council of the Region of Queens Municipality appoint Councillor Heather Kelly as Chair of the Planning Advisory Committee, with term to expire on October 31, 2018.

MOTION CARRIED unanimously.

13.2 Vending Bylaw - 2017

As moved under Item 2.0, the Vending Bylaw is deferred until the March 21, 2017 Committee of the Whole meeting.

14.0 REPORTS

Items 14.1, 14.2, and 14.3 were included in the agenda package as information:

- 14.1 RCMP Monthly Report – December 2016
- 14.2 Bylaw Enforcement Officer's Monthly Report – January 2017
- 14.3 Building Inspector's Monthly Report – January 2017

15.0 OTHER:

There were no items to come before this meeting.

16.0 IN-CAMERA ITEMS

At 11:05 a.m. it was moved by Councillor Muise and seconded by Councillor Kelly that proceedings go In-Camera, and further that Council recess until 1:00 p.m. so that Council might attend the announcement at QPEC.

- 16.1 Contract Negotiations, MGA 22(2)e
- 16.2 Contract Negotiations, MGA 22(2)e
- 16.3 Contract Negotiations, MGA 22(2)e
- 16.4 Contract Negotiations, MGA 22(2)e
- 16.5 Personnel Matter, MGA 22(2)c
- 16.6 Property Matter, MGA 22(2)a
- 16.7 Contract Negotiations, MGA 22(2)e – Deferred to next meeting
- 16.8 Property Matter, MGA 22(2)a
- 16.9 Contract Negotiations, MGA 22(2)e

MOTION CARRIED unanimously.

Deputy Mayor MacLeod was absent for the afternoon sitting of Council as she had to attend to a personal matter.

It was moved by Councillor Muise and seconded by Councillor Fralic that the proceedings exit the In-Camera session at 3:40 p.m.

MOTION CARRIED unanimously.

16.3 It was moved by Councillor Fiske and seconded by Councillor Johnson:

THAT the Council of the Region of Queens Municipality give notice of its intention to enter into a Purchase and Sale Agreement with The Devi International Boarding School Society for the sale of Municipal lands identified as PID #70105879 and formerly known as the Mill Village School property, for a sale price of \$1.00;

AND THAT a Public Hearing be held on March 28, 2017 at 8:55 a.m. in the Council Chambers of the Municipal Building, 249 White Point Road in Liverpool, NS.

MOTION CARRIED unanimously.

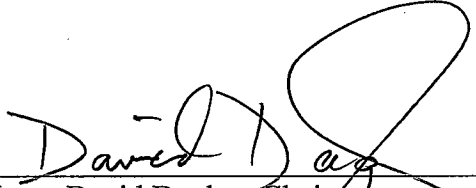
16.5 It was moved by Councillor Muise and seconded by Councillor Johnson:

THAT the Council of the Region of Queens Municipality appoint Matthew Smith to the Queens Place Advisory Committee.


MOTION CARRIED unanimously.

17.0 ADJOURNMENT

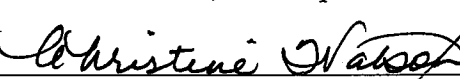
There being no further business, the meeting adjourned at 3:43 p.m.



Mayor David Dagley, Chair

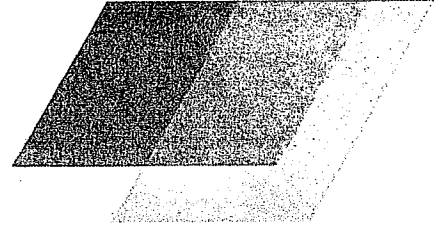


Anne MacDonnell, Municipal Clerk & Coordinator



Christine Watson, Recording / Management Secretary

Date Approved: 14th March 2017.

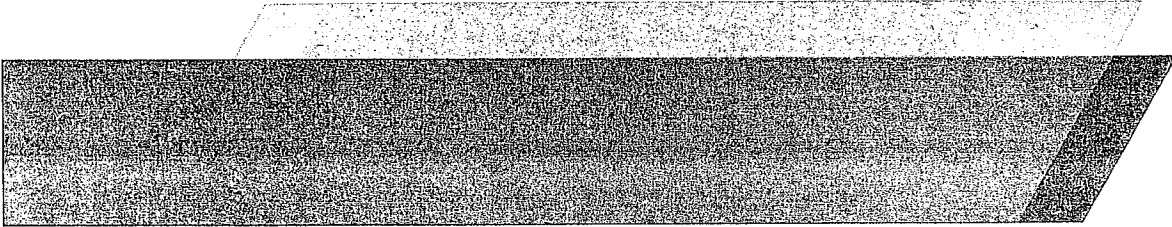


Carters Beach

Interim Management Intent

Presentation to Region of Queens
Municipality

February 28, 2017



Purpose

- Describe proposed management approach for Carters Beach
- Discuss plan for 2017



Context

Conservation Values

Ecological

- 20 different ecosystem types
- Until recently, nesting site for the piping plover
- Highest dunes in Nova Scotia
- Home to colonial nesting birds

Historical & Cultural

- Evidence of Mi'kmaq habitation
- Provincially registered archaeological sites
- Lighthouse on Spectacle Island built in 1873
- History of recreational and tourism use

Human Use Issues

- Beach can have up to 150+ people on a sunny day causing:
 - Dune erosion
 - Unauthorized walking trails
 - Human waste concerns
 - Improper garbage disposal
 - Parking problems
 - Public safety
 - Impacts on local landowners



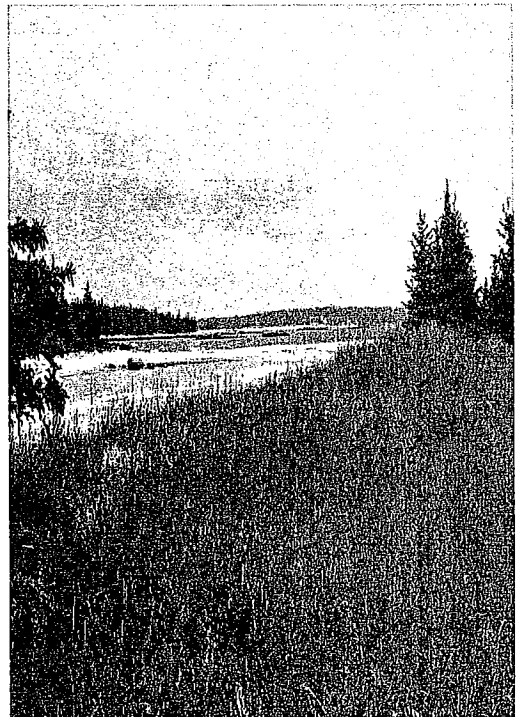
Efforts to date

- Public consultations, beach user survey, meetings with the Region of Queens and community members
- Safety improvements to the parking lot and to the trail to the beach in 2015
- One garbage container maintained by DNR
- Agreement with the Region of Queens to install temporary port-a-potties in the summer of 2016
- Explored alternate parking off SW Port Mouton Rd & wasn't deemed viable alternative
- Transportation and Infrastructure Renewal (TIR) and the Region of Queens widening Carters Beach Road to accommodate safer passage and some level of roadside parking

Proposed management approach

Management Principles

1. Protect ecological and archaeological assets as first priority
2. Maintain/enhance cultural values, public safety & unique visitor experience
3. Contribute to building social and economic benefits
4. Apply adaptive management
5. Create strong partnerships



Human use impacts

- Install outhouses to reduce human impacts to dunes – provincial/municipal partnership
- Install interpretive, educational, and directional signage
- Trial ‘pack in and pack out’ garbage management (i.e. no garbage can)
- Maintain walking trail to beach and limit access over embankment (near parking area)
- Create a public communications plan
- For 2017, maintain current parking lot and limit parking on road to one side

Boundary & Designation

- Work towards designating Carters Beach, Spectacle Island, and associated lands as a provincial nature reserve
- Work to provide suitable access and use of lighthouse through Spectacle Light Society
- Review parking options in 2017 in consultation with municipality, TIR, RCMP, and local community

Management Advisory Committee

- **Purpose**
 - Ensure local interests are included in decision making
 - Create an opportunity for shared stewardship
- **Members**
 - Province, Region of Queens Municipality
 - Community groups & representatives
- **Role**
 - Promote education & stewardship
 - Help monitor and address human use, ecological protection, cultural values; etc.
 - Create a strategy to advance social and economic benefits consistent with the management approach
 - Assist with communication efforts to inform and engage public

Next Steps

1. Prepare and release a community newsletter outlining management approach and plans for 2017
2. Host public meeting to share and discuss proposed mgmt. approach
3. Assemble Advisory Committee, and develop recommendations for summer 2017
4. Develop communications plan
5. Prepare and install signage
6. Install outhouses at parking lot



Privateer Farmers' Market:
Where we are today, and where
we'd like to be headed



We are growing!

Year	Pleasant Hill Farm sales at Privateer Farmers' Market
2014	\$14028
2015	\$16387
2016	\$17154

Here's an example of the potential of a mature farmer's market

- Pleasant Hill Farm 2016 sales at Lunenburg Farmers' Market: \$96583
- Our cost to attend this market: \$1200

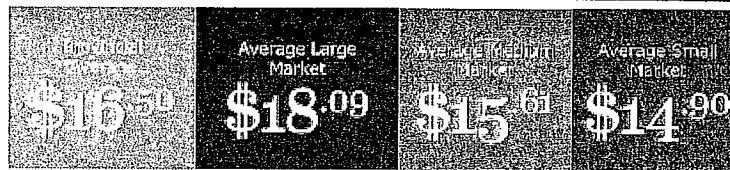


Farmers' Markets Are Business Incubators!

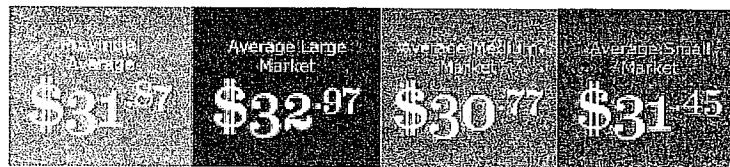


Farmers' Markets also benefit surrounding businesses

Per Customer Spending at Markets



Per Customer Spending at Markets and Surrounding Businesses



One Market, One Day

The average farmers' market welcomed 1373 adult shoppers on the day of the study, each individual spending \$16.50 at the market, resulting in

\$22,654.50

circulating in the local economy from just one farmers' market on just one day.

What would help this market grow?

- The most successful markets have permanent indoor locations
- Many of these markets operate year-round
- Year-round operation is impossible in an outdoor location



- Sun, wind, fog, rain, wasps... all of these present challenges to vendors and customers at outdoor markets.
- Some vendors had to give up on Privateer Market because of this
- Some prospective vendors have decided against attending the market because of the outdoor location



Our indoor Christmas markets
have been very successful



Thank You!



Some of the Privateer vendors... note windblown hair!

Attachment One

THIS AGREEMENT is made this _____ day of _____, 2016.

BETWEEN: **THE REGION OF QUEENS MUNICIPALITY**
(hereinafter called the "**Municipality**")

-and-

Queens County Museum
(hereinafter called the "**Business**")

1. **USE OF FACILITY:** To operate as a Queens Museum of Justice and permanent home for the Bowater Collection.
2. **MUNICIPALITY'S COVENANTS**

The Municipality hereby grants to the Business, during the term of the Agreement, the following:

- (a) The right, in common with others, to use the Courthouse facilities; and
- (b) The Business may receive all revenues derived from their work.
- (c) The Municipality shall continue to maintain the following provisions at the Courthouse, including maintenance of the building, snow removal, and utility (power, water, sewer) costs.
- (d) The Municipality will continue to maintain insurance on the building.

3. **BUSINESS COVENANTS**

The Business hereby covenants and agrees in favour of the Municipality during the term of this Agreement as follows:

- (a) The Business will operate the Courthouse as a Museum of Justice and Bowater Exhibit, in accordance with any relevant Federal, Provincial and Municipal regulations.
- (b) The Business will maintain the internal and external integrity of the facility. Any proposed changes must be first approved in writing by the Municipality and shall meet all Federal, Provincial and Municipal regulations.
- (c) To act honestly, in good faith and in the best interests of the Municipality in the provision of these Services;
- (d) To exercise the care, diligence and skill of a reasonably prudent person and to act in accordance with sound industry standards and practices in the provision of these Services, including meeting provincial health and safety standards;
- (e) No alcohol whatsoever is permitted on site, without the prior written consent of the Municipality which may be withheld in the sole discretion of the Municipality.

- (f) The Business shall provide and maintain Commercial General Liability insurance on an occurrence basis with a minimum limit of Two Million Dollars (\$2,000,000) for bodily injury including death, personal injury, property damage including loss of use, tenants' legal liability and the Region of Queens Municipality shall be named as an ADDITIONAL INSURED.
- (g) Before the Commencement Date of this Agreement, the Business shall provide to the Municipality a current certificate of insurance or, at the request of the Municipality, a certified copy of the policies, as well as renewal certificates or policies thereafter for the duration of the Agreement, evidencing the required insurance and recording that the Municipality shall receive 30 days written notice prior to cancellation, and prior to a material change of coverage detrimental to the Municipality. The Municipality reserves the right to increase the limits and coverage required in its sole discretion, based on industry standards.
- (h) The Business shall indemnify and save harmless the Municipality, its officers, agents and servants, or any of them, from any and all manner of claims, demands, losses, costs, charges, actions and other proceedings whatsoever made or brought against, suffered by, or imposed upon the Municipality or its property directly or indirectly resulting from the Business's performance of these Services or the use and occupation of the Lighthouse (such indemnity shall include legal fees and other costs associated therewith).
- (i) The Business shall not cause or permit any hazardous, toxic or dangerous waste, substance or material to be in, or about the Lighthouse, or disposed of, except in accordance with all applicable Federal, Provincial and Municipal laws, regulations or standards.
- (j) The Business shall keep and maintain the facility in good condition and order, and shall surrender the same upon the expiration or termination of this Agreement in good condition, reasonable wear and tear excepted.
- (k) The Business shall maintain the washrooms and provide acceptable janitorial services for the facility.
- (l) The Municipality shall be permitted to inspect the facility at any time to ensure ongoing compliance with this Agreement, with notification.
- (m) The Business shall provide an annual report to Council of the Region of Queens Municipality overiewing:
 - (i) Attendance statistics
 - (ii) Economic and Community development accomplishments
 - (iii) Review of successes and challenges
 - (iv) Outline of changes and new plans

4. TERM AND TERMINATION

(a) The term of this Agreement shall be for a period of three (3) years, commencing on the _____ and ending on the _____ (the "**Expiration Date**").

(b) The Society may not assign or transfer this Agreement or any interest therein, without the prior written consent of the Municipality which may be withheld at the sole discretion of the Municipality.

5. RENEWAL OF AGREEMENT

The parties agree that at the Expiration Date, or within one (1) month thereof, the parties may enter into negotiations for the renewal or extension of this Agreement upon such terms and conditions as may be mutually agreed upon at that time.

IN WITNESS WHEREOF the parties have executed this Agreement on the date and year above written.

For Region of Queens Municipality	For Queens County Museum
Richard MacLellan	
Chief Administrative Officer	
May 12, 2016	

**ADMINISTRATIVE POLICY NO. 9
RESPECTING TAX EXEMPTIONS**

WHEREAS the Municipal Government act states that a municipality may grant an exemption from taxation, in the amount set out in the policy, for a person whose income is below the amount set out in the policy; and

WHEREAS the Region of Queens Municipality is desirous of establishing a system of tax exemption for low income residents throughout Queens County;

THEREFORE BE IT RESOLVED that the Region of Queens Municipality grant an exemption of **\$250.00** for all assessment districts upon the property owned by a person whose total income from all sources, which income includes income of all other members of the same family residing in the same household, for the calendar year preceding the fiscal year for which the exemption is sought, is ~~\$22,868~~ **\$23,184** or less. This exemption shall only extend to persons who are residents of the Region of Queens Municipality and apply to property of a ratepayer occupied by him / her as his/her home;

AND FURTHER BE IT RESOLVED that where two or more persons, one or more of whom are entitled to an exemption, are by interest the owners of taxable property together, the person so entitled to that portion of the amount of exemption by his / her assessment with respect to the property bears to the total assessment for the whole property, and where the owners are not separately assessed for their interest in the property then to the portion determined shall be final;

AND FURTHER BE IT RESOLVED that the deadline for the submission of exemptions is the end of February, and if the end of February is a Saturday, Sunday or a Holiday, that application may be made on the business day directly following the Saturday, Sunday or Holiday.

AND FURTHER BE IT RESOLVED that the exemption is only available to those supplying the Treasurer a copy of their previous year's income tax assessment or other proof of income satisfactory to the Treasurer.

Approved by Council: March 8, 2016