

November 3, 2014

The Municipal Council for the Municipality of the County of Pictou met in the Council Chambers of the Municipal Administration Building on Monday, November 3, 2014 at 7:00 p.m.

PRESENT

| | | |
|-------|----|-----------------------------|
| Dist. | 1 | Clr. Sally Fraser |
| | 2 | Clr. Deborah Wadden |
| | 3 | Clr. Edward MacMaster |
| | 4 | Warden Ronald Baillie |
| | 6 | Clr. Jim Turple |
| | 7 | Clr. David Parker |
| | 8 | Leonard Fraser |
| | 10 | Clr. Jamie Davidson |
| | 11 | Deputy Warden Andy Thompson |
| | 12 | Clr. Chester Dewar |
| | 13 | Clr. Randy Palmer |
| | 14 | Clr. Scott Johnston |

ABSENT

| | | |
|-------|---|--------------------|
| Dist. | 5 | Clr. Robert Parker |
| | 9 | Clr. Larry Turner |

IN ATTENDANCE

Donn Fraser, Solicitor, MacIntosh, MacDonnell & MacDonald
Brian Cullen, CAO/Municipal Clerk-Treasurer
Karen Cornish, Deputy Municipal Treasurer
Carolyn MacIntosh, Deputy Municipal Clerk
Jane Johnson, Recording Secretary

PRAYER

Warden Baillie opened the meeting with a prayer.

MOMENT OF SILENCE

Council observed a moment of silence in memory of the Late Warrant Officer Patrice Vincent & the Late Corporal Nathan Cirillo.

AGENDA

It was moved by Clr. L. Fraser and seconded by Clr. S. Fraser that the agenda be approved with the deletion of the Dangerous & Unsightly Hearing and the addition of 5 resolutions.
Motion carried.

MINUTES

It was moved by Clr. Turple and seconded by Clr. D. Parker that the minutes of September 2 and September 29, 2014 be approved as presented.
Motion carried.

CORRESPONDENCE

Correspondence was received and acknowledged from the following:

- (a) Minister of Transportation & Infrastructure Renewal – Acknowledging receipt of Council's correspondence regarding the twinning of Highway 104 west of Antigonish. Over the next several months TIR will be completing a safety study on this section of Highway 104 to help identify opportunities for improvement and to help access the overall priority of this section of highway as further projects are added to the 5-Year Highway Improvement Plan.
- (b) Minister of Environment acknowledging Council's concerns about oil & gas development in the Gulf of St. Lawrence. Environment Canada's mandate includes collaborating with the provinces and territories to mitigate environmental impacts. The National Conservation Plan has been launched by the Federal Government to protect Canada's natural heritage for the benefit of future generations.
- (c) Correspondence (uncirculated) expressing appreciation for financial support has been received from the Pictou Lobster Carnival and the Pictou County Roots for Youth Society.

FINANCIAL SERVICES COMMITTEE REPORT

Clr. Palmer 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 October:

- 1. Reviewed the report of the Recreation Coordinator for the month of September.
- 2. Considered several requests for funding. (Resolution to follow)
- 3. Reviewed the list of Accounts Paid for the month of September.
- 4. Discussed amending the Public Participation Program Policy 2006-12-28. (Resolution to follow)

DATED at Pictou, N.S. this 3rd day of November, 2014.

(Sgd.) Randy Palmer
Chester Dewar

MOTION

It was moved by Clr. Palmer and seconded by Clr. Dewar that the report of the Financial Services Committee be received for information purposes.

Motion carried.

PROPERTY SERVICES COMMITTEE REPORT

Clr. D. Parker 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 October:

- 1. Reviewed the report of the Building Inspector, By-Law/Dog Control Officer and Warden for the month of September.

2. Approved the installation of a street light in District #2 at 363 Black Point Road, Chance Harbour and the installation of an intersection street light at the intersection of Black Point Road and Ervin Road.
3. Discussed concerns regarding the process of trying to encourage people to clean up their properties under the Dangerous & Unsightly Premises Guidelines. Staff was directed to contact other municipalities on their process and to bring the information back to the Committee for further discussion.
4. Agreed to write the Minister of Transportation & Infrastructure Renewal asking to change the boundaries for road maintenance in Districts 4 and 5 back to Pictou County or improve the road service.
5. Agreed to write TIR asking that a Poplar Hill Sign be erected on the Meadowville Station Road.
6. Requested that the Director of Public Works & Development prepare an estimate for sewer extension in Eureka from the fire hall.
7. Met in closed session to discuss matters relating to Client-Solicitor Privilege and contract negotiations.

DATED at Pictou, N.S. this 3rd day of November, 2014.

(Sgd.) David Parker
Jim Turple

MOTION

It was moved by Clr. D. Parker and seconded by Clr. Turple that the report of the Property Services Committee be received for information purposes.
Motion carried.

RESOLUTION – MUNICIPAL GRANTS

Clr. Dewar 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:

Recreation:

| | | |
|--|-------------|---|
| Kanoki Judo Club | \$ 500.00 | 5 @ Nat. Champs. |
| Pictou Co. PeeWee AA Subway Selects | 600.00 | 6@ Wickenheiser Female Hockey Tourn. |
| | <hr/> | |
| | \$ 1,100.00 | |

Municipal Services:

| | | |
|-----------------------------|-------------|------------------------|
| D9 Mt. William Cemetery Co. | \$ 1,318.30 | Annual Maint & Topsoil |
|-----------------------------|-------------|------------------------|

Council:

| | | |
|------------------------|-----------|------------|
| 4 Seasons Horse & Pony | \$ 100.00 | Plough Day |
|------------------------|-----------|------------|

DATED at Pictou, N.S. this 3rd day of November, 2014.

(Sgd.) Chester Dewar
Randy Palmer

MOTION

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

Motion carried.

RESOLUTION – PUBLIC PARTICIPATION POLICY 2006-12-28

Deputy Warden Thompson presented a resolution to Council as follows:

RESOLUTION

WHEREAS the Municipality of the County of Pictou has a policy relating to a public participation program for its Wind Energy Planning Strategy and Related By-Law #2006-12-18;

WHEREAS the Policy requires the Planning Advisory Committee to conduct a public participation program for the adoption of the Municipal Planning Strategy and Land-Use By-Law and any subsequent amendments;

WHEREAS the Municipal Government Act; Section 210, does not require a public participation program to be conducted if the amendment is undertaken in accordance with the Municipal Planning Strategy; and is not required to carry out a concurrent amendment to a Municipal Planning Strategy,

BE IT RESOLVED by the Municipal Council for the Municipality of the County of Pictou that Council amends its Public Participation Policy to read

PURPOSE

1. To outline the use of a public participation program when considering amendments to the Municipal Planning Strategy and Land Use By-Law and any subsequent amendments thereto to regulate the development of wind turbines.
2. The Council shall not require the Planning Advisory Committee to conduct a public participation program for an amendment of the Land Use By-Law, if
 - (a) The amendment to the Land Use By-Law is undertaken in accordance with the planning strategy; or
 - (b) The amendment does not require a concurrent amendment to the Municipal Planning Strategy;
3. The Planning Advisory Committee shall conduct the Public Participation Program but the presentation of information and the receiving of comments shall be the responsibility of planning staff.
4. As the Municipal Planning Strategy and Land Use By-Law will apply to substantial portion, if not all, of the Municipality at least one public information session shall be held in a number of communities as selected by the Planning Advisory Committee.
5. The Planning Advisory Committee may deem additional sessions necessary.

6. Notification of the meeting and request for public input shall be circulated in the local paper within a 30-day period of the meeting. In addition, notices shall be posted in local businesses.
7. Other means of advertising may be approved by the Planning Advisory Committee.

DATED at Pictou, N.S. this 3rd day of November, 2014.

(Sgd.) Andy Thompson
Sally Fraser

MOTION

It was moved by Deputy Warden Thompson and seconded by Clr. S. Fraser that the preceding resolution be adopted as presented.

Motion carried.

RESOLUTION – INTERSECTION STREET LIGHT

Clr. Wadden presented a resolution to Council as follows:

RESOLUTION

WHEREAS the Municipal Council for the Municipality of the County of Pictou has adopted a policy with respect to the provision of street lighting at intersections in areas where residential street lighting does not exist;

WHEREAS this policy is intended to aid in the safe passage of motor vehicles on public streets or roads and pedestrian traffic at street intersections and other pedestrian infrastructure in a manner which is both affordable and adequate for vehicular and pedestrian traffic;

WHEREAS the Property Services Committee has considered a request for the installation of an intersection street light in District #2;

THEREFORE BE IT RESOLVED by the Municipal Council for the Municipality of the County of Pictou that Council approve the installation of one intersection street light, in accordance with Policy #2008-09-34, at the following intersection:

District #2: at the intersection of Black Point Road & Ervin Road, Black Point.

DATED at Pictou, NS this 3rd day of November, 2014.

(Sgd.) Deborah Wadden
Sally Fraser

MOTION

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

Motion carried.

RESOLUTION – COST-SHARED PAVING

Clr. Turple presented a resolution to Council as follows:

RESOLUTION

WHEREAS Transportation & Infrastructure Renewal has requested that the Municipality submit a prioritized list of local and subdivision streets for consideration as candidate projects for cost-shared paving in 2015/16;

WHEREAS the Property Services Committee has considered this request and has reviewed the current condition of all local and subdivision streets in the Municipality;

WHEREAS the Committee has reached a consensus on projects for this program;

THEREFORE BE IT RESOLVED by the Municipal Council for the Municipality of the County of Pictou that the following local and subdivision streets be submitted to the Transportation & Infrastructure Renewal for cost-shared double chip seal or paving in the 2015/16 fiscal period:

| <u>Route #</u> | <u>Road Name</u> | <u>Community</u> | <u>Length</u> |
|----------------|------------------|------------------|---------------|
| 774 | High Street | Scotsburn | 0.25 |

DATED at Pictou, N. S. this 3rd day of November, 2014.

(Sgd.) Jim Turple
David Parker

MOTION

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

RESOLUTION – TIM HORTON'S FOOD DRIVE

Clr. Wadden presented a resolution to Council as follows:

RESOLUTION

WHEREAS Tim Horton's will host its 3rd annual food drive on November 20th at the Sobeys Aberdeen Mall location;

WHEREAS this event was created to help collect food as well as donations for the two local food banks that serve Pictou County;

WHEREAS the Tim Horton's Food Drive is the single largest annual initiative for the food banks and provides the resources needed to continue to support Pictou County families;

THEREFORE BE IT RESOLVED by the Municipal Council for the Municipality of the County of Pictou that Council proclaim November 20, 2014 as "Tim Horton's Food Drive Day" in the Municipality and urge all citizens of the Municipality to support this worthy effort through donations of non-perishable food items or financial contributions.

DATED at Pictou, NS this 3rd day of November, 2014.

(Sgd.) Deborah Wadden
Sally Fraser

MOTION

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

Motion carried.

RESOLUTION – LUB REVIEW

Clr. L. Fraser 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 direct the Planning Advisory Committee to undertake a review of Section 4.2 of the Land-Use By-Law with respect to the minimum setback from residences for utility scale wind turbines, in particular the clause that permits the Development Office to reduce the setback from 1,000 metres to 600 metres with the permission of all owners of residents with the 1,000 metre setback.

DATED at Pictou, NS this 3rd day of November, 2014.

(Sgd.) Leonard Fraser
Jamie Davidson

CONFLICT OF INTEREST

Clr. Johnston declared a conflict of interest and withdrew from further debate on the issue.

MOTION

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

Motion carried.

RESOLUTION – ACTIVE TRANSPORTATION

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

RESOLUTION

WHEREAS the Municipality issued a Request for Proposals to investigate options for active transportation improvements in the vicinity of Exit 23 near the Pictou County Wellness Centre; and

WHEREAS six (6) proposals were received as follows excluding HST:

| | |
|--------------|----------|
| MMM Group | \$17,960 |
| Aecom | \$21,690 |
| Viridis | \$22,975 |
| WSP | \$28,520 |
| CBCL Limited | \$34,785 |
| SNC Lavalin | \$34,920 |

WHEREAS each of the proposals received were evaluated against the qualifications and experience of the firm, the conformance of the proposals to the items required by the municipality, the methodology to be utilized to achieve the objectives as well as costs;

WHEREAS the Administration has reviewed the proposals in detail and determined if they confirm with the terms of the Request for Proposal Call;

THEREFORE BE IT RESOLVED by the Municipal Council for the Municipality of the County of Pictou authorize acceptance of the Proposal submitted by the MMM Group to investigate active transportation alternatives at Exit 23, upon successful notification of a grant from the NS Moves fund.

DATED at Pictou, N.S. this 3rd day of November 2014.

(Sgd.) David Parker
Jim Turple

MOTION

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

Motion carried.

UPDATE – MUNICIPAL ALCOHOL PROJECT

Clr. Wadden reported that two of our three high school sessions have been held with the final one scheduled for this Thursday Nov. 6th. Overall we have captured about 90 students (30 per school) and as expected the young adults have so far presented very interesting perspective on their views on this whole issue so I look forward to seeing the final analysis of these discussions. At our monthly meeting we just had for MAP the majority of this meeting focused on our event we are planning for early December. Currently we are looking at early December possibly the 3rd, 4th or 9th. With the holiday season fast approaching the earlier in December the better. We feel a breakfast meeting would likely work best so are looking at possible 830 to 1130 or 9 to 12 noon. Jamie Smith will be leading the session and we are using the Chaordic Stepping Stones for Designing Meetings and Gatherings. We are working on the invitation list and all Councillors will be invited so I hope we do have a good turnout from our own council. I heard from Sophie today and there is a possibility of booking either Glasgow Square or The Wellness Centre. Would Councillors have a preference for where this event could be held? Personally, either venue is fine but I would prefer the Wellness Centre? Again this project is endorsed by our UNSM based on the information they have received from all Councils concerning developing and implementing a Municipal Alcohol Policy.

Our next meeting is scheduled for Nov 20 where we will finalize our event so will be advising Council of the date and time as soon as possible after that.

It was the consensus of Council members that the December event be held at the Pictou County Wellness Centre.

PULP MILL & NOVA SCOTIA ENVIRONMENT

Clr. Turple addressed Council with regard to the emissions from Northern Pulp, stating that “the Pictou area is still getting more than 175 particulates from pulp mill. That mill is now 2 years late in meeting a condition and operating permit from the province when it was ordered to do an air quality study and install air quality monitors to measure the particulates. That was Nov 2012 and deadline extended by Province at least more than once. The Province is continually falling all over itself and allowing this mill to continually run with levels exceeding all health regulations. Oddly enough this has happened with all three political parties over the past 47 years. The pulp mill has changed hands many times over those years and it is my opinion the owners are doing this because they now know that they can. I personally have questioned this air quality with Dept. of Environment three or more years ago and was told that the mill measures its own air quality. Now nothing was mentioned about high level of particulates until Pictou Clean Air got involved. The Dept. of Environment appears powerless in enforcing any regulations against large companies like the Abercrombie Pulp Mill. However let you or I have an oil tank leak or spill and see how much that will cost

us. Let's see how much of a fine that will be given you or I by Dept. of Environment if we were to obstruct a waterway in any way, shape or form. I have a friend who within the past couple of years dug a pond on his own property so that his grandkids would have a place to skate during winter. The Department of Environment stepped in after it was dug and informed him that he was violating regulations concerning wet lands and it ended up costing him over \$10,000. But then again we have Boat Harbour, what a joke. How many of you know that the end results from Boat Harbour is released into the Northumberland Strait. Have samples ever been taken from our lobster, crab, mussels, oysters, etc. in that area to see what contaminates we are injecting into ourselves when eating these fish? Where is the Department of Health on all of this? It has been documented by different doctors over the past 47 years that health issues have and are occurring because of the pulp mill. But who is listening? We are informed that the new precipitator will probably resolve most when installed next March. But what about now? What about the past 47 years when said mill has been allowed to exceed all health regulations? What about the high cancer rates in and around Pictou County? Is it possible that just perhaps these particulates coming from those stacks may have any influence on cancer rates? On a personal note my father who was a fisherman and breathed the fresh salty air all his life was my age now when he first contacted cancer which later killed him. My mother is a cancer survivor as is my brother and I.

Our Environmental standards are far weaker than those of our neighbour to the south. The recovery boiler which is where the preceptor is to be installed removes particulates. I have been informed that Canadian regulations have set 175 milligrams per reference cubic meter. 175 are what is considered to be the maximum allowable level for particulates to be released into the air by industry here in Canada. The last round of testing after the shutdown from the mill indicated 49% over on three different tests. Before that they were 78% over. The stack limit is 175 and considered healthy for us here in Nova Scotia, Canada. In the USA it is not 175 mil per cubic meter but rather 35 mil per cubic meter. Particulates are the deadliest form of air pollution due to their ability to penetrate deep into the lungs and blood stream unfiltered causing permanent DNA mutations, heart attacks and premature death. The Cancer Agency of the World Health Organization announced that particulate matter is the leading cause of cancer. In fact they classified particulate matter in Group 1 along with tobacco smoke, asbestos, plutonium, silica dust and ultraviolet radiation. Particulates are now classified among the most dangerous carcinogens known to man. I, as recently as a few weeks ago, questioned this with people from the pulp mill and was told that yes we plan on meeting 175 milligrams per cubic meter when the new precipitator is installed which is the maximum level that Environment Canada allows. A friend of mine, Pam MacDonald, lives in Sylvester and there are days when one practically has to navigate on her property with a compass because of the mill's smog let alone the smell. On a clear day her gas stove gives off a bright blue flame however when the Pulp Mill smoke surrounds and invades her home on warm sunny days, the flame turns to orange so just what is in that smoke that causes a blue gas flame to turn orange? Miss MacDonald's life has turned upside down because of the smoke coming from the Pulp Mill. Now I am all for industry that will not knowingly pollute our air, land and water. I attended the session put on by the mill at the deCoste Center on October 23rd and found the presentations very interesting. It appears that the present owners may be truthful in cleaning up this mess. It must be noted however that when the new precipitator is installed and working, smoke will continue to pour from those stacks. The new precipitator will supposedly remove the particulates only but not eliminate the smoke simply because of the wet scrubbers that are installed thus creating steam. I personally see this as being a huge problem. Our residents here in Pictou County have put up with this for so long that when they see the continual pillars of smoke coming from those stacks, they will not believe that anything has been corrected. I actually believe that if Pictou County Clean Air did not become vocal; this precipitator might never have been slated for replacement. Yes we need industry and employment here in Pictou County with good paying jobs but at what costs? I believe that few people in Pictou County want the mill to shut down. We need industries and jobs here in Pictou County. However when in violations of environmental and health regulations, it is only fair that penalties be levelled upon them until the problem is corrected just like the rest of us taxpayers would encounter."

MOTION

It was moved by Clr. Turple and seconded by Clr. MacMaster that the Municipality of Pictou County have its name added in support of clean air for everyone Pictou County.

Clr. D. Parker pointed out that the process of addressing emissions at the mill is well underway and he did not believe that we should rush to judgement when mill operators are trying to fix the problem. He recommended that Council wait to see what happens once the new precipitator is installed.

CLOSED SESSION

Council met in closed session at 7:35 p.m. to receive legal advice eligible for solicitor-client privilege.

OPEN SESSION

Council resumed in open session at 7:45 p.m.

WITHDRAWN

On the agreement of the mover and seconder the motion was withdrawn.

UNION CENTER – INTERSECTION

Clr. D. Parker informed Council that there was a meeting in Union Center approximately 2 weeks ago and the purpose of the meeting was to look at possible configurations for the intersections near the Esso Station and convenience store in Union Centre. The reason we are looking at them at this time is because next summer the bridge immediately adjacent to the Esso Service Station is going to be replaced. On the east side of the Middle River there is an intersection that does not work for modern traffic. There are 3 intersections where 1 goes up to the gas station yard that is a dirt road.

MOTION

It was moved by Clr. D. Parker and seconded by Clr. L. Fraser that a letter be sent to the Minister of Transportation & Infrastructure Renewal, with copies sent to the MLA for Pictou West, the Area Manager for Transportation & Infrastructure Renewal, and Paul Coulson, TIR Engineer in Truro, requesting that serious consideration be given to the realignment of those intersections in Union Center as part of the bridge replacement project in 2015.

Motion carried.

RESOLUTIONS – PICTOU-NORTH COLCHESTER FEDERATION OF AGRICULTURE

Clr. Dewar presented 2 resolutions that were passed unanimously at the Pictou-North Colchester Federation of Agriculture annual meeting as follows:

Whereas local, small meat processors (or small local butcher shops) have been an integral part of our farming communities for many generations,

Whereas local small meat processors reduce the carbon footprint and provide an ethical, humane processing service,

Whereas local small meat processors are inspected on every visit by their customers who in turn are confident of receiving their own product that they delivered,

Whereas the Ivany Report recommends the encouragement and public support of small entrepreneurs in our communities,

Be it resolved that the Nova Scotia Federation of Agriculture, in conjunction with small local meat processors, act as a mediator to ensure a fair resolution that

allows them to remain viable by introducing a “tiered meat licensing system” that will ensure health and safety to all consumers.

Whereas the Natural Products Marketing Act, over 60 years old, does not adequately reflect the needs of today’s progressive society,

Whereas the Nova Scotia Department of Agriculture is making a strong effort to encourage new entrants in the agriculture sector,

Whereas the current structure and legal authority of the Natural Products Marketing Council is too restrictive to allow for growth of new producers,

Whereas there is a growing desire, at the grassroots level, to grow and/or acquire local food, as is encouraged by the Ivany Report,

Whereas there is the potential for conflict-of-interest and/or abuse of power with the current Act,

Be it resolved that the Nova Scotia Federation of Agriculture lead the process for a complete revision of the Natural Products Marketing Act.

MOTION

It was moved by Clr. Dewar and seconded by Clr. D. Parker that a letter be sent to the Nova Scotia Agriculture Federation to support the Pictou North Colchester Federation of Agriculture and the 2 resolutions passed at its annual meeting.

Motion carried.

REMINDER – JOINT MEETING

Warden Baillie reminded Council there will be a joint meeting with the Town of New Glasgow on November 12th at 6:00 p.m. in the Town’s Council Chambers to receive a presentation from the Age Friendly Communities Committee.

ADJOURN

It was moved by Clr. Turple and seconded by Clr. D. Parker that the meeting adjourn.
Motion carried. (7:55 p.m.)

Ronald Baillie
Warden

Brian Cullen
Municipal Clerk