

The Regular Meeting of Town Council for the Town of Mahone Bay was held on Tuesday, September 13, 2016, at 7:00 p.m.

**Present:**

Mayor J. Feeney  
Deputy Mayor D. Devenne  
Councillor K. Wilson  
Councillor J. Bain  
Councillor K. Nauss  
Councillor L. Hennigar  
Councillor P. Carver  
CAO, J. Wentzell  
Deputy Clerk M. Hughes

**Gallery:** Two

**Minutes**

A Motion by Councillor Bain, seconded by Councillor Carver, **“THAT the Minutes of the July 28, 2016 regular meeting be approved as presented.”** **Motion carried.**

A motion by Councillor Bain, seconded by Councillor Carver, **“THAT the minutes of the September 12, 2016 special council meeting be approved as presented.”** **Motion carried.**

Council met In Camera on July 28, 2016 to discuss legal proceedings, as permitted under Section 22(2)(f) of the Municipal Government Act.

Council met In Camera on September 12, 2016 to discuss property, negotiations and legal advice, as permitted under Section 22(2)(a), (e) and (f) of the Municipal Government Act.

**Delegations and/or Individuals**

**Bob Youdent, President, M.A.D.E. for Mahone Bay – Request for Development Agreement**

Bob Youden, President of M.A.D.E. for Mahone Bay Ltd. spoke to Council regarding his letter of request for a development agreement for the property located at 66 Clairmont Street.

A motion by Deputy Mayor Devenne, seconded by Councillor Hennigar, **“THAT the request to enter into a development agreement with M.A.D.E. for Mahone Bay Ltd. for the purpose of constructing a 3-storey building housing 14-16 residential units be referred to the Planner and the Planning Advisory Committee for study and report back to Council.”**

**Motion carried.**

## **Correspondence**

Correspondence was received from:

1. Carole Lee Reinhardt, CEO South Shore Regional Enterprise Network, expressing concerns about REN partnership model.
2. Donna Jewers, Manager, Strategic Planning and Client Services, RCMP, noting that \$1,425 has been identified as fines which should have been sent to Mahone Bay but were not, and noting that this oversight has been corrected.
3. James D. Smith, Warden, Municipality of East Hants, copying the Town of Mahone Bay on a letter to the UNSM expressing concerns about UNSM representation of member units regarding resolutions and Bill 177.
4. Joe Rogers, Building Code Coordinator, Department of Municipal Affairs, notifying of changes to the Building Code Act Regulations to benefit home-based businesses.
5. Robert A. MacKinnon, President and CEO Nova Scotia Provincial Lotteries and Casino Corporation, with the 2015-16 Summary of Results for the Nova Scotia Provincial Lotteries and Casino Corporation.

A motion by Councillor Wilson, seconded by Councillor Hennigar, **“THAT the issue of graduated taxation as described in the letter from East Hants dated August 16, 2016, be referred to the Planning Advisory Committee for study and action as appropriate.”**

**Motion carried.**

A motion by Councillor Nauss, seconded by Councillor Wilson, **“THAT the above correspondence, numbered 1 – 5, be received and filed.”**

**Motion carried.**

6. Karen Pinsent, Amos Pewter, requesting that the Town extend open season of the comfort stations to accommodate bus tours.

The CAO advised Council that as the request by Ms. Pinsent was for one additional week beyond what had been previously scheduled for this year, Mr. Wentzell has already made arrangements for the comfort stations to remain open until the end of October. Council agreed by consensus that the actions of the CAO were appropriate and addressed the request of Ms. Pinsent.

## **Committee & Other Reports**

### South Shore Regional Public Library Board

Council received the minutes from the June 20, 2016 meeting of the South Shore Regional Library Board.

### Municipal Joint Services Board

Council received the June 22, 2016 minutes of the Municipal Joint Services Board.

#### AREA – Ellershouse Windfarm Update

Council received an update on AREA from the CAO as well as minutes of the July 15, 2016, July 19, 2016, August 3, 2016 and August 17, 2016 minutes of AREA.

Mayor Feeney advised Council that on August 17, 2016 the first blade was raised for Phase II, a year after the first blade was raised for Phase I. Council heard that AREA is hoping for federal support and has had meetings with the MPs from South Shore – St. Margarets, Central Nova and Kings-Hants. Mayor Feeney advised that AREA is ahead of the curve and the federal government is very interested in what we are doing; AREA is hoping to receive an invitation to meet with the federal government at the end of September.

Councillor Nauss advised Council that AREA has hired Aaron Long as a full-time employee.

#### Bluenose Coastal Action Foundation

Council received the Bluenose Coastal Action Foundation Summer 2016 Quarterly Newsletter.

#### South Shore Tourism Team

Council received the July 2016 campaign report from the South Shore Tourism Team.

#### Region 6 Solid Waste Management

Council received the draft minutes of the December 11, 2015 minutes of Region 6 Solid Waste Management.

### **Unfinished Business**

#### Mahone Bay Harbour Management – Lease of Submerged Crown Lands

Council received a letter from the Department of Natural Resources outlining the specifics of the process of applying for the lease of crown lands. Upon review of the amount of very specific actions to be undertaken, it was noted that the process will be long and quite involved.

A motion by Councillor Wilson, seconded by Councillor Hennigar, **“THAT Council authorize the CAO to hire a consultant to undertake the requirements of the Department of Natural Resources for the application to lease submerged crown lands in Mahone Bay Harbour.”**  
**Motion carried.**

Council agreed with the recommendation of the CAO that the Bluenose Coastal Action Foundation be consulted as they may have suggestions or advice for the Town before hiring a consultant.

Election 2016

James Wentzell, Returning Officer for the Town of Mahone Bay, advised Council that David Devenne and Kelly Wilson are candidates for the mayoral race in the 2016 Election.

**The following members of Council were acclaimed:**

John Bain  
Penny Carver  
Simone Chia-Kangata  
Joseph Maxwell Feeney  
Karl Nauss  
Richard Nowe

**The following School Board Representatives were acclaimed:**

Member, District 5 of South Shore Regional School Board	Christian Maguire
Member, Conseil scolaire acadien provincial	Hank Middleton
African Nova Scotian Member of South Shore Regional School Board	Vernon Simms

Playground Design Update

The CAO advised Council that a meeting is scheduled for Thursday to review the design proposal for a natural playground for Mahone Bay. As Mayor Feeney will be away, Councillor Wilson was asked to attend in his absence.

Clean Water and Wastewater Fund

Council received correspondence from the Department of Municipal Affairs advising that funding applications have been approved for a Study for Straight Sewer Pipes/Pumping Station Overflow Solution; Clairmont Street Water/Wastewater Main Replacement; and Pleasant Street Water/Waste and Storm Water Separation/Replacement for a total of \$1,813,448 in funding from the provincial and federal governments.

Kinburn Street Bridge Update

The Deputy Clerk advised Council that the Kinburn Street Bridge project is still on schedule and expected to be open to the public on October 7, 2016.

45 Pleasant Street

The CAO advised Council that the dwelling at 45 Pleasant Street was demolished by the Town to remedy the property safe and the contractors have removed all debris from the site.

Status of Planning Appeal – 629 Main Street

The CAO advised Council that no verdict has been issued in the Planning Appeal heard by the Nova Scotia Utility and Review Board on July 6, 2016 against the development agreement for a five unit residential building with commercial space, approved for 629 Main Street.

**New Business**

Guarantee Borrowing Resolution

The CAO advised Council that the Board of AREA had reviewed the request from Chester to develop three additional turbines at the Ellershouse Windfarm, but felt that it would be more economically feasible to develop Phase III themselves. Phase III would allow Mahone Bay to meet 2020 requirements for renewable energy and the cost would be approximately \$1 million less per turbine than Phase II costs.

AREA has passed a borrowing resolution, but requires a guarantee resolution from the three member Councils.

A motion by Councillor Nauss, seconded by Deputy Mayor Devenne:

**WHEREAS the Alternative Resources Energy Authority was incorporated on July 9<sup>th</sup>, 2013, pursuant to Section 60 of the Municipal Government Act;**

**AND WHEREAS the Authority has determined to borrow the aggregate principal amount of Fourteen Million Five Hundred Thousand Dollars (\$14,500,000) for the purpose of wind power and has applied to the Town of Mahone Bay for its guarantee for One Million Four Hundred Fifty Thousand Dollars (\$1,450,000) of the principal and interest to which the borrowing relates;**

**AND WHEREAS the Corporation has requested the Town of Mahone Bay, a municipality that executed the instrument of incorporation of the Alternative Resources Energy Authority to guarantee the said borrowing;**

**AND WHEREAS Section 88 of the Municipal Government Act provides that no guarantee of a borrowing by a municipality shall have effect unless the Minister has approved of the proposed borrowing or debenture and of the proposed guarantee;**

**BE IT THEREFORE RESOLVED**

**THAT the Town of Mahone Bay does hereby approve the borrowing by the Authority of Fourteen Million Five Hundred Thousand Dollars (\$14,500,000) for the purpose set out above;**

**THAT subject to the approval of the Minister of Municipal Affairs of the borrowing by the Authority and the approval of the Minister of Municipal Affairs of the guarantee, the Town unconditionally guarantee repayment of One Million Four Hundred Fifty Thousand Dollars (\$1,450,000) of the principal and interest of the borrowing of Fourteen Million Five Hundred Thousand Dollars (\$14,500,000) for the purpose set out above;**

**THAT upon the issue of the Temporary Borrowing Resolution, the Mayor and Clerk of the Town do sign the guarantee attached to the Temporary Borrowing Resolution of the Alternative Resources Energy Authority and affix hereto the corporate seal of the Town.**

**Motion carried.**

#### Five Year Capital Investment Plan

The CAO asked Council to submit their suggestions for five to ten year capital projects for inclusion in the Town's Capital Investment Plan. As a requirement for funding from the Gas Tax Agreement the Capital Investment Plan must be filed every year, but it is also a document that is continuously evolving. Staff and Council are to have all suggestions submitted to the CAO no later than September 19, 2016.

#### South Shore Regional Enterprise Network

Council received a request from the South Shore Regional Enterprise Network (SSREN) to approve two changes to the Intermunicipal Agreement: that the decision on a funding formula be deferred until August 2019, allowing partner municipalities to better evaluate the REN model and outcomes; and that the board composition be changed to business representatives only. In the meantime the current funding formula will remain in place.

**A motion by Deputy Mayor Devenne, seconded by Councillor Wilson, "THAT Council approve the South Shore REN Revised Intermunicipal Agreement as circulated to members of Council and that the mayor or deputy mayor, along with the CAO or Deputy Clerk, be authorized to sign this agreement on behalf of the Town." Motion carried.**

#### Mahone Bay Nursing Home

The CAO advised Council that on August 23, 2016, Ramsay Duff, CEO of the MacLeod Group, held a public meeting at the Mahone Bay Fire Hall to discuss the redevelopment of the Mahone Bay Nursing Home. At that time Mr. Duff discussed the need to replace the current home and the concept for the new facility which would incorporate assisted living and retail tenants. Another public meeting is expected in the very near future to discuss possible locations.

Tender Results

Council received a summary of quotations received in response to a call for tenders for an Asphalt Recap of School Street and Maple Street.

A motion by Councillor Bain, seconded by Councillor Carver, **“THAT Council accept the quotation received from Dexter Construction in the amount of \$58,550 plus HST for the paving of School Street and Maple Street.”** **Motion carried.**

Accounts

A motion by Councillor Nauss, seconded by Deputy Mayor Devenne, **“THAT the accounts in the amount of \$437,701.54 be paid as presented.”** **Motion carried.**

**Council adjourned upon motion at 8:15 p.m.**

**TOWN OF MAHONE BAY**

**TOWN OF MAHONE BAY**

CAO, James A. Wentzell

Mayor C.J. Feeney