

COMMITTEE OF THE WHOLE MEETING

NOVEMBER 9, 2015

Location: Council Chambers, Municipal Office

Present: Warden V. David, Deputy Warden M. Beaton
Councillor R. Samson, Councillor A. Martell
Councillor S. McNamara, Councillor B. Marchand
Councillor G. Boucher Councillor S. MacNeil
Councillor S. Sampson, Councillor G. Johnson

Warden David called the meeting to order at 7:00 p.m.

Items Added to the Agenda

Warden David indicated that there was one item previously added to the agenda by the CAO regarding Freedom of Information Protection of Privacy (FOIPOP) requests. Councillor Johnson wished to add a letter of support for the Johnstown Community Development Co-operative; Councillor Martell wished to add a grant request and Deputy Warden Beaton wished to add the Westin, Halifax.

Moved by Councillor Johnson, seconded by Councillor McNamara that the agenda be approved with the items added. Motion carried.

Review of Minutes: September 14, 2015

Moved by Councillor Martell, seconded by Councillor Sampson that the minutes of September 14, 2015 be adopted as presented. Motion carried.

Presentation

- a) Isle Madame Tourism & Trade Association re: Funding Request;

Warden David welcomed Mrs. Lisa Boudreau and Mr. Terrence Tyrell to the meeting.

Mrs. Boudreau and Mr. Tyrrell provided a power point presentation on Isle Madame Tourism and Trade Association (copy attached).

The Isle Madame Tourism and Trade Association are trying to reestablish themselves after being non active for a couple of years.

Mrs. Boudreau provided a summary of the groups' work over the past years, present projects and goals for the future.

The group is having financial issues and the infrastructure at Burnt Island is aging. Funding is being requested. The cost to remove the aging infrastructure at Burnt Island is approximately \$700.

Mr. Tyrell reviewed the financials for the Association with the Committee.

The following points were brought forth during discussion:

It was suggested that the group submit a grant application to the Island Councillors requesting assistance with the expense of removing the infrastructure at Burnt Island.

- b) Development Isle Madame, Bluegrass Committee Chair (Linda Cameron) re: Festival Update

Warden David welcomed Ms. Linda Cameron and Mrs. Rhea Boudreau to the meeting.

Ms. Cameron and Mrs. Boudreau provided a presentation regarding the Annual Bluegrass Festival (Copy attached).

Ms. Cameron provided a summary of how the 2015 festival was organized with the help of many volunteers, donations and hard work.

The festival attendance was double what was expected.

Planning for the 2016 festival will begin next week. Additional infrastructure is required to accommodate the additional 25 percent that are expected to attend.

The group would like to finish the stage, have more sites and provide shower services for the campers.

The group is also requesting assistance to cover half the expenses of the infrastructure put in place for the 2015 festival.

The following points were brought forth during discussion:

This is a great asset for Isle Madame and the group needs to be commended for all their hard work in such a short time frame.

Funding cannot be provided for projects that have already been completed.

The venue has potential for other types of events.

This event has created a lot of buzz and is a great way to grow the economy with future festivals expected to grow each year.

It is expected that an additional \$10,000 will be required for the infrastructure project to carry out the 2016 festival.

Warden David thanked Ms. Cameron and Mrs. Boudreau for their presentation.

Solicitors/Eastern District Planning Commission re: Proposed Demolition:

- Property of Kazys Nasvytis and Kimberlee Coates, 11 Ben Boudreau Lane, Boudreauville, Richmond County, PID 25008987 and AAN 00386804
- (i) Mr. Sean Donovan re: Update on Property
 - The property was posted with a notice of Proposed Demolition on October 29, 2015
 - The dwelling appears to be abandoned. The exterior of the dwelling is not being maintained
 - Serious signs of wood rot on the exterior wall
 - Serious signs of wood rot in both the eaves and roof
 - More rot as well as being open and accessible to infestation
 - The shed shows serious signs of wood rot as well as being open and accessible
 - The dwelling and shed are in a ruinous and dilapidated condition
 - The shed is allurement to children who may play there to their danger
 - The dwelling and shed are in such a state of non-repair as to be no longer suitable for human habitation or business purposes
 - The dwelling and shed are unsightly in relation to neighbouring properties due to the exterior finish of the building and the landscape not being maintained
 - The certified building official report states that:
 - This dwelling is in such a state of non-repair as to be no longer used for human habitation or any other types of occupancy

- The floor joists and flooring system is showing signs of deterioration and rot, there is strong evidence to indicate it would all have to be replaced
 - Strong visual indication that both exterior siding and framing members are at the point they would all have to be replaced
 - Strongly recommends the dwelling and shed be removed from the property and disposed of in the appropriate manner
 - Should a decision be made to upgrade this dwelling to the 2010 National Building Code, the project shall be overseen by a Certified Structural Engineer by the Province of Nova Scotia
- The administrator`s recommendation is:
- The dwelling and shed appear to be abandoned.
 - The dwelling and shed meet the *Municipal Government Act* definition as “dangerous and unsightly”
 - It is therefore our recommendation that an “Order to Remedy Condition” be issued and that the Order be a Demolition Order issued from Council to the owners
 - The Order should state to the owners that the dwelling and shed are to be demolished and all debris be removed and disposed of in the appropriate manner within thirty (30) days
 - If the property owner fails to comply the Municipality will complete the same and recover the costs

Moved by Councillor Samson seconded by Deputy Warden Beaton that the Committee recommend to Council to accept the recommendation of the Eastern District Planning Commission and that an “Order to Remedy Condition” be issued from Council to Kazys Nasvytis and Kimberlee Coates, 11 Ben Boudreau Lane, Boudreauville, Richmond County, PID 25008987 and AAN 00386804, and notice having been given, that the Order should state to the owners that the dwelling and shed are to be demolished and all debris be removed and disposed of in the appropriate manner within thirty (30) days. If the property owner fails to comply the Municipality will complete the same and recover the costs. (Ayes: 7, Nays: 3; Councillor Johnson, Councillor Boucher, Councillor Marchand) Motion carried.

(ii) Opportunity for the Above Property Owner to Address the Committee

The property owner was not in attendance to address the Committee.

Solicitors/Eastern District Planning Commission re: Proposed Demolition:

- Property of James Ronald Lejeune, 210 Janvrin Harbour Road, St. Marys, NS, PID 75024158, AAN 02521121;

(i) Mr. Sean Donovan re: Update on Property

The property owner was issued a notice of Proposed Demolition on October 29, 2015

The shed appears to be abandoned. The exterior of the shed is not being maintained. The shed is also open and accessible

Serious signs of wood rot on the exterior walls and roof

You can see the roof has begun to sag severely

The shed is in a ruinous and dilapidated condition

The shed is in such a state of non-repair as to be no longer suitable for human habitation or business purposes

The shed is unsightly in relation to neighbouring properties due to the exterior finish of the building not being maintained

Property contains a derelict vehicle and items of equipment or machinery or bodies or parts of such items

The certified building official report states:

- All interior supporting columns to the shed are in a state of non-repair and in danger of collapsing
- Strong visual indication that both exterior siding and framing members are at the point they would all have to be replaced
- This shed is in such a state of non-repair as to be no longer used for human habitation or any other types of occupancy
- Strongly recommends the shed be removed from the property and disposed of in the appropriate manner
- Should a decision be made to upgrade this shed to the 2010 National Building Code, the project shall be overseen by a Certified Structural Engineer by the Province of Nova Scotia

The administrator's recommendation is:

- The shed appears to be abandoned
- The shed and derelict vehicle meet the *Municipal Government Act* definition as “dangerous and unsightly”
- It is therefore our recommendation that an “Order to Remedy Condition” be issued and that the Order be a Demolition and Removal Order issued from Council to the owners
- The Order should state to the owners that the shed is to be demolished and the derelict vehicle and all debris be removed and disposed of in the appropriate manner within thirty (30) days
- If the property owner fails to comply the Municipality will complete the same and recover the costs

(ii) Opportunity for the Above Property Owner to Address the Committee

Mr. LeJeune addressed the Committee and stated that he is away for work commitments seven months out of the year and requested an extension until the end of June 2016 to have the property cleaned up and derelict vehicle removed.

Moved by Councillor Martell, seconded by Councillor Johnson that the Committee recommend to Council that an extension be granted until the end of June 2016 contingent on the work being completed by the property owner by the end of June 2016 and FURTHER MOVED that should the property owner not comply with this agreement that Council accept the recommendation of the Eastern District Planning Commission and that an “Order to Remedy Condition” be issued to James Ronald Lejeune, 210 Janvrin Harbour Road, St. Marys, NS, (PID 75024158, AAN 02521121), and notice having been given, that the Order should state to the owners that the barn is to be demolished and the derelict vehicle, tank and all debris be removed and disposed of in the appropriate manner within thirty (30) days. If the property owner fails to comply the Municipality will complete the same and recover the costs. Motion carried.

Correspondence:

For Your Information

- a) Eastern District Planning Commission re: Variance granted for 10485 Grenville Street, St. Peter's Nova Scotia (PID 75061259);

For information purposes.

Action Required

- a) Eastern District Planning Commission re: Property of Shirley Anne McNamara, Evanston Road, Evanston, NS PID 75108720 and AAN 00835498;

Councillor McNamara declared a conflict of interest because she is the owner of this property and removed herself from discussion.

Moved by Councillor MacNeil, seconded by Councillor Samson that the Committee recommend to Council to accept the recommendation of the Eastern District Planning Commission and that an “Order to Remedy Condition” be issued to Shirley Anne McNamara, Evanston Road, Evanston, NS (PID 75108720 and AAN 00835498), subject to notice of proposed demolition in accordance with the legislation. The Order should state to the owner that the dwelling unit be demolished and all debris be removed from the property within thirty (30) days or the Municipality will complete the same and recover the costs through property taxes. (Ayes: 8; Nays: Councillor Boucher, Councillor Marchand) Motion carried.

- b) Shannon Mury re: Grant Requests

- West Bay United Church, Municipal District Infrastructure Fund, District #5 (\$9,000);
- Société Vitalité Isle Madame, Municipal District Infrastructure Fund, District #1 (\$2,850);
- Village on the Canal Association (VOCA), Municipal District Activity Fund, District #8 (\$500);
- Acadiaville Community Centre Society, Municipal District Infrastructure Fund, District #4 (\$18,585);
- Richmond County Early Childhood Education Centre, Municipal District Infrastructure Fund, District #3 (\$700).

It was the consensus of the Committee that the item added, a grant request from Development Isle Madame Association, be dealt with during the review of other grants.

Moved by Councillor Sampson, seconded by Councillor McNamara that the Committee recommend to Council the approval of the following grant requests:

- West Bay United Church, Municipal District Infrastructure Fund, District #5 (\$9,000);
- Société Vitalité Isle Madame, Municipal District Infrastructure Fund, District #1 (\$2,850);

- Village on the Canal Association (VOCA), Municipal District Activity Fund, District #8 (\$500);
- Acadiaville Community Centre Society, Municipal District Infrastructure Fund, District #4 (\$18,585);
- Richmond County Early Childhood Education Centre, Municipal District Infrastructure Fund, District #3 (\$700);
- Development Isle Madame Association, Municipal District Activity Fund, Multiple Districts (\$4,200).

Motion carried.

Review of Cheques: September & October 2015:

For information purposes.

Items Added to the Agenda:

1. Councillor Johnson re: Johnstown Community Development Co-operative

Councillor Johnson indicated that the Johnstown Community Development Co-operative was seeking a letter of support from Council to develop the former Johnstown property into a Trans-Canada Trail access point to benefit the community.

It was the consensus of the Committee that a letter of support be provided to the Johnstown Community Development Co-operative to develop the former Johnstown property into a Trans-Canada Trail access point to benefit the community.

2. Deputy Warden Beaton re: The Westin Halifax

Deputy Warden Beaton expressed his unpleasant experience while staying at the Westin Halifax for the 2015 UNSM Conference this month. He is requesting that a letter be sent to the UNSM and copied to the Westin Halifax regarding the safety issue that presented itself while the elevators were out of service and left persons in wheelchairs with no option to leave the top floors and exit the building.

Other Councillors expressed their displeasures with their stay at the Westin Halifax as well.

Moved by Deputy Warden Beaton, seconded by Councillor Boucher that a letter be sent to the UNSM and copied to the Westin Halifax expressing the safety concerns that presented itself while the elevators were out of service during the UNSM Conference and the lack of plan to move guests in elevators from the upper floors to the main floor in order to exit the building. Motion carried.

3. CAO re: Freedom of Information Protection of Privacy (FOIPOP) Requests

The CAO indicated that several FOIPOP requests applications had been received requesting information that would take a considerable amount of staff time to collect. The CAO requested direction as to whether or not to charge the persons requesting the information.

Unanimous consent was given to the CAO to obtain more information regarding a fee estimate in relation to the FOIPOP requests and report back to Council for a decision. In the interim, the CAO will apply to the Nova Scotia FOIPOP review office for an extension.

15 Minute Question Period:

There were no questions from the gallery

Adjournment

Moved by Councillor Boucher that the meeting be adjourned. Motion carried.

There being no further business the meeting was adjourned at 8:40 p.m.

MINUTES RECORDED BY:

CAO/MUNICIPAL CLERK:

CHAIRPERSON