



Town of Shelburne
Minutes of the Regular Council Meeting
Tuesday, September 3rd, 2019, 7:00 p.m.
Council Chambers, 168 Water Street, Shelburne, NS

Council Members Present

Mayor Karen Mattatall
Deputy Mayor Sheldon Ringer
Councillor Rick Davis
Councillor Harold Locke
Councillor Nolan Young

Staff Present

Darren Shupe, CAO
Julie Ferguson, Clerk
Jane Crowell, Treasurer & Manager of Finance

Call to Order

Mayor Mattatall called the meeting to order at 7:00 p.m.

Approval of the Agenda

Locke - Young

THAT the Agenda for the Regular Town Council Meeting of Tuesday September 3rd, 2019 be approved with the addition of item 3(f) Litigation or potential litigation to the In-Camera Session.

CARRIED

In-Camera Session

MGA Section 22 :

- (b) setting a minimum price to be accepted by the municipality at a tax sale**
- (f) litigation or potential litigation**

Young – Davis

THAT Council go In-Camera at 7:02 p.m.

CARRIED

Mayor Mattatall declared conflict of interest for In-Camera Item (b), handing the chair to Deputy Mayor Ringer and leaving the room.

Council came out of In-Camera session at 7:46 p.m.

Business Arising from In-Camera Session

Young – Ringer

THAT in regards to 73 Annapolis Road (AAN 02639823), Council accept payment terms of \$150/ bi-weekly for two (2) years until taxes are paid in full.

CARRIED

Locke – Davis

THAT in regards to 70 Thomas Street (AAN 02504197), Council direct staff to try to contact the owners to set up a payment plan, no later than September 11th, as the owners have made a significant payment towards the back taxes in July 2019 and may wish to continue with a payment plan.

CARRIED

Davis – Locke

THAT in regards to properties 158 Water Street (AAN 02614456) and 160 Water Street (AAN02614448), Council directs staff to put these properties up for tax sale by auction immediately.

CARRIED

Approval of the Minutes

Locke - Davis

THAT the Minutes of the Regular Town Council Meeting held on July 15th, 2019 be approved.

CARRIED

Young – Locke

THAT the Minutes of the Special Town Council Meeting held on August 15th, 2019 be approved.

CARRIED

Proclamations

- a) **Right to Know Week – September 23rd – 29th**
- b) **British Home Child Day – September 28th**

Delegations

None

Correspondence

Action Required:

- a) **Municipality of West Hants – Letter – Fracking**

Davis – Ringer

THAT Council send a letter to Minister Mombourquette (cc' West Hants) supporting their request to have public consultations in regards to fracking which includes discussion on the protocols / procedures required to address the water used and disposal of wastewater from the fracking process.

CARRIED

- b) **Annapolis Valley – Smart and Sustainable Rural Region Certification**

Young – Davis

THAT Council write a letter to congratulate Annapolis Valley on their Smart and Sustainable Rural Region Certification.

CARRIED

- c) **Louise Delisle – Letter – Land for Well**

Locke – Davis

THAT staff present a report to Council on Louise Delisle's request for the first Town Council Meeting in October 2019.

CARRIED

- d) **Yarmouth – Invitation – Communities in Bloom Symposium**

Council discussed this invitation for information.

For Information:

Council discussed the following items for information and reminded the public that should they wish to see any reports or newsletters contained herein, to contact the Town Clerk.

- e) **Thank you letter – SRHS Grant**
- f) **Thank you letter – Sou’West Nova Transit**
- g) **Thank you letter – Lyndi Goulden**
- h) **Jennifer Parker – Letter – 211**
- i) **Jeff Cantwell – Letter – Towns’ Chair HST Response**
- j) **Forest Nova Scotia – Newsletter**
- k) **Municipality of the District of Shelburne – Summer Newsletter**
- l) **Nova Scotia Environment – Letter – Drinking Water Standards**
- m) **Western Regional Housing – Spreadsheets – Expenses**
- n) **Jodi Ybarra – Roseway Hospital Letter Response**
- o) **NS Gaming Corporation – Newsletter**
- p) **Chuck Porter – Email – HST Letter Response**
- q) **CUPW – Union of Postal Workers Letter**

Council Items

- a) **Mayor Mattatall – Police Review**

Locke – Ringer

THAT Council write to the Municipality of the District of Shelburne and the Town of Lockeport in regards to supporting having the Department of Justice do a Policing Review similar to the ones held in Digby and Cumberland.

CARRIED

- b) **Mayor Mattatall – Crosswalk on King and Harriet**

Locke – Young

THAT Council ask the traffic authority for recommendations regarding the placement of the crosswalk on King and Harriet with regards to the hill and visibility for pedestrians.

CARRIED

- c) **Councillor Davis – Rescindment of TBR motion from August 15th meeting**

Davis – Locke

THAT Council rescind the motion regarding the TBR which was passed at the August 15th, 2019 Special Town Council Meeting and make amendments to the Capital Budget accordingly.

CARRIED

Committee Reports

- a) **RCMP Advisory Board**

Councillor Ringer updated Council on the last RCMP Advisory Board Meeting.

Davis – Locke

THAT Council accept the RCMP Advisory Board Report.

CARRIED

- b) **Asset Management**

Young – Davis

THAT Council put the following properties up for sale through a real estate company. Sale prices will be the average as developed from the Real Estate Agent survey if permitted by Municipal Affairs:

97 Clements Street (PID 80148596) \$5,667

Clements Street (PID 80142672)	\$8,667
Bulkley Street (PID 80144009)	\$5,667
Cornwallis Street (PID 80147515)	\$5,833
51 Hammond Street (PID 80149156)	\$33,500

CARRIED

Young – Locke

THAT Council dispose of the property on Ohio Road (PID 80140361) for best offer with the condition that commercial construction valued at \$300,000 or higher be completed on the property within two years.

WITHDRAWN

Council decided to defer this item until the September 16th, 2019 Town Council Meeting to allow for the Asset Management Committee to revisit this idea and come back to Council with more information.

Locke – Young

THAT the Town invite the three real estate companies who gave a free opinion on the value of the properties to be sold, be offered listing rights to said properties via a numbered draw from a hat, not including the Ohio Road property.

WITHDRAWN – Deferred until September 16th Regular Town Council Meeting

Young – Ringer

THAT Council accept the Asset Management report.

CARRIED

Staff Reports

a) Visitor Information Centre – July 2019 Statistics

Council reviewed the statistics for the Visitor Information Centre for July 2019.

b) Fire Department Monthly Report

Council reviewed the Fire Department Monthly Report.

c) Monthly Building Report

Council reviewed the Monthly Building Report.

d) Staff Report – Elliot Street Portion Closure and Sale

Davis – Locke

THAT Council approves the sale of parcels ES-1, as per Survey Plan #066AD2019, to Robert Swansburg, at a revenue neutral price, covering all the legal, survey and administrative costs associated.

“LOT ES-1

ELLIOT STREET

TOWN OF SHELBURNE, SHELBURNE COUNTY, NOVA SCOTIA

ALL that certain parcel of land situated on the northern side of Charlotte Street at Town of Shelburne, Shelburne County, Nova Scotia shown as Lot ES-1 on Acker & Doucette Surveying Inc. Plan No. 066AD2019 titled "Plan of Survey of Lot ES-1, Lands of Town of Shelburne", certified by Kyle R. T. Bower, N.S.L.S. on July 31, 2019.

Lot ES-1 being more particularly described as follows:

BEGINNING at a point on the northern boundary of Charlotte Street where it intersects the western boundary of Elliot Street being the southeastern corner of Lot 4;

THENCE North 22 degrees 11 minutes 08 seconds West, 208.36 feet along the eastern boundaries of Lot 4 and lands conveyed to Rhonda L. Dolliver and Carle W. Swim by indenture filed at Shelburne County Land Registration Office in Book 170, Page 626;

THENCE North 67 degrees 48 minutes 52 seconds East, 60.00 feet to the northwestern corner of lands conveyed to Gordon Murray Swansburg and Charles Brian Swansburg by indenture filed at Shelburne County Land Registration Office in Book 153, Page 359;

THENCE South 22 degrees 11 minutes 08 seconds East, 208.36 feet along the western boundary of lands conveyed to Gordon Murray Swansburg and Charles Brian Swansburg;

THENCE South 67 degrees 48 minutes 52 seconds West, 60.00 to the point of beginning;

CONTAINING an area of 12,501 square feet.

BEARINGS are Nova Scotia Coordinate Referencing System Grid Bearings based on the Nova Scotia 3 degree Modified Transverse Mercator Projection, referred to Central Meridian 64 degrees 30 minutes West.

RESERVING a Sewer Easement in favour of Town of Shelburne as shown and mathematically delineated on the above referred plan.

THE above described Lot ES-1 being an unopened portion of Elliot Street.”

CARRIED

e) Staff Report – South Street Portion Closure and Sale

Locke – Ringer

THAT Council approves the sale of parcels SS-1, as per Survey Plan #076AD2019, to Karl and Gail White, at a revenue neutral price, covering all the legal, survey and administrative costs associated.

CARRIED

“PARCEL SS-1

SOUTH STREET

TOWN OF SHELBURNE, SHELBURNE COUNTY, NOVA SCOTIA

ALL that certain parcel of land situated on the western side of Rose Island Lane at Town of Shelburne, Shelburne County, Nova Scotia shown as Parcel SS-1 on Acker & Doucette Surveying Inc. Plan No. 076AD2019 titled "Final Plan of Subdivision: Survey of Parcel SS-1, Subdivision of Lands of Town of Shelburne to be Consolidated with Lands of Karl N. White and Gail D. White [Lot KW-1] to create Lot KW-2", certified by Kyle R. T. Bower, N.S.L.S. on

August 26, 2019.

Parcel SS-1 being more particularly described as follows:

BEGINNING at a point on the western boundary of Rose Island Lane at the southeastern corner of Lot KW-1;

THENCE South 22 degrees 11 minutes 24 seconds West, 72.37 feet along the western boundary of Rose Island Lane to the northern boundary of lands conveyed to Leigh Michael Thorburn and Suzanne Nicole Thorburn by indenture filed at Shelburne County Land Registration Office as Document #102073310.

THENCE South 69 degrees 09 minutes 38 seconds West, 296.84 feet along the northern boundary of lands conveyed to Leigh Michael Thorburn and Suzanne Nicole Thorburn to a point on the ordinary high water mark of Shelburne Harbour;

THENCE northwesterly 91 feet, more or less, along the ordinary high water mark of Shelburne Harbour to the southwestern corner of Lot KW-1; said corner being distant 91.28 feet at a bearing of North 66 degrees 27 minutes 04 seconds West from the last mentioned point on the ordinary high water mark;

THENCE North 67 degrees 48 minutes 36 seconds East, 360.47 feet along the southern boundary of Lot KW-1 to the point of beginning;

CONTAINING an area of 22,280 square feet, more or less.

BEARINGS are Nova Scotia Coordinate Referencing System Grid Bearings based on the Nova Scotia 3 degree Modified Transverse Mercator Projection, referred to Central Meridian 64 degrees 30 minutes West.

THE above described Parcel SS-1 being an unopened portion of South Street.”

“PARCEL AE-1

ACCESS EASEMENT - SOUTH STREET
TOWN OF SHELBURNE, SHELBURNE COUNTY, NOVA SCOTIA

ALL that certain parcel of land situated on the western side of Rose Island Lane at Town of Shelburne, Shelburne County, Nova Scotia shown as Parcel AE-1 on Acker & Doucette Surveying Inc. Plan No. 076AD2019 titled "Final Plan of Subdivision: Survey of Parcel SS-1, Subdivision of Lands of Town of Shelburne to be Consolidated with Lands of Karl N. White and Gail D. White [Lot KW-1] to create Lot KW-2", certified by Kyle R. T. Bower, N.S.L.S. on August 26, 2019.

Parcel AE-1 being more particularly described as follows:

BEGINNING at a point on the western boundary of Rose Island Lane at the southeastern corner of Lot KW-1;

THENCE South 22 degrees 11 minutes 24 seconds West, 72.37 feet along the western boundary of Rose Island Lane to the northern boundary of lands

conveyed to Leigh Michael Thorburn and Suzanne Nicole Thorburn by indenture filed at Shelburne County Land Registration Office as Document #102073310.

THENCE South 69 degrees 09 minutes 38 seconds West, 20.00 feet along the northern boundary of lands conveyed to Leigh Michael Thorburn and Suzanne Nicole Thorburn;

THENCE North 09 degrees 38 minutes 54 seconds West, 73.66 feet to the southern boundary of Lot KW-1;

THENCE North 67 degrees 48 minutes 36 seconds East, 4.00 feet along the southern boundary of Lot KW-1 to the point of beginning;

CONTAINING an area of 867 square feet.

BEARINGS are Nova Scotia Coordinate Referencing System Grid Bearings based on the Nova Scotia 3 degree Modified Transverse Mercator Projection, referred to Central Meridian 64 degrees 30 minutes West.

THE above described Parcel AE-1 being an unopened portion of South Street and being shown as a proposed access easement on the above referred plan."

New Business

a) Mayor Mattatall – Summer Events and Improvements

Mayor Mattatall congratulated the Town for all of the successful summer events that took place this season. She also thanked Public Works for all of their work with the new installations around the Town.

b) Mayor Mattatall – Congratulations to the Albacore Event Organizers

Mayor Mattatall congratulated Henry Pedro and Brad Wilson, organizers of the International Albacore Event, on the successful application to hold the races in Shelburne, the organization that went into such a large-scale event, and the success of the event.

Upcoming Meetings

Thursday September 5th	Asset Management	7pm	Council Chambers
Tuesday September 10th	CP & V	7pm	Council Chambers
Monday September 16th	Town Council	7pm	Council Chambers
Thursday September 19th	Port Authority	7pm	Council Chambers

Adjournment

Locke

THAT the Regular Town Council Meeting of be adjourned at 8:58 p.m.

CARRIED

Mayor

Clerk