

**MINUTES OF THE MUNICIPAL COUNCIL MEETING**  
**MAY 9, 2006**

Present:           Chairman       Mayor John P. Prall  
  Deputy Mayor Donald E. Clarke  
  Councillor Mike Trinacty  
  Councillor J. Richard Horsburgh  
  Councillor Beth Easson  
  Councillor Gary W. Whittier  
  Councillor Anna Ashford-Morton  
  Mr. Bob Ashley, Chief Administrative Officer  
  Ms. Michelle Millett, Recording Secretary

In Attendance:                   Mrs. Sara Keddy, Kings County Register  
  Mr. Byron MacDonald, Kings CED  
  Mr. Norman Dray, Annapolis Valley School Board (left the  
  meeting at 7:37 p.m.)  
  Mr. Dwight Johnson, School Board Representative (left the  
  meeting at 7:37 p.m.)

1.   The Chairman welcomed members of the gallery. He called the meeting to order at 7:02 p.m. following the Public Hearing on MPS and LUB Amendments regarding Changes to Development Control Provisions within Industrial Zones.

2.   **Approval of the Agenda**

The Agenda was approved with the addition of April 25, 2006 Council meeting minutes approval. Under Correspondence, item 6(b) a Letter from Marie Gauthier was added. The Agenda was approved as amended.

3.   **Approval of the Previous Minutes**

The Chairman approved the Council minutes of April 11, 2006 with the change of Deputy Mayor Trinacty to Councillor Trinacty to be corrected. The minutes of April 11, 2006 were approved as corrected. The minutes of April 25, 2006 were approved as circulated.

4.   **Presentation ~ Annapolis Valley School Board ~ Norman Dray**

Mr. Norman Dray noted he had moved here from Saskatchewan, but he remarked on the beauty of Nova Scotia. He expressed his appreciation for the opportunity to meet with Council.

Mr. Dray reviewed his report. He noted that he had met with all schools in his district since his report. He has met with each Board member and is in the process in meeting with each Council in his district.

Mr. Dray noted that there is a shortage of French teaching staff in the schools now and that a school organization study is currently underway that would deal with what grade levels are included in high schools either 9-12 or 10-12.

Mr. Dray reported that smoking was an ongoing issue and relayed that tobacco inspectors would soon be coming to schools and that disciplinary consequences would ensue for schools that allowed students to smoke on the grounds.

Councillor Ashford-Morton asked if we provide Transportation to the alternative school in Lawrencetown. Mr. Dray reported that we do provide transportation to both New Minas and Lawrencetown Education Centres.

Councillor Horsburgh asked about surpluses of student fees collected in past years and the large amount of administrative staff at the Board office. Mr. Dray replied that each school kept account of individual school funds and that the principal was responsible for these funds. Mr. Dray responded by noting three major shifts in schools that called for more administrators.

1. Mr. Dray replied that society had de-institutionalized students with mental and physical disabilities resulting in a need for a student services department.
2. He said that the technology departments had also increased in size due to the advent of computers.
3. He noted a real desire to change curriculum and that people are put in curriculum positions that are consultants and coordinators that have been hired to implement these curriculum changes. He reported that for these reasons administrative positions in the school board had increased.

Councillor Trinacty asked about the Canada Games bid for the 2011 games and what role the school board may play in support of the Canada Games. Mr. Dray relayed that he had met with the Chair of the Bid Committee and he noted that there was representation on that committee from the school board especially the facilities department. He noted that he had brought it to the Board in January and sensed support from the Board in the schools role in the Games. He noted the economic spin-off to communities generated by the hosting of any Games. He noted there would have to be a weeks school closure to allow facilities to be used at some point were the Games to be received by this area.

Deputy Mayor Clarke asked about the Provincial math exam and perceived problem regarding the mathematics skills in our students. He noted that the math teachers think the exam is not fair, although assessment people think that it is. He said that schools may be skimming through the curriculum with little depth to each issue taught. He noted that he thought there were too many students taking advanced math that has skewed the numbers. He noted a concern with the tests and cautioned against testing a whole group of students and including special needs students as part of that testing. He noted that this was affecting the marks.

Councillor Whittier asked why students should be allowed to smoke on school grounds when they are not allowed to purchase tobacco. Mr. Dray noted that students allowed to smoke off the school grounds were in great danger from vehicles and the sale of illicit drugs. If children are moved on the grounds only 15 to 20 are in the smoking area at one time. Mr. Johnson relayed his problems with forcing 250 kids to the side of the road.

Mr. Dray noted that the School Board was working on a solution to this issue at this time. Mr. Johnson noted that there were laws with no penalties and it was frustrating to the police as well.

## **5. Committee Updates and Recommendations**

### **(a) Planning Advisory Committee**

Councillor Trinacty reviewed the PAC report. He reiterated that there was a vacancy on the PAC and we would be actively recruiting candidates.

He reviewed briefly discussion regarding Commercial/Industrial Development in the Town at the PAC meeting. Mr. Ashley noted that we were actively working with the Economic Development Strategy Committee to incorporate an industrial/commercial development component. He noted that the acquisition of land was required to accommodate the Strategy. Councillor Trinacty suggested that a list and priority and timeline be put to these Action items.

Mr. Ashley read the following motion.

### **(i) Development Control and Planning Fees By-law Amendment**

**IT WAS MOVED and seconded** that Council amend the Development Control and Planning Fees By-law to include the new fee schedule by the Municipality of the County of Kings as Schedule "A".

**Motion Carried**

## **6. New Business**

### **(a) Proposed Amendment to the MPS and LUB re: Commercial Uses in the Industrial Zone**

Mr. Ashley reviewed his report. He noted that there was no opposition at the Public Hearing. Councillor Trinacty noted that the amendments would include slight grammar changes discussed at the Public Hearing.

**IT WAS MOVED and seconded** that Council approve second reading of the following amendments:

That the Berwick Municipal Planning Strategy be amended as follows:

1. Part 3.3 be amended by inserting the following new provisions after Policy P-3.8

Text

“While the Town wishes to continue to promote industrial development as a critical component of the economic fabric of the community, it is recognized that a number of industries have closed in recent times leaving significant buildings and infrastructure which is currently underutilized. It is important therefore that a degree of flexibility be present in development control provisions relating to industrial zones so that the reuse and redevelopment of existing industrial buildings can be encouraged. To this end specific provisions are being made to allow a complete range of office uses, including but not limited to business, professional, government and institutional offices to locate in existing industrial building.

P-3.8(a) It shall be the intention of Council that existing buildings within industrial zones may be used for Office use and that up to forty-five (45) percent of the gross floor area of a permitted industrial use may be occupied by an accessory commercial use.

**Motion Carried**

**IT WAS MOVED and seconded** that Council approve second reading of the following amendments:

That the Berwick Land Use By-law be amended as follows:

1. That the following new Section be added to Part 16, General Provisions for all Industrial Zones

16.4 Office Use within Existing Industrial Buildings

Notwithstanding any provisions in Parts 17, 18 Office uses shall be permitted to locate within the confines of buildings located within the Industrial Light M-1 and Industrial Heavy M-2 Zone existing as of May 9, 2006.

2. That provisions in Part 18.1 relating to commercial and office uses accessory to permitted industrial be amended to as to read:

Commercial Uses accessory to the main use permitted in the M-1 Zone and occupying no more than forty-five (45) percent of the gross floor area.

3. That provisions in Part 19.1 relating to commercial and office uses accessory to permitted industrial be amended to as to read:

Commercial Uses accessory to the main use permitted in the M-2 Zone and occupying no more than forty-five (45) percent of the gross floor area.

**Motion Carried**

(b) Support for Volunteers

Mr. Ashley reviewed his report that was part of their initiative to provide stronger financial support for volunteers across the province. He noted that Annapolis County was calling on all municipalities to bolster support for volunteers.

Councillor Ashford-Morton did not think that all out of pocket expenses should be absorbed by the Province. Councillor Trinacty noted that insurance costs are of the greatest concern to volunteer organizations. Councillor Ashford-Morton thought that too much had been added to the Resolution and that recognition and insurance are what the volunteers sought most.

Councillor Ashford-Morton suggested that an out of pocket expenses that should be paid for include the Criminal Record Check cost. The Council agreed to delete the last “And Further Resolved” regarding out of pocket expenses from volunteers from the resolution passed by the Town of Berwick.

**IT WAS MOVED and seconded** that Council supports the following resolution:

*Resolution Supporting Volunteers*

*Whereas Volunteers provide many of the services that might otherwise be the responsibility of governments; and*

*Whereas Volunteers are more and more cognizant of exposure to personal liabilities and thus discouraged from serving because of that fear of exposure; and*

*Whereas Volunteers resent the disproportionate amounts of scarce monies they and their organizations must spend to ensure their operations, facilities, services and actions; and further resent that they must use fundraising monies to cover such non-core expenditures; and*

*Whereas Volunteers are the social fabric of our communities and are vitally important in preserving the quality of life we, Nova Scotians, enjoy.*

*Therefore Be It Resolved that the Municipal Council for the Town of Berwick supports our volunteer organizations by continuing to recognize their significant contributions to our “Way of Life” and commit to securing greater government support for volunteers and their organizations;*

*And Further Resolved that the Town of Berwick contact all municipal units in Nova Scotia to congratulate them on the tremendous contributions of their citizen volunteers to their communities and the general well being of all Nova Scotians;*

*And Further Resolved that the Provincial Government of Nova Scotia support the valuable volunteer sector by providing appropriate insurance coverage to protect all “not for profit” societies registered in Nova Scotia as well as the efforts of all volunteers while serving those organizations in any volunteer capacity;*

**Motion Carried**

**7. Correspondence**

**(a) Municipality of the County of Annapolis ~ Support for Volunteers**

For the information of Council in relation to item New Business, item 6(b), Council's volunteer initiative.

**(b) Marie Gauthier Letter**

Mayor Prall noted that this item was for information only and would be included in our budget and Grants to Organization process.

**8. Next Meeting Date**

The next meeting of Council will be held June 13, 2006 at 7:00 p.m.

**9. Hearing of no further business the Chairman adjourned the Council meeting at 8:02 p.m.**

---

Mayor John P. Prall  
Chairman

---

Michelle Millett  
Recording Secretary