

MUNICIPAL COUNCIL

A Regular Session of the Municipal Council of the Municipality of the County of Colchester was held in the Court House, Truro, N.S. on Thursday, May 25, 2000 at 7:00 p.m.

Roll Call

The roll was called with all Councillors present.

Public Hearing - Planning Strategy Amendments - Grouped Dwellings

At 7:05 Warden Smith called the Public Hearing to order relative to the request for an amendment to the Planning Strategy relating to Grouped Residential Dwellings and an application for a development agreement by G & P Contracting Limited for the development of a 4 acre parcel of land in Valley.

A staff report had been circulated to Council members and made available to the public.

The Clerk advised that all guidelines of the Municipal Government Act regarding advertising of the Public Hearing had been followed.

The Warden reminded Council that only those Councillors present for the entire hearing are permitted to vote, that in order for the amendment to pass it must receive a majority vote of the entire Council, that this hearing is Council's opportunity to hear the application and every concern of area residents. Individual Councillors have an opportunity to debate the merits of the amendment when the motion is presented to Council.

Mr. Paul Smith, Planner, summarized the application, explaining that G & P Contracting Limited wish to erect seniors apartments on a single lot.

Mr. Gordon Kaulback, representing G & P Contracting Limited, gave a brief overview of this request.

The Clerk reported that no written submissions had been received.

The Clerk called upon members of the public present who wished to make presentations.

Ms. Karen MacKenzie, a resident of 28 Delaney Drive made a presentation in opposition to the request. Also speaking were Glen

Peck, 21 Delaney Drive, Mr. Gerald MacKay, Huckleberry Lane and Melanie Lane who spoke in opposition to the request. The Warden called for further public presentation and hearing none, declared the Public Hearing closed.

Moved by Councillor Merriam
Seconded by Councillor Blair

“That the amendments to the Central Colchester Municipal Planning Strategy and Land Use By-law set out in the Planner’s Report of April 2000 to allow more than one multiple unit residential building on certain lots by Development Agreement are hereby approved and adopted at second reading.” Motion carried

Moved by Councillor Merriam
Seconded by Councillor Elliott

“Whereas Council has approved amendments to its MPS and LUB which would authorize the proposed Development Agreement of G & P Contracting Limited;

And Whereas review by the Director and/or Minister pursuant to s.208 of the MGA has not yet occurred and the amendments are not yet in effect;

And Whereas Council has held a public hearing to determine whether the proposed Development Agreement is consistent with the MPS as it would read following the coming into force of the amendments and has determined the Development Agreement to be consistent with same;

THEREFORE be it resolved that in the event of and upon the coming into force of the amendments:

- (1) a Notice shall be published in the newspaper in accordance with s 230(4);
- (2) upon the expiry of the appeal period or disposition of all appeals, the Municipality enter in the Development Agreement with G & P as presented at the Public Hearing.”

Motion carried.

Agenda

Moved by Councillor Baas
Seconded by Councillor Elliott

“That the Agenda be approved with five additions.” Motion carried.

Staff Recognition

Staff Recognition Awards were presented to County Employees Anne Chapman for 20 years service and Peter Johnson for 25 years of service.

Appointment of Solicitor

Moved by Councillor Blair
Seconded by Councillor Taylor

“That the legal firm of Patterson Palmer Hunt Murphy be appointed as Solicitors for the Municipality for the year ending March 31, 2001.”
Motion carried.

Minutes

Moved by Councillor Matheson
Seconded by Councillor Taylor

“That the minutes of the meetings held on March 29, 2000 and April 27, 2000 be approved as circulated.” Motion carried.

Presentations:**Keith Hamilton**

Mr. Keith Hamilton made a presentation to Council regarding the cardiac care unit at the Colchester Hospital.

Moved by Councillor Taylor
Seconded by Councillor Cavanaugh

“That the presentation of Mr. Keith Hamilton be received.” Motion carried.

Moved by Councillor Blair
Seconded by Councillor Cavanaugh

“That a letter be written to the Premier of Nova Scotia with regards to Health Care, specifically relating to the Coronary Care Unit in the Colchester Regional Hospital, with copies of the letter sent to the Minister of Health, Northern Regional Health Board, Bill Langille, MLA and Brooke Taylor, MLA.” Motion carried.

Auditors - Grant Thornton

Ms. Valerie Patterson-Jones, Grant Thornton, reviewed in detail revenues and expenditures from operations, and assets and liabilities in general, capital, reserve and trust funds. The Auditors confirmed internal controls are working, and therefore they are able to give a clear opinion, with no reservations on the financial information presented.

Moved by Councillor Ross
Seconded by Councillor Elliott

“That the 1999-2000 non-consolidated financial statements be received as presented by the Municipal Auditors.” Motion carried.

Charlie Wilson

Mr. Charlie Wilson a resident of Farnham Road made a presentation to Council regarding infilling on the flood plain.

Moved by Councillor Taylor
Seconded by Councillor Blair

“That the presentation of Charlie Wilson regarding in-filling on the flood plain on Farnham Road be received.” Motion carried.

Moved by Councillor Cooke
Seconded by Councillor Merriam

“That the Flood Plain issue as detailed by Charlie Wilson be referred to the earliest possible meeting of Council Committee.” Motion carried.

Karen Butt

Ms. Karen Butt made a presentation to Council regarding the Dog Control Policy and presented a signed petition.

Moved by Councillor Blair
Seconded by Councillor Merriam

“That the presentation of Karen Butt be received.” Motion carried.

Mike Totten

Mike Totten of Debert appeared before Council and requested answers to the following questions regarding dog control

- (1) Where does the money received for dog registration go?
- (2) There used to be a cost break for neutered dog - why did it stop?
- (3) Why is identification of dogs not taken at time of registration?
- (4) Who shoots stray dogs and on May 2nd who gave man authority to shoot dogs?

The CAO agreed to provide responses to these questions when the Dog Control Matter is considered at the June 15, 2000 Council Committee session.

Moved by Councillor Cavanaugh
Seconded by Councillor Baas

“That the presentation of Mr. Mike Totten be received.” Motion carried.

**Sale of Property -
Kempton**

Councillor Cavanaugh introduced the Agenda Item regarding the sale of property in Kempton by recounting the trip to Cambridge, Ontario taken by the CAO and Councillor Cavanaugh. Pictures of the rubber recycling plant were distributed to be viewed by Councillors.

The CAO read into the record a letter from Atlantic Trucking & Lime Spreading Limited received at the office this date.

Councillor Cavanaugh read into record a letter received from the Valley-Kempton Fire Brigade.

Mr. Tim Maskill, Chief of the Valley-Kempton Fire Brigade was present to answer any questions from Councillors. Mr. Maskill indicated the Brigade is in support of the tire facility proposal.

Moved by Councillor Cavanaugh
Seconded by Councillor Ross

“That Council enter into a Purchase and Sale Agreement for the tire facility in Kempton for a twelve acre parcel of land, at a price of \$60,000, subject to appropriate permits being received from the Department of the Environment and Fire Marshall, and in a final form satisfactory to the Municipal Solicitor and CAO,

and that the Warden and CAO be authorized to execute the Final Agreement.” Motion carried.

Correspondence

**Child Care
Connections - NS**

A letter from **Child Care Connections - NS** requesting Council to proclaim the month of June as Child Care Awareness Days.

Moved by Councillor Cavanaugh
Seconded by Councillor Elliott

“That the month of June 2000 be proclaimed as Child Care Awareness Days.” Motion carried.

**Mr. Bill Langille,
MLA and G.H.**

Letters from **Mr. Bill Langille, MLA and G.H. Pettis, Fac/Mgr. CPDS** regarding garbage collection in Colchester Park.

**Pettis,Fac/Mgr.
CPDS**

Moved by Councillor Taylor
Seconded by Deputy Warden Johnson

“That a letter be written to Mr. G.H. Pettis, Fac/Mgr, CPDS, copied to appropriate people, explaining the Municipality’s Policy regarding garbage collection.” Motion carried.

Sell-Tech Coastal

A letter from **Sell-Tech Coastal** requesting connection to the Tatamagouche Water and Sewer Systems.

Moved by Councillor Ross
Seconded by Councillor Blair

“That the request from Sell-Tech Coastal for connection to the Tatamagouche Water and Sewer Systems be referred to Council Committee and the Tatamagouche Water Utility.” Motion carried.

Elroy Hanes

A letter from **Elroy Hanes** requesting rezoning of his property in Hilden.

Moved by Councillor Merriam
Seconded by Councillor Taylor

“That the request from Elroy Hanes for rezoning of his property in Hilden be referred to the Area Planning Advisory Committee.” Motion carried.

**Resource Recovery
Fund Board**

A letter from the **Resource Recovery Fund Board** advising that no additional funds will be allocated to the MRF’s in this fiscal year.

Moved by Councillor Baas
Seconded by Councillor Taylor

“That a letter be written to the Resource Recovery Fund Board, and copied to all Regional Chairs, expressing opinion that Municipalities are entitled to a portion of the diversion credit monies and that the Provincial Government be discouraged from using that money to pay Department of the Environment Staff.” Motion carried.

Council agreed that staff make a presentation to a future meeting of Council Committee regarding the RRFB.

**W.R. Mills, Mayor,
Town of Truro**

A copy of a letter from **W.R. Mills, Mayor, Town of Truro** to the Minister of Health regarding the urgent need for more doctors in the Truro area.

Moved by Deputy Warden Johnson
Seconded by Councillor Elliott

“That a letter of support be written to the Town of Truro, and copied to three local MLA’s.” Motion carried.

- UNSM** A letter from the **UNSM** containing minutes from the Town Caucus meeting. Council agreed to receive the letter for information purposes.
- VON Canada** A letter from **VON Canada** thanking the Municipality for the Grant money. Council agreed to receive the letter for information purposes.
- FCM** A letter from the **FCM** containing information on the Municipal Leaders Resolution on Climate Change. Council agreed to receive the letter for information purposes.
- NS Power** A press release from **NS Power** announcing that NSPI continues its commitment to price stability. Council agreed to receive the letter for information purposes.
- UNSM** A copy of a letter from the **UNSM** to Minister Angus MacIsaac expressing disappointment over transfer of costs such as Assessment Services to Municipalities. Council agreed to receive the letter for information purposes.
- Nova Scotia Utility and Review Board** A Notice from the **Nova Scotia Utility and Review Board** regarding the Planning Appeal by the Millbrook Indian Band regarding Exit 13. Council agreed to receive the letter for information purposes.
- NS Department of Education** A letter from the **NS Department of Education** requesting that all issues relating to funding of regional libraries be sent to the Review Committee 2000. Council agreed to receive the letter for information purposes.
- Municipality of Annapolis County** A copy of a letter from the **Municipality of Annapolis County** to the Prime Minister and Minister of Health regarding transfer payment for health care. Council agreed to receive the letter for information purposes.
- Fundy Senior Games** A letter from **Fundy Senior Games** thanking Council for grant money received. Council agreed to receive the letter for information purposes.
- Emergency Measures Organization (NS)** A letter from **Emergency Measures Organization (NS)** informing that the annual \$250.00 grant to support Volunteer Emergency Measures Coordinators has been cancelled. Council agreed to receive

the letter for information purposes.

Building Inspector

A report from the **Building Inspector** containing building permit statistics for the month of April 2000. Council agreed to receive the letter for information purposes.

Development Officer

A report from the **Development Officer** outlining Development Activity for the month of April 2000. Council agreed to receive the letter for information purposes.

**Provincial Deputy
Minister of
Environment, George
Fox**

A report from the **Provincial Deputy Minister of Environment** regarding Environmental Employment. Council agreed to receive the letter for information purposes.

**Minister of Economic
Development &
Tourism, Gordon
Balsler**

A report from the **Provincial Minister of Economic Development and Tourism** entitled "Towards Prosperity - A Discussion Paper". Council agreed to receive the report for information purposes.

Town of Parrsboro

A copy of a letter from the **Town of Parrsboro** to the Minister of Education regarding cuts to education. Council agreed to receive the letter for information purposes.

**NS Highway
Workers Union**

A letter from the **N.S. Highway Workers Union** requesting support. Council agreed to receive the letter for information purposes.

Brooke Taylor, MLA

A letter from **Brooke Taylor, MLA** informing that the replacement of the Valley Bridge has been approved. Council agreed to receive the letter for information purposes.

**The Municipality of
the County of
Cumberland**

A copy of a letter from the **Municipality of the County of Cumberland** to the UNSM opposing future Towns' meetings. Council agreed to receive the letter for information purposes.

Brooke Taylor, MLA

A letter from **Brooke Taylor, MLA** in response to our letter regarding EI. Council agreed to receive the letter for information purposes

**Jane Purves,
Minister of
Education**

A copy of a letter from **Jane Purves, Minister of Education** to the Regional Library Board regarding funding. Council agreed to receive the letter for information purposes.

**Municipality of the
District of Yarmouth**

A copy of a letter from the **Municipality of the District of Yarmouth** to Honourable Michael Baker regarding changes to on-site sewer system designs, etc. Council agreed to receive the letter for

information purposes.

**Chignecto-Central
Regional School
Board**

Minutes from the **Chignecto-Central Regional School Board** from their meetings held on April 12 and April 19, 2000. Council agreed to receive the minutes for information purposes.

**Mark McLean,
Environmental
Assessment Officer**

A letter from **Mark McLean, Environmental Assessment Officer** containing an environmental assessment of Sempra Atlantic Gas.

**Resolution re: Tax
Rates**

Moved by Councillor Elliott
Seconded by Councillor Cooke

“WHEREAS the Municipal Council of the County of Colchester is required to levy rates which it deems sufficient to raise the sum required to defray the expenditure of the Municipality of the County of Colchester for the current twelve month fiscal period;

RESOLVED that pursuant to **Section 72 of the Municipal Government Act**, the Municipal Council of the Municipality of the County of Colchester estimates that sums amounting to **\$11,552,892** are required for the lawful purpose of the Municipality for the year ending **March 31, 2001**, after crediting the probable revenue from all sources other than rates for the abatement and losses which occur in the collection of the taxes for the said year which may not be collected or collectible;

FURTHER RESOLVED that the said Council authorize the levying and collection of a rate of **eighty-three (83) cents** on each \$100,00 of the assessed value of the residential and resource property assessed in the **2000** Assessment Roll;

FURTHER RESOLVED that the said Council authorize the levying and collection of a rate of **one dollar ninety-one cents (\$1.91)** on each \$100.00 on the assessed value of Commercial Property and Business Occupancy assessed in the **2000** Assessment Roll;

FURTHER RESOLVED that pursuant to **Section 78 of the Municipal Government Act** in lieu of all rates and taxes of the Municipality, an owner of forest property to which the said section applies shall pay tax equal to twenty-five (25) cents per acre on holdings of 50,000 or less and forth (40) cents per acre on holdings greater than 50,000 acres and where an area, village or commission rate is levied for fire protection, the owner shall pay an additional tax of one (1) cent per acre;

FURTHER RESOLVED that the said Council hereby requires payment of said rates to be made to the Tax Collector or Treasurer of the said Municipality on or before the 10th day of August, 2000;

FURTHER RESOLVED that said Council hereby imposes an additional percentage charge of 15% per annum on all rates and taxes remaining unpaid after the 10th day of August, 2000.” Motion carried.

Resolution re Area Rates

Moved by Councillor Blair
Seconded by Councillor Taylor

WHEREAS the Municipal Council of the County of Colchester is required to levy rates which it deems sufficient for an area or for the benefit of an area for the current twelve month fiscal period;

RESOLVED that pursuant to **Section 75 of the Municipal Government Act**, the Municipal Council of the Municipality of the County of Colchester authorizes the levying and collection of the area rates as per attached Schedule “A”;

FURTHER RESOLVED that the said Council hereby requires payment of said rates to be made to the Tax Collector or Treasurer of the said Municipality on or before the 10th day of August, 2000;

FURTHER RESOLVED that said Council hereby imposes an additional percentage charge of 15% per annum on all rates and taxes remaining unpaid after the 10th day of August, 2000.” Motion carried.

Financial Statements

Moved by Councillor Cavanaugh
Seconded by Councillor Matheson

“That Council approve the preparation of financial statements for 2000/2001 on a non-consolidated basis.” Motion carried.

Dates for Advance Polls for the 2000 Municipal Election

Moved by Councillor Cooke
Seconded by Councillor Matheson

“That the dates for the Advance Polls in the 2000 Municipal Elections be set as October 12 and October 17, 2000.” Motion carried.

Group Insurance Renewal - Medical and Dental

An Information Items was presented indicating renewal of health and dental programs effective June 1, 2000.

Council Committee Report

Deputy Warden Johnson presented the report from Council Committee which contained the following motions.

Sunday Shopping

Moved by Deputy Warden Johnson
Seconded by Councillor Elliott

“Council recommends that the Municipality contact the Chamber of Commerce to enquire about their progress on the Sunday Shopping Issue, and report back to Council.” Motion carried.

Policy Re: Public Participation

Moved by Deputy Warden Johnson
Seconded by Councillor Cooke

“Council recommends the adoption of the Public Participation Program concerning the preparation of planning documents.” Motion carried.

Sublease Agreement - Old Salmon River Road

Moved by Deputy Warden Johnson
Seconded by Councillor Merriam

“That the Municipality enter into a Sublease for land on the Old Salmon River Road with Central Nova Horse and Pony Association for a 10-year term, and that the Warden and Clerk be authorized to execute the Agreement.” Motion carried

Citizens Monitoring Committee

A report was presented from the Citizens Monitoring Committee regarding C & D waste disposal.

Moved by Councillor Baas
Seconded by Councillor Matheson

“That a letter be written to the Department of Environment, copied to Citizens Monitoring Committee and local MLA’s, regarding C & D waste disposal sites, requesting that DOE be responsible for enforcement of non-monitored sites and that the Municipality be contacted before new approvals are given for sites.” Motion carried

Regional Emergency Measures By-law

Moved by Councillor Ross
Seconded by Councillor Blair

“That Council approve at Second Reading the Regional Emergency Measures By-law.” Motion carried.

Recess

Council agreed to recess to an In-Camera Session. Council reconvened in open session at the conclusion of the in-camera meeting.

Adjournment

Moved by Councillor Cooke
Seconded by Councillor Cavanaugh

“That the meeting be adjourned.” Motion carried.

K. Ann Fiddes
Deputy Clerk