

March 29, 2001

## 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, March 29, 2001 at 7:00 p.m.

### Roll Call

The roll was called with the following Councillors in attendance:

Mayor Mike Smith, Chair	
Councillor Bob Taylor	District #1
Deputy Mayor Hugh Matheson	District #3
Councillor Richard Elliott	District #4
Councillor Glen Edwards	District #5
Councillor Jimmie LeFresne	District #7
Councillor Soley Lynds	District #8
Councillor Keith Baas	District #9
Councillor Doug Cooke	District #10
Councillor Earl McKenna	District #11

Absent:

Councillor Bill Masters	District #2
Councillor Ron Cavanaugh	District #6

### Agenda

Moved by Deputy Mayor Matheson  
Seconded by Councillor Elliott

“That the Agenda be approved with the following additions:

- 12b. Coffee Cups
- 12c. Infilling - Farnham Road
- 14b. World Trade Organization”

Motion Carried.

### Minutes

Moved by Councillor Cooke  
Seconded by Councillor Baas

“That the minutes of meeting held on February 22, 2001 be approved with the following revisions:

**S** Page 2000-99, Raymond Ross letter concerning Liberty Lodge:  
change *Moved by Councillor McKenna* to *Moved by*

*Councillor Elliott*

**S** Page 2000-106, Balefill Management Contract: change *Moved by Deputy Mayor Matheson to Moved by Councillor Masters*”

Motion Carried.

**Business Arising from Minutes**

There was no business arising from the minutes of February 22, 2001.

**Presentations**

There were no public presenters at this meeting.

**Correspondence**

Council recommended the following ‘Correspondence’ items be moved from Information to Action:

- S** No. 10: Letter from Premier Hamm re Campaign for Fairness
- S** Nos. 2 and 8: Letters from Department of Public Works & Transportation and North River Elementary School re flooding on Park Street
- S** No. 4: Letter from Jamie Muir re Emergency Measures Act Status Report
- S** No. 11: Letter from CMHC re Household Guide to Water Efficiency
- S** No. 28: Letter from Village of Bible Hill concerning issues with Municipality’s budget
- S** No. 30: Letter from Dr. David Zak enclosing petition from residents of College Road area

**ACTION**

**Jeff Merritt, 259 College Road**

A letter dated March 7, 2001 from **Jeff Merritt, 259 College Road**, requesting authority or amendment to zoning to operate a small business on his property at 259 College Road.

Moved by Councillor Taylor  
Seconded by Deputy Mayor Matheson

“That the letter from Mr. Merritt requesting authority or amendment to zoning to operate a small business on his property at 259 College Road be referred to PAC.”

Motion Carried.

**John Wilson, Chair,  
Kemptown Host  
Community  
Association**

A letter dated March 20, 2001 from **John Wilson, Chair, Kemptown Host Community Association**, requesting a draw down of \$15,000 from the \$50,000 trust fund.

Moved by Councillor Elliott  
Seconded by Councillor Baas

“That the letter from the Kemptown Host Community Association requesting a draw down of \$15,000 from the Association’s \$50,000 trust fund, be referred to Council Committee.”

Motion Carried.

**Andrew Maw,  
Assistant Director,  
Atlantic Region,  
Statistics Canada**

A letter dated March, 2001 from **Andrew Maw, Assistant Director, Atlantic Region, Statistics Canada**, concerning Census Day “Complete Count Program” and a request to declare the week of May 13-19 as “Census Week”.

Moved by Deputy Mayor Matheson  
Seconded by Councillor Elliott

“That the week of May 13-19, 2001 be proclaimed as ‘Census Week’ in the Municipality of the County of Colchester.”

Motion Carried.

**Crawford  
Macpherson,  
Director of  
Community  
Development**

A memorandum dated March 26, 2001 from **Crawford Macpherson, Director of Community Development**, concerning outstanding requests for planning document amendment.

Moved by Councillor Baas  
Seconded by Deputy Mayor Matheson

“That the memorandum from the Director of Community Development concerning outstanding requests for planning document amendment, be referred to PAC.”

Motion Carried.

**John F. Hamm,  
Premier of N.S.**

A letter dated March 2, 2001 from **Premier John F. Hamm** concerning the Province’s Campaign for Fairness as it pertains to the benefits of offshore oil and gas resources.

Moved by Councillor LeFresne  
Seconded by Councillor McKenna

“That the Municipality send a letter to Premier Hamm indicating the County’s support of the Campaign for Fairness initiative with a copy to the three County MLA’s and Bill Casey, M.P. for Cumberland-Colchester.”

Motion Carried.

**Ronald Russell,  
Minister, Dept. of  
Transportation &  
Public Works  
- and -**

A letter dated February 19, 2001 from **Ronald Russell, Minister, Department of Transportation and Public Works**, and a letter dated February 26, 2001 from **Karen Olsson, President, Parent Teacher Group, North River Elementary School**, concerning flooding on Park Street.

**Karen Olsson,  
President, Parent  
Teacher Group,  
North River  
Elementary School**

Crawford Macpherson indicated to Council that a Joint Transportation Committee has been set up to serve as a mechanism to address strategic transportation issues, including the flooding problems on Park Street. The Committee met for the first time the week of March 19<sup>th</sup> to review traffic reports and determine what has and has not been done to date. A second meeting of the group is being organized to set priorities. Councillors had been requested in early February, through a memorandum from Mayor Smith, to submit any relevant issues that exist in their communities.

**Jamie Muir,  
Minister,  
Responsible for  
Emergency  
Measures Act**

A letter dated February 20, 2001 from **Jamie Muir, Minister, Responsible for the Emergency Measures Act**, enclosing a copy of the Emergency Measures Act Status Report for all municipalities and an expression of congratulations to the County on its “good” compliance rating.

Gary MacIsaac, CAO, brought Council up to date on the Colchester Regional Emergency Measures Organization (REMO) activities:

- S** Mayors of Colchester County, Town of Truro and Town of Stewiacke signed an inter-municipal agreement last year.
- S** Carl Shaw was hired on a part-time basis to be the Emergency Measures Coordinator
- S** The County’s compliance rating has gone from poor to good.
- S** Regional group set up with two members from each Council (Colchester, Truro, Stewiacke), one being the Mayor
- S** Meeting held last week between staff of three municipalities and Mike Lester and Bill Weagle from EMO concerning the passing of the municipal emergency by-law
- S** Mike Lester checking into legal implications - has been asked to respond within two weeks at which time, the regional group will provide recommendations to the three Councils.

**Canada Mortgage & Housing Corporation**

A copy of a letter from **Canada Mortgage & Housing Corporation**, enclosing CMHC's "Household Guide to Water Efficiency". A copy of the Guide is on file in the Clerk's office.

Mr. MacIsaac indicated to Council that, with the increased demand on public water supplies and the hiring of the new Director of Public Works, the whole water issue will be reviewed and will likely be the subject of future agenda items.

**Wayne McCormick, Chairman, Village of Bible Hill**

A letter dated March 28, 2001 from **Wayne McCormick, Chairman, Village of Bible Hill**, concerning issues with the Municipality's 2001-02 budget.

Moved by Councillor Taylor  
Seconded by Councillor McKenna

"That the Municipality send an invitation to the Village to make a presentation to Council in advance of deliberations for the 2002-03 Operating Budget, with the suggestion that the presentation include a recommendation on how these issues can be resolved."

Motion Carried.

**Dr. David Zak, Dentist, College Road**

A copy of a letter dated March 28, 2001 from **Dr. David Zak, Dentist, College Road**, enclosing a signed petition from residents concerned with the poor condition of College Road.

Moved by Councillor McKenna  
Seconded by Councillor Taylor

"That a letter from the Municipality be sent to Bill Langille, MLA, Colchester North, copy to the Department of Transportation and Public Works, indicating the Municipality's support of this petition."

Motion Carried.

INFORMATION

**Bill Weagle, Zone Controller, Emergency Measures Organization**

A copy of a report received from **Bill Weagle, Zone Controller, Emergency Measures Organization** on EMO activities in the Central EMO Zone for the year 2000. Council agreed to receive this report for information purposes.

**Michael Craig, MTT  
Regional Manager,  
Amherst-Truro-  
Elmsdale**

A letter dated February 20, 2001 from **Michael Craig, MTT Regional Manager, Amherst-Truro-Elmsdale**, concerning cellular phone coverage in the Stewiacke and Musquodoboit Valley areas. Council agreed to receive this letter for information purposes.

**Kevin Caines, Area  
Manager-Colchester,  
Dept. of  
Transportation &  
Public Works**

A copy of a letter dated February 20, 2001 from **Kevin Caines, Area Manager-Colchester, Department of Transportation and Public Works**, concerning ambulance service problems to Coldstream Road and Old Alton Road. Council agreed to receive this letter for information purposes.

**Cathy Durdle,  
Program & Special  
Events Coordinator,  
Dept. of Canadian  
Heritage**

A copy of a letter dated February 2001 from **Cathy Durdle, Program and Special Events Coordinator, Department of Canadian Heritage**, regarding the "Celebrate Canada" campaign, June 21-July 1, 2001. Council agreed to receive this letter for information purposes.

**Canadian Oil Heat  
Association**

A copy of newsletter received from the **Canadian Oil Heat Association** for the month of February 2001. Council agreed to receive this newsletter for information purposes.

**Caroline Innes, Legal  
Information Society  
of N.S.**

A copy of a memorandum dated February 28, 2001 from **Caroline Innes, Legal Information Society of N.S.**, containing information about the Society and its services. Council agreed to receive this memorandum for information purposes.

**Building Inspector**

The Building Permit Statistics Report received from the **Building Inspector** for the month of February 2001. Council agreed to receive this report for information purposes.

**Development Officer**

The Development Activity Report received from the **Development Officer** for the month of February 2001. Council agreed to receive this report for information purposes.

**Angus MacIsaac,  
Minister, Service  
N.S. & Municipal  
Relations**

A copy of a letter dated March 7, 2001 from **Angus MacIsaac, Minister, Service N.S. and Municipal Relations**, regarding the status of recovery of assessment services costs. Council agreed to receive this letter for information purposes.

**Mayor John W.  
Morgan, Cape  
Breton Regional  
Municipality**

A letter dated March 13, 2001 from **Mayor John W. Morgan, Cape Breton Regional Municipality**, on the proposed Municipal-Provincial Fiscal Relations Initiative. Council agreed to receive this letter for information purposes.

**Leonard MacDonald,  
Mayor, Town of  
Mulgrave**

A copy of a letter dated March 10, 2001 from **Leonard MacDonald, Mayor, Town of Mulgrave**, on the proposed Municipal-Provincial Fiscal Relations Initiative. Council agreed to receive this letter for information purposes.

**Frank Mackintosh,  
Mayor, Town of  
Digby**

A copy of a letter dated March 8, 2001 from **Frank Mackintosh, Mayor, Town of Digby**, on the proposed Municipal-Provincial Fiscal Relations Initiative. Council agreed to receive this letter for information purposes.

**Robert Stead,  
Mayor, Town of  
Wolfville**

A copy of a letter dated March 6, 2001 from **Robert Stead, Mayor, Town of Wolfville**, on the proposed Municipal-Provincial Fiscal Relations Initiative. Council agreed to receive this letter for information purposes.

**Bernie White,  
Municipal Clerk,  
Cape Breton  
Regional  
Municipality**

A copy of a letter dated March 20, 2001 from **Bernie White, Municipal Clerk, Cape Breton Regional Municipality**, on the proposed Municipal-Provincial Fiscal Relations Initiative. Council agreed to receive this letter for information purposes.

**John MacLean,  
President, Recreation  
N.S.**

A copy of a letter dated March 9, 2001 from **John MacLean, President, Recreation N.S.**, concerning a funding request from the Volunteer Resource Centre. Council agreed to receive this letter for information purposes.

**Rodney Macdonald,  
Minister, Sport &  
Recreation  
Commission**

A letter dated March 12, 2001 from **Rodney Macdonald, Minister, Sport and Recreation**, indicating the four main priority areas of the Sport and Recreation Commission. Council agreed to receive this letter for information purposes.

**Heather Hamilton,  
Chairperson, South  
Colchester  
Development  
Association**

A copy of minutes from **Heather Hamilton, Chairperson, South Colchester Development Association**, of a meeting held February 7, 2001. Council agreed to receive these minutes for information purposes.

**Brian Stonehouse,  
Provincial Co-Chair  
and Cynthia  
Williams, Federal Co-  
Chair, Canada/N.S.  
Infrastructure**

A letter dated March 14, 2001 from **Brian Stonehouse, Provincial Co-Chair and Cynthia Williams, Federal Co-chair, Canada/N.S. Infrastructure**, acknowledging Colchester's application submitted in January (decision announcement in April). Council agreed to receive this letter for information purposes.

**Peter Kelly, Mayor,  
Halifax Regional  
Municipality**

A letter dated March 19, 2001 from **Peter J. Kelly, Mayor, Halifax Regional Municipality**, attaching minutes of meeting held on March 16<sup>th</sup> in Halifax concerning the Province's proposed equalization program. A copy of the minutes is on file in the Clerk's office. Council agreed to receive this letter for information purposes.

**Bob Baxter,  
Managing Director,  
Truro and District  
Chamber of  
Commerce**

A copy of a letter dated March 23, 2001 from **Bob Baxter, Managing Director, Truro and District Chamber of Commerce**, attaching its response to the Province on the Business Occupancy Assessment Review. Council agreed to receive this letter for information purposes.

**Mayor Anna Allen,  
President, UNSM**

A copy of a letter dated March 26, 2001 from **Mayor Anna Allen, President, UNSM**, concerning the Province's plans to retain ten percent of net RRFB revenue. Council agreed to receive this letter for information purposes.

**Michael G. Baker,  
Minister of Justice  
and Attorney General**

A letter dated March 22, 2001 from **Michael G. Baker, Minister of Justice and Attorney General**, in response to Mayor Smith's letter on the deer jacking issue. Council agreed to receive this letter for information purposes.

**Quincy Yu, Special  
Affairs Coordinator,  
Falun Dafa  
Association of  
Canada**

A letter dated March 21, 2001 from **Quincy Yu, Special Affairs Coordinator, Falun Dafa Association of Canada**, with a request to declare week of May 13-19, 2001 as "Falun Dafa Week". Council agreed to receive this letter for information purposes.

**Committee Reports  
& Recommendations**

**Council Committee  
Reports**

Deputy Mayor Matheson presented the report from Council Committee meetings held on March 7 and 8, 2001 which consisted of the following motions:

**2001-02 Operating  
and Capital Budgets**

Moved by Deputy Mayor Matheson  
Seconded by Councillor Elliott

"That Council Committee recommends to Council that the 2001-02 Operating and Capital Budgets be approved with Additions and Deletions as made on March 7, 2001."

Motion Carried.

**UNSM Resolutions**

Moved by Deputy Mayor Matheson  
Seconded by Councillor McKenna

Shopping Centre Development Act

“That Council Committee recommends to Council that the UNSM resolution pertaining to the Shopping Centre Development Act be approved.”

Motion Carried.

Moved by Deputy Mayor Matheson  
Seconded by Councillor Lynds

School Board Elections

“That Council Committee recommends to Council that the UNSM resolution pertaining to School Board Elections be approved.”

Motion Carried.

**JPAC - Flood Risk Areas**

Moved by Deputy Mayor Matheson  
Seconded by Councillor Taylor

“That Council Committee recommends to Council that:

1. The Municipality proceed with incorporating the Robie Street flood plain management concepts, as developed by the JPAC, into our own by-laws rather than through an inter-municipal approach.
2. The Municipality look to incorporate the Robie Street flood plain management concepts into the Central Colchester Planning Strategy and Land Use By-law as part of the plan review. Council should be advised that this will lengthen the review process.
3. The role of JPAC is complete, for the time being, and that this matter be referred to PAC.”

Motion Carried.

**Tax Sale Collection Limits - Policy**

Moved by Deputy Mayor Matheson  
Seconded by Councillor Edwards

“That Council Committee recommends to Council the approval of the Policy on Tax Sale Tax Collection Limits, as presented.”

Motion Carried.

**Tatamagouche Fire  
Hydrant Rate**

Moved by Deputy Mayor Matheson  
Seconded by Councillor LeFresne

“That Council Committee recommends to Council that the Tatamagouche Fire Hydrant Rate be changed to the Tatamagouche Hydrant Services Area Rate; and

That 2000-01 property taxes amounting to \$6,367.18 levied against the old Fire Hydrant Rate be written off, with the resulting deficit to be addressed through future Tatamagouche Hydrant Services Area Rate increases.”

Motion Carried.

**Executive Committee  
Meeting Held  
March 20, 2001**

Director of Public Works

The Director of Public Works’ position has now been filled. An offer has been made and accepted by Mr. Susheel Arora - start date is April 23, 2001. An Information Item was circulated to Council.

Enforcement Issue - 9 Farnham Road

Mayor Smith indicated that Executive Committee’s decision to initiate enforcement action refers to the expiration of a development permit taken out by Fundy Grinding over a year ago. Since the Contractor has not complied to date with the requirements set out in the Solicitor’s letter, the enforcement action will go forward.

Avon Street Property Sales

Mayor Smith indicated that he sees the County allowing interested citizens to purchase these properties on Avon Street as a positive move.

**Reports from  
Councillors  
Appointed to Outside  
Boards and Agencies**

PAC

Councillor Lynds indicated a meeting of PAC will be held in April.

Truro and District Chamber of Commerce

Councillor LeFresne attended a meeting on March 13, 2001.

Central Nova Tourist Association

Councillor Edwards reported that CNTA's website has been launched. Councillor Edwards briefed Council on CNTA's Superhost Program that has been developed to educate business employees in Colchester County who come in contact with visitors. He made reference to CNTA's letter to Mayor Smith dated March 27, 2001 and the Association's request for the County to provide a complete list of registered businesses and contact information. Mr. MacIsaac will look at whether or not the County is allowed to release this type of information under the Freedom of Information and Protection of Privacy Act. If release is not permitted, Mr. MacIsaac will advise CNTA in writing, copy to Councillor Edwards.

Children's Aid Society

Councillor Elliott reported that he recently attended an "in-camera" meeting of the Children's Aid Society.

School Board

Deputy Mayor Matheson indicated that he had attended three meetings concerning the construction of a new school in Brookfield. He also attended a public meeting on March 22<sup>nd</sup> organized by the Planning Team for the new school (turnout of approximately 50).

CoRDA

Councillor Taylor attended CoRDA's Board of Governance Workshop held today. New Board members are very enthusiastic. Village of Bible Hill selected as model community for this year - based on volunteer efforts.

**Resolution to  
Approve 2001-02  
General Tax Rates**

Moved by Councillor Elliott  
Seconded by Councillor McKenna

"That the resolution pertaining to the 2001-02 General Tax Rates be approved as presented."

Motion Carried.

**Sewer By-law - First  
Reading**

Moved by Councillor Taylor  
Seconded by Deputy Mayor Matheson

"That the Sewer By-law be approved at First Reading as attached and

the existing Sewer By-law be repealed.”

Motion Carried.

**Meeting of HRM,  
March 16, 2001 -  
New Equalization  
Program**

Mayor Smith, Deputy Mayor Matheson and Gary MacIsaac, CAO, attended this meeting in Halifax on March 16, 2001. Of the 55 municipalities, 51 were represented at the session. Mayor Smith advised that no municipalities had altered their position as a result of this meeting.

**Senior Games**

Councillor McKenna circulated copies of the “Local Senior Games” brochure to Council. The Games will take place May 7-11, 2001. Deadline for registration is April 30. Additional information, including extra copies of brochures or posters, can be obtained from Councillor McKenna.

**Coffee Cups**

Moved by Councillor Lynds  
Seconded by Councillor LeFresne

“That the Municipality request the issue of coffee cup littering on streets and roads be addressed, either through a beverage deposit levy or some form of stewardship program, and that RRFB and the Department of Environment and Labour be encouraged to take action on this matter.”

Motion Carried.

**Infilling - Farnham  
Road**

Council agreed that this item had already been dealt with through discussion of the Executive Committee minutes of March 20, 2001.

**Cottage Seasonal  
Containers Proposal**

An Information Item was presented to Council indicating the results of a request for a proposal to repair the seasonal blue boxes. The successful bidder is McLellans Machine Shop from Lower Onslow.

**Position Vacancy -  
Compost Operations  
Supervisor**

An Information Item was presented to Council advising that the Compost Operations Supervisor position has been staffed. The successful candidate is Andrew Blackburn who will start on April 9, 2001.

**World Trade  
Organization**

Council Edwards brought this item to Council after his recent attendance at a seminar at the N.S. Agricultural College on GATS (General Agreement on Trade in Services). Councillor Baas also attended.

Moved by Councillor Edwards  
Seconded by Councillor Baas

“That this item be referred to Council Committee for further discussion.”

Motion Carried.

**Recess**

Council agreed to recess to an In-Camera meeting at 9:10 p.m. Following the In-Camera meeting, Council reconvened in open session at 10:25 p.m.

**Sempra Atlantic Gas Agreement**

Moved by Councillor LeFresne  
Seconded by Councillor Baas

“That Council:

- (1) declines to enter an Agreement with Sempra Atlantic Gas which exempts certain gas distribution assets or properties from conventional municipal taxation and which substitutes an alternative municipal revenue formula, as outlined in paragraph 5 of Sempra’s draft agreement; and
- (2) authorizes to negotiate an Agreement with Sempra to allow Sempra access on reasonable terms to any streets owned by the Municipality for the purpose of constructing natural gas distribution infrastructure pending, and without prejudice to, a legal determination of (a) the Municipality’s right to decline to so exempt Sempra from conventional municipal taxation, and/or (b) Sempra’s right to compel the Municipality to accept the substitution of an alternative municipal revenue formula.”

Motion Carried.

**Recyclables Agreement - Districts of Guysborough and St. Mary’s**

Moved by Councillor McKenna  
Seconded by Councillor Cooke

“That the Municipality enter into recyclables agreements with the District of Guysborough and the District of St. Mary’s and that the Mayor and CAO be authorized to execute the documents.”

Motion Carried.

**Adjournment**

Moved by Councillor Baas  
Seconded by Councillor Elliott

“That the meeting be adjourned at 10:25 p.m.”

Motion Carried.

Sheila Arsenault  
Deputy Clerk