

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, February 26, 2004 at 7:00 p.m.

Roll Call

The roll was called with the following Councillors in attendance:

Mayor Michael Smith, Chair	
Councillor Bob Taylor	District #1
Councillor Bill Masters	District #2
Deputy Mayor Hugh Matheson	District #3
Councillor Richard Elliott	District #4
Councillor Glen Edwards	District #5
Councillor Ron Cavanaugh	District #6
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

Approval of Agenda

Moved by Councillor Elliott
Seconded by Councillor Edwards

“That the agenda for February 26, 2004 be approved with the following amendments:

- add 12b Snow/Flooding on Park Street
- add 12c Upcoming Meeting Dates”

Motion Carried Unanimously.

Approval of Minutes

Moved by Councillor McKenna
Seconded by Councillor Masters

“That the minutes of the meeting held on February 26, 2004 be approved as circulated.”

Motion Carried Unanimously.

Business Arising from Minutes

There was no business arising from the minutes of the meeting held on January 29, 2004.

Presentations

Samara Eaton, Department of Natural Resources

Ms. Samara Eaton appeared before Council with a presentation regarding Municipalities and Species at Risk. The goal of the presentation was to share information, raise awareness to

Municipalities on species at risk and explore how Municipalities might assist in the conservation and recovery of species at risk.

Moved by Councillor Taylor
Seconded by Councillor Cavanaugh

“That Council receive this presentation.”

Motion Carried Unanimously.

**Richard Lane,
Londonderry Station**

Mr. Richard Lane was before Council to address the matter of a former complaint regarding a dangerous and unsightly premise that is still continuing. A 60 day clean up order was issued however, the order was not complied with and the property still requires extensive clean up. Mr. Lane stated there are about 30 other people in the community and they feel the same about the issue.

Mr. Peter Rogers, Solicitor, advised that the Municipality has the power to require a clean up to be done. Legally this is able to happen, however, there are restraints due to snow.

Councillor Masters inquired as to whether the Department of Environment has been out to the property. Mr. Lane indicated that the Department of Environment were out to the property and indicated that since the property is less than 2.5 hectares, it is not considered a junk yard.

Mr. Gary MacIsaac, CAO, stated that this is going to be a major clean up and issue of reoccurrence. The cost to do the clean up will be very significant.

Responding to question about costs associated with the cleanup, Mr. Peter Rogers, Solicitor, advised that where the property is deemed Dangerous and Unsightly, the County can take action to have the property cleaned up. The cost of the clean up will be billed back to the landowner. If this bill is not paid, the property will be included in tax sale proceedings.

Concerns were expressed about the environmental issues and the impact on area residents.

Moved by Councillor Cavanaugh
Seconded by Councillor Lynds

“That a letter be written to the Department of Environment and Labour expressing concerns with their decision to take no action on the activities occurring at this property.”

Motion Carried Unanimously.

Stephen Brown

Mr. Stephen Brown appeared before the Council to address the issue of serious flooding caused from the brook running behind his property. Water from the ditches and all surface water from gathering streets is being directed into the brook. Also with the sub-divisions growing, Mr. Brown is concerned that he will be swept away.

Mr. Crawford MacPherson, Director of Community Development, indicated that this is typical practice for the excess water to drain into the brook.

Mayor Mike Smith stated that the resident is being negatively impacted at no fault of his own. He requested that Mr. Brown provide the Council with pictures of the overflow problem.

Moved by Councillor Cooke
Seconded by Councillor McKenna

“That Council receive the presentation and the matter be referred to Council Committee.”

Motion Carried Unanimously.

Standing Committee
Reports and
Recommendations

Funding Request,
Acadian Festival

Moved by Deputy Mayor Matheson
Seconded by Councillor Edwards

“That Council approve \$3,000.00 in financial support to the 2004 Acadian Festival with funds to be drawn from the 2003/04 Economic Development Grant Budget.”

Motion Carried Unanimously.

Funding Request,
Colchester 4-H

Moved by Deputy Mayor Matheson
Seconded by Councillor Masters

“That Council approve \$4,000.00 in financial support to the Colchester County 4-H Leaders Council with funds to be drawn from the 2004/05 Economic Development Grant Budget.”

Motion Carried Unanimously.

Surplus School-
Middle Stewiacke
Elementary

Moved by Deputy Mayor Matheson
Seconded by Councillor Elliott

“That Council approve the Municipality advise the Chignecto-Central Regional School Board that it wishes to accept the transfer of the

Middle Stewiacke Elementary School and that staff be instructed to advertise and call for proposals from interested groups.”

Motion Carried Unanimously.

Daytime Council Meetings

Moved by Deputy Mayor Matheson
Seconded by Councillor Taylor

“That Council approve that, for the remainder of this term, Council and Council Committee meetings be scheduled to commence at 6:00 p.m., and at 10:00 p.m. Council will determine whether to continue or schedule a second meeting to complete agenda items.”

Motion Carried.

(Deputy Mayor Matheson, Councillor Elliott, Councillor Cavanaugh, Councillor Lynds, and Councillor Baas opposed)

Property Tax Write-offs

Moved by Deputy Mayor Matheson
Seconded by Councillor Cooke

“That Council approve that property taxes and interest totalling \$23,148.13 be written-off.”

Motion Carried Unanimously.

Executive and Audit Committee

Reports from the Executive and Audit Committee meetings of February 5 and February 12, 2004 were presented.

Action

Second Reading - Tax Exemption By-law

Councillors Cooke and Baas advised that the location of the new property being added to Schedule “A” is in District 10, not District 9 as indicated.

Moved by Deputy Mayor Matheson
Seconded by Councillor Elliott

“That Council approve by way of Second Reading the Tax Exemption By-law.

Motion Carried Unanimously.

First Reading - Council Proceedings By-law Amendment

Moved by Councillor McKenna
Seconded by Councillor Masters

“That Council approve first reading of the Council Proceedings By-law as amended and attached to these minutes.”

Motion **Defeated**

*(Deputy Mayor Matheson,
Councillors Elliott, Cavanaugh,
LeFresne, Lynds and Baas opposed)*

**2004 Municipal
Election Appointment**

Moved by Councillor Cavanaugh
Seconded by Councillor Elliott

“That Council appoints Mr. Gary MacIsaac as Chief Returning Officer and Ms. Kimberly Paterson as Assistant Returning Officer for the 2004 Municipal elections.”

Motion Carried Unanimously.

**CNTA Funding
Request**

A letter from Joyce Mingo, Central Nova Tourism Association, requesting a financial commitment of \$1,000.00 for their Annual General Meeting and Awards Banquet.

The original motion to bring this to Council was defeated but Council is being asked to reconsider the motion.

Moved by Councillor Edwards
Seconded by Councillor Cavanaugh

“That Council approve a grant to Central Nova Tourism Association in the amount of \$1,000 in support of their 2004 Annual General Meeting and Awards Banquet.”

Motion Carried

*(Mayor Smith and Councillors
Cooke, Baas, and McKenna opposed)*

**Position Vacancy -
Regional Sewage
Treatment Plant**

Council was advised that Ritchie Davidson, Plant Maintenance Foreman at the Regional Sewage Treatment Plant, submitted his resignation effective February 27, 2004.

Moved by Councillor Lynds
Seconded by Councillor Taylor

“That Council declare a vacancy in the Plant Maintenance Foreman position and authorize Administration to fill the position.”

Motion Carried Unanimously.

**Snow Removal -
Flooding, Park Street**

Councillor Cavanaugh expressed concerns regarding the snow accumulation in the Park Street area.

Moved by Councillor Cavanaugh

Seconded by Councillor Lynds

“That Council approve that a letter be written to Department of Transportation requesting that snow be removed, either full removal or enough to allow water flow, from the Park Street area.”

Motion Carried Unanimously.

**Upcoming Meeting
Dates**

Moved by Councillor Cooke
Seconded by Councillor Taylor

“That Council approve March 1, 2004 as the rescheduled budget meeting date and March 23, 2004 for a Special Meeting to discuss Debert Infrastructure. A confirmed date for the Tour of County Facilities has not been decided as yet.”

Motion Carried Unanimously.

Information

Engineering/Architectural Services -Public Works Building

The Municipality received five proposals for Engineering/Architectural Services for the proposed Public Works Building. The successful proposal was from SNC-Lavalin Inc. at a cost of \$20,120 (exclusive of HST).

Executive Secretary - Term Position

The Executive Secretary term position was offered to Tracey Veno. Tracey accepted the offer. The term position is expected to run until September 2004.

Position Vacancy - Balefill Facility

The employee who verbally accepted the position of Compost Operations Worker previously, decided he did not want the position. He returned to his old position leaving the position of Compost Operations Worker still vacant.

Fire Truck for Colchester County

At the April 24, 2003 Council Session, staff were asked to discuss the procurement of an additional fire truck in Colchester County with the Colchester Fire Fighters Association. A copy of the emailed response, received February 15, 2004, from Colchester Fire Fighters Association was provided for information.

Correspondence

Council requested the following correspondence be removed from Information to Action.

- No. 1: Copy of letter from Mr. Frank Henderson to Mayor Mike Smith dated January 5, 2004 regarding concerns with traffic conditions and early morning garbage collection.
- No. 8: Letter from Mr. Troy A. Webb of Colchester County Transportation and Public Works regarding a request for a passing zone change.

- No. 9 and 12: Letter from Mr. Clyde A. Purvis, CAO, Municipality of Pictou County and corresponding copy of letter from Honourable Ronald S. Russell, CD Minister regarding the re-surfacing of section of Trunk 4, Mount Thom area.

**Marilyn Croft,
Treasurer, Downeast
Bluegrass & Old-
time Music Society**

Letter to Municipality dated January 27, 2004 concerning request for exemption from taxes at 168 Alton Loop, Alton.

Moved by Councillor Elliott
Seconded by Deputy Mayor Matheson

“That the letter requesting exemption from taxes at 168 Alton Loop, Alton, be referred to Council Committee.”

Motion Carried Unanimously.

**Frank Harland,
Contractor, Aliant
Telecom Inc.**

Letter to the Mayor dated February 3, 2004 requesting Land Use Amendment in Tatamagouche.

Moved by Councillor LeFresne
Seconded by Councillor Cavanaugh

“That the letter requesting Land Use Amendment in Tatamagouche be referred to Tatamagouche Area Planning Advisory Committee.”

Motion Carried Unanimously.

**Tracey Dorrington-
Skinner, Youth
Career Workshop
Jam Coordinator,
Community
Enhancement
Association**

Letter to the Mayor dated February 3, 2004 requesting funding for upcoming regional Youth Career Workshop Jam.

Deputy Mayor Matheson expressed concerns regarding timing in which this request was received. Requests are supposed to be in January 1st, this request was not received until February 3rd.

Moved by Councillor Elliott
Seconded by Councillor Taylor

“That this matter be referred to Council Committee and that Committee be authorized to make a final decision.”

Motion Carried Unanimously.

Staff was instructed to seek additional information on this matter.

**Cindy Coles,
Coordinator,
Hepatitis Outreach
Society**

Letter to the Mayor regarding the proclamation of Hepatitis C Awareness Day and Month.

Moved by Deputy Mayor Matheson
Seconded by Councillor Taylor

“That the Municipality proclaim May 1st, 2004 as Hepatitis Awareness Day and May 2004 as Hepatitis Awareness Month.”

Motion Carried Unanimously.

**Myra and Jim
MacNeill,
Maplewood Manor**

Letter to the Mayor and Council dated February 11, 2004 requesting a change in zoning.

Moved by Councillor LeFresne
Seconded by Councillor Taylor

“That the letter be referred to the Tatamagouche Area Planning Advisory Committee.”

Motion Carried Unanimously.

**Mr. Geoff Alcock,
Project Coordinator,
Canadian Mental
Health Association**

Letter dated February 11, 2004 regarding the proclamation for Mental Health Week.

Moved by Councillor Lynds
Seconded by Councillor Cooke

“That the Municipality proclaim May 3 - 9, 2004 as Mental Health Week.”

Motion Carried Unanimously.

**Walter McElhinney,
Treasurer and Rollie
Hayman, Chief,
Onslow Belmont Fire
Brigade**

Councillor Masters declared a conflict of interest and removed himself from the discussion on this matter.

A letter dated February 23, 2004 regarding a loan guarantee for a new pumper tanker fire truck.

Moved by Deputy Mayor Matheson
Seconded by Councillor Elliott

“That the letter from the Onslow Belmont Fire Brigade requesting a loan guarantee be referred to Council Committee.”

Motion Carried Unanimously.

At this point, Councillor Masters returned to the Council table.

**Mr. Frank
Henderson**

Letter to Mayor Smith dated January 5, 2004 expressing concerns regarding traffic conditions with early morning garbage collection.

Moved by Deputy Mayor Matheson
Seconded by Councillor LeFresne

“That the issue be dealt with was part of future negotiations.”

Motion Carried Unanimously.

**Mr. Troy Webb,
Area Manager,
Colchester County
Transportation and
Public Works**

Copy of a letter dated February 12, 2004 regarding a request for a passing zone change.

Deputy Mayor Matheson brought this issue forward. He stated that communications between Department of Transportation and the Municipality have improved.

**Mr. Clyde A. Purvis,
CAO, Municipality of
Pictou County and
Honourable Ronald
S. Russell, Minister,
Transportation and
Public Works**

Copy of a letter from Mr. Clyde Purvis with Resolution regarding re-surfacing a portion of Route 4, Mount Thom area and copy of the response letter from Honourable Ronald S. Russell.

Moved by Deputy Mayor Matheson
Seconded by Councillor Taylor

“That a letter be written to Honourable R. S. Russell supporting the request by the CAO, Municipality of Pictou, to have a portion of Route 4 re-surfaced.

Motion Carried Unanimously.

**Mr. Russell Walker,
Councillor HRM, NS
Representatives
Board of Directors**

A copy of the January 22, 2004 Report on FCM Board of Directors' Meeting. Council agreed to receive this report for information purposes.

**Janice Wentzell,
Association of
Municipalities
Administrators NS**

A copy of an email to CAO dated January 26, 2004 with report to the UNSM regarding Bill 40. Council agreed to receive this report for information purposes.

**Federation of
Canadian
Municipalities**

A copy of the Members' Advisory notice dated February 2, 2004 regarding “Speech from the Throne Marks New Chapter for Canada's Municipal Governments. Council agreed to receive this notice for information purposes.

**Reg, Alcock,
President of the
Treasury Board and**

A copy of the letter to the Mayor regarding Municipality of Colchester' request for CAP-C funding. Council agreed to receive this letter for information purposes.

**Minister responsible
for the Canadian
Wheat Board**

**Federation of
Canadian
Municipalities**

A copy of the Members' Advisory notice dated February 5, 2004 regarding GST rebate. Council agreed to receive this letter for information purposes.

**Mr. Jamie Muir,
Minister of
Education**

A copy of a letter dated February 10, 2004 with a report on Funding the Power of Public Libraries. Council agreed to receive this letter for information purposes.

**Mr. Barry Barnet,
Service Nova Scotia
and Municipal
Relations**

A copy of a letter to the CAO regarding Water System Assessment Report/Pre-design Study. Council agreed to receive this letter for information purposes.

**Prime Minister Paul
Martin**

A letter to the Mayor with a copy of Speech from the Throne and Address in Reply to the Speech. Council agreed to receive this material for information purposes.

Recess

Council agreed to recess to an in-camera session at 8:55 p.m. and reconvened in open session at 9:12 p.m.

In-Camera

Moved by Councillor Masters
Seconded by Deputy Mayor Matheson

“That Council declare a vacancy in the Finance Manager Position and authorize Administration to fill the position.”

Motion Carried Unanimously.

Adjournment

Moved by Councillor Cavanaugh
Seconded by Councillor Elliott

“That the meeting be adjourned at 9:14 p.m.”

Motion Carried Unanimously.

Gary MacIsaac
Chief Administrative Officer