

April 28, 2005

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, April 28, 2005 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
Councillor Bill Masters	District #2
Deputy Mayor Hugh Matheson	District #3
Councillor Mike Cooper	District #4
Councillor Glen Edwards	District #5
Councillor Ron Cavanaugh	District #6
Councillor Jimmie LeFresne	District #7
Councillor Soley Lynds	District #8
Councillor Bob White	District #9
Councillor Doug Cooke	District #10
Councillor Terri Mingo	District #11

Approval of Agenda

Moved by Councillor Masters
Seconded by Councillor White

“That the agenda for April 28, 2005 be approved with the following additions/deletions:

- add 10b: Burning
- add Staff Presentation - Balefill Cell”

Motion Carried Unanimously.

Approval of Minutes

Moved by Councillor Mingo
Seconded by Councillor Edwards

“That the minutes of meeting held on March 31, 2005 be approved with the following amendment:

- Page 2004-186: amend the motion for the 2005 Tulip Festival to read 2004-05, not 2005-06”

Motion Carried Unanimously.

Business Arising from Minutes

Mayor Smith advised that a meeting is being arranged with the RCMP regarding some concerns with their presentation to Council on March 31st.

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In response to Deputy Mayor Matheson's inquiry, staff provided an update on the purchase of a generator for the Regional Emergency Operations Centre. An application has been submitted to the Province but formal approval has not been received to date. There may also be additional funding in this fiscal year for the fire brigades.

Presentations

Mr. Jim Anderson and Mr. Andrew Wort,
Atlantic Recycled Rubber Inc. (ARRI)

Mr. Anderson introduced himself as the President of Atlantic Recycled Rubber and Andrew Wort as the General Manager. Highlights of the presentation are as follows:

- ARRI currently has a staff of 19 employees running two shifts a day
- Since the fire in 2002, sprinkler systems installed throughout the plant
- Tire fluff being sent to Antigonish landfill
- Due to order issued by Department of Environment and Labour to clean up tires, now have less than 1,000 outside the building and up to 2,000 inside
- 24-hour surveillance maintained, smoke alarms in building are directly wired to Valley-Kemptown Fire Brigade
- Foam available on-site for Fire Department, dry hydrants installed
- Negotiating with company in Newfoundland for new tire contract that would create five additional jobs at plant
- Fluff generated now is about 20% of total weight of tires which are one-third steel, one-third rubber and one-third fibre
- If new scrap reduction system successful, this 20% should be reduced to 5%

During discussion following the presentation, ARRI committed to holding a public meeting within the next two weeks with the Kemptown residents and fire brigade regarding the Newfoundland contract. ARRI to advise staff once date confirmed.

Councillors were also invited by ARRI to tour the plant at their convenience.

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Moved by Councillor Cavanaugh
Seconded by Councillor Taylor

“That the presentation from Atlantic Recycled Rubber Inc. be received.”

Motion Carried Unanimously.

Staff Presentation

Gary MacIsaac, Chief Administrative Officer
Ramesh Ummat, Project Engineer

Mr. MacIsaac provided a brief update on the Balefill versus Landfill study that has just been completed. A briefing on the study will be made to Council at the end of the month.

The main purpose of the presentation was to seek Council direction on a proposal to increase the height of the existing Balefill cells which would defer construction until 2006. Staff anticipate the existing cell will run out of space by next spring. The present budget for the new cell is estimated at \$3.1 million; however, with the deficit from previous cell construction being paid off much earlier than expected, there is a balance of \$1.3 million available for the next cell, leaving only \$1.8 million to finance.

Staff are looking at an option to increase the cell height by 6 bales or 18 feet. In order to do this, consideration will have to be given to permit limitations, liner integrity, host community agreement consultation, and the results of the Landfill versus Balefill study.

It was noted that a meeting of the Citizens' Monitoring Committee (CMC) has been tentatively set for May 10th at which time, members will be given a tour of the Balefill prior to the meeting. Once the date has been confirmed, Councillors will be contacted to determine their interest in joining the CMC members on the tour.

Moved by Councillor LeFresne
Seconded by Councillor Cavanaugh

“That Council instruct staff to move forward with the plan to increase the height of the existing cell by 18 feet on the condition that public consultation takes place with the Citizens' Monitoring Committee prior to submitting an application to the Department of Environment and Labour to amend the original permit.”

Motion Carried Unanimously.

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**Standing Committee
on Reports and
Recommendations**

Deputy Mayor Matheson presented the report from a Council Committee meeting held on April 14, 2005:

Deuville's Rink

Deputy Mayor Matheson declared a conflict of interest on Deuville's Rink and removed himself from discussion on this matter. Councillor LeFresne assumed the position of Alternate Chair and presented this item.

Moved by Councillor LeFresne
Seconded by Councillor White

“That Council approves the formation of a committee to look at options for Deuville's Rink; and,

That Councillors Glen Edwards, Bob Taylor, Bob White and Soley Lynds be appointed to this committee and staff resources be allocated as determined by the CAO.”

Motion Carried. *(Mayor Smith opposed)*

At this point, Deputy Mayor Matheson returned to the table and continued with presenting the balance of the report.

**Request for Tax
Exemption - The
North Shore ATV
Mud Runners
Society**

Moved by Deputy Mayor Matheson
Seconded by Councillor LeFresne

“That Council approves in principle the addition of the North Shore ATV Mud Runners Society to Chapter 37 of the Tax Exemption By-law, subject to final approval of the By-law in early 2006.”

Motion Carried Unanimously.

**Colchester
Transportation Co-
operative Ltd.**

Moved by Deputy Mayor Matheson
Seconded by Councillor Cavanaugh

“That Council approves the grant application from the Colchester Transportation Co-operative Ltd. in the amount of \$3,000, source of funds to be the 2005-06 operating budget.”

Motion Carried Unanimously.

**Municipal Funding
for Community
Trails**

Moved by Deputy Mayor Matheson
Seconded by Councillor Taylor

“That Council approves the adoption of the Municipal Funding for Community Trails Policy; and,

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That an annual allocation of \$50,000 be approved for community trail maintenance and community trail capital, source of funds to be the Trail Maintenance Reserve.”

Motion Carried Unanimously.

**Waster Reduction
Programs Position**

Moved by Deputy Mayor Matheson
Seconded by Councillor Edwards

“That Council approves the Waste Reduction Programs’ term project position being made into a full-time permanent field inspector; and,

That staff be authorized to open competition for the position.”

Motion Carried Unanimously.

**Request to Upgrade
Jaws of Life
Equipment**

Moved by Deputy Mayor Matheson
Seconded by Councillor Cooper

“That Council approves the funding to upgrade the Jaws of Life Equipment as set out in Tables 1 and 2 of the letter from the Colchester Fire Fighters Association; and,

That a budget of \$42,500, plus HST, be approved for these upgrades.”

Motion Carried Unanimously.

**Executive and Audit
Committee**

Mayor Smith reported that applications for the position of Director of Public Works have been screened and the date of May 4th set for interviews.

Flood Committee

Moved by Councillor Masters
Seconded by Councillor Cooper

“That Councillors from Districts 4, 5, 6, 8 and 11 form the basis of the Flood Committee.”

Motion Carried Unanimously.

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**Proposed Dates for
Council Committee in
May and June 2005**

Moved by Councillor Taylor
Seconded by Deputy Mayor Matheson

“That Council approves the dates of Tuesday, May 17, 2005 for May Council Committee and Thursday, June 16, 2005 for June Council Committee.”

Motion Carried Unanimously.

**Design Competition
for County
Identification Signs**

Moved by Councillor Cavanaugh
Seconded by Councillor Masters

“That a Selection Committee be formed with the authority to select a final design for the new County signs; and,

That Council appoints Mayor Smith, Councillors White, LeFresne and Mingo to the Selection Committee.”

Motion Carried Unanimously.

Moved by Councillor Taylor
Seconded by Councillor Mingo

“That Council approves a prize package for the design competition consisting of \$500 plus a County Flag and Mayor’s Challenge apparel, and that the one winning sign design be placed in all three locations.”

Motion Carried Unanimously.

**Position Vacancy -
Finance Department**

Moved by Councillor Edwards
Seconded by Councillor Mingo

“That Council authorizes Administration to open competition for the position of Financial Assistant in accordance with the County’s Personnel Policies.”

Motion Carried Unanimously.

Burning

Councillor Mingo indicated that she had received a call from one of her constituents near Redcliffe who had concerns with burning in subdivisions. The issue was one where a resident in this area was burning, with a provincially issued permit, and the smoke was being drawn into a home which is equipped with an air exchanger.

Moved by Councillor Mingo

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Seconded by Councillor Cooper

“That the issue of burning in subdivisions be referred to May Council Committee.”

Motion Carried Unanimously.

Correspondence

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

- No. 1: letter from Service N.S. and Municipal Relations dated March 15, 2005 concerning distribution formula for gas tax money to municipalities
- Nos. 4 and 8: letters from Environment and Labour dated March 29 and April 5, 2005 concerning biosolids land application from Inglewood Farms
- No. 13: correspondence from FCM dated April 15, 2005 urging MP’s to pass the federal budget
- No. 19: e-mail from CNTA dated April 25, 2005 announcing new Glooscap Interpretative Centre
- No. 20: Copy of Bill No. 151 concerning an act to require payment of royalty on bottling of water
- No. 21: e-mail from UNSM dated April 21, 2005 regarding process for either decreasing municipal revenues or increasing municipal expenditures
- No. 23: letter dated April 25, 2005 from Town of Stewiacke regarding adoption of Watershed Management Strategy

ACTION

**Dawn Stegen,
Executive Director,
Recreation N.S.**

A copy of a letter dated March 31, 2005 from **Dawn Stegen, Executive Director, Recreation Nova Scotia**, requesting that June be proclaimed Recreation Month.

Moved by Councillor Taylor
Seconded by Councillor White

“That the month of June 2005 be proclaimed Recreation Month.”

Motion Carried Unanimously.

**Judy Webber,
Conference
Coordinator, UNSM**

A copy of an e-mail dated April 4, 2005 from **Judy Webber, Conference Coordinator, Union of N.S. Municipalities**, regarding the UNSM 2005 Spring Workshop.

Moved by Councillor Taylor

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Seconded by Councillor Masters

“That Mayor Smith, Councillor LeFresne and the CAO attend the UNSM Spring Workshop in Baddeck, May 12 and 13, 2005.”

Motion Carried Unanimously.

Terrain Group Inc.

A letter dated April 20, 2005 from **Terrain Group Inc.** concerning a request to enter into a development agreement with the Canadian Tire Corporation on Robie Street in Truro.

Councillor Cooper declared a conflict of interest on the request from Terrain Group Inc. and removed himself from discussion on this matter.

Moved by Councillor Taylor
Seconded by Deputy Mayor Matheson

“That the request from Terrain Group Inc. to enter into a development agreement with the Canadian Tire Corporation on Robie Street be referred to the Planning Advisory Committee.”

Motion Carried Unanimously.

**Barry Barnet,
Minister of Service
N.S. & Municipal
Relations**

A copy of a letter to the UNSM dated March 15, 2005 from **Barry Barnet, Minister of Service N.S. and Municipal Relations**, concerning the distribution formula of the gas tax money to municipalities.

Moved by Councillor Taylor
Seconded by Councillor Mingo

“That support be given to the Mayor and CAO to meet with the Minister of Service N.S. and Municipal Relations to share Council’s views on the sharing of gas tax revenues.”

Motion Carried Unanimously.

**Jay Brenton, Regional
Manager and Kerry
Morash, Minister of
Environment &
Labour**

A copy of letters dated March 29 and April 5, 2005 from **Jay Brenton, Regional Manager and Kerry Morash, Minister of Environment and Labour**, regarding the biosolids land application from Inglewood Farms.

Councillor Masters indicated that although Inglewood Farms has

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received approval for an amendment to their land application, he has not received any word from the local Environment office that they have not been permitted to store or spread any human biosolids other than what is written in Minister Morash's letter.

Councillor Masters also reported that the Department of Environment and Labour is bringing in experts from the U.S. and Canada to hold a science fair for their Department and for the public. He will advise Councillors once the date for the fair has been confirmed.

**Federation of
Canadian
Municipalities**

A copy of a Members' Advisory dated April 15, 2005 from the **Federation of Canadian Municipalities**, urging Members of Parliament to pass the federal budget.

Councillor Cooper asked that Council consider sending a letter to the local MP requesting his support of the municipalities getting their fair share of the gas tax revenue sooner rather than later.

Moved by Councillor Cooper
Seconded by Councillor Mingo

"That a letter be sent to the local MP for Colchester/Cumberland, Mr. Bill Casey, requesting his support of the municipalities receiving their fair share of the gas tax revenue sooner rather later, with a copy to Premier John Hamm."

Motion Carried Unanimously.

**Joyce Mingo, Central
Nova Tourist
Association**

A copy of an e-mail dated April 25, 2005 from **Joyce Mingo, Central Nova Tourist Association**, announcing the new Glooscap Interpretative Centre at the Truro Power Centre.

In response to Deputy Mayor Matheson's question on whether the Municipality is assisting this CNTA initiative in any way, staff reported that Council was not in support of the project due to the location of the Centre.

House of Assembly

A copy of Bill No. 151 from the **House of Assembly**, concerning an act to require payment of royalties by any person who bottles water for sale within the Province.

Moved by Deputy Mayor Matheson

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Seconded by Councillor White

“That the issue of paying royalties on bottled water for sale within the Province and how it may affect municipalities be referred to Council Committee.”

Motion Carried Unanimously.

**Union of N.S.
Municipalities**

A copy of an e-mail dated April 21, 2005 from the **Union of N.S. Municipalities**, regarding a process for either decreasing municipal revenues or increasing municipal expenditures.

Council had a brief discussion on what effect the removal of the red circling would have on the Municipality. Staff advised that Colchester funding is red-circled, so if Cabinet wishes to remove it, the County would lose part of its equalization grant.

**Mayor Dereck
Rhoddy, Town of
Stewiacke**

A letter to Mayor Smith dated April 25, 2005 from **Mayor Dereck Rhoddy, Town of Stewiacke**, regarding the adoption of the Watershed Management Strategy.

Councillor Cooper reported that the Town of Stewiacke has indicated that the St. Andrews Watershed Stewardship Committee is preparing a Water Management Strategy as directed by the Department of Environment and Labour and required by the provincial Water Strategy. The Town has stated that the Committee is putting together a strategy that pertains to specific land applications and what they would like to see happen. Staff indicated that once this Strategy is complete, the Committee may approach Council again to obtain approval of the land-use bylaw that was tabled earlier.

INFORMATION

**Brooke Taylor, MLA,
Colchester-
Musquodoboit**

A letter to Mayor Smith dated March 22, 2005 from **Brooke Taylor, MLA, Colchester-Musquodoboit**, in response to the Mayor's letter to area MLA's regarding grants-in-lieu. Council agreed to receive this letter for information purposes.

**Dianne Swinemar,
Executive Director,
Metro Food Bank
Society**

A letter to Mayor Smith dated March 23, 2005 from **Dianne Swinemar, Executive Director, Metro Food Bank Society**, concerning the new name and look for the Metro Food Bank Society. Council agreed to receive this letter for information purposes.

**Kim Frizzell,
Administrative
Assistant, CoRDA**

A letter to the CAO dated March 30, 2005 from **Kim Frizzell, Administrative Assistant, CoRDA**, enclosing a copy of the audited financial statements for the Colchester Park Development Society for

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the 2003-04 fiscal year. Council agreed to receive this letter for information purposes.

**Union of N.S.
Municipalities**

A copy of an e-mail dated April 6, 2005 from the **Union of N.S. Municipalities**, regarding the Atlantic Immigration Conference in May 2005. Council agreed to receive this e-mail for information purposes.

**Kerry Morash,
Minister of
Environment and
Labour**

A copy of a letter to the UNSM dated April 5, 2005 from **Kerry Morash, Minister of Environment and Labour**, regarding a deadline for landfills to meet standards in the Municipal Solid Waste Landfill Guidelines. Council agreed to receive this letter for information purposes.

**Marie Mullally,
President & CEO, N.S.
Gaming Corporation**

A letter to Mayor Smith dated April 6, 2005 from **Marie Mullally, President and CEO, N.S. Gaming Corporation**, enclosing a copy of the Province's Gaming Strategy (a copy of the Strategy on file in the CAO's office). Council agreed to receive this letter for information purposes.

**Barry Barnet,
Minister of Service
N.S. and Municipal
Relations**

A letter to Mayor Smith dated April 6, 2005 from **Barry Barnet, Minister of Service N.S. and Municipal Relations**, in response to the Mayor's letter concerning grants-in-lieu of university residences. Council agreed to receive this letter for information purposes.

**Federation of
Canadian
Municipalities**

A copy of a Members' Advisory dated April 13, 2005 from the **Federation of Canadian Municipalities**, regarding the climate change plan under the Kyoto Protocol. Council agreed to receive this correspondence for information purposes.

**Barry Barnet,
Minister of Service
N.S. and Municipal
Relations**

A letter to Mayor Smith dated April 14, 2005 from **Barry Barnet, Minister of Service N.S. and Municipal Relations**, in response to the Mayor's letter to the Premier regarding rising gas prices. Council agreed to receive this letter for information purposes.

**Union of N.S.
Municipalities**

A copy of an e-mail dated April 14, 2005 from the **Union of N.S. Municipalities**, concerning the Assessment Management Board. Council agreed to receive this e-mail for information purposes.

**Jo Ann Fewer,
Executive Director,
CoRDA**

A copy of an e-mail dated April 19, 2005 from **Jo Ann Fewer, Executive Director, CoRDA**, regarding CoRDA's new website. Council agreed to receive this e-mail for information purposes.

Development Officer

A copy of the Development Activity Report received from the **Development Officer** for the month of March 2005. Council agreed to receive this report for information purposes.

Building Inspector

A copy of the Building Permit Statistics Report received from the

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Building Inspector for the month of March 2005. Council agreed to receive this report for information purposes.

**Union of N.S.
Municipalities**

A copy of an e-mail dated April 26, 2005 from the **Union of N.S. Municipalities**, regarding the provincial budget highlights. Council agreed to receive this e-mail for information purposes.

**Warden Bryan Smith,
Municipality of
Yarmouth**

A copy of a letter to the Minister of Health dated April 19, 2005 from **Warden Bryan Smith, Municipality of Yarmouth**, regarding financial assistance to the Victoria Order of Nurses. Council agreed to receive this letter for information purposes.

**Atlantic Mayors'
Congress Report**

Mayor Smith reported on the Atlantic Mayors' Congress that he and the CAO attended on April 8-9, 2005 in Corner Brook, Newfoundland. He indicated that the meeting was worthwhile and the Municipality should continue to attend this forum.

Because it was raised at this Congress meeting, Mayor Smith made reference to an e-mail that he had sent out today to all those municipalities who have incorporated villages within their jurisdiction, seeking their comments and options on recent developments regarding the sharing of the federal gas tax.

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

Colchester/East Hants Regional Library Board

Councillor Cooke reported on a Board meeting he attended on April 26th. He indicated that in response to a letter from the County, the Board stated that it would not be providing financial support to the Canadian Institute for the Blind for talking book machines as they felt it was a service for which they would have little use.

CoRDA

Councillor White reported that he has been asked to sit on the Blueberry Festival Committee. As this was not a Council appointment, staff were asked to look into this being a possible conflict of interest for Councillor White if funding issues related to the Festival were brought before Council.

Truro and District Chamber of Commerce and
Central Nova Tourist Association

Councillor Edwards indicated that he had attended the Annual Dinner of the Truro and District Chamber of Commerce on April 8th and the Annual General Meeting of the Central Nova Tourist Association on April 21-23, 2005.

2011 Canada Games

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Deputy Mayor Matheson reported on a meeting he attended of the Canada Games Executive Committee. The second bid was successful and the Committee is moving forward on the third phase submission.

Provincial Volunteer Awards Dinner

Deputy Mayor Matheson reported that he represented the County at the Provincial Volunteer Awards' Dinner in Halifax. Mr. Bud McCall from West New Annan received an award in recognition of his volunteer efforts. At the local dinner on April 19th, Mr. Hal Fowler from the Village of Bible Hill and Rod Smith from the Town of Truro were presented with volunteer awards.

School Access Committee

Deputy Mayor Matheson indicated that he had attended a meeting of the School Access Committee at which time, it was reported that the community-use agreement for South Colchester Academy had been signed. Staff in the County Recreation Department will be holding an open house on May 25th to promote this program.

Brookfield Fire Department

Deputy Mayor Matheson indicated that he had attended a meeting of the Brookfield Fire Department at which time, the proposed new building was tabled until further information became available.

Hilden Fire Department

Deputy Mayor Matheson attended the annual meeting and banquet of the Hilden Fire Department.

Annual Drug Awareness Poster Content

Deputy Mayor Matheson reported that he and Councillor Edwards had attended this awards ceremony on April 14th at the Royal Canadian Legion on Brunswick Street.

Clifton Planning Advisory Committee

Councillor Masters indicated that the Clifton Planning Advisory Committee has been reactivated and had its first meeting on April 26th, with the next meeting scheduled for May 5th.

CoRDA

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Councillor Masters reported that CoRDA had hosted a meeting on April 27th of professionals and provincial staff who are directly involved in skilled labour for critical skills that have been identified in this area.

Adjournment

Moved by Councillor LeFresne
Seconded by Councillor Mingo

“That the meeting be adjourned at 10:45 p.m.”

Motion Carried Unanimously.

Sheila Arsenault
Deputy Clerk