

September 29, 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, September 29, 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 September 29, 2005 be approved with the following additions/deletions:

S add 10b: Community Park Funding Program  
S add 7b: Tourism Industry Association of Nova Scotia  
S add 10c: Letter from Mike Belliveau  
S add 7c: Insurance  
S add 5b: Under “Presentations”, add Flood Study  
S add 7d: Public Works Building”

Motion Carried Unanimously.

**Approval of Minutes**

Moved by Councillor LeFresne  
Seconded by Councillor Mingo

“That the minutes of meetings held on August 11 and 25, 2005 be approved with the following amendment:

- On Page 2005-246, under NSCAF Project - Process for Colchester, second part of motion should read Range 4, not Range 6.”

Motion Carried Unanimously.

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**Business Arising  
from Minutes**

Referring to Page 2005-250, Councillor Taylor reported that he and Councillor Mingo had met with the Village Commission a week ago regarding the Village's capital budget plan.

Referring to Page 2005-250, Councillor Cooper inquired about further communication from Canada Post. The CAO advised that he had written Canada Post in August requesting that input be sought from area Councillors before any changes are decided upon regarding the location of the community mailboxes. He also received a telephone call from a local Canada Post representative and relayed a similar message to him.

**Presentations**

Councillor Taylor presented an update on the Flood Study, including background information for those Councillors not at the table at the onset of the project.

He expressed his frustration on the report taking so long. Council had approved the study in April 2002 at a cost of \$50,000 over two years. A graduate student was hired to complete the study as part of his thesis. There has been a lot of work done on the project but timing has not been great. The thesis should be completed this week and Gordon Murray is prepared to make a presentation to Council at its meeting on October 27<sup>th</sup>. Councillor Taylor indicated that he feels it will be a very credible report with recommendations. He requested that Council receive the report on the 27<sup>th</sup> and give it the time it deserves.

Moved by Councillor LeFresne  
Seconded by Councillor Cavanaugh

"That the presentation from Councillor Taylor on the Flood Study be received."

Motion Carried Unanimously.

**Standing Committee  
on Reports and  
Recommendations**

Deputy Mayor Matheson presented a report from the Council Committee meeting held on September 15, 2005:

**Update on Canada  
Games and Civic  
Centre Terms of  
Reference**

Moved by Deputy Mayor Matheson  
Seconded by Councillor Edwards

"That Council approve the following items:

- a. That the draft Civic Centre Study Request for Proposals and allocation of \$35,000 or 50% of the total cost towards the preparation of a study be approved.

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- b. That a Steering Committee be established that would effectively oversee the completion of a functional planning and site selection study for a civic centre in the region in accordance with the Terms of Reference dated September 2005.
- c. That the Mayor and CAO be appointed as Council representatives on the Steering Committee.
- d. That Paul Smith be seconded to provide administrative services for the Civic Centre Study phase (estimated to be complete by end of January 2006), at a salary range 11, and that a total of \$22,000 be set aside as Colchester's share of these salary and benefit costs.

- and -

That the draft Civic Centre Study Request for Proposals be amended indicating any impact this new facility will have on the three public arenas in Debert, Brookfield and Tatamagouche.”

Motion Carried Unanimously.

**Amendments to  
Grants for Non-  
Profit Organizations  
Policy**

Moved by Deputy Mayor Matheson  
Seconded by Councillor Masters

“That Council approves the following amendments to the Grants for Non-Profit Organizations Policy:

- that festivals not be considered under the Grants for Non-Profit Organizations Policy and be brought forward at budget time for consideration under the Economic Development Grant Fund; and,
- that a budget be required as part of the submission before going forward for consideration by Council.”

Motion Carried Unanimously.

**Payment of Royalties  
for Bottling of Water**

Moved by Deputy Mayor Matheson  
Seconded by Councillor Mingo

“That Council approves an amendment being forwarded in 2006 to the Union of N.S. Municipalities requesting changes to the Municipal Government Act.”

Motion Carried.

*(Councillor LeFresne opposed)*

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**Chamber Design  
Renovations**

Moved by Deputy Mayor Matheson  
Seconded by Councillor Cooper

“That Council approves Council Chamber renovations as presented to Committee in an Action Item dated September 15, 2005.”

Motion Carried Unanimously.

**Request to Extend  
Sewer Service  
Boundary - Lower  
Truro**

Moved by Deputy Mayor Matheson  
Seconded by Councillor White

“That Council approves the amendment to the Sewer Service Boundary of Lower Truro - Truro Heights, to include properties identified as 20213849, 20213872, 20213815, 20213831, 20213880; and,

That said properties be charged the sewer portion of the Urban Service Rate.”

Motion Carried Unanimously.

**Executive and Audit  
Committee**

In response to an inquiry from Councillor Taylor on feedback from the Valley-Kemptown Fire Brigade on the proposal to increase the water supply in Kemptown, the CAO reported that staff are looking at reporting back to Council in the new year at which time, the Brigade will be invited to attend.

**Regional Emergency  
Measures Advisory  
Committee**

The CAO advised that, although the Advisory Committee authorized the purchase of the equipment for the Emergency Operations Centre at its meeting held on August 26<sup>th</sup>, the following motions are being presented to Council as there is no budget for it. These recommendations have received approval from the Towns of Truro and Stewiacke.

Moved by Deputy Mayor Matheson  
Seconded by Councillor White

“That Council approve the purchase of the equipment for the Emergency Operations Centre as set out in the list dated August 23, 2005 at a cost of \$102,585, net of HST; and,

That an application for cost sharing of the above equipment be made to JEPP on behalf of REMO.”

Motion Carried Unanimously.

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**Flood Committee**

Councillor Cavanaugh presented the Flood Committee report from its meeting held earlier today.

Moved by Councillor Cavanaugh  
Seconded by Councillor Masters

“That Council approve the completion of the following four projects in this fiscal year, as listed in the Flood Committee Report:

- Lloyd Blair property in North River
- Repair of berm behind North River ballfield
- Don MacPhee property in Belmont
- D. Stewart property in Murray Siding”

Motion Carried Unanimously.

**Correspondence**

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

- Nos. 5, 11 and 18: e-mails from UNSM dated September 9, and 23, 2005 and a letter from the Municipality of Queens dated September 15, 2005 regarding the Assessment Management Board
- No. 7: letter from Minister of Service N.S. & Municipal Relations concerning transfer of gas tax revenues
- No. 10: e-mail from RRFB dated September 14, 2005 regarding the Deposit Refund Program Expansion
- No. 15: e-mail from UNSM dated September 22, 2005 regarding Fair & Equitable Funding Report
- No. 20: letter from Truro & District Chamber of Commerce concerning removal by CN of industrial park spurs/sidings

**ACTION**

**Katherine M.  
Sullivan, Cancer  
Care Nova Scotia**

A letter to Mayor Smith dated September 12, 2005 from **Katherine M. Sullivan, Cancer Care Nova Scotia**, requesting that October 23-29, 2005 be proclaimed Pap Test Awareness Week.

Moved by Councillor Mingo  
Seconded by Councillor Cavanaugh

“That the week of October 23-29, 2005 be proclaimed Pap Test Awareness Week in Colchester County.”

Motion Carried Unanimously.

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**Roger Ryan, Shortts  
Lake and Gary  
MacIsaac, County  
CAO**

A letter to Mayor Smith and Councillors dated September 11, 2005 from **Roger Ryan, Shortts Lake**, and the CAO's response of September 13, 2005 concerning year-round garbage collection on Cottage Lane, Shortts Lake.

Moved by Councillor Edwards  
Seconded by Councillor Lynds

"That the letter from Roger Ryan concerning year-round garbage collection on Cottage Lane, Shortts Lake, be referred to Council Committee."

Motion Carried Unanimously.

Staff were requested to look into whether the full-time residents of Cottage Lane are taxed full-time or seasonal for garbage collection.

**Tom Stanfield,  
Stanfield's Ltd. and  
Gary MacIsaac,  
County CAO**

A copy of an e-mail dated August 22, 2005 from **Tom Stanfield, Stanfield's Limited**, and the CAO's response of September 14, 2005 concerning green cart service in cottage country.

In a brief debate by Council, Deputy Mayor Matheson indicated his belief that green carts should be County wide and made a motion to refer this letter to Council Committee.

Moved by Deputy Mayor Matheson  
Seconded by Councillor White

"That the letter from Tom Stanfield concerning green cart service in cottage country be referred to Council Committee."

Motion **Defeated**.

*(Mayor Smith, Councillors Taylor,  
Cooper, Edwards, Cavanaugh,  
LeFresne, Cooke and Mingo  
opposed)*

**Vicki Parker, Area  
Cookie Advisor,  
Colchester Area**

A letter to Mayor Smith dated September 12, 2005 from **Vicki Parker, Area Cookie Advisor, Colchester Area**, requesting the week of October 2-8, 2005 be proclaimed Girl Guide Chocolatey Mint Cookie Week.

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Moved by Councillor Cavanaugh  
Seconded by Councillor White

“That the week of October 2-8 be proclaimed Girl Guide Chocolatey Mint Cookie Week in Colchester County.”

Motion Carried Unanimously.

**Kendall Tattrie,  
Tatamagouche**

A letter to Mayor Smith and Council dated September 20, 2005 from **Kendall Tattrie, Tatamagouche**, regarding an application for a low income property tax reduction.

Moved by Councillor Lynds  
Seconded by Councillor Masters

“That the letter from Kendall Tattrie regarding his application for a low income property tax reduction be received for information.”

Motion Carried Unanimously.

Councillor LeFresne indicated that the low income tax reduction form may need further clarity. It was suggested that he discuss this issue with staff and if necessary, bring it back to Council for any amendment considerations.

**Jeff Hoare, Chief,  
Bible Hill Volunteer  
Fire Brigade**

A letter to Mayor Smith dated September 22, 2005 from **Jeff Hoare, Chief, Bible Hill Volunteer Fire Brigade**, requesting financial sponsorship of a luncheon at the First Officers’ Meeting and Displays event being held in Bible Hill.

Moved by Councillor Cavanaugh  
Seconded by Councillor Taylor

“That the letter from the Bible Hill Volunteer Fire Brigade requesting financial sponsorship of a luncheon at the First Officers’ Meeting and Displays event be referred to Council Committee and that Committee be given authority to act.”

Motion Carried Unanimously.

Staff were directed to advise the Brigade in writing of Council’s decision and suggest that the Municipality be represented at this event.

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**P. Hincks and the Silverwood Coalition and County CAO**

Correspondence to the Municipality dated September 11, 2005 from **P. Hinks and the Silverwood Coalition**, and a response from the County CAO of September 26<sup>th</sup> regarding drainage issues on Silverwood Drive.

Moved by Councillor Taylor  
Seconded by Councillor Mingo

“That the correspondence from P. Hincks and the Silverwood Coalition regarding drainage issues on Silverwood Drive be referred to Council Committee.”

Motion Carried Unanimously.

**Union of N.S. Municipalities, John Leefe, Mayor, Region of Queens Municipality**

Two e-mails dated September 9 and 23, 2005 from the **Union of N.S. Municipalities**, and a copy of a letter to Mayor Charles Crosby dated September 15, 2005 from **John Leefe, Mayor, Region of Queens Municipality**, regarding the Assessment Management Board.

In response to an inquiry from Councillor Cooper, the CAO recommended that the voting delegates from Council support the resolution for a municipally-controlled assessment agency when it is presented at the upcoming UNSM Fall Conference.

**Minister Barry Barnet, Service Nova Scotia and Municipal Relations**

A letter to Mayor Smith dated September 6, 2005 from **Minister Barry Barnet, Service Nova Scotia and Municipal Relations**, concerning the transfer of a portion of the federal gas tax revenues to municipalities.

Council asked that this be referred to Council Committee once the Agreement is received and the dollar amounts and rules are known.

Moved by Deputy Mayor Matheson  
Seconded by Councillor Taylor

“That the Agreement on the distribution of federal gas tax revenues to municipalities be referred to Council Committee.”

Motion Carried Unanimously.

**Catherine McCarthy, Director of Communications, RRFB Nova Scotia**

An e-mail dated September 14, 2005 from **Catherine McCarthy, Director of Communications**, regarding the expansion of the Deposit Refund Program.

Deputy Mayor Matheson indicated that the expansion of the Deposit Refund Program was announced at a Regional Chairs’

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meeting. The lifestyle beverages that used to go in the garbage will now be part of the refundable program.

**Union of N.S.  
Municipalities**

A copy of an e-mail dated September 22, 2005 from the **Union of N.S. Municipalities**, regarding a resolution on the fair and equitable report, 'A Question of Balance-An Assessment of the State of Local Government in Nova Scotia'.

The CAO advised that he had met with voting delegates attending the UNSM Fall Conference to review the resolutions being presented, one of which is asking for endorsement of this report from the UNSM membership.

Mayor Smith provided Councillors with an update on the position of Rural Caucus on this issue.

**Alan Johnson,  
Executive Director,  
Truro and District  
Chamber of  
Commerce**

A copy of a letter dated September 28, 2005 from **Alan Johnson, Executive Director, Truro and District Chamber of Commerce**, concerning removal by CN of industrial park spurs/sidings.

Councillor White reported that CN has removed the spur line in Debert and neither CoRDA/CPDS or the local MP, Bill Casey, were advised of this prior to its being taken out.

Moved by Councillor Cavanaugh  
Seconded by Councillor Taylor

"That a letter be sent to CN requesting that the spur line be reinstalled in Debert and that a rationale be provided as to why it was removed; and,

That a letter be sent to Mr. Bill Casey, MP for Cumberland-Colchester, requesting that he bring this issue forward in the House of Commons, and copied to the Minister of Industry and the c.c.'s listed on the Chamber's correspondence."

Motion Carried Unanimously.

INFORMATION

**N.S. Department of  
Environment and  
Labour,  
Environmental  
Monitoring and  
Compliance Division**

A copy of a notice concerning Well Construction Regulations received from the **N.S. Department of Environment and Labour, Environmental Monitoring and Compliance Division** (complete copy of draft regulations on file in CAO's office). Council agreed to receive this correspondence for information purposes.

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**Valerie Gauthier,  
Acting Director of  
Finance, Chignecto-  
Central Regional  
School Board**

A letter to the CAO dated August 26, 2005 from **Valerie Gauthier, Acting Director of Finance, Chignecto-Central Regional School Board**, enclosing a copy of approved financial statements for the Chignecto-Central Regional School Board for the year ending March 31, 2005 (copy of statements on file in CAO's office). Council agreed to receive this letter for information purposes.

**Union of N.S.  
Municipalities**

An e-mail dated August 30, 2005 from the **Union of N.S. Municipalities**, attaching a copy of a memorandum from the Resource Recovery Fund Board regarding the Eastern Recyclers Association. Council agreed to receive this e-mail for information purposes.

**Kenneth R.B.  
Simpson, Executive  
Director, UNSM**

A letter to Mayor Smith and Council dated August 31, 2005 from **Kenneth R.B. Simpson, Executive Director, Union of N.S. Municipalities**, regarding the Colchester County's resolution 'School Board Elections and Provincial Plebiscites'. Council agreed to receive this letter for information purposes.

**Union of N.S.  
Municipalities**

An e-mail dated September 15, 2005 from the **Union of N.S. Municipalities**, concerning the signing of a Memorandum of Understanding with the Province of Nova Scotia on Guiding Principles for an Effective Relationship. Council agreed to receive this e-mail for information purposes.

**Mike Belliveau,  
Business Owner,  
Tatamagouche**

A letter to Mayor Smith dated September 10, 2005 from **Mike Belliveau, Business Owner**, regarding Nelson Park and the Creamery Square Pproject.

This letter was added as a separate item on the agenda and will be discussed later this evening.

**Warden Lloyd  
Hines, FCM Board  
Member and  
Councillor Jim  
Smith, District 9,  
Halifax Regional  
Municipality**

An e-mail dated September 14, 2005 from **Warden Lloyd Hines, FCM Board Member and Councillor Jim Smith, District 9, Halifax Regional Municipality**, enclosing a copy of a report to Council from the FCM Board Meeting. Council agreed to receive this e-mail for information purposes.

**Building Inspector**

A copy of the Building Permit Statistics Report received from the **Building Inspector** for the month of August 2005. Council agreed to receive this report for information purposes.

**Development Officer**

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

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**Warden Lloyd Hines, Municipality of the District of Guysborough**

A fax dated September 19, 2005 from **Warden Lloyd Hines, Municipality of the District of Guysborough**, enclosing a copy of the minutes of the September 16<sup>th</sup> UNSM Rural Caucus Meeting. Council agreed to receive this correspondence for information purposes.

**Mayor Bill Mills, Town of Truro**

A letter to Minister Russell dated September 22, 2005 from **Mayor Bill Mills, Town of Truro**, requesting a reconvening of the regional transportation committee. Council agreed to receive this letter for information purposes.

**Donald Julien, Confederacy of Mainland Mi'kmaq**

A letter to Mayor Smith dated September 22, 2005 from **Donald Julien, Confederacy of Mainland Mi'kmaq**, enclosing a copy of the 2004-05 annual report (copy of report on file in CAO's office). Council agreed to receive this letter for information purposes.

**Michael Coleman, President, FCM**

Correspondence dated September 26, 2005 from **Michael Coleman, President, Federation of Canadian Municipalities**, regarding new funding for the Brownfield Remediation. Council agreed to receive this correspondence for information purposes.

**Tourism Industry Association of Nova Scotia**

Councillor LeFresne reported that the annual conference for the Tourism Industry Association of Nova Scotia is being held on November 13-15, 2005. In the absence of Councillor Edwards and Councillor Mingo, both of whom cannot attend this year, Councillor LeFresne will provide a report to Council following the conference.

**Insurance**

Deputy Mayor Matheson indicated that at a meeting he attended of the Brookfield Community Association, it was reported that a lot of these organizations are dropping some of their programs because they cannot afford the insurance. He asked if the Municipality may want to look into some type of insurance.

Moved by Deputy Mayor Matheson  
Seconded by Councillor Mingo

“That the exploration of the Municipality's involvement in insurance premiums paid by community organizations be referred to Council Committee.”

Motion Carried Unanimously.

**Public Works Building**

In response to an inquiry from Councillor Lynds, staff reported that the new Public Works Building is now complete except for the sign which has been ordered. Staff also agreed to have flags installed on the building.

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**Update Regarding  
Bullying Initiative**

Mayor Smith indicated that a session on bullying has now been confirmed for October 25, 2005 at the Howard Johnson Hotel. Some 50 invitations are being sent out this week to the Chignecto Central Regional School Board, community organizations, and neighbouring municipalities.

**County Courthouse -  
Carpet Replacement**

The County received three bids to replace carpeting on the second and third floors of the Courthouse. The award was given to Reid's Flooring from New Glasgow. The Company has just completed the carpeting for all areas at a total cost of \$36,300 (net HST).

**Term Position -  
Wastewater  
Collection**

Following a competition for this vacant position in Wastewater Collection, an offer was made and accepted by Tim MacKay who commenced duties on September 26, 2005. Staffing of this position will enable in-house staff to carry out additional duties related to snow plowing of County owned streets and parking lots. The term is scheduled to end April 30, 2006.

**Community Park  
Funding Program**

The Community Park Funding Policy supports community recreation capital projects by contributing up to 50% of the total cost of the capital project up to \$40,000. The first deadline for the program was March 31, 2005 at which time \$24,081 was distributed amongst four applicants. There were six applications submitted to Recreation Services for the September 15<sup>th</sup> deadline for which a total of \$35,426 is being recommended.

**Letter from  
Mike Belliveau**

Following a brief discussion on the content of this letter regarding Nelson Park and the Creamery Square project, Council agreed that a letter be written to Mr. Belliveau indicating that the Municipality has a definite interest in the Creamery Square project and that the Area Councillor should be part of the decision making process.

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

**Truro and District Chamber of Commerce**

Councillor Edwards reported that the Chamber has received the status of Accreditation with Distinction and recommended that a letter be sent congratulating them on this achievement.

Moved by Councillor Edwards  
Seconded by Councillor Mingo

“That a letter be sent to the Truro and District Chamber of Commerce congratulating them on receiving the status of Accreditation with Distinction.”

Motion Carried Unanimously.

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Brookfield Crossroads and New Fire Hall

Deputy Mayor Matheson reported on the status of the Brookfield crossroads project - the surveyors have been out and N.S. Power has marked the poles. Work has also begun on the new fire hall.

Creamery Square Association Board

Councillor LeFresne referred to the minutes of meetings from the Association that were held on July 12<sup>th</sup> and August 16<sup>th</sup>, a copy of which was placed on table for this evening's meeting.

French River Watershed Advisory Committee

Councillor LeFresne reported that the Committee has held its first meeting and members are looking forward to getting the watershed underway.

Library Board

Councillor Cooke announced that Councillor Mingo is now also Council's representative on the Board.

Councillor Mingo reported on the successful opening of the Elmsdale branch of the Library located in the East Hants Resource Centre. Issues of concern to the Board are the Tatamagouche branch of the Library and its suitability as an appropriate facility for the Village, and the need for a new facility in the Truro area due to overcrowding. Councillor Mingo agreed to report back to the Board that a presentation can be made to Council at any time regarding these issues.

Colchester Park Development Society

Councillor White reported that the Board meets on Friday afternoon.

Recess

Council agreed to recess to an in-camera session at 9:50 p.m. and reconvened in open session at 10:43 p.m.

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**Adjournment**

Moved by Councillor Edwards  
Seconded by Councillor Cooper

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

Motion Carried Unanimously.

Sheila Arsenault  
Recording Secretary