

August 31, 2006

MUNICIPAL COUNCIL

A Regular Session of the Municipal Council of the Municipality of the County of Colchester was held in the Courthouse, Truro, N.S. on Thursday, August 31, 2006 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 Hughie 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

Long Service Awards

Mayor Smith and Gary MacIsaac, Chief Administrative Officer, presented long service awards to the following County employees:

- Ed Franklin (35 years)
- Donna Campbell (25 years)
- Brian Currie (20 years)
- Crawford Macpherson (20 years)

Public Hearing - Amendment to Municipal Planning Strategy and Land-Use By-law - Residential Cluster Development

Mayor Smith explained the difference between the first and second hearings. The first hearing is specific to the Municipal Planning Strategy and Land-Use By-law only. If anyone wishes to speak or ask questions on the development agreement application by the Mountain Golf and Country Club, they should do so at the second hearing.

Mayor Smith then called the public hearing to order respecting the 2002 Central Colchester Municipal Planning Strategy and Land-Use By-law involving an amendment to permit multiple unit residential cluster housing together on a lot by development agreement. The text for the proposed amendment and a related staff report have been circulated to Council members and made available to the public.

The CAO advised that all guidelines of the Municipal Government Act regarding advertising of the First and Second Readings and public hearing had been followed.

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Mayor Smith reminded Councillors that only those present throughout the public hearing can vote on the amendment when it is eventually considered by Council. This hearing is Council's opportunity to hear the amendment and any concerns of Colchester County residents. Individual Councillors will have an opportunity to debate the merits of the amendment when the motion is presented to Council. Staff are present at this hearing to answer any technical questions that may arise as a result of the public's input.

Mr. Crawford Macpherson, Director of Community Development, indicated that this application to incorporate a residential development into an existing golf course is a relatively new concept in Nova Scotia and brand new in Colchester County. Current planning policies do not provide for this type of development; therefore, enabling policy changes are required to the Central Colchester Municipal Planning Strategy and Land-Use By-law before a development application can be considered. The policy amendment went through First Reading at a Special Council meeting held on August 17, 2006.

Mr. Macpherson made reference to a memorandum on table dated August 31, 2006 containing additional information on this application as well as the application from the Mountain Golf and Club. Staff recommend proceeding with the policy amendment as it is consistent with existing policies of the plan and the Municipality's interest in offering a variety of development options.

Councillor Masters presented a report on behalf of the Planning Advisory Committee. The Committee recommends approval of the policy amendment.

The CAO advised that no written submissions had been received regarding this amendment.

There were no members of the public present who expressed an interest in addressing Council on this amendment.

As Chair of the Planning Advisory Committee, Councillor Masters placed the following motion on the floor:

Moved by Councillor Masters
Seconded by Councillor Taylor

"Having had Second Reading, Council approves the amendment to the Municipal Planning Strategy and Land-Use By-law to permit multiple unit residential cluster housing on a lot by development

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agreement, wording as amended in the memorandum to Council dated August 31, 2006, including non-substantial amendments from the policy presented at First Reading.”

Motion Carried Unanimously.

Mayor Smith indicated that this is an amendment which may require the approval of the Minister of Service Nova Scotia and Municipal Relations and will not come into effect until any such approvals have been obtained. Council’s decision on this amendment is not appealable to the Nova Scotia Utility and Review Board.

As there was no further business, Mayor Smith declared this public hearing closed.

**Public Hearing -
Development
Agreement -
Residential Cluster
Housing - Mountain
Golf and Country
Club, East Mountain**

Mayor Smith called this public hearing to order respecting an application for a development agreement made by the Mountain Golf and Country Club for a proposed development agreement to allow the establishment of a number of condominium-style clusters of multiple residential units and single unit cottages. The text for this application and a related staff report have been circulated to Council members and made available to the public.

The CAO advised that all guidelines of the Municipal Government Act regarding advertising of the public hearing had been followed.

Mayor Smith reminded Councillors that only those Councillors present throughout the public hearing can vote on the development agreement when it is eventually considered by Council. This public hearing is Council’s opportunity to hear the application and every concern of area residents. Individual Councillors will have an opportunity to debate the merits of the development agreement when the motion is presented to Council. Staff are present at this hearing to answer any technical questions that may arise as a result of the public’s input.

Ms. Pam Macintosh, Acting Planner, presented Council with an overview of this application. The Mountain Golf and Country Club in East Mountain has made application for a development agreement that would enable the establishment of a golf residential lifestyle community on properties located on the west side of Pictou Road which would encompass part of the existing golf course, clubhouse and maintenance building. There are four phases to the project which are proposed over an eight-year time period.

Phase 1 consists of 33 condominium-style multiple units, grouped

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in seven clusters, which are the subject of this proposed agreement. Also included are portions of Phases 2 and 3 to the west of the condo clusters and involves 16 condo cottages and one multi-unit condo which will face Pictou Road.

Ms. Macintosh indicated that this development agreement is only applicable to a 50-acre portion of the property owned by the Club. Any further development will require a new development agreement for the remaining phases. She also pointed out that, upon advice received from the County Solicitor, Section 16 of the agreement has been replaced since the Planning Advisory Committee meeting to provide further elaboration on the Condominium Act as it relates to this project.

As this application meets all the objectives of the Municipal Planning Strategy and Land-Use By-law, staff are recommending approval of the project.

Mr. Ged Stonehouse, consultant, made a presentation on behalf of the applicant, Mountain Golf and Country Club. His presentation covered the following points:

- friends and neighbours meeting held
- major upgrades to the Golf Club
- similar lifestyle communities across North America
- golf No. 1 in recreational pursuits
- 40% of residents in these types of developments do not play golf
- full-service community with connection to municipal sewer services and water supplied by wells
- facility to include 18-hole golf course, walking/jogging/bike trails, putting and practice greens
- strategic partnerships with Clayton Developments, Prestige Homes, Town and Country Homes
- quality project and strategically located
- facility to include patio townhouse condo units (4-6 units per building), condo cottage clusters, and single family dwellings
- timeline to begin in September with sales and course upgrades and residential development in October

Councillor Masters presented a report on behalf of the Planning Advisory Committee. The Committee met on June 27th and had only one main concern relating to storm water management which has been addressed. The Committee recommends approval of this application.

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The CAO advised that no written submissions had been received regarding this application.

Mr. Lyle Davidson, resident of Eastmount Court, indicated that he was speaking for those citizens who live on this road who have children. Eastmount Court is a narrow dead-end street and not in good condition. If this project goes ahead, Mr. Davidson had concern about the increased traffic and children playing on the street. He also had concern with water problems.

Ms. Penny Winters, resident of Eastmount Court, indicated that her main concern was the safety of her children and suggested that the Club build its own road and leave Eastmount Court as it is.

Mrs. Cindy Davidson, resident of Eastmount Court, stated that safety was her main concern. The children will not be able to go up the road safely as they do not have a sidewalk. This project would also take their quality of life away.

Mr. John Kelderman, resident of Eastmount Court, indicated he was curious about assurances that covenants, quality and upkeep will be maintained in the future if this project does not go well - would it then be turned into low income housing? Mr. Kelderman also had road and safety concerns.

Mr. Mike Winters, resident of Eastmount Court, also raised concerns about road use and safety.

Miss Maggie Davidson, resident of Eastmount Court, stated that she was concerned with removal of snow from the shoulder of the road in the wintertime as their road is one of the last ploughed.

Mr. Ged Stonehouse came forward again to address the traffic and safety issues raised by residents of Eastmount Court. The road currently handles about 50 trips per day. The new development will add about another 150 cars but this is a very small amount compared to other communities or streets. Regarding the upkeep of the condos, the Condominium Corporation is responsible for how they are maintained and looked after until they are sold.

Robert LeBlanc, golf course architect and environmental site planner, addressed the issue of traffic backing onto the road and creating a safety problem. The idea of a dedicated road to the site had been looked at but there were setback and grade issues that, with the short distance involved, would have created a very steep road.

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Councillor Masters placed the following motion on the floor:

Moved by Councillor Masters
Seconded by Councillor Taylor

“That Council approves the Municipality entering into a development agreement with the Mountain Golf and Country Club that would allow for the establishment of a cluster of condominium-style multiple units and single unit cottages on Pictou Road in East Mountain; and,

That this development agreement is subject to ministerial approval of the enabling policies and regulations, as adopted by Council on August 31, 2006, and subsequent public notification.”

Motion Carried. *(Councillors Cooper, White and Cooke opposed)*

Mayor Smith indicated that this is a development agreement application which does not require approval of the Minister of Service Nova Scotia and Municipal Relations. Council’s decision on this application is appealable to the Nova Scotia Utility and Review Board. Any appeal of Council’s decision must be made within 14 days of the advertising of same in local newspapers.

Mayor Smith also noted that the development agreement will be approved on the understanding that the Municipal Planning Strategy and Land-Use By-law is potentially subject to review of the Minister of Service Nova Scotia and Municipal Relations. Upon completion of the review, the Municipality will publish a notice in the local newspaper providing the effective date of the amendment. At the same time, it will publish a notice advertising that the development agreement has been approved at which time, the 14-day appeal period will begin.

As there was no further business, Mayor Smith declared this public hearing closed.

**Public Hearing -
Rezoning - Village of
Bible Hill - Murdock
Park, Bible Hill**

Mayor Smith called this public hearing to order respecting an application made by the Village of Bible Hill for a proposed rezoning for a property on Murdock Drive from ‘P’ - Park and Open Space to ‘R-2C’ - Residential Double Dwelling Unit Conversion. The text for the application and a related staff report have been circulated to Council members and have been made available to the public.

The CAO advised that all guidelines of the Municipal Government

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Act regarding advertising of the public hearing have been followed.

Mayor Smith reminded all Councillors that only those Councillors present throughout the public hearing can vote on the rezoning when it is eventually considered by Council. This public hearing is Council's opportunity to hear the application and every concern of area residents. Individual Councillors will have an opportunity to debate the merits of the rezoning when the motion is presented to Council. Staff are present at this hearing to answer any technical questions that may arise as a result of the public's input.

Ms. Pam Macintosh, Acting Planner, indicated that the application from the Village of Bible Hill concerns a rezoning of property located off of Murdock Drive. The subject property is just under 1/2 acre in size. The request is to rezone from 'P' - Park/Open Space to 'R-2C' - Double Dwelling Unit Conversion. The zoning change is requested to aid in the sale of surplus Village-owned recreation land to abutting property owners for consolidation with their existing lots. The Village has indicated that if there is no interest in purchasing the land, the Village would retain ownership of the property.

As the proposal satisfies relevant site development criteria found in the Municipal Planning Strategy, staff recommend the application be approved.

Councillor Masters presented a report on behalf of the Planning Advisory Committee. The Committee met on this matter on August 3rd and recommends that the rezoning application be approved.

The CAO advised that one written submission had been received from Mr. Peter Thompson regarding this application. Mr. Thompson's email dated August 18, 2006 was read into the minutes. The email indicated Mr. Thompson not being in favour of the Village of Bible Hill selling this property to adjacent property owners. He preferred that the property be retained as a park.

Mr. David McLean asked whether there would be a right-of-way to the walkway from Greenvale Court if the property was sold. Staff indicated that the walkway would disappear if the property was sold and there is no grandfather clause to retain it. In answer to a second question from Mr. McLean, staff confirmed that the property did appear on the subdivision plan as a green area; however, when the lots on this property were turned over to the Village, they determine what happens to the land.

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Mr. Neil Harris, resident of Greenvale Court, asked what guarantee there will be that houses are not be built on this property by the adjacent land owners who purchase the land. He was advised that there would be no restrictions as long as the zoning for the area allows it. In this case, a house could not be built on this property due to the lack of frontage; however, the expansion of an existing dwelling or an out-building could be permitted.

Councillor Masters placed the following motion on the floor:

Moved by Councillor Masters
Seconded by Councillor Taylor

“That Council approve the rezoning of property known as Murdock Park from ‘P’-Park and Open Space to ‘R-2C’-Residential Double Dwelling Unit Conversion.”

Motion Carried. *(Councillor Cooke opposed)*

Mayor Smith indicated that this is a rezoning application which does not require approval of the Minister of Service Nova Scotia and Municipal Relations. Council’s decision on this application is appealable to the Nova Scotia Utility and Review Board. Any appeal of Council’s decision must be made within 14 days of the advertising of same in local newspapers.

As there was no further business, Mayor Smith declared this public hearing closed.

**Public Hearing -
Rezoning - Ron
Mekers, Lots 97-2
and 97-3, Blanchard
Avenue and College
Road, Bible Hill**

Mayor Smith called this public hearing to order respecting an application made by Mr. Ron Mekers for a proposed rezoning for two properties, Lots 97-2 and 97-3, on the corner of Blanchard Avenue and College Road from ‘R-2C’-Residential Double Dwelling Unit Conversion to ‘R-2’-Residential Double Dwelling Unit. The text for the application and a related staff report have been circulated to Council members and have been made available to the public.

The CAO advised that all guidelines of the Municipal Government Act regarding advertising of the public hearing have been followed.

Mayor Smith reminded Councillors that only those Councillors present throughout the public hearing can vote on the rezoning when it is eventually considered by Council. This public hearing is Council’s opportunity to hear the application and every concern of area residents. Individual Councillors will have an opportunity to

debate the merits of the rezoning when the motion is presented to

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Council. Staff are present at this hearing to answer any technical questions that may arise as a result of the public's input.

Ms. Pam Macintosh, Acting Planner, indicated that the rezoning application from Mr. Mekers involves two properties located along Blanchard Avenue and College Road in Bible Hill. The change in zoning has been requested as a means of making the two lots more marketable to developers. Land uses in the area comprise of primarily low density residential (R-2C Double Dwelling Unit Conversion) and I (Institutional - government properties (NSAC) and seniors' housing). The residential uses consist mostly of single detached units. There is one duplex on College Road that was built in 1985 and owned by the applicant. Mr. Mekers' request for rezoning is not accompanied by a specific development plan as is more common with these types of applications.

Ms. Macintosh stated that if this application goes forward, Council has to consider making a policy amendment to allow this development. In the past, these zoning decision are based on the review of community input and not based on land speculation.

Staff do not feel that this application meets the land-use policy criteria and recommend that Council not consider a zoning change until the application involves a developer with interest in building on the site.

Mr. Ron Mekers, the applicant, stated that he is trying to make the best use of the two lots and the rezoning would allow him to set the property up for duplex development. Right now in this area there are single family dwellings, duplexes, a seniors' complex and across the road is 100% institutional. Mr. Mekers indicated that he has no development plans as his intention is to sell the properties. The R-2 zoning would allow for a 4-6 unit building.

Mr. Mekers noted that he had not received any notification that the zoning had been changed to R-2C on these properties and without any kind of notification, it is still his right to use the land as he sees fit. He found out about the zoning change when he had someone interested in purchasing the properties. Mr. Mekers indicated that it would be beneficial to the County to approve this application as it would be an increase to the tax base by allowing a development to take place.

Councillor Masters presented a report on behalf of the Planning Advisory Committee. The Committee agreed with staff's recommendation that the rezoning application not be approved. The CAO advised that no written submissions had been received

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regarding this application.

Ms. Joy Blackadar stated that she lives on the corner of Blanchard Avenue and College Road and is surrounded by rental units. There are many students living in these units who play loud music and track through her gardens. Ms. Blackadar indicated that if this application is approved, she probably would move.

Ms. Tony Carter, resident of Blanchard Avenue, indicated that she had concern with safety, property maintenance, property being aesthetically pleasing to homes that are there now, and renting units to students.

Mr. Bob Thompson, resident of Blanchard Avenue, stated that he lives in an area that will eventually be taken over by the N.S. Agricultural College. He was of the opinion that this rezoning would increase the value of properties in the area.

Mr. Mekers agreed that the property will probably end up being used for student housing but students must live somewhere and it's better to keep them as close to the N.S. Agricultural College as possible. Mr. Mekers felt that at least by zoning the properties R-2, there would be some kind of control on what was built there.

Councillor Masters placed the following motion on the floor:

Moved by Councillor Masters
Seconded by Councillor Taylor

“That Council not approve rezoning Lots 97-2 and 97-3 on the corner of Blanchard Avenue and College Road from R-2C-Residential Double Dwelling Unit Conversion to R-2-Residential Double Dwelling Unit.”

Motion Carried Unanimously.

Mayor Smith indicated this is a rezoning application which does not require approval of the Minister of Service Nova Scotia and Municipal Relations. Council's decision on this application is appealable to the Nova Scotia Utility and Review Board.

As there was no further business, Mayor Smith declared this public hearing closed.

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Seconded by Councillor Mingo

“That the agenda for August 31, 2006 be approved with the following addition:

- 14b: Public Presentations”

Motion Carried Unanimously.

Approval of Minutes

Moved by Deputy Mayor Matheson
Seconded by Councillor White

“That the minutes of meetings held on June 15, June 29 and August 17, 2006 be approved as circulated.”

Motion Carried Unanimously.

Business Arising from Minutes

Councillor Cavanaugh provided an update on rural home mail delivery on Highway 311 in North River. As of today, there are seven mailboxes remaining to have this service reinstated.

Presentations

There were no public presentations received.

Standing Committee Reports and Recommendations

Deputy Mayor Matheson presented a report from the regular session of Council Committee held on August 17, 2006:

Tartan for Colchester County

Moved by Deputy Mayor Matheson
Seconded by Councillor Taylor

“That Council consents to the Scottish Society of Colchester going forward with their project to design a tartan for Colchester County.”

Motion Carried Unanimously.

Rural Caucus Funding

Moved by Deputy Mayor Matheson
Seconded by Councillor Edwards

“That Council approves the contribution of \$200 toward Rural Caucus expenses to offset meeting costs of the UNSM Rural Caucus.”

Motion Carried Unanimously.

UNSM Remuneration

Moved by Deputy Mayor Matheson

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Survey

Seconded by Councillor Lynds

“That Council approves the remuneration for Councillors be increased from \$13,374 to \$16,500 and the continuation of the Consumer Price Index, effective November 1, 2006.”

motion amended.

Moved by Councillor Taylor (In Amendment)

Seconded by Councillor White

“That the motion be amended to change the effective date of Councillors’ increase to April 1, 2007.”

Motion Carried.

*(Deputy Mayor Matheson,
Councillors Cooper, Edwards,
Cavanaugh and Lynds opposed)*

The motion to amend having carried, the main motion was voted on and carried with Mayor Smith, Deputy Mayor Matheson, Councillors Cooke and Mingo opposed.

**First Reading -
Payment of
Councillors By-law
Amendment**

Council agreed to move this forward on the agenda as it relates to the previous item on Councillors’ remuneration. It is not part of the report from the August 17th Council Committee meeting.

With the changing of the effective date for the increase in Councillors’ remuneration, it was recommended that two amendments be made to the By-law

- No. 7: the anniversary date of the Consumer Price Index Adjustment should be April 1, 2008; and,
- No. 10: effective date should be April 1, 2007

Moved by Councillor Masters

Seconded by Councillor Cavanaugh

“That Council approves by way of First Reading, Chapter 4 - Payment of Councillors By-law, as amended.”

Motion Carried.

*(Mayor Smith, Deputy Mayor
Matheson, Councillors Cooke and
Mingo opposed)*

Standing Committee

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**Reports and
Recommendations
(Cont'd)**

**Amendment to
Tipping Fee Schedule -
Unsecured Loads**

Moved by Deputy Mayor Matheson
Seconded by Councillor Cavanaugh

“That Council approves the Municipal By-law Chapter 33, Garbage Collection and Disposal By-law, being updated to include a \$20 surcharge for all unsecured loads that are brought to the Colchester Waste/Resource Disposal Facilities; and,

That staff be instructed to bring forward a revised By-law for Council approval.”

Motion Carried. *(Councillor LeFresne opposed)*

**First Reading -
Garbage Collection
and Disposal By-law
Amendment**

Council agreed to move this forward on the agenda as it relates to the previous item on an amendment to the tipping fee schedule. It is not part of the report from the August 17th Council Committee meeting.

Moved by Councillor Cavanaugh
Seconded by Councillor Cooper

“That Council approves by way of First Reading, Chapter 33 - Garbage Collection and Disposal By-law, as amended.”

Motion Carried Unanimously.

**Standing Committee
Reports and
Recommendations
(Cont'd)**

**Sign for Salmon
River/Hockeyville**

Moved by Deputy Mayor Matheson
Seconded by Councillor Edwards

“That Council approves a community sign being erected for Salmon River/Hockeyville and that staff be directed to report back on cost, size, design, etc. at August Council.”

Motion Carried Unanimously.

The CAO reported that the Hockeyville sign has been purchased and will be erected prior to the Hockeyville celebrations.

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Executive and Audit Committee

Regarding the item on the Farnham Road Extension, Councillor Taylor indicated that other options should be discussed when this goes forward to Council Committee to look at a process to determine how this area can best be developed.

Planning Advisory Committee

There was no business arising from the minutes of meetings held on June 27 and August 3, 2006 other than the public hearings that took place earlier in the evening.

Civic Centre Report**Conflict of Interest**

Councillor Mingo declared a conflict of interest on several occasions when the subject of the School Board was discussed and removed herself from the table. She then returned to the table for discussions other than that related to the School Board.

Mayor Smith made reference to the correspondence on table from the Town of Truro dated August 30, 2006 and the consultant's final report that was circulated in the Council package. Mayor Smith stated that this is Council's opportunity to begin debating the final report on the civic centre as prepared by dmA Planning and Management Service and he is very comfortable with answering any questions Council may have regarding the Canada Winter Games, the Civic Centre or the Steering Committee.

The CAO then provided Council with background on the Civic Centre leading up to this evening's meeting. The Steering Committee agreed with the consultant's recommendation that the preferred location for the Civic Centre is the Truro Legion Stadium subject to approval from the School Board on land issues. If negotiations with the School Board are unsuccessful, the second preferred location is the Wade Road site. The Steering Committee then asked that a recommendation be taken back to both Councils on a 50/50 funding formula to cover the capital and operating costs for the new civic centre. County Council approved this formula at its meeting on August 17th. The Town is asking if they will receive a \$2.5 million credit toward their share of the funding if the civic centre is located at the Truro Legion Stadium site.

The CAO then read the letter on table from the Town of Truro. The letter refers to a Canada Games Meeting on August 29th at which time, Truro Town Council was asked to provide a letter stating that they were withdrawing the question of including the Colchester Legion Stadium as an asset toward the Town's contribution for the new civic centre. The Town has indicated that after talking with their Legal Department, they are opting to have a discussion on the civic centre/Canada Winters Games in a public

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meeting with their full Council present and that they would have a decision to County Council by September 11th.

Following a discussion on the events that have taken place to date, Council agreed that with this being such an important matter, a special meeting of Council should take place to have a more indepth debate on the report. The date of this meeting was set for Wednesday, September 20, 2006. By that time, the School Board would have held its meeting on and the land issue and the Town should have its answer on the 50/50 funding formula.

Council then discussed what points they would like to see raised or clarified in preparation for the meeting on September 20th. These included:

- need for two ice services
- reason for two pools
- no mention in report of convention centre and hotel as part of civic centre
- a second look at using Truro curling rink for Canada Games
- concern with additional building on site if Truro Legion Stadium is chosen
- parking
- what will be used if Stadium building incorporated into new complex
- joining two facilities together possible when one is flood proofed and the other is not
- problem with life cycle of Stadium
- Stadium site too small
- scenarios on cost of civic centre with and without 50/50 funding formula for both Stadium and Wade Road
- NHL ice service - staff to get information on costs

Request for School Enhancements - East Stewiacke

Conflict of Interest

Councillor Mingo declared a conflict of interest on this matter and removed herself from the table.

Moved by Councillor Cooke
Seconded by Councillor Cavanaugh

“That Council approves a date of September 26, 2006 for a School Enhancement Committee meeting.”

Motion Carried Unanimously.

At this point, Councillor Mingo returned to the table.

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**Fall 2006 Debenture
Funding**

Moved by Deputy Mayor Matheson
Seconded by Councillor White

“That Council authorizes the Mayor and CAO to sign the Pre-Approval of Debenture Issuance subject to Interest Rate Resolution, as presented for Phase 4C/4D of the Central Colchester Wastewater Treatment Facility.”

Motion Carried Unanimously.

**2006 UNSM Fall
Conference - Delegates**

Moved by Councillor Taylor
Seconded by Deputy Mayor Matheson

“That Mayor Smith, the CAO and the following members of Council be approved to attend the 2006 Fall UNSM Conference: Councillors Glen Edwards, Bob Taylor, Jimmie LeFresne, Bob White and Terri Mingo.”

Motion Carried Unanimously.

Public Presentations

Moved by Councillor Cavanaugh
Seconded by Councillor Mingo

“That public presentations at Council sessions be referred to Council Committee.”

Motion Carried Unanimously.

Correspondence

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

- Nos. 18, 19, 20 and 29: letters from Town of Stewiacke, N.S. Federation of Agriculture and Winston Settle regarding St. Andrews River Watershed area
- No. 11: letter from Premier of Nova Scotia dated July 19, 2006 regarding volunteerism in Nova Scotia
- No. 12: letter from Town of Truro dated July 20, 2006 concerning tailgate party in recognition of Hockeyville
- No. 28: letter from Lillian Orr dated August 1, 2006 regarding exemption from garbage portion of property tax
- No. 25: correspondence from FCM dated August 10, 2006 concerning Land Management Workshop in Fredericton, N.B.
- No. 31: letter from Douglas Boyce dated August 14, 2006 regarding the Village of Bible Hill
- No. 33: letter from Tatamagouche Village Square Committee dated August 15, 2006 regarding location of new Tatamagouche branch library

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ACTION

**J. Floyd Tucker,
President, Creamery
Square Association**

A letter dated June 28, 2006 from **J. Floyd Tucker, President, Creamery Square Association**, requesting a tax exemption for property located at 31 Creamery Road and the CAO's response.

Moved by Councillor LeFresne
Seconded by Councillor Taylor

"That the letter from the Creamery Square Association requesting a tax exemption for property located at 31 Creamery Road be referred to Council Committee."

Motion Carried Unanimously.

**Chairwoman
Christine Blair,
Village of Bible Hill**

A letter to Mayor Smith dated June 27, 2006 from **Chairwoman Christine Blair, Village of Bible Hill**, requesting the County's reinstatement of the noise by-law and CAO's response.

Moved by Councillor Taylor
Seconded by Councillor Masters

"That the letter from the Village of Bible Hill requesting the County's reinstatement of the noise by-law be received for information."

Motion Carried Unanimously.

**Vernon Parker,
Executive Director,
Pictou County District
Planning Commission**

A letter to the CAO dated July 6, 2006 from **Vernon Parker, Executive Director, Pictou County District Planning Commission**, regarding the contract for processing of recycling materials being awarded to Scotia Recycling and the CAO's memorandum to Council dated July 17, 2006.

Moved by Councillor Cavanaugh
Seconded by Councillor Edwards

"That the letter from the Pictou County District Planning Commission regarding the County contract for processing of recycling materials be referred to Council Committee."

Motion Carried Unanimously.

Deputy Mayor Matheson indicated that he would be attending a Regional Chairs' Solid Waste-Resource Management meeting on September 6, 2006 and asked if Council would want him to bring forward at this meeting a possible conflict of interest matter. The Chair of the Resource Recovery Fund Board is also the President of Scotia

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Recycling, the company that was awarded the recycling contract as of October 1, 2007.

Council agreed that a letter be written from the Municipality to address Council's concerns on this matter which Deputy Mayor Matheson will present to the Regional Chairs' meeting on September 6th.

Mayor Smith asked Council to consider giving him authority to write a letter to those employees at the Materials Recovery Facility whose job may be affected by the loss of the Pictou County recycling contract.

Moved by Councillor Cavanaugh
Seconded by Councillor Masters

“That the Mayor be authorized to write a letter to employees at the Materials Recovery Facility advising them of the loss of the Pictou County recycling contract and the effect this may have on their continued employment with the Municipality.”

Motion Carried Unanimously.

**Sheila Rafferty,
President, Colchester
Branch, N.S. Arthritis
Society**

A letter to the Mayor and Council dated August 15, 2006 from **Sheila Rafferty, President, Colchester Branch, N.S. Arthritis Society**, requesting that September be declared Arthritis Awareness Month.

Moved by Deputy Mayor Matheson
Seconded by Councillor Mingo

“That the month of September 2006 be proclaimed Arthritis Awareness Month in Colchester County.”

Motion Carried Unanimously.

**Grant Brennan and
Robert Hoeg, Canada-
N.S. Infrastructure
Secretariat**

A letter to the CAO dated August 4, 2006 from **Grant Brennan and Robert Hoeg, Canada-N.S. Infrastructure Secretariat**, regarding Round 2 for applications to the Canada-N.S. Municipal Rural Infrastructure Fund.

Moved by Deputy Mayor Matheson
Seconded by Councillor Cooper

“That the letter from the Canada-N.S. Infrastructure Secretariat regarding Round 2 for applications to the Canada-N.S. Municipal Rural Infrastructure Fund be referred to Council Committee.”

Motion Carried Unanimously.

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**Peter Hackett, Area
Manager-Colchester,
Transportation &
Public Works**

A letter to the CAO dated July 21, 2006 from **Peter Hackett, Area Manager-Colchester, Transportation and Public Works**, regarding the pedestrian crosswalk in Hilden.

The CAO read the letter from Transportation and Public Works into the minutes which stated that, according to the study carried out by this department, the pedestrian crosswalks at the three specified locations in Hilden are not warranted.

Moved by Deputy Mayor Matheson
Seconded by Councillor Masters

“That a letter be written to the Hilden Community Association advising them of the decision received from the Department of Transportation and Public Works regarding their request for additional crosswalks in Hilden.”

Motion Carried Unanimously.

**Peter Hackett, Area
Manager-Colchester,
Transportation &
Public Works**

A letter to the Director of Public Works dated July 25, 2006 from **Peter Hackett, Area Manager-Colchester, Transportation and Public Works**, regarding a crosswalk in Salmon River.

Moved by Councillor Mingo
Seconded by Councillor Cooper

“That the letter from Transportation and Public Works regarding a crosswalk in Salmon River be referred to Council Committee.”

Motion Carried Unanimously.

**Mayor Dereck
Rhoddy, Town of
Stewiacke; AND
Fraser Hunter,
President, N.S.
Federation of
Agriculture; AND
Winston Settle,
Stewiacke**

A copy of a letter dated July 28, 2006 from **Mayor Dereck Rhoddy, Town of Stewiacke**, regarding the implementation of regulations for the St. Andrews Watershed area.

A copy of a letter dated July 21, 2006 from **Fraser Hunter, President, N.S. Federation of Agriculture**, regarding the implementation of regulations for the St. Andrews River Watershed area.

A copy of a letter dated July 26, 2006 from **Winston Settle, Stewiacke**, regarding the St. Andrews Watershed Area and a new course of water for Stewiacke.

A letter to Mayor Smith dated August 15, 2006 from **Mayor Dereck Rhoddy, Town of Stewiacke**, regarding a proposed land-use bylaw for the St. Andrews Watershed area.

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Councillor Cooper requested that these letters be referred to Council Committee. On September 11th, the St. Andrews Watershed Stewardship Committee will hold its final meeting. Following that meeting, the Committee will present a copy of their report to the Colchester County Council for review and to the Town of Stewiacke Council for approval.

Moved by Councillor Cooper
Seconded by Councillor Edwards

“That the correspondence from the Town of Stewiacke, the N.S. Federation of Agriculture and Winston Settle be referred to Council Committee.”

Motion Carried Unanimously.

Honourable Rodney MacDonald, Premier of Nova Scotia

A letter to Mayor Smith dated July 19, 2006 from **Rodney MacDonald, Premier of Nova Scotia**, in response to a letter from the County regarding support for volunteerism in Nova Scotia.

In response to an inquiry from Councillor Taylor, staff advised that the letter from the Municipality to the Premier indicated Council’s support of volunteerism and called for appropriate insurance coverage for all not-for-profit organizations.

Council was also advised that an Action Item regarding insurance for not-for-profit organizations will be on the October Council Committee agenda. Councillor Cooper requested that a clearer statement on the Volunteer Protection Act be brought forward at that time.

Mayor Bill Mills, Town of Truro

A letter to Mayor Smith dated July 20, 2006 from **Mayor Bill Mills, Town of Truro**, proposing the joint sponsorship of a tailgate type party in recognition of Hockeyville.

Moved by Councillor Mingo
Seconded by Councillor Edwards

“That a letter be written to the Town of Truro to acknowledge that the tailgate type party is a good idea but Colchester County Council’s preference is to take direction from the community organizing committee on how best to support the Hockeyville celebrations being held in September.”

Motion Carried Unanimously.

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**Federation of
Canadian
Municipalities**

A copy of an invitation dated August 10, 2006 from the **Federation of Canadian Municipalities**, to attend a Land Management Workshop in Fredericton, New Brunswick.

It was recommended that any Councillors interested in attending this workshop should advise the CAO's office.

**Lillian Orr, 12 Susan
Court, Truro**

A letter to the Mayor and Council dated August 1, 2006 from **Lillian Orr, 12 Susan Court, Truro** and the CAO's response dated August 16, 2006, requesting a tax exemption from the garbage portion of her property taxes.

Following a brief discussion on this issue, Council agreed with the CAO's response that this letter be received for information purposes.

**Douglas Boyce, Bible
Hill**

A copy of a letter dated August 14, 2006 from **Douglas Boyce, Bible Hill**, regarding the Village of Bible Hill.

Council agreed to receive this letter for information purposes.

**Maralyn Driver,
Secretary,
Tatamagouche Village
Square Committee**

A letter to the Mayor and Council dated August 15, 2006 regarding a location for the new Tatamagouche branch library.

Moved by Councillor LeFresne
Seconded by Councillor Mingo

"That the letter from the Tatamagouche Village Square Committee regarding a location for the Tatamagouche branch library be referred to Council Committee."

Motion Carried Unanimously.

INFORMATION

**Colchester-East Hants
Public Library Board**

A copy of minutes of Board meetings held on February 7 and May 30, 2006 received from the **Colchester-East Hants Public Library Board**. Council agreed to receive these minutes for information purposes.

**Maureen Reid,
Voluntary Planning**

A copy of a letter dated June 21, 2006 from **Maureen Reid, Voluntary Planning**, enclosing an interim report of the Heritage Strategy Task Force (copy of report on file in CAO's office). Council agreed to receive this letter for information purposes.

**Brian Cullen, CAO,
Municipality of Pictou**

A copy of a letter to Deuville's Rink dated June 30, 2006 from **Brian Cullen, CAO, Municipality of Pictou**, regarding the Kraft Hockeyville competition. Council agreed to receive this letter for information purposes.

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**Randy Lindsay,
Executive Director,
Futureworx, Truro**

A letter to Mayor Smith dated July 4, 2006 from **Randy Lindsay, Executive Director, Futureworx, Truro**, enclosing the 2005-06 annual report (copy of report on file in CAO's office). Council agreed to receive this letter for information purposes.

**CoRDA's Audit
Committee**

A copy of a memorandum dated July 4, 2006 from **CoRDA's Audit Committee**, enclosing copies of the 2006-07 annual report and audited financial statements (copy of reports on file in CAO's office). Council agreed to receive this memorandum for information purposes.

**Russ Waycott, Vice
President, Woodlands,
StoraEnso**

A copy of a letter dated July 7, 2006 from **Russ Waycott, Vice President, Woodlands, StoraEnso**, enclosing Port Hawkesbury's Forestry Green Balance Report for 2005 (copy of report on file in CAO's office). Council agreed to receive this letter for information purposes.

**Leanne Hachey,
Director of Provincial
Affairs, Canadian
Federation of
Independent Business**

A letter to Mayor Smith dated July 12, 2006 from **Leanne Hachey, Director of Provincial Affairs, Canadian Federation of Independent Business**, regarding the results of a survey on elimination of Business Occupancy and Assessment Tax. Council agreed to receive this letter for information purposes.

**Union of N.S.
Municipalities**

A copy of legislative report for July 14, 2006 received from the **Union of Nova Scotia Municipalities**. Council agreed to receive this report for information purposes.

**Rick Ramsay, Chair,
RRFB**

A copy of an RRFB Nova Scotia 2006 Annual Report received from **Rick Ramsay, Chair, Resource Recovery Fund Board**. Council agreed to receive this report for information purposes.

**David Clattenburg,
CAO, Region of
Queens Municipality**

A copy of a letter dated July 24, 2006 from **David Clattenburg, CAO, Region of Queens Municipality**, concerning rural caucus expenses. Council agreed to receive this letter for information purposes.

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

A letter to Mayor Smith dated July 21, 2006 from **Marie Mullally, President and CAO, N.S. Gaming Corporation**, enclosing a copy of the 2005-06 annual report (copy of report on file in CAO's office). Council agreed to receive this letter for information purposes.

**Union of N.S.
Municipalities**

A copy of an email dated July 24, 2006 from the **Union of N.S. Municipalities**, regarding a report of the 2006-07 UNSM Nominating Committee. Council agreed to receive this email for information purposes.

**David Bauld, Audit &
Assurance Group,
PriceWaterhouseCoopers**

A letter to the CAO dated July 24, 2006 from **David Bauld, Audit & Assurance Group, PriceWaterhouseCoopers**, enclosing a copy of

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audited financial statements for the Colchester-East Hants Public Library. Council agreed to receive this letter for information purposes.

**Peter Hackett, Area
Manager-Colchester,
Transportation & Public
Works**

A letter to Mayor Smith dated July 25, 2006 from **Peter Hackett, Area Manager-Colchester, Transportation and Public Works**, in response to a County letter regarding flood water and transportation issues in Central Colchester. Council agreed to receive this letter for information purposes.

**Debbie Mountenay,
Canada-N.S. Offshore
Petroleum Board**

A copy of a letter dated July 26, 2006 from **Debbie Mountenay, Canada-N.S. Offshore Petroleum Board**, enclosing a copy of the 2005-06 annual report (copy of report on file in CAO's office). Council agreed to receive this letter for information purposes.

Kim Frizzell, CoRDA

A copy of an email dated August 1, 2006 from **Kim Frizzell, CoRDA**, attaching copies of Board minutes for May 24 and June 20, 2006. Council agreed to receive this email for information purposes.

**Mark Parent, Minister of
Environment & Labour**

A letter to Mayor Smith dated August 2, 2006 from **Mark Parent, Minister of Environment & Labour**, regarding the biosolids Community Liaison Committee in Old Barns. Council agreed to receive this letter for information purposes.

**Union of N.S.
Municipalities**

A copy of an email dated August 2, 2006 from the **Union of N.S. Municipalities**, regarding the UNSM Animal Control Committee. Council agreed to receive this letter for information purposes.

**Les Holloway, National
Representative, CAW**

A letter to Mayor Smith dated August 8, 2006 from **Les Holloway, National Representative, CAW**, concerning support for opposing free trade negotiations with South Korea. Council agreed to receive this letter for information purposes.

Development Officer

A copy of the Development Activity Report for the months of June and July 2006 received from the **Development Officer**. Council agreed to receive these reports for information purposes.

Building Inspector

A copy of the Building Permit Statistics for the months of June and July 2006 received from the **Building Inspector**. Council agreed to receive these reports for information purposes.

**Brian Holland, Clerk-
Treasurer, Municipality
of Barrington**

A copy of a letter dated July 17, 2006 from **Brian Holland, Clerk-Treasurer, Municipality of Barrington**, regarding support for rural caucus funding. Council agreed to receive this letter for information purposes.

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- Federation of Canadian Municipalities** A copy of a Members' Advisory dated August 15, 2006 from the **Federation of Canadian Municipalities**, inviting comment on federal infrastructure investments. Council agreed to receive this correspondence for information purposes.
- Pam Osborne, Councillor Mike Cooper and Mayor Dereck Rhoddy** Emails dated August 18, 2006 from **Pam Osborne, Councillor Mike Cooper and Mayor Dereck Rhoddy**, regarding a presentation to Council Committee on the new school for Stewiacke and East Stewiacke. Council agreed to receive these emails for information purposes.
- M. Bourque, Executive Correspondence Officer, Office of Prime Minister** A letter to Mayor Smith dated August 17, 2006 from **M. Bourque, Executive Correspondence Officer, Office of Prime Minister**, regarding rural mail delivery and Canada Post. Council agreed to receive this letter for information purposes.
- Rennie Bugley, CAO, Municipality of Cumberland** A copy of a letter dated August 24, 2006 from **Rennie Bugley, CAO, Municipality of Cumberland**, concerning potential closure of two rural schools in Cumberland County. Council agreed to receive this letter for information purposes.
- Karen Casey, MLA, Colchester North** A copy of a letter to the Department of Transportation and Public Works from **Karen Casey, MLA, Colchester North**, concerning roadway concerns on Route 311, North River. Council agreed to receive this letter for information purposes.
- Honourable Lawrence Cannon, Minister of Transport** A letter to Mayor Smith dated August 28, 2006 from the **Honourable Lawrence Cannon, Minister of Transport**, regarding rural mail delivery. Council agreed to receive this letter for information purposes.
- Nancy Hughes Anthony and Russel Marcoux, Canadian Chamber of Commerce** A copy of a letter to Prime Minister dated August 29, 2006 from **Nancy Hughes Anthony and Russel Marcoux, Canadian Chamber of Commerce**, concerning a fair and predictable framework for matching tax resource to government responsibilities. Council agreed to receive this letter for information purposes.
- Wastewater Collection Supervisor Position** This position is vacant due to the upcoming retirement of Ed Franklin. Of 57 applications received, two candidates were interviewed. Mr. Blaise Watson was offered and has accepted the position and will commence his duties on September 11, 2006.
- Reports from Councillors Appointed to Outside Boards and Agencies** Due to the lateness of the evening, no reports were received from Councillors appointed to outside boards and agencies.

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Recess

Council agreed to recess to an in-camera session at 12:22 a.m. and reconvened in open session at 12:24 a.m.

Adjournment

Moved by Councillor White
Seconded by Councillor Cavanaugh

“That the meeting be adjourned at 12:25 a.m.”

Motion Carried Unanimously.

Sheila Arsenault
Recording Secretary