

November 23, 2006

## MUNICIPAL COUNCIL

The Regular Session of the Municipal Council of the Municipality of the County of Colchester was held in the Courthouse, Truro, N.S. on Thursday, November 23, 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 Doug Cooke	District #10
Councillor Terri Mingo	District #11

Absent:

Councillor Soley Lynds	District #8
Councillor Bob White	District #9

### Approval of Agenda

Moved by Councillor Masters  
Seconded by Councillor Cavanaugh

“That the agenda for November 23, 2006 be approved with the following additions:

- add 12b: Flood Advisory Committee Report (on table)
- add 12c: Rural Delivery
- add 15b: Salmon River School Committee Meeting
- add to No. 3: Approval of minutes from Special Joint Council meeting held on November 16, 2006 (on table)
- add 12d: Facilities Tour Date”

Motion Carried Unanimously.

### Approval of Minutes

Moved by Deputy Mayor Matheson  
Seconded by Councillor Cooke

“That the minutes of the meeting held on October 26, 2006 be approved as circulated.”

Motion Carried Unanimously.

Moved by Councillor Edwards

November 23, 2006

Seconded by Councillor Cooke

“That the minutes of the Special Joint Council meeting held on November 16, 2006 be approved as circulated.”

Motion Carried Unanimously.

**Business Arising  
from Minutes**

Staff advised that to date, no response had been received to the Municipality’s letter to the Colchester East Hants Health Authority regarding Council’s concern with a recent announcement that the Lillian Fraser Memorial Hospital in Tatamagouche would be closed down in the event of a labour strike.

**Presentations**

Sandra Falle/Jacqueline Penny/Marian Farrell -  
Third Place Transition House

The Third Place Transition House initially appeared before Council in March 2007. In their presentation this evening, representatives of the organization provided an update on their fundraising project for a new shelter.

To date, Third Place has purchased the land, hired a project consultant and implemented a fundraising strategy. They are looking at funding opportunities from the federal government of \$350,000 and \$175,000 from the provincial government. The organization has learned that if they receive federal funding, there is a stipulation that the project must be completed by March 31, 2007. This could be a problem for a not-for-profit organization and given the time of year.

Third Place Transition House indicated they are asking the Municipality for a one-time contribution toward the capital cost of the shelter project in the amount of \$48,736. Requests will also be made to the Town of Truro, Town of Stewiacke and Municipality of East Hants.

Moved by Councillor Taylor  
Seconded by Councillor Cooper

“That the presentation from Third Place Transition House be received.”

Motion Carried Unanimously.

**Request for Funding  
- Third Place  
Transition House**

To accommodate those in the audience, Council agreed to move this item forward on the agenda.

During debate on this matter, it was recommended that since there

November 23, 2006

was no December Council meeting scheduled, that Council may wish to give December Committee authority to act. It was also recommended that Council may wish to contact the local Member of Parliament to seek his help in convincing the federal government to push forward their funding restriction of March 31, 2007 as the deadline for completion of this project.

Moved by Councillor Masters  
Seconded by Councillor Cavanaugh

“That Council recommends to Council Committee that a contribution in the amount of \$48,736 to Third Place Transition House be approved, subject to funding being received from the Town of Truro, the Town of Stewiacke and the Municipality of East Hants; and,

That Council grant Council Committee authority to act.”

Motion Carried Unanimously.

Moved by Councillor Cavanaugh  
Seconded by Councillor Masters

“That a letter be sent to Mr. Bill Casey, M.P. for Cumberland-Colchester-Musquodoboit Valley, requesting that he look into Third Place Transition House keeping their federal funding beyond the March 31, 2007 deadline.”

Motion Carried Unanimously.

Councillor Mingo requested that a copy of this presentation be circulated to Council prior to December Committee.

Mr. Jim Harpell, President, Shortt's Lake Residents Association

Mr. Harpell read aloud a letter addressed to Council dated November 23, 2007. A copy of this letter was circulated to members following the presentation.

The letter stated that the Association recently learned that Lafarge Canada's Brookfield Cement Plant is proposing to contract with the Resource Recover Fund Board to collect and burn used tires as an alternative fuel source. The Association is extremely concerned with this proposal because of the undesirable environmental impact that would follow. A petition for signature by concerned citizens is

underway requesting that the Resource Recovery Fund Board take

November 23, 2006

all necessary measures to ensure that tires are not incinerated in the province of Nova Scotia.

Mr. Harpell invited Councillors to a public meeting on this issue scheduled for 7:30 p.m. on November 29<sup>th</sup> at the Lakeside Bingo Hall on Shortts' Lake Road No. 2, Alton.

Doris McCallum, KAIROS Committee

Mrs. McCallum reminded Council that they had signed a commitment to protect the water supply and the burning of these tires will affect the water supply.

Lydia Sorflaten

Mrs. Sorflaten made reference to the 2005 report from the Resource Recovery Fund Board which stated that the Board reported a \$11 million surplus.

**Staff Presentation**

Conflict of Interest

*Mayor Smith and Deputy Mayor Matheson declared a conflict of interest on this matter and removed themselves from the table.*

*Mayor Smith returned to the table after the discussion on facilities within the Civic Centre was completed. Deputy Mayor Matheson returned to the table after the discussion on facilities within the Civic Centre and location was completed.*

Civic Centre Update -

Mr. Gary MacIsaac, Chief Administrative Officer

Mr. MacIsaac indicated that at their meeting in September, Council decided to further investigate proceeding to build a Civic Centre on their own.

Council requested that the following be brought forward for their meeting on December 7<sup>th</sup>:

- Formal confirmation that the Junior "A" hockey team is committed to using the new civic centre
- Information on how the 3,000 seat facility will be used to capacity after the Winter Games
- Is there a system for converting NHL size surface to Olympic size surface
- Operational costs
  
- Costing for features provided
- Information on how legacy fund can be used

November 23, 2006

**Revisions to Bill 232**

To accommodate those in the audience, Council agreed to move this item forward on the agenda.

Staff referred Council to the most up-to-date version of Bill 232 which was placed on table for this evening's meeting. This version would replace the one attached to the Action Item dated November 23, 2006.

Moved by Councillor Masters  
Seconded by Councillor Mingo

“That Council approves that the Municipality endorse the proposed amendments to Bill No. 232, ‘An Act to Incorporate the Colchester Regional Development Agency’.”

Motion Carried Unanimously.

**Standing Committee  
Reports and  
Recommendations**

As Deputy Mayor Matheson was absent from the regular session of Council Committee held on November 9, 2006, Alternate Chair, Councillor Jimmie LeFresne, presented the report from that meeting:

**Insurance for Fire  
Departments**

Moved by Councillor LeFresne  
Seconded by Councillor Cavanaugh

“That Council approves the set up of a reserve in April 2007 in the amount of \$200,000 which will be used to pay Five Islands’, Economy’s and Bass River’s insurance for 2007-08; the set up of a self-insurance program for 2008-09; and have the remainder set aside for future claims through the self-insurance program.

Motion Carried Unanimously.

**2007-08 Capital  
Budget**

Moved by Councillor LeFresne  
Seconded by Councillor Edwards

“That Council approves that the extension of water services in Bible Hill be added to the project list in the Action Item dated November 9, 2006; and,

That the project list be referred to staff for costing; and,

That these projects be brought back to a Council Committee meeting in February 2007 for discussion.”

Motion Carried Unanimously.

November 23, 2006

**Insurance for Not-for-Profit Organizations**

Moved by Councillor LeFresne  
Seconded by Councillor Cooper

“That Council approves the Municipal Funding for Insurance for Not-for-Profit Organizations Policy as amended; and,

That this new funding program for insurance for not-for-profit organizations be referred to the 2007-08 additions/deletions meeting; and,

That an initial amount of \$25,000 be forwarded as a budget to the additions/deletions meeting for this program.”

Motion Carried Unanimously.

**Letter of Support for the Colchester Youth Homelessness Initiative**

Moved by Councillor LeFresne  
Seconded by Deputy Mayor Matheson

“That Council approves that a letter of support be sent to the Committee responsible for the Colchester Youth Homelessness Initiative.”

Motion Carried. *(Councillor Mingo opposed)*

It was noted that if this Committee returns to Council for funding assistance, that further information on this initiative will be required.

**Street Name Change - Old Road #2 to Soley Brook Loop**

Moved by Councillor LeFresne  
Seconded by Councillor Masters

“That Council approves that the Old Road #2 be renamed to Soley Brook Loop and that staff be instructed to forward appropriate information to the Department of Transportation and Public Works.”

Motion Carried Unanimously.

**Executive and Audit Committee**

Referring to the October 24, 2006 minutes and the item on the recyclables processing contracts, staff advised that they will be coming to Council in the near future on options that the Municipality could follow to replace the lost volume of products from the Valley and Pictou Regions’ contracts not being renewed.

There was no business arising from the minutes of a meeting held on November 14, 2006.

**Second Reading - Local Improvement By-law**

Moved by Deputy Mayor Matheson  
Seconded by Councillor Cooper

November 23, 2006

“That Council hereby approves by way of Second Reading the Local Improvement By-law as attached to Action Item dated November 23, 2006.”

Motion Carried Unanimously.

**Policy on Street  
Lights**

Moved by Deputy Mayor Matheson  
Seconded by Councillor Taylor

“That Council adopt the revised Policy on Street Lights as presented.”

Motion Carried Unanimously.

Deputy Mayor Matheson requested that staff look into the process for getting a street light moved.

**Temporary  
Borrowing  
Resolutions -  
Colchester Regional  
Hospital and  
Sidewalks**

Moved by Deputy Mayor Matheson  
Seconded by Councillor Cavanaugh

“That Council authorize the Mayor and CAO to sign both temporary borrowing resolutions for the Regional Hospital and the first five urban sidewalks as presented.”

Motion Carried Unanimously.

Council noted an error in the resolution for the Regional Hospital and asked that it be corrected before the Mayor and CAO sign the document. The numerical amount in the third paragraph should read (\$1,400,000).

**Flood Advisory  
Committee Report**

Councillor Cavanaugh presented the report from the Flood Advisory Committee meeting held on November 15, 2006. The Committee is recommending the completion of five projects this year. The budget for 2006-07 is \$40,000 and the total cost, including project work, consultant and permit fees is \$39,160.

Regarding the Bass River Bridge/Maintenance Sites project, Councillor Cavanaugh was asked to look into whether the cost of this project, \$2,700, could be recovered or not and advise Councillor Cooke.

**Rural Delivery**

Councillor Cavanaugh expressed his frustration in attempting to obtain from Canada Post a copy of the new criteria for replacing

November 23, 2006

mailboxes in rural areas of Nova Scotia. He was advised by Canada Post that the criteria is out but that it is not being made available to the public. He thought perhaps it could be accessed through the Freedom of Information Act; however, the Solicitor advised that Canada Post does not come under this Act. Staff advised that it could possibly be requested through the Canada Post Ombudsman.

Moved by Councillor Cavanaugh  
Seconded by Councillor Masters

“That a letter be written to the Ombudsman for Canada Post requesting a copy of the new criteria for replacing mailboxes in rural areas of Nova Scotia.”

Motion Carried Unanimously.

**Facility Tour Date**

Council agreed that Wednesday, December 6, 2006 would be the date for a Facility tour.

**Correspondence**

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

- No. 3: letter dated November 7, 2006 from N.S. Sport Hall of Fame regarding capital campaign for new sport hall of fame
- Nos. 6 and 7: emails dated November 10, 2006 from UNSM regarding legislation on Wind Turbine Facilities Municipal Taxation Act and Property Valuation Services Corporation Act
- No. 17: letter dated September 30, 2006 from Colchester Arenas’ Association regarding possible effects of a new ice surface on Colchester arenas

**ACTION**

**Shona Murphy,  
Acquisition &  
Disposal Officer,  
Transportation &  
Public Works**

A copy of a letter dated October 5, 2006 from **Shona Murphy, Acquisition and Disposal officer, Transportation and Public Works**, regarding a request for County lands at Salmon River for the new Truro West Elementary School.

Moved by Councillor Edwards  
Seconded by Councillor Taylor

“That the letter from the Department of Transportation and Public Works dated October 5, 2006 regarding a request for County lands at Salmon River for the new Truro West Elementary School be referred to Council Committee.”

November 23, 2006

Motion Carried Unanimously.

**Ronald Trowsdale,  
Chairman,  
Convention  
Committee, Royal  
Canadian Legion**

A letter to Mayor Smith dated October 31, 2006 from **Ronald Trowsdale, Chairman, Convention Committee, Royal Canadian Legion**, requesting assistance for the 81<sup>st</sup> anniversary of the Royal Canadian Legion.

Moved by Councillor Cooper  
Seconded by Deputy Mayor Matheson

“That the letter from the Royal Canadian Legion dated October 31, 2006 requesting assistance for their 81<sup>st</sup> anniversary be referred to Council Committee.”

Motion Carried Unanimously.

Staff suggested that Council may wish to write to the Royal Canadian Legion to obtain further clarification on exactly what they are requesting from Council or invite them in to make a presentation.

**President Russell  
Walker, UNSM and  
President Angus  
Fleming, AMA**

A copy of a memorandum dated November 10, 2006 from **President Russell Walker, Union of N.S. Municipalities and President Angus Fleming, Association of Municipal Administrators**, regarding the Next Generation Committee Report.

Moved by Deputy Mayor Matheson  
Seconded by Councillor Cooper

“That the memorandum dated November 10, 2006 from the Union of N.S. Municipalities and the Association of Municipal

Administrators regarding the Next Generation Committee Report be referred to Council Committee.”

Motion Carried Unanimously.

**Lorenda Ebbett,  
President,  
Tatamagouche  
Farmers’ Market  
Cooperative**

A letter to the CAO dated November 13, 2006 from **Lorenda Ebbett, President, Tatamagouche Farmers’ Market Cooperative**, regarding additional information on the role and operation of the Tatamagouche Farmers’ Market.

Moved by Councillor LeFresne  
Seconded by Councillor Cooke

November 23, 2006

“That the letter dated November 13, 2006 from the Tatamagouche Farmers’ Market Cooperative, regarding additional information on the role and operation of the Tatamagouche Farmers’ Market be referred to Council Committee.”

Motion Carried Unanimously.

**Bill Stanish and Bill Kiely, NS Sport Hall of Fame**

A letter to Mayor Smith dated November 7, 2006 from **Bill Stanish and Bill Kiely, N.S. Sport Hall of Fame**, regarding a capital campaign for a new Sport Hall of Fame.

Moved by Councillor Taylor  
Seconded by Councillor Masters

“That the letter dated November 7, 2006 from the N.S. Sport Hall of Fame regarding a capital campaign for a new Sport Hall of Fame be referred to Council Committee.”

Motion Carried Unanimously.

**Union of N.S. Municipalities**

Copies of emails dated November 10, 2006 from the **Union of N.S. Municipalities**, regarding legislation on the Wind Turbine Facilities Municipal Taxation Act and the Property Valuation Services Corporation Act.

In response to an inquiry from Deputy Mayor Matheson, staff indicated that once the legislation on Wind Turbine Facilities is passed, the Director of Assessment will be contacted to see how this will impact on the windmill in Brookfield. In the interim, staff will look into what type of taxes the Brookfield windmill is paying now.

**John K. MacDonald, Kurt Gratto and Curtis Cameron, Colchester Arenas’ Association**

A letter to the Recreation Department dated September 30, 2006 from **John K. MacDonald, Kurt Gratto and Curtis Cameron, Colchester Arenas’ Association**, regarding the possible effects a new ice surface will have on the existing Colchester arenas.

*Conflict of Interest*

*Deputy Mayor Matheson declared a conflict of interest on this matter and removed himself from the table.*

In preparation for a special session of Council on December 7<sup>th</sup> regarding the civic centre, staff indicated they would contact the Arenas’ Association for further clarification of their letter, specifically, what is the exact message they want to bring to Council

November 23, 2006

regarding the building of a civic centre - do they support the idea or not.

*At this point, Deputy Mayor Matheson returned to the table.*

## INFORMATION

**Murray Scott,  
Minister of Justice**

A letter to Mayor Smith dated October 30, 2006 from **Murray Scott, Minister of Justice**, regarding safe community initiatives and the 2006-07 Annual Plan (copy of annual plan on file in the CAO's office). Council agreed to receive this letter for information purposes.

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

A letter dated October 31, 2006 from **Mark Parent, Minister of Environment and Labour**, regarding proposed amendments to liquor licensing regulations. Council agreed to receive this letter for information purposes.

**Union of N.S.  
Municipalities**

A copy of an email dated November 8, 2006 from the **Union of N.S. Municipalities**, concerning amendments to the Assessment Act. Council agreed to receive this email for information purposes.

**Councillor Russell  
Walker, President,  
Union of N.S.  
Municipalities**

A copy of a letter dated November 9, 2006 to the Minister of Service Nova Scotia and Municipal Relations from **Councillor Russell Walker, President, Union of N.S. Municipalities**, concerning amendments to the Assessment Act. Council agreed to receive this letter for information purposes.

**Peter Gurnham,  
Chair, N.S. Utility &  
Review Board**

A letter to the CAO dated November 14, 2006 from **Peter Gurnham, Chair, N.S. Utility and Review Board**, regarding the Colchester Park application for the Debert Water Utility (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 November 15, 2006 from the **Union of N.S. Municipalities**, attaching FCM's draft strategic plan. Council agreed to receive this email for information purposes.

**Department of  
Education &  
Department of  
Environment &  
Labour**

A copy of correspondence received November 1, 2006 from the **Department of Education and the Department of Environment and Labour**, regarding the proposed blaster trade regulations and blasting safety regulations (copy of regulations on file in CAO's office). Council agreed to receive this correspondence for information purposes.

**Development Officer**

A copy of the Development Activity Report received from the **Development Officer** for the month of October 2006. Council

November 23, 2006

agreed to receive this report for information purposes.

**Building Inspector**

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

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

An email to the CAO dated November 11, 2006 from **Alan Johnson, Executive Director, Truro and District Chamber of Commerce**, regarding an invitation to a luncheon with guest speaker Charles Cirtwell of the Atlantic Institute of Market Studies. Council agreed to receive this email for information purposes.

**Union of N.S.  
Municipalities**

A copy of an email dated November 17, 2006 from the **Union of N.S. Municipalities**, concerning a Human Resources Conference being held November 29-December 1, 2006. Council agreed to receive this email for information purposes.

**Danita Imlay,  
Municipal Clerk,  
Municipality of  
Guysborough**

A copy of an email dated November 20, 2006 from **Danita Imlay, Municipal Clerk, Municipality of Guysborough**, attaching Rural Caucus minutes from meeting held on October 20, 2006. Council agreed to receive this email for information purposes.

**Ann Longley,  
Municipal Clerk,  
Municipality of  
Kings County**

A copy of an email dated November 22, 2006 from **Ann Longley, Municipal Clerk, Municipality of Kings County**, attaching a report from the UNSM Board meeting held on November 15, 2006. Council agreed to receive this email for information purposes.

**Greg Keefe, Deputy  
Minister, Service  
N.S. & Municipal  
Relations**

A copy of a letter dated November 22, 2006 from **Greg Keefe, Deputy Minister, Service N.S. and Municipal Relations**, concerning regional discussion sessions on the capped assessment program. Council agreed to receive this letter for information purposes.

**Property Value  
Protection Clause -  
131 Loop Old #4  
Highway, Kempton**

This Information Item reported that an offer had been received and accepted for the property owned by Mr. Cecil Irving at 131 Loop Old #4 Highway, Kempton. The offer was for \$40,000 and given the direction from Executive Committee, the offer was topped up by \$6,000. The sale date for the property was November 10, 2006 and Mr. Irving received a cheque from the Municipality for \$6,000.

**Salmon River School  
Committee Meeting**

Councillor Edwards reported that the name going forward to the Steering Committee this week for the new school is Harmony Heights Elementary.

**Reports from**

Councillor Edwards reported that both he and the CAO will be

November 23, 2006

**Councillors  
Appointed to  
Outside Boards and  
Agencies**

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attending a meeting at the Glengarry of the Truro and District Chamber of Commerce and the Rotary Club of Truro on Monday, November 27, 2006.

**Recess**

Council agreed to recess to an in-camera session at 10:56 p.m. and reconvened in open session at 11:43 p.m.

**Adjournment**

Moved by Councillor Cavanaugh  
Seconded by Councillor Edwards

“That the meeting be adjourned at 11:45 p.m.”

Motion Carried Unanimously.

Sheila Arsenault  
Recording Secretary