

November 13, 2008

COUNCIL COMMITTEE

The Regular Session of Council Committee of the Municipality of the County of Colchester was held in the Courthouse, Truro, Nova Scotia on Thursday, November 13, 2008, immediately following a Special Meeting of Council.

Roll Call

The roll was called with the following Councillors in attendance:

Mayor Bob Taylor	
Councillor Christine Blair	District #1
Councillor Bill Masters	District #2
Councillor Mike Cooper	District #4
Councillor Glen Edwards	District #5
Councillor Karen MacKenzie	District #6
Councillor Jimmie LeFresne	District #7
Deputy Mayor Ron Cavanaugh, Chair	District #8
Councillor Tom Taggart	District #10
Councillor Earl McKenna	District #11

Absent:

Councillor Gerald Buott	District #3
Councillor Bob White	District #9

**Public Hearings -
Dangerous or
Unsightly Premises**

Gary and Pamela Lynds, 449 Lower Harmony Road, Harmony

Conflict of Interest

Councillor Edwards declared a conflict of interest on this hearing and removed himself from the table.

Mr. Mannie Withrow, Building Inspector, indicated that a written complaint had been received on August 14, 2008 concerning property owned by Gary and Pamela Lynds at 449 Lower Harmony Road, Harmony. An inspection carried out on August 19th found the property to be unsightly with derelict vehicles, a burnt travel trailer, a fallen down baby barn, auto parts, lawn tractors and old junk and debris.

The owners were sent a letter from the Building Inspection Office giving them 30 days to clean up the property. A re-inspection on October 16th showed no change in the appearance of the property. Therefore, a notice was posted on the property advising the owners to appear before Council Committee this evening.

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Mr. Withrow recommended that Council Committee issue an order giving the owners 30 days to remedy the unsightly condition of the property as presented in items 1 through 6 on the posting.

Mr. and Mrs. Lynds stated that they did not receive the letter giving them 30 days to clean up the property, the first they heard of the complaint was from the notice posted on the property. They indicated that nothing can be done at the back of the property as it gets flooded every year from the highway. In response to an inquiry, Mr. Lynds was advised that Councillor Edwards filed the unsightly complaint against the property on behalf of residents in the area. Mrs. Lynds stated that they have a place to store the antiques and they plan on repairing the burnt travel trailer. She guaranteed that if given 30 days, the property would be cleaned up in that time period.

Moved by Mayor Taylor
Seconded by Councillor Cooper

“That an order be issued to the property owners, as specified in the Notice, and 30 days be given to remedy the condition of the property by:

- (1) Removing all derelict vehicles, automobile body parts, engines, transmissions, tires, etc. from the property and disposing of them in a lawful manner;
- (2) Removing all old lawn mowers, lawn tractors, barbeques from the property and disposing of them in a lawful manner;
- (3) Removing miscellaneous scrap steel and wood from the property and disposing of it in a lawful manner, or piling it neatly in one location at the rear of the property;
- (4) Cleaning up all recyclable bottles and miscellaneous trash, garbage and debris and disposing of them in a lawful manner;
- (5) Removing the derelict burnt travel trailer from the property and disposing of it in a lawful manner; and
- (6) Repairing or removing the dilapidated storage sheds.”

Motion Carried Unanimously.

At this point, Councillor Edwards returned to the table.

William Taylor, 36 Evergreen Drive(P), Portapique

Mr. Withrow indicated that the complaint against the property owned by Mr. William Taylor at 36 Evergreen Drive (P), Portapique, was received over a year ago in June 2007. Mr. Taylor was renovating the building at the time which he planned on using as a cottage. When the Building

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Inspection Office originally got involved, the building was overhanging the cliff but has since been moved back. Because the building was deemed to be unsafe, Mr. Withrow issued a 'Stop Work' order.

Mr. Taylor was then asked by the Building Inspection Office to produce a report from an engineer as to the structural integrity of the building and obtain a permit from the Department of Environment and Labour for a onsite septic system. Mr. Taylor did submit a report from an engineer but was unable to obtain a permit from Environment for either an onsite septic system or a holding tank. He was informed by the Building Inspection Office that without the proper septic system approval from Environment, no municipal permits would be issued to him. Mr. Taylor also hired a solicitor who advised Mr. Withrow that his client was not prepared to do anything else to the property.

At this point, the Building Inspection Office was advised by the County Solicitor that the property should now be treated as a dangerous or unsightly file. Therefore, a notice was posted on the property for the owner to appear before Council Committee this evening.

Mr. Withrow recommended that Council Committee issue an order giving the owner 60 days to remedy the dangerous condition of the property as presented in the notice by either applying for a building permit for accessory use only and repair the building as recommended in the structural engineer's report or demolish the structure.

Mr. Taylor stated that the first thing he did was move the building back 13 feet and that the floor is still good in the little building. He also circulated a copy of the engineer's report around the table. Mr. Taylor indicated that his intention is to turn the building into a cottage.

Moved by Mayor Taylor
Seconded by Councillor McKenna

"That an order be issued to the property owner to remedy the condition of the property as follows:

- (1) Within 10 days of the posting of this Order upon the property, make the building safe to the satisfaction of the Building Inspector;
- (2) Within 60 days of the posting of this Order upon the property, apply for a Building Permit to repair the building as per the structural engineer's report; and,
- (3) If the Owner fails to meet any one of conditions (1) and (2), then the building is to be demolished."

Motion **amended**.

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Moved by Councillor LeFresne (In
Amendment)
Seconded by Councillor Masters

“That the order to be issued include a clause giving the owner 60 days to remedy the unsightly condition of the property.”

Motion Carried. *(Councillor McKenna opposed)*

The motion to amend having carried, the main motion was voted on and carried with *Councillors McKenna, Cooper and LeFresne opposed.*

Approval of Agenda

Moved by Councillor Edwards
Seconded by Mayor Taylor

“That the agenda for November 13, 2008 be approved with the following addition:

- add 11a: Council Orientation Session and Tour of County Facilities (on table)
- add 11b: Horse Droppings on Sidewalks and Trails”

Motion Carried Unanimously.

Approval of Minutes

Moved by Councillor LeFresne
Seconded by Mayor Taylor

“That the minutes of meeting held on September 11, 2008 be approved as circulated.”

Motion Carried Unanimously.

Business Arising from Minutes

Referring to Page 1064, staff advised Councillor Cooper that the development of a flag flying policy would be coming forward at a future Council Committee meeting.

Referring to Page 1062, Mayor Taylor reported that the move of the Five Islands lighthouse from the Sand Point Beach Campground to County property on Broderick Lane was very successful.

Presentations

There were no presentations received for this evening’s meeting.

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ACTION ITEMS**Truro Sport
Heritage Society**

Moved by Mayor Taylor
Seconded by Councillor Edwards

“That Council Committee recommends to Council that \$500 be donated to the Truro Sport Heritage Society in support of Black History Month in February 2009, source of funds to be general operations as an unbudgeted item.”

Motion Carried Unanimously.

**Council Code of
Conduct**

Moved by Mayor Taylor
Seconded by Councillor LeFresne

“That the Action Item regarding the Union of Nova Scotia Municipalities request that all municipalities in the Province consider a proposal for a Code of Conduct for elected municipal officials be received for information.”

Motion Carried Unanimously.

**Memorandum of
Understanding for
Cobequid Trail
Extension in Bible Hill**

Moved by Mayor Taylor
Seconded by Councillor McKenna

“That Council Committee recommends to Council approval of the draft Memorandum of Understanding for the portion of the Cobequid Trail through the Nova Scotia Agricultural College and the Bible Hill Recreation Park; and, authorize municipal staff to negotiate the final terms of the Memorandum of Understanding for signature by the CAO and Mayor.”

Motion Carried Unanimously.

**Request for Sewer
Service Extension -
Brookfield**

Moved by Councillor LeFresne
Seconded by Councillor Edwards

“That, due to the absence of the Area Councillor, the Action Item on the request for a sewer service extension in Brookfield be tabled until the next Council meeting.”

Motion Carried Unanimously.

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**Road Name Change -
Tattrie Settlement
Road to Rocklyn Road**

Moved by Councillor LeFresne
Seconded by Mayor Taylor

“That Council Committee recommends to Council that the Tattrie Settlement Road be renamed to Rocklyn Road and that staff be instructed to forward appropriate information to the Department of Transportation and Infrastructure Renewal.”

Motion Carried Unanimously.

Aids Awareness Week

Moved by Mayor Taylor
Seconded by Councillor Taggart

“That the request from the Northern Aids Connection Society to fly the Aids Awareness Flag in support of Aids Awareness Week from November 24 to December 1, 2008, be approved.”

Motion Carried. *(Councillor LeFresne opposed)*

Councillor Cooper indicated that he would like to see the development of a flag flying policy come forward at the next Committee meeting.

**Council Orientation
Session and Tour of
County Facilities**

Following a brief discussion on this item, Council agreed that the two evenings for the general orientation session would be Tuesday, December 2nd and Thursday, December 4th; and the tour of County facilities would be Saturday, December 13th. Staff will look at another date for the capital and operating budget orientation.

**Horse Droppings on
Sidewalks and Trails**

Councillor McKenna indicated that he had received a call this morning from a resident in Bible Hill who is concerned about horses being allowed on the sidewalks and trails and the owners not cleaning up the horse droppings left behind. The concerned resident felt it was unfair that pet owners have to clean up after their dogs and not after horses. Councillor McKenna asked that a motion to refer this matter to Council Committee be considered.

Moved by Councillor McKenna
Seconded by Councillor Blair

“That the issue of horse droppings on sidewalks and trails be referred to Council Committee.”

Motion Carried. *(Mayor Taylor, Councillor Edwards and Deputy Mayor Cavanaugh opposed)*

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**INFORMATION
ITEMS**

**Community Park
Funding Program - Fall
2008 Grants**

In response to the September 12th deadline, one application was received and approved for a grant of \$17,710.00 to the Cobequid Veterans' Memorial Park Society for Phase 2 of the development of the Veterans' Memorial Park in Bass River. In the fall of 2007, this organization was awarded a grant of \$14,236 for Phase 1. The Municipality has contributed approximately 25% of the total project cost of \$130,000. The next application deadline for this program will be February 27, 2009.

**Property Information
Manager**

An offer was made for the Property Information Manager position and accepted by Mr. Darryl Matheson who commenced duties on November 3, 2008.

**Insurance for Not-for-
Profit Organizations -
Grant Applications**

In response to the October 15th deadline, 18 applications were received, 15 of which were approved for a total amount of \$6,758. Three of the 18 applications either required more information or were not eligible.

**Alton Natural Gas
Storage Project**

The Project Manager for the Alton Natural Gas Storage Project has indicated that the company would be willing to make a presentation to Council on the project. Staff requested direction from Council on the offer to present.

Moved by Councillor Blair
Seconded by Councillor Cooper

“That staff proceed to have the Alton Natural Gas Storage Project make a presentation to Council in order to obtain more information on the project.”

Motion Carried Unanimously.

**HRM Biosolids
Processing Plant**

In June 2008, an offer was made by N-Viro Soil to arrange a tour of the HRM Biosolids Processing Plant for Council members and staff. Councillor Cooper had inquired as to whether such a tour could be arranged. Through a memorandum from the CAO, staff have asked if other Councillors were interested in participating in a tour.

Moved by Mayor Taylor
Seconded by Councillor Cooper

“That N-Viro Soil be invited to make a presentation to Council, followed by a tour of the HRM Biosolids Processing Plant, if necessary.”

Motion Carried Unanimously.

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Directors' Reports

The CAO indicated that these reports are being provided to Council Committee to keep members up to date on current and upcoming activities or emerging issues in the various departments. For this meeting, reports were provided from the Director of Corporate Services and the Director of Community Development. At December Committee, reports will be provided from the Director of Public Works and the Solid Waste Manager.

Recess

Moved by Councillor Masters
Seconded by Councillor LeFresne

“That Council Committee recess to an in-camera session at 10:10 p.m.”

Motion Carried Unanimously.

Moved by Councillor MacKenzie
Seconded by Councillor Taggart

“That Council Committee reconvene in open session at 10:35 p.m.”

Motion Carried Unanimously.

Tatamagouche Branch Library - Request to Purchase Land from School Board

Councillor LeFresne
Seconded by Deputy Mayor Cavanaugh

“That Council Committee recommends to Council that the Municipality agree to acquire the preferred site for the Tatamagouche Branch Library from the School Board for \$25,000 and that the land value go toward mutually agreed to recreation/sport based improvements at the North Colchester High School.”

Motion Carried. *(Mayor Taylor opposed)*

Adjournment

Moved by Councillor MacKenzie
Seconded by Councillor Edwards

“That the meeting be adjourned at 10:39 p.m.”

Motion Carried Unanimously.

Sheila Arsenault
Recording Secretary