

August 13, 2009

**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, August 13, 2009 at 7:00 p.m.

**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 Gerry Buott	District #3
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 Bob White	District #9
Councillor Tom Taggart	District #10
Councillor Earl McKenna	District #11

**Public Hearings -  
Dangerous or  
Unightly Premises****David Newell, 131 Johnson Road, Harmony**

Mr. Mannie Withrow, Manager of Inspection Services, indicated the property owned by David Newell at 131 Johnson Road, Harmony, had been before Council back in 2006. At that time, the property was deemed to be both dangerous and unsightly; therefore, Council Committee had issued an order to have the property cleaned up and the well filled in. The cleanup was carried out by the Building Inspection office.

Mr. Withrow advised that a complaint against this property had been received on April 20, 2009. An inspection conducted on April 21<sup>st</sup> deemed the property to be both dangerous and unsightly. A letter was sent to the owner in Ontario to demolish the dilapidated buildings and clean up the debris within 30 days. No response was received from the owner. A re-inspection on June 30<sup>th</sup> showed no change; therefore, a notice was posted on the property advising the owner to appear before Council Committee this evening.

Mr. Withrow recommended that Council Committee issue an order giving the owner 30 days to remedy the condition of the property as presented in items 1 and 2 of the posting.

There was no one in the audience to represent the property owner on this matter.

Mr. Marc Ault, who lives on a neighbouring property, indicated that up

August 13, 2009

until this past winter, the buildings were pretty much boarded up; however, the door into the main house is now open. He felt the buildings, including the floors, were unsafe.

Moved by Councillor Edwards  
Seconded by Councillor Blair

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

- 1) Demolishing the dilapidated buildings on the property and disposing of the debris in a lawful manner; and,
- 2) Infilling any foundations left after the removal of the buildings, and levelling the ground in a satisfactory manner.

Motion Carried Unanimously.

Ann Marie Fitzpatrick, Highway 311, Harmony

Mr. Withrow reported that he had received a complaint from a neighbour on this property on May 29, 2009. The property, located on Highway 311, Harmony, is owned by Ann Marie Fitzpatrick. An inspection on June 2<sup>nd</sup> deemed the property to be unsightly. A letter was sent to the owner giving her 30 days to clean up the property.

Mr. Withrow indicated that he received a phone call from Mrs. Fitzpatrick who advised that the property was involved in an estate issue and that she was not permitted to do anything to it. Mr. Withrow contacted the solicitor for the estate who indicated that attempts were being made to sell the land.

A reinspection of the property on July 9<sup>th</sup> showed no change; therefore, a notice was posted on the property advising the owner to appear before Council Committee this evening.

Mr. Withrow recommended that Council Committee issue an order giving the owner 30 days to remedy the condition of the property as presented in item 1 of the posting.

Mr. Donald Roode indicated that Mrs. Fitzpatrick had asked him to represent her at tonight's meeting. Mrs. Fitzpatrick does not have clear title to this property as it was part of a divorce settlement between her and her husband who passed away before an agreement was reached. The land is still in the estate of Mrs. Fitzpatrick's husband.

Moved by Councillor Masters

August 13, 2009

Seconded by Councillor White

“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 burnt debris, rubble, garbage, etc. from the property and disposing of it in a lawful manner.”

Motion Carried Unanimously.

Canada Mortgage and Housing, 113 Blainedale Drive, Salmon River

Mr. Withrow indicated that he received a complaint on this property on June 11, 2009. The property located at 113 Blainedale Drive, Salmon River, is owned by Canada Mortgage and Housing who use it as a rental property. An inspection conducted on June 18<sup>th</sup> deemed the property to be unsightly. Mr. Withrow noted that this is the 10<sup>th</sup> complaint against the property. A letter was sent to the owner giving them 30 days to clean up the property. A re-inspection on July 28<sup>th</sup> showed that some cleanup had been carried out but was still deemed to be unsightly; therefore, a notice was posted on the property advising the owner to appear before Council Committee this evening.

Mr. Withrow recommended that Council Committee issue an order giving the owner 30 days to remedy the condition of the property as presented in items 1 and 2 of the posting.

Ms. Grace Sawatsky, who lives on a neighbouring property, indicated that the tires on this property is the view from her deck. Some of the cleanup debris was placed on the property line. She has planted trees to obstruct the view but they take awhile to grow.

Moved by Councillor MacKenzie  
Seconded by Councillor Buott

“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 the miscellaneous tires, auto parts, batteries, motors, transmissions, etc. from the front, side and rear yards of the property and disposing of them in a lawful manner; and,
- (2) Removing all miscellaneous junk, garbage and debris from the front, side and rear yards of the property and disposing of it in a lawful manner.”

Motion amended.

Moved by Councillor Cooper (In

August 13, 2009

Amendment)  
Seconded by Councillor Buott

“That the removal of the temporary tarped building and disposal of the material in a lawful manner, be added to the Order.”

Motion Carried Unanimously.

The motion to amend having carried, the main motion was voted on and carried unanimously.

Margaret Fisher, c/o Dawn Fisher, 18 Pleasant Valley Road, Brookfield

*Conflict of Interest*

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

Mr. Withrow indicated that this property is involved in an estate matter which is being handled by Ms. Dawn Fisher. The property is located at 18 Pleasant Valley Road in Brookfield. A complaint was received on June 18, 2009. An inspection on June 19<sup>th</sup> deemed the property to be unsightly. A letter was sent to the owner to clean up the property within 30 days. A reinspection on July 24<sup>th</sup> showed no change; therefore, a notice was posted advising the owner to appear before Council Committee this evening.

Mr. Withrow recommended that Council Committee issue an order giving the owner 30 days to remedy the condition of the property as presented in item 1 of the posting.

There was no one in the audience to represent the property owner on this matter.

Moved by Councillor Masters  
Seconded by Councillor McKenna

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

1. Removing oil tank, old furnace, duct work, miscellaneous junk and debris from the rear yard and disposing of them in a lawful manner.”

Motion Carried Unanimously.

*At this point, Councillor Buott returned to the table.*

Elizabeth Coupar, 3782 Highway 4, Lower Debert

August 13, 2009

In his report, Mr. Withrow indicated that the building on this property used to be a garage. The property, located at 3782 Highway 4, Lower Debert, is owned by Elizabeth Coupar. Mr. Don Wilson is currently leasing the property from Ms. Coupar. A complaint was received from the neighbours on May 1, 2009. An inspection of the property deemed it to be both dangerous and unsightly. A letter was sent to the owner requesting that the property be cleaned up by June 5<sup>th</sup>. A letter was received from Mr. Wilson on June 3<sup>rd</sup> requesting an extension to June 30<sup>th</sup>. On June 30<sup>th</sup>, a re-inspection showed some cleanup had been done but was still deemed to be unsightly and the temporary fencing did not meet fencing standards. Therefore, a notice was posted advising the owner and Mr. Wilson, to appear before Council Committee this evening.

Mr. Withrow recommended that Council Committee issue an order giving the owner 30 days to remedy the condition of the property as presented in items 1 through 4 of the posting.

Mr. Don Wilson indicated that this spring he elected to close one of his businesses and did not get the property in Lower Debert cleaned up. Mr. Wilson's business is heavy diesel engines and marine transmissions. A cleanup in his business is an ongoing operation. There are some parts that were kept in inventory longer than he hoped. Mr. Wilson expects that the derelict vehicles will be moved out soon, the fencing will be extended further and a gate has been put up. He is consolidating inventory and moving some of it to another location. Mr. Wilson requested Council's indulgence to allow him more time to clean up.

Moved by Councillor Taggart  
Seconded by Mayor Taylor

"That an order be issued to the property owner and 45 days be given to remedy the condition of the property by:

- (1) Removing all derelict vehicles from the property and disposing of them in a lawful manner;
- (2) Removing all miscellaneous junk, old wood, pallets, etc. from the property and disposing of them in a lawful manner; and,
- (3) Removing the temporary fencing and disposing of it in a lawful manner."

Motion Carried.

*(Councillor MacKenzie opposed)*

August 13, 2009

“That the agenda for August 13, 2009 be approved with the following amendments:

- add Item #14b: North Nova Cable and Seaside Communications
- add Item #16b: Temporary Waste Disposal for Festival Events
- add Item #14c: Saywood Developments Ltd.
- add Item #16c: School Board Election Expenses
- add Item #16d: NDP Caucus Reception
- add to Item #6, Presentations: Joan Jessome, Nova Scotia General Employees Union; and, Jo Ann Fewer, Director’s Report from Colchester Regional Development Agency
- add Item #14d: Tribute to Jamie Muir”

Motion Carried Unanimously.

**Approval of Minutes**

Moved by Councillor Cooper  
Seconded by Councillor Buott

“That the minutes of meetings held on March 19 and June 11, 2009 be approved as circulated.”

Motion Carried Unanimously.

**Business Arising from Minutes**

There was no business arising from the minutes of meetings held on March 19 and June 11, 2009.

**Presentations**

**Nova Scotia General Employees’ Union (NSGEU)**

Ms. Joan Jessome introduced herself and two Educational Assistants, Ms. Jill Janes and Jeannie MacLaren. Ms. Jessome indicated that the purpose of this presentation was to make Council aware of the potential reduction of Education Assistants within the Chignecto Central Regional School Board. There are some 650 support staff that work for the School Board, 400 of which are Educational Assistants. The School Board has identified 64 Educational Assistants to be laid off if they are not called back to work by October. The reason given for this reduction is the new contract which provides an extra half hour per day which means each Educational Assistant would be working 5.5 hours rather than 5 hours per day. Ms. Jessome stressed that this not only impacts on the parents who have children with special needs but also children with no special needs. The NSGEU is concerned that come September, there may not be enough Educational Assistants to work with all the children who have special needs.

The NSGEU is asking Council to meet with School Board representatives and speak to the Educational Assistants and parents regarding this matter.

August 13, 2009

Staff noted a letter circulated on table a letter from the Chignecto Central Regional School Board concerning the NSGEU's presentation to Council this evening.

Moved by Councillor LeFresne  
Seconded by Councillor Buott

"That the presentation from the Nova Scotia General Employees Union be received and a letter be sent to the Chignecto Central Regional School Board requesting information on the number of special needs students enrolled in 2008-09 and the number in 2009-10."

Motion amended.

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

"That the letter to the School Board include an invitation to make a presentation to Council on this matter."

Motion Carried Unanimously.

The motion to amend having carried, the main motion was voted on and carried unanimously.

*At this point, Councillor Edwards left the meeting due to illness.*

Jo Ann Fewer, Executive Director,  
Colchester Regional Development Agency (CoRDA)

Ms. Fewer's presentation this evening is part of Item #17 on the agenda, Directors' Reports. A copy of Ms. Fewer's report was circulated in Council's meeting package. The report contained a list of business plan activity for the fiscal year 2009-10 and a brief update on the status of each. Ms. Fewer noted that CoRDA will be moving on October 1, 2009 to the second floor of the Bank of Montreal building.

Moved by Councillor Masters  
Seconded by Councillor Blair

"That the presentation from the Colchester Regional Development Agency be received."

Motion Carried Unanimously.

## **ACTION ITEMS**



August 13, 2009

“That Council Committee recommends to Council that a donation in the amount of \$5,000 to the Colchester Legion Pipes and Drums be approved to assist with travel costs to attend the 65<sup>th</sup> anniversary celebrations of the Liberation of the Netherlands to be held in the Netherlands in May 2010, source of funds to be general operations as an unbudgeted item.”

Motion Carried Unanimously.

**Spring and Fall  
Cleanup Review**

*During discussion on this item, the Chair, Deputy Mayor Cavanaugh stepped away from the table at 10:50 p.m. and returned at 10:55 p.m. Councillor Cooper assumed the position of Chair during that time.*

Moved by Councillor Taggart  
Seconded by Councillor Buott

“That two options be considered during the next tendering process for the spring and fall cleanup portion of the garbage collection contract in 2010; namely:

- spring and fall cleanup program remain the same; and,
- bi-weekly pickup from April to October”

Motion **Defeated**.

*(Mayor Taylor, Deputy Mayor Cavanaugh, Councillors Blair, Masters, Cooper, MacKenzie, LeFresne, White, McKenna opposed)*

Moved by Councillor LeFresne  
Seconded by Councillor Masters

“That the Municipality maintain the status quo during the next tendering process for the spring and fall cleanup portion of the garbage collection contract in 2010.”

Motion Carried Unanimously.

Moved by Councillor Masters  
Seconded by Councillor LeFresne

“That staff report back with recommendations on enforcement options to be used during spring and fall cleanup collection.”

Motion Carried Unanimously.

**Cheque  
Signature Plate**

Moved by Mayor Taylor  
Seconded by Councillor Cooper

“That Council Committee recommends to Council that cheques less than

August 13, 2009

\$1,000 be run through a signature plate and cheques of \$1,000 or more be hand signed; and,

That the cheque signing plate contain the signatures of the Mayor and Chief Administrative Officer (CAO).”

Motion Carried Unanimously.

**Signing Authority as  
Fire Inspector and  
Building Inspector**

Moved by Councillor Masters  
Seconded by Councillor White

“That Council Committee recommends to Council that Mike MacKinnon be appointed as Building Inspector and Fire Safety Inspector.”

Motion Carried Unanimously.

**Signing Authority as  
Development Officer  
and Assistant  
Development  
Officers**

Moved by Councillor LeFresne  
Seconded by Councillor Masters

“That Council Committee recommends to Council that Colin Forsyth be appointed as Development Officer and that Pam Macintosh and Paul Smith be appointed as Assistant Development Officers.”

Motion Carried Unanimously.

**Reorganization of  
Staff in Utility  
Services and  
Wastewater  
Treatment**

Moved by Mayor Taylor  
Seconded by Councillor Buott

“That Council Committee recommends to Council that:

- The work of operation and maintenance of sewage lift stations be transferred from the Utility Services Division to the Wastewater Treatment Division of Public Works;
- One position in the Utility Services crew reporting to Utility Services Supervisor be eliminated (bringing the strength from four to three in the Utility Services Division) and one position be added to the Wastewater Treatment crew reporting to Wastewater Treatment Manager (bringing the strength from two to three in Wastewater Treatment Division);
- The basic hourly wage rate of the Wastewater Treatment workers be matched with the basic hourly wage rate of the Utility Services worker effective from the date of implementation of the reorganization and that the Wastewater Treatment worker position be reclassified to Group Rank 4 instead of the existing Group Rank

August 13, 2009

3;

- The job descriptions of both the Utility Services worker as well as the Wastewater Treatment worker be updated to reflect the changed job duties and responsibilities; and,
- The Collective Agreement be amended to reflect the hourly rate change and that the Mayor and the CAO be authorized to sign the Agreement on behalf of the County.”

Motion Carried Unanimously.

**Front End Loader  
for Balefill Facility**

Moved by Councillor Masters  
Seconded by Councillor Buott

“That Council Committee recommends to Council that the Capital Budget be approved for replacement of the front end loader at the Balefill in the budget amount of \$150,000 for the 2009-10 fiscal year.”

Motion Carried Unanimously.

**North Nova Cable &  
Seaside  
Communications**

Councillor Taggart indicated that he has received emails and phone calls over the past week from residents in his district who are experiencing adverse effects on their high speed internet service provided by North Nova Cable. The residents feel that the disruption is being caused by Seaside Communications’ tower being located in close proximity to that of North Nova Cable.

Councillor Taggart asked Council to consider sending a letter to the Premier and Minister of Economic Development to request that the Province intervene to make certain that North Nova Cable and Seaside Communications work together to ensure no disruption in existing high-speed internet service to the residents of Colchester County.

Moved by Councillor Taggart  
Seconded by Councillor Blair

“That a letter be written to the Premier of Nova Scotia and the Minister of Economic and Rural Development to request that they take the necessary steps to make certain that North Nova Cable and Seaside Communications work together to ensure no disruption in existing high-speed internet service to the residents of Colchester County; and,

That this letter be copied to the three local MLA’s and the Canadian Radio-Television Telecommunications Commission.”

Motion Carried Unanimously.

August 13, 2009

Moved by Councillor Masters  
Seconded by Councillor Cooper

“That a letter be written to Seaside Communications to request they make a presentation to Council on the issues raised by residents of West Colchester regarding provision of high-speed internet service.”

Motion Carried Unanimously.

**Saywood  
Developments Ltd.**

Mayor Taylor made reference to a letter on table from Ken Eisner, President, Saywood Developments Limited, in which he is requesting Council to consider a process that allows developers to use non-standard street lighting. The letter further explains that Nova Scotia Power provides street lighting and maintenance to the County and if a developer wishes to use anything different than the standard, Nova Scotia Power will not consider providing additional services.

Moved by Mayor Taylor  
Seconded by Councillor McKenna

“That a letter be written to Nova Scotia Power to request that they consider providing regular maintenance service to streetlight poles on Carleton Court and to similar non-standard poles proposed for other streets in the Wexford subdivision of Colchester County.”

Motion Carried Unanimously.

**Tribute to  
Jamie Muir**

Staff indicated that Council may wish to change the date of the next regularly scheduled meeting as it is the same night as the tribute to Jamie Muir, who is retiring from public service. The date change will give Councillors the opportunity to attend the tribute if they so wish.

Moved by Councillor Taggart  
Seconded by Councillor Buott

“That the date of the next regular Council meeting be changed from Thursday, August 27 to Wednesday, August 26, 2009.”

Motion Carried Unanimously.

**Temporary Waste  
Disposal for  
Festival Events**

Councillor Taggart indicated that he had recently been contacted by a campground owner who had received a number of requests from campers to use his waste dumping station. These campers had stayed at the Nova Scotia Provincial Exhibition Grounds during the Dutch Mason Blues Festival where this service was not available. The campground owner suggested that the County recommend to the organizers of this event to

August 13, 2009

have such a service available if they are going to provide sites for overnight camping.

Moved by Councillor Taggart  
Seconded by Mayor Taylor

“That a letter be written to the Nova Scotia Provincial Exhibition to ask them to consider looking at having waste disposal dumping stations available at festival events to receive travel trailer waste.”

Motion Carried Unanimously.

## **INFORMATION ITEMS**

### **Dog Park**

At the March 26, 2009 meeting, Council received a presentation from Ms. Kim Cole requesting the County’s assistance in locating a fenced-in property where dogs can run off leash in the Truro area. Ms. Cole made a similar request to the Truro Town Council. The Town of Truro has approved Ms. Cole’s request by providing a permanent location for this purpose on Marshland Drive.

### **Procedure for School Crossing Guards - Harmony Heights School, Salmon River**

This Information Item is a detailed report prepared by staff in response to a letter of request received in early spring for four crossing guards at the Harmony Heights School in Salmon River. At that time, staff were directed to process this request under the Municipality’s policy on crosswalk supervision. Staff have prepared this report in accordance with that policy.

### **School Board Election Expenses**

Mayor Taylor made reference to a letter recently received from the Chignecto Central Regional School Board advising that the County has received a cheque to cover School Board expenses during the 2009 municipal election.

### **NDP Caucus Reception**

Mayor Taylor encouraged all interested and available Councillors to attend an NDP Caucus reception being held in Truro on August 21, 2009.

### **Adjournment**

Moved by Councillor McKenna  
Seconded by Councillor White

“That the meeting be adjourned at 12:10 a.m.”

August 13, 2009

Motion Carried Unanimously.

Sheila Arsenault  
Recording Secretary