

April 26, 2001

MUNICIPAL COUNCIL

A Regular Session of the Municipal Council of the Municipality of the County of Colchester was held in the Court House, Truro, N.S. on Thursday, April 26, 2001 at 7:00 p.m.

Roll Call

The roll was called with the following Councillors in attendance:

Mayor Mike Smith, Chair	
Councillor Bob Taylor	District #1
Councillor Bill Masters	District #2
Deputy Mayor Hugh Matheson	District #3
Councillor Richard Elliott	District #4
Councillor Glen Edwards	District #5
Councillor Ron Cavanaugh	District #6
Councillor Jimmie LeFresne	District #7
Councillor Soley Lynds	District #8
Councillor Keith Baas	District #9
Councillor Doug Cooke	District #10
Councillor Earl McKenna	District #11

Agenda

Moved by Councillor Cooke
Seconded by Councillor Elliott

“That the Agenda be approved with the following additions:

- 11b. Asphalt Sidewalks
- 11c. Report on Industrial Development Integration
- 11d. Sidewalk in Salmon River
- 11e. County Farm Tour
- 11f. Truro Heights Water

- Add Correspondence Information Item #29: A letter dated April 4, 2001 from Mayor Smith to the Honourable Angus MacIsaac attaching correspondence between the Municipality’s lawyer and Sempra’s lawyer concerning Sempra’s request for an exemption from municipal taxation”

Motion Carried.

Minutes

Moved by Deputy Mayor Matheson
Seconded by Councillor Elliott

“That the minutes of meeting held on March 29, 2001 be approved as circulated.”

Motion Carried.

**Business Arising
from Minutes**

There was no business arising from the minutes of March 29, 2001.

Presentations

Mr. Gerald Jennings from Debert made a brief presentation to Council on a recent article he read in the Chronicle-Herald concerning the natives' interest in obtaining 3000 hectares of Camp Debert property formerly owned by the Department of National Defence. Mr. Jennings indicated this property was expropriated from the farmers by the military in 1940 and he felt these same farmers or their families should be offered the chance to purchase this land before allowing others the opportunity.

Moved by Councillor Cooke
Seconded by Councillor Baas

“That the presentation be received for information.”

Motion Carried.

Moved by Councillor Cavanaugh
Seconded by Councillor Baas

“That this item be referred to Council Committee for further discussion and that Mr. Jennings be advised of when it goes to Committee.”

Motion Carried.

Correspondence

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

S Nos. 1, 2, 4, 6, 7, 8, 21, 25, 27 and 28 from various sources, the subject of all dealing with the proposed equalization program

S No. 20: Letter from Ronald Russell concerning the petition from residents of College Road

ACTION

**Joe Van Buskirk,
Chair, Children's
WaterFest
Committee**

A letter to Mayor Smith dated March 28, 2001 from **Joe Van Buskirk, Chair, Children's WaterFest Committee**, requesting a donation to assist in transportation costs associated with the Children's WaterFest being held June 7-8, 2001.

Moved by Councillor Elliott
Seconded by Deputy Mayor Matheson

"That the letter from Mr. Buskirk requesting a donation to assist in transportation costs associated with the Children's WaterFest being held June 7-8, 2001 be referred to Council Committee."

Motion Carried.

In preparation for this Committee item, staff have been asked to obtain the following additional information:

- S** verification that the 1700 students registered is the actual number attending the event
- S** does this number include students from the Towns of Truro and Stewiacke
- S** have the Towns of Truro and Stewiacke been approached for funding assistance

**David Morse,
Minister of
Environment and
Labour**

A copy of a letter from **David Morse, Minister of Environment and Labour**, enclosing a copy of the recently released Sewage Management Discussion Paper entitled "We all have a Part to Play".

Moved by Councillor Taylor
Seconded by Councillor Baas

"That this item on the Sewage Management Discussion Paper be referred to Council Committee for further discussion."

Motion Carried.

Council recommended that staff attend the public consultation session on this Paper being held in Truro on May 10, 2001 and report back to Council on any significant issues raised at this session.

**Voluntary Planning
Website**

A copy of a news release and background paper from the **Voluntary Planning Website** on non-resident land ownership in Nova Scotia.

Moved by Councillor LeFresne
Seconded by Councillor Baas

“That this item on non-resident land ownership in Nova Scotia be referred to Council Committee following the public consultation meeting being held in Tatamagouche on May 7, 2001.”

Motion Carried.

**Mharbe Rafih, 60
Tamarack Drive**

A letter dated April 26, 2001 from **Mharbe Rafih, 60 Tamarack Drive**, requesting an amendment to the County by-laws which would allow institutional use in a C-3 zone.

Moved by Councillor Elliott
Seconded by Councillor Cooke

“That the letter from Mr. Rafih be referred to PAC for further discussion and that the Chief Administrative Officer be instructed to set up a public hearing date on this issue.”

Motion Carried.

**Proposed
Equalization Program**

Items 1, 2, 4, 6, 7, 8, 21, 25, 27 and 28 listed on “Correspondence-Information” from various sources (Towns, municipalities, UNSM, Province) concerns the proposed municipal-provincial fiscal exchange package.

With specific reference to UNSM’s request to Premier Hamm that the Province and UNSM engage in discussion over the next three months to develop a package which would reflect a more broadly based consensus on equalization, Council agreed to wait and see this next proposal before making any further comment.

Moved by Councillor Cavanaugh
Seconded by Councillor Baas

“That the Municipality respond to the Town of Lunenburg letter dated March 21, 2001 indicating that Colchester does not support Lunenburg’s suggestion that assessment from the natural gas industry should be taken from the municipalities in which it is located and split amongst all units.”

Motion Carried.

**Ronald Russell,
Minister of
Transportation and
Public Works**

A copy of a letter dated April 5, 2001 from **Ronald Russell, Minister of Transportation and Public Works**, responding to a petition circulated by Dr. David Zak regarding the poor condition of College Road.

Council reviewed this letter and was concerned by Minister Russell's statement that no funding has been specifically committed for College Road in the next two years whereas comments from Bill Langille, MLA, Colchester-North, in a recent edition of the Truro Daily News, indicated that this work would be done in 2002.

Moved by Councillor McKenna
Seconded by Councillor Cooke

"That the Municipality send a letter to Bill Langille, MLA, Colchester-North, requesting confirmation on whether the provincial government will have funding in place for this reconstruction project in 2002, with a copy to Minister Russell and Dr. David Zak."

Motion Carried.

INFORMATION

**Dr. Jeff Scott,
Provincial Medical
Officer of Health**

A letter dated March 20, 2001 from **Dr. Jeff Scott, Provincial Medical Officer of Health**, concerning sharing of water and other beverage bottles and the link to meningococcal disease. Council agreed to receive this letter for information purposes.

**Jim Connors, Sempra
Atlantic Gas**

A copy of a letter dated March 28, 2001 from **Jim Connors, Sempra Atlantic Gas**, enclosing a copy of Sempra's Nova Scotia Benefits Plan 2000 Annual Report (copy of report is on file in the Clerk's office). Council agreed to receive this letter for information purposes.

**John Bray, Director
General,
Communications
Branch, Indian &
Northern Affairs
Canada**

A copy of a letter from **John Bray, Director General, Communications Branch, Indian and Northern Affairs Canada**, concerning National Aboriginal Day celebrations on June 21, 2001. Council agreed to receive this letter for information purposes.

**N.S. Adopt-A-
Highway Program**

A copy of the newsletter "Litterature" received from the **N.S. Adopt-A-Highway Program** for the spring of 2001. Council agreed to receive this newsletter for information purposes.

CoRDA

A copy of Board minutes received from **CoRDA** from meeting held March 20, 2001. Council agreed to receive these minutes for information purposes.

**David Morse,
Minister of
Environment and
Labour**

A letter dated April 6, 2001 from **David Morse, Minister of Environment and Labour**, in response to Colchester County's letter concerning classification of Crown land at Gully Lake. Council agreed to receive this letter for information purposes.

**James Connors,
Sempra Atlantic Gas**

A letter dated April 10, 2001 from **James Connors, Sempra Atlantic Gas**, concerning the Province's decision on installation of pipeline in road shoulders. Council agreed to receive this letter for information purposes.

**Petroleum
Directorate and
Department of
Transportation &
Public Works**

A copy of a joint news release from the **Petroleum Directorate and Department of Transportation and Public Works**, concerning the Province's decision on the installation of pipeline in road shoulders. Council agreed to receive this news release for information purposes.

**James Knight, CEO,
FCM**

A letter dated April 2, 2001 from **James Knight, CEO, FCM**, concerning membership in FCM. Council agreed to receive this letter for information purposes.

**Judy Darcy, National
President, CUPE**

A copy of a letter dated April 2001 from **Judy Darcy, National President, CUPE**, enclosing a copy of CUPE's Annual Report on Privatization (copy of this document is on file in the Clerk's office). Council agreed to receive this letter for information purposes.

**Jamie Muir, Minister
of Health**

A letter dated April 6, 2001 from **Jamie Muir, Minister of Health**, in response to Colchester County's letter of support on proposed changes to the Registered Nurses Act (Nurse Practitioners). Council agreed to receive this letter for information purposes.

**Rennie Bugley, CAO,
Municipality of
Cumberland**

A copy of a letter dated April 6, 2001 from **Rennie Bugley, Chief Administrative Officer, Municipality of Cumberland**, concerning Cumberland Council's position on the draft rights-of-way agreement. Council agreed to receive this letter for information purposes.

**Jane Purves,
Minister of Education**

A letter dated April 6, 2001 from **Jane Purves, Minister of Education**, in response to Colchester's letter concerning the municipal mandatory contribution to education. Council agreed to receive this letter for information purposes.

**Ronald Russell,
Minister of
Transportation &
Public Works**

A letter dated April 5, 2001 from **Ronald Russell, Minister of Transportation and Public Works**, concerning recent amendments to the Public Highways Act (copy of this brochure is on file in the Clerk's office). Council agreed to receive this letter for information purposes.

Building Inspector

The Building Permit Statistics Report received from the **Building Inspector** for the month of March 2001. Council agreed to receive this report for information purposes.

Development Officer

The Development Activity Report received from the **Development Officer** for the month of March 2001. Council agreed to receive this report for information purposes.

**Canadian Oil Heat
Association**

A copy of newsletter received from the **Canadian Oil Heat Association** for the month of April 2001. Council agreed to receive this newsletter for information purposes.

**Municipality of
Colchester/Patterson
Palmer Hunt
Murphy/Boyne
Clarke, Barristers &
Solicitors**

A letter from the Municipality to Minister Angus MacIsaac attaching correspondence between the **Municipality's lawyer (Patterson Palmer Hunt Murphy and Sempra's lawyer (Boyne Clarke))** concerning Sempra's request for an exemption from municipal taxation. Council agreed to receive this correspondence for information purposes.

**Council Committee
Reports &
Recommendations**

**Council Committee
Reports**

Deputy Mayor Matheson presented the report from the Council Committee meeting held on April 12, 2001 which consisted of the following motions:

Moved by Deputy Mayor Matheson
Seconded by Councillor Cavanaugh

**Host Community
Agreement
Community Centre
Trust Account**

"That Council approves the advancement of the sum of \$15,000 to the Kemptown and Area Recreation Association from the Community Centre Trust Account."

Motion Carried.

**Amendments to
Tipping Fee Schedule**

Moved by Deputy Mayor Matheson
Seconded by Councillor Elliott

“That Council approves the revised tipping fee schedule dated April 12, 2001.”

Motion Carried.

**Planning Appeals -
Proposed Decision
Time Frame - N.S.
Utility & Review
Board**

Moved by Deputy Mayor Matheson
Seconded by Councillor Taylor

“That Council approves the UNSM Resolution pertaining to Planning Appeals - Proposed Decision Time Frame - N.S. Utility and Review Board.”

Motion Carried.

**Annual Bank
Resolution Renewals**

Moved by Deputy Mayor Matheson
Seconded by Councillor Edwards

“That Council authorizes the Mayor and Clerk to sign the banking documents as presented at the Council Committee dated April 12, 2001.”

Motion Carried.

**Personnel Policies
6.06 and 6.07**

Moved by Deputy Mayor Matheson
Seconded by Councillor McKenna

“That Council approves revised Policy 6.06 and 6.07 dated April 26, 2001 and that Policy 6.06 and 6.07 dated August 29, 1996 be repealed.”

Motion Carried.

**Lease on Public
Works Building**

Moved by Deputy Mayor Matheson
Seconded by Councillor Masters

“That Council authorizes the Mayor and CAO to sign an amendment to the Lease Agreement based on Quotation B, for the Public Works Building. Quotation B includes monthly rental of

\$2,750.00, plus \$1,898.00 common costs, for a three-year term with an option to end the lease with six months notice.”

Motion Carried.

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

Tatamagouche Zoning Committee

Councillor LeFresne reported that the Tatamagouche Zoning Committee will meet once more and then a public meeting will be called in late May/early June. The results of both these meetings will be reported to Council as they occur.

Truro and District Chamber of Commerce

Councillor LeFresne attended a meeting of the Truro and District Chamber of Commerce on April 11th at which Sempra and Business Occupancy Tax Elimination were discussed.

Tatamagouche Water Utility

Councillor LeFresne reported that due to the heavy snow fall this year and the runoff resulting in the river becoming more muddy than usual, the Utility started hauling water to fill the tank. The resulting costs were close to \$4,000 to fill the tank once. The Utility looked at the problem, compared the cost and decided to stop hauling water as discoloured water for the next 10 days or so was satisfactory.

Central Nova Tourist Association

Councillor Edwards reported that CNTA is looking at improving tourism signage within the province. He asked Councillors to advise CNTA of any improper signage within their district.

Children's Aid Society

Councillor Elliott reported that he had recently attended a meeting of the Children's Aid Society but had nothing to report to Council.

Volunteer Recognition Dinner

Councillor McKenna reported on the joint Volunteer Recognition dinner sponsored by the Town of Truro and the Municipality of Colchester. Those winning awards this year included:

- Judy Lewis, Bass River
- Earl McKenna, Truro
- Village of Bible Hill

School Board

Deputy Mayor Matheson reported that he had attended several meetings in the last two weeks concerning the new high school in Brookfield, the highlights of which are as follows:

- S** size has been confirmed
- S** site selection is down to two
- S** Enhancement Committee has been formed and will make a presentation to Council Committee on May 10th with respect to an area rate for South Colchester
- S** no design plans to date
- S** going to tender in May, starting construction in June and completion by 2002

CoRDA

Councillor Taylor provided Council with an update on the latest CoRDA activities:

- S** CEO interested in doing a presentation to Council in June or July on status of strategic initiatives
- S** Recent Board Orientation Workshop for new and existing members and a Board Governance Workshop were well attended
- S** CEO has met with all community development associations and is planning a CoRDA/CDA organizational review meeting for late May/early June
- S** CoRDA has contracted out its books this year to Grant Thornton. The Business Manager is no longer with the Agency - position will not be filled (under assessment)
- S** Recent volunteer reception in recognition of groups/volunteers involved in CED was well attended
- S** CEO met with the West Colchester Development Association - currently working with the Association on this year's budget issues
- S** CEO working with Tatamagouche Smart Rural Community Staff on proposal for Phase Three
- S** Colchester Communities in Action project six month report available to anyone interested

S First meeting held concerning growing the Digital Economy in Colchester - well attended by IT company representatives, NSCC, the Library and Cobequid

Community Net

S Meeting concerning Bay of Fundy UNESCO Biosphere designation to be held May 15th

Crosswalk Supervisor Meeting

Councillor Cavanaugh reported that the first public meeting since the Crosswalk Supervision Policy has been in place is scheduled for 7:00 p.m., May 1st at the North River Elementary School.

**Sewer By-law -
Second Reading**

Moved by Deputy Mayor Matheson
Seconded by Councillor Elliott

“That the Sewer By-law be approved for Second Reading as attached and the existing Sewer By-law be repealed.”

Motion Carried.

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

Moved by Councillor Elliott
Seconded by Councillor Edwards

“That Council hereby approves by way of First Reading the Payment of Councillors By-law as amended and attached to these minutes.”

Motion Carried.

**Social Assistance -
Manual of Policy &
Procedure - Repeal**

Moved by Councillor Cavanaugh
Seconded by Councillor Masters

“That Council hereby repeals the Policy entitled Social Assistance - Manual of Policy and Procedure.”

Motion Carried.

Asphalt Sidewalks

Moved by Councillor Baas
Seconded by Councillor Lynds

“That Council ask staff to investigate and advise on the design and construction of asphalt sidewalks and associated stormwater management systems that may be applicable to rural communities within Colchester County.”

Motion Carried.

Moved by Councillor Baas
Seconded by Councillor Lynds

“That the issue of asphalt sidewalks be referred to Council Committee for further discussion.”

Motion Carried.

**Industrial
Development
Integration**

Mayor Smith provided Council with an update on industrial development integration. There are three partners involved - the Municipality of Colchester, Colchester Park Development Society (CPDS), Town of Truro/Truro Industrial Component. After a number of meetings, it was proposed that CPDS, as an existing organization, assume responsibility for industrial and marketing promotions within Colchester County. A draft letter has been prepared; however, it cannot be brought forward to Council until comments are received from CPDS.

**Sidewalk in Salmon
River**

Moved by Councillor Edwards
Seconded by Councillor Cavanaugh

“That the issue of sidewalk concerns in Salmon River be referred to Council Committee for further discussion.”

Motion Carried.

County Farm Tour

Moved by Councillor Edwards
Seconded by Councillor Baas

“That the Municipality send letters of appreciation to all those involved in organizing and/or participating in the Colchester County Federation of Agriculture farm tour on April 7, 2001.”

Motion Carried.

Truro Heights Water

Gary MacIsaac, the Chief Administrative Officer, provided Council with the following highlights concerning Truro Heights Water:

- S** In the past, the County has not been involved in providing water service; however, staff have recently been involved in a number of meetings on this issue.
- S** The Town of Truro delivers water to some areas of the County,

i.e. Robie Street.

S The Town of Truro provides water to Millbrook; however, Millbrook requires greater water flows to serve the Power Centre

S Staff will be approaching Council at some future point on whether this is a service the County is interested in providing

Recess

Council agreed to recess to an In-Camera meeting at 9:10 p.m. Following the In-Camera meeting, Council reconvened in open session.

Adjournment

Moved by Councillor Edwards
Seconded by Councillor McKenna

“That the meeting be adjourned at 10:20 p.m.

Sheila Arsenault
Deputy Clerk