

January 25, 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, January 25, 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 Elliott
Seconded by Deputy Mayor Matheson

“That the Agenda be approved with the following additions:

- 13b. Appeals
- 13c. Compost Giveaway and Marketing
- 14. Personnel Matter (in-camera)

Motion carried.

Minutes

Moved by Councillor Taylor
Seconded by Councillor Masters

“That the minutes of the meeting held on November 30, 2000 be approved as amended by adding the following on Page 1 as part of Staff Presentation:

*Moved by Deputy Mayor Matheson
Seconded by Councillor Taylor*

“That the report be referred to Council Committee for further

study.” Motion carried.

and the minutes of the meeting held on December 14, 2000 be approved as circulated.”

Motion carried.

Presentation

Marc Sheeran, Chairman, JPAC for Flood Risk Management presented a overview to Council on the Truro-Colchester Inter-Municipal Planning Strategy and Land Use By-Law for Flood Risk Areas (copies of both documents were distributed). Both strategy and by-law are now complete in draft form. Next steps include public hearings before both Town and Municipal Councils, subsequent revisions made, and then forwarded to the Department of Housing and Municipal Affairs for approval. Once in effect, both will be administered by the Municipality and Town.

Staff Presentation

Paul Smith, Planner, followed Mr. Sheeran’s presentation with a more detailed report on the Strategy and By-law as they concern the flood areas in the Truro and Colchester County areas. Features of the Strategy include expanded urban development, flood plain protection, environmental sensitivity, identification of flood plain improvements, promotion of best use practices, etc.

Moved by Deputy Mayor Matheson
Seconded by Councillor Lynds

“That the reports as presented by Messrs. Sheeran and Smith be received.”

Motion carried.

Moved by Councillor Taylor
Seconded by Councillor Masters

“That the reports be referred to Council Committee for further discussion.”

Motion carried.

Correspondence

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

S No. 23: Letter from Ronald Russell on flooding of Park Street

(Councillor Cavanaugh)

- S No. 6: Letter from Angus MacIsaac on Charlie & Phyllis Wilson (Councillor Taylor)
- S No. 7: Letter from Angus MacIsaac on Bill 80 (Councillor Taylor)
- S No. 27: Letter from Chief Lawrence Paul on industrial development (Mayor Smith)

ACTION

**Alain J. Bégin,
Festival Chairman,
International Tulip
Festival**

A letter dated December 18, 2000 from **Alain J. Bégin, Festival Chairman, International Tulip Festival**, requesting funding assistance for the 2001 International Tulip Festival being held in Truro, May 11-13, 2001.

Moved by Councillor Cavanaugh
Seconded by Councillor Cooke

“That the letter from the International Tulip Festival for financial assistance be referred to Council Committee for consideration.”

Motion carried.

**Wayne McCormick,
Chairman, College
Park Water Utility**

A letter dated January 9, 2001 from **Wayne McCormick, Chairman, College Park Water Utility**, requesting a tax exemption for the Utility.

Moved by Councillor Taylor
Seconded by Councillor Edwards

“That the letter from the College Park Water Utility for a tax exemption be referred to Council Committee for consideration.”

Motion carried.

**Barbara Maloney,
Policy Analyst,
Indian & Northern
Affairs**

A letter dated January 2, 2001 from **Barbara Maloney, Policy Analyst, Indian and Northern Affairs**, concerning a proposal for Addition-to-Reserve from Millbrook First Nation.

Moved by Councillor Bass
Seconded by Councillor Taylor

“That the letter from Indian and Northern Affairs requesting formal application of concerns on the proposal from Millbrook First Nation be referred to Council Committee for consideration.”

Motion carried.

**Wayne McCormick,
Chairman, Village of
Bible Hill**

A letter dated January 12, 2001 from **Wayne McCormick,
Chairman, Village of Bible Hill**, requesting a 1-year lease extension for the Village's office building at 39 Pictou Road.

Moved by Councillor Taylor
Seconded by Councillor Cavanaugh

"That the letter from the Village of Bible Hill requesting a lease extension of 39 Pictou Road be referred to Council Committee for consideration."

Motion carried.

**Brooke Taylor,
MLA, Colchester-
Musquodoboit**

A letter dated January 3, 2001 from **Brooke Taylor, MLA,
Colchester-Musquodoboit Valley**, requesting support from the Municipality for cellular phone service to the Musquodoboit and Stewiacke Valleys.

Moved by Councillor Elliott
Seconded by Councillor Taylor

"That a letter from the Municipality be sent to MT&T as a show of support for cellular phone service in the Musquodoboit and Stewiacke Valleys."

Motion carried.

**Ronald Russell,
Minister, N.S.
Department of
Transportation &
Public Works**

A letter dated January 5, 2001 from **Ronald Russell, Minister, N.S.
Department of Transportation and Public Works**, concerning the flooding problems on Park Street in response to Mayor Smith's letter of December 22, 2000.

Moved by Councillor Cavanaugh
Seconded by Councillor Elliott

"That a second letter be sent to Transportation and Public Works advising a more short-term approach is urgently needed to solve this problem."

Motion carried.

INFORMATION

**Angus MacIsaac,
Minister, Service
N.S. & Municipal
Relations**

A letter dated December 7, 2000 from **Angus MacIsaac, Minister, Service N.S. and Municipal Relations**, concerning Charlie and Phyllis Wison and the results of the EDM study.

As this item will be addressed when the Planning Strategy and Land Use By-Law reports are further discussed at Council Committee, Council agreed to receive this letter for information purposes.

**Angus MacIsaac,
Minister, Service
N.S. & Municipal
Relations**

A letter dated December 7, 2000 from **Angus MacIsaac, Minister, Service N.S. and Municipal Relations**, on clarification of Bill 80: The Amendment to the Assessment Act.

In response to a concern from Councillor Taylor, the CAO, Gary MacIsaac gave assurance that this issue is still being pursued. Following this discussion, Council agreed to receive this letter for information purposes.

**Chief Lawrence Paul,
Millbrook Band
Council**

A letter dated January 17, 2001 from **Chief Lawrence Paul, Millbrook Band Council**, indicating the Band Council's decline of the County's invitation to become a committee member of the new industrial development organization.

Mayor Smith brought this letter forward for possible discussion. It was decided that no further action is required. Council agreed to receive this letter for information purposes.

**South Colchester
Development
Association**

Minutes received from the **South Colchester Development Association** from meeting held on November 1, 2000. Council agreed to receive the minutes for information purposes.

**B.K. Lenihan, Clerk
Treasurer,
Municipality of
Chester**

A letter dated November 22, 2000 from **B.K. Lenihan, Clerk Treasurer, Municipality of Chester**, indicating Chester's intention of written support to Colchester for a greater share of gas tax money paid by Nova Scotians. Council agreed to receive this letter for information purposes.

**Allan Wilson,
President, Library
Boards Association
of N.S.**

A letter dated November 21, 2000 from **Allan Wilson, President, Library Boards Association of N.S.**, thanking Council for its long-term support and an invitation to provide an overview presentation to a future Council meeting. Council agreed to receive this letter for information purposes.

**Co-Chairs, Product
Development**

A copy of a letter dated November 30, 2000 from the **Co-Chairs, Product Development Committee, N.S. Tourism Partnership**

**Committee, N.S.
Tourism Partnership
Council**

Council, requesting input on a discussion paper “Product Development Plan”. Council agreed to receive this letter for information purposes.

**Federation of
Canadian
Municipalities**

A copy of a letter dated December 5, 2000 from the **Federation of Canadian Municipalities** concerning the FCM’s Affordability and Choice Today Program. Council agreed to receive this letter for information purposes.

**Floyd Gaetz,
President, Truro &
District Chamber of
Commerce**

A letter dated December 7, 2000 from **Floyd Gaetz, President, Truro and District Chamber of Commerce** on meeting held on November 30 with Mayors Smith and Mills on economic development integration. Council agreed to receive this letter for information purposes.

**Roy Maltby, Chair,
Regional III,
Northern Region
Inter-Municipal
Committee**

A copy of a letter dated December 12, 2000 from **Roy Maltby, Chair, Region III, Northern Region Inter-Municipal Committee** requesting the RRFB Board of Directors not approve reallocation of RRFB funds to the Department of Environment and Labour. Council agreed to receive this letter for information purposes.

**Canadian Oil Heat
Association**

The December 2000 newsletter from the **Canadian Oil Heat Association** provides updates on various activities within the COHA. Council agreed to receive this newsletter for information purposes.

**Kevin Caines, Area
Manager-Colchester,
Dept. of
Transportation &
Public Works**

A letter dated December 18, 2000 from **Kevin Caines, Area Manager-Colchester, Department of Transportation and Public Works**, approving name change request from McElmon Road to MacElmon Road. Council agreed to receive this letter for information purposes.

**Joseph P. Dion,
Director, Policy &
Public Affairs, FCM**

A copy of a letter dated December 19, 2000 from **Joseph P. Dion, Director, Policy and Public Affairs, FCM**, extending an invitation to FCM members to submit resolutions on subjects of national municipal interest. Council agreed to receive this letter for information purposes.

**Michael Baker,
Minister of Justice &
Attorney General**

A letter dated December 20, 2000 from **Michael Baker, Minister of Justice and Attorney General** concerning consideration of the views of interested Nova Scotians and affected municipalities on Sunday shopping. Council agreed to receive this letter for information purposes.

**Angus MacIsaac &
Barry Friesen,**

Letters dated December 21, 2000 and January 10, 2001 from **Angus MacIsaac and Barry Friesen, Department of Environment and**

**Department of
Environment &
Labour**

Labour on the approval of the Voluntary Industry Stewardship Program for disposal of household syringes and needles in Nova Scotia. Council agreed to receive this letter for information purposes.

**Angus MacIsaac,
Minister, Service
N.S. & Municipal
Relations**

A letter dated December 21, 2000 from **Angus MacIsaac, Minister, Service N.S. and Municipal Relations**, in response to Mayor Smith's letter on the Municipality's position on Bill 80. Council agreed to receive this letter for information purposes.

**Mary Lou Griswold,
Director, Income
Assistance, Dept. of
Community Services**

A letter dated December 28, 2000 from **Mary Lou Griswold, Director, Income Assistance, Department of Community Services**, enclosing a brochure on Bill 62 - the Nova Scotia's Government new Employment Support and Income Assistance Act which will go into effect August 2001. Council agreed to receive this letter for information purposes.

**Nancy Rubin,
Stewart McKelvey
Stirling Scales**

A copy of a letter dated January 9, 2001 from **Nancy Rubin, Stewart McKelvey Stirling Scales**, to the N.S. Utility and Review Board concerning the withdrawal of Millbrook First Band's agreement with First Truro Shopping Centre. Council agreed to receive this letter for information purposes.

**Chignecto-Central
Regional School
Board**

Minutes received from the **Chignecto-Central Regional School Board** from meetings held on October 11, November 8 and December 13, 2000. Council agreed to receive these minutes for information purposes.

Building Inspector

The Building Permit Statistics Report received from the **Building Inspector** for the month of November 2000. Council agreed to receive this report for information purposes.

Development Officer

Development Activity Reports received from the **Development Officer** for the months of November and December 2000. Council agreed to receive these reports for information purposes.

**Patrick Donahue,
A/Principal, Truro
Campus, N.S.
Community College**

Copy of brochures from **Patrick Donahue, Acting Principal, Truro Campus, N.S. Community College**, on update of NSCC activities and programs as presented to Council Committee on January 11, 2001. Council agreed to receive these brochures for information purposes.

**Rodney MacDonald,
Minister, N.S.
Tourism & Culture**

A copy of a letter dated December 2000 from **Rodney MacDonald, Minister, N.S. Tourism and Culture**, outlining the new organizational structure for the Department. Council agreed to receive these reports

for information purposes.

James Knight, Chief Executive Officer, FCM

A copy of a letter dated January 12, 2001 from **James Knight, Chief Executive Officer, FCM**, requesting interested parties to submit applications to the FCM Green Municipal Enabling Fund and the Green Municipal Investment Fund. Council agreed to receive this letter for information purposes.

Warden Chris Perry, Municipality of District of Yarmouth

A letter dated January 10, 2001 from **Warden Chris Perry, Municipality of the District of Yarmouth**, in response to Mayor Smith's letter on fuel taxes. Council agreed to receive this letter for information

Calla Farn, Atlantic Vice President, Cdn. Soft Drink Association

A copy of a letter dated January 17, 2001 from **Calla Farn, Atlantic Vice President, Cdn. Soft Drink Association**, to Premier Hamm concerning government's plan to take 10% of net revenues from RRFB. Council agreed to receive this letter for information purposes.

Council Committee Report

Deputy Mayor Matheson presented reports from Council Committee meetings held on December 14, 2000 and January 11, 2001 which consisted of the following motions:

Road Renaming Requests-District 7

Moved by Deputy Mayor Matheson
Seconded by Councillor LeFresne

"That John Lepper Road be named to Webb Drive and staff be instructed to forward appropriate information to the Department of Transportation.

That Lepper Road be renamed to John Lepper Road and staff be instructed to forward appropriate information to the Department of Transportation."

Motion carried.

Royal Canadian Legion Convention Funding Request

Moved by Deputy Mayor Matheson
Seconded by Councillor Elliott

"That a \$500.00 donation be made to the Royal Canadian Legion in support of its provincial convention scheduled for May 18-23, 2001, source of funds to be the Economic Development Grant Fund."

Motion carried.

**Bible Hill Sewer
Collection Services**

Moved by Deputy Mayor Matheson
Seconded by Councillor Taylor

“That all sewer serviced areas be charged the same sewer maintenance rate and this practice commence for the Bible Hill serviced area commencing in 2001/2002.”

Motion carried.

**Occupational Health
& Safety Policy**

Moved by Deputy Mayor Matheson
Seconded by Councillor McKenna

“That the Occupational Health and Safety Policy, as presented, be approved and the Mayor and Chief Administrative Officer be authorized to sign the Policy.

That the Mayor and Chief Administrative Officer be authorized to sign the Occupational Health and Safety Policy annually, if there are no changes, and if there are changes to the Policy, that Policy be referred to Council.”

Motions carried.

**Property Tax Write-
Offs**

Moved by Deputy Mayor Matheson
Seconded by Councillor Masters

Councillor Cavanaugh declared a conflict of interest on this matter and left the table for the duration of this discussion.

“That property taxes and interest in the amount of \$15,203.34 as detailed on the attached listings be written off.”

Motion carried.

**Additions to Tax
Exemption By-laws**

Moved by Deputy Mayor Matheson
Seconded by Councillor Cooke

“That the properties listed in the attached memorandum to be added to Schedule “A” of the Tax Exemption By-law, subject to approved readings of the amended By-law, and should be exempted from rates and taxes commencing April 1, 2000 to March 31, 2001.”

Motion carried.

- Andrew Williamson

Moved by Councillor Taylor
Seconded by Councillor Baas

“That the Report of the Nominating Committee be accepted as presented and that appointment of Committee members to the various committees named be as outlined in the report, excluding the Citizen’s Monitoring Committee.”

Motion carried.

In-Camera Report

Moved by Deputy Mayor Matheson
Seconded by Councillor Elliott

“That the Municipality enter into an Assignment Agreement with Walter Termeer and Fundy Compost Incorporated and that the Mayor and Chief Administrative Officer be authorized to sign the Agreement.”

Motion carried.

Reports from Councillors Appointed to Outside Boards and Agencies

Library Board

Councillor Cooke reported on a meeting he attended of the Library Board on Tuesday, January 23, 2001 at which the following topics were discussed:

- S establishment of a library foundation with a membership of 12
- S development of a long-term strategy
- S letter sent to Town of Truro concerning its plans for the Normal College building

Central Nova Tourist Association (CNTA)

Councillor Edwards has attended three meetings of the Association since becoming the Council’s representative. He will also be attending CNTA’s Annual General Meeting in Truro, January 26-27, 2001.

Colchester Regional Development Agency (CoRDA)

Councillor Taylor reported that CoRDA has hired a new Chief Executive Officer, Jo Ann Fewer, starting January 29, 2001.

Tatamagouche Water Utility

Councillor LeFresne attended a meeting of the Tatamagouche Water Utility on January 4, 2001. A recommendation to review the present water system was approved.

**Trucking and
Backhoe Services -
Policy**

Moved by Councillor Lynds
Seconded by Councillor Baas

“That Council refer to Council Committee for further discussion on trucking and backhoe services policy.”

Motion carried.

**Tax Exemption
By-law Amendment**

Moved by Deputy Mayor Matheson
Seconded by Councillor Elliott

“That Council hereby approves by way of First Reading the Tax Exemption By-law as attached to these minutes.”

Motion carried.

**FCM Annual
Conference - Banff,
Alberta, May 25-28,
2001**

Moved by Councillor Cavanaugh
Seconded by Councillor Masters

“That Mayor Smith, Councillor Glen Edwards, Councillor Soley Lynds and Gary MacIsaac attend the FCM Conference in Banff, Alberta.”

Motion carried.

Position Vacancy

Moved by Councillor Baas
Seconded by Councillor Cooke

“That Council authorize Administration to open competition for the position of Compost Operations Supervisor in accordance with the County’s personnel policies.”

Motion carried.

Appeals

Moved by Councillor Taylor
Seconded by Councillor Cavanaugh

“That Council refer to Council Committee for a full discussion on the appeals process.”

Motion carried.

**Compost Giveaway
and Marketing**

Moved by Councillor McKenna
Seconded by Councillor Masters

“That the residential Compost Giveaway Program not be limited to a two-week period. That the Program be extended from May 1 to May 31 during regular hours of operation.

That the purchase price of the finished compost be changed from \$35/tonne to \$15/tonne, plus HST.

That the staff are given the opportunity and flexibility to set the market price for bulk loads of compost.”

Motion carried.

Recess

Council agreed to recess to an In-Camera meeting. Following the In-Camera meeting, Council reconvened in open session.

Adjournment

Moved by Councillor Edwards
Seconded by Councillor Elliott

“That the meeting be adjourned at 1:00 a.m.”

Motion carried.

Sheila Arsenault
Deputy Clerk