

May 31, 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, May 31, 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 Ron Cavanaugh	District #6
Councillor Jimmie LeFresne	District #7
Councillor Keith Baas	District #9
Councillor Doug Cooke	District #10
Councillor Earl McKenna	District #11

Absent:

Councillor Glen Edwards	District #5
Councillor Soley Lynds	District #8

Staff Recognition Awards

The following employees each received a letter from the CAO in recognition of five years of continuous service with the Municipality:

S	Glen Scott
S	Gordon Robertson
S	David MacLeod
S	Willie MacKenzie
S	Rob Seeton
S	Sheila Wilson
S	Jim Whidden
S	Nicole Ball
S	Ritchie Davidson
S	Cheryl Johnson
S	Dennis Langille

Mayor Smith and Gary MacIsaac, CAO, presented the following employees (in attendance) with a silver pin and certificate in recognition of 15 or 20 years of continuous service with the Municipality:

15 Years

S Brian Currie
S Crawford Macpherson

20 Years

S Donna Campbell

Agenda

Moved by Deputy Mayor Matheson
Seconded by Councillor Elliott

“That the Agenda be approved with the following addition:

- #20: In-Camera - add a second ‘negotiations’ item”

Motion Carried.

Minutes

Moved by Councillor McKenna
Seconded by Councillor Masters

“That the minutes of meetings held on April 26 and May 10, 2001 be approved as circulated.”

Motion Carried.

**Business Arising
from Minutes**

There was no business arising from the minutes of April 26 and May 10, 2001.

Presentations

Ms. Valerie Patterson-Jones, Grant Thornton, provided a brief report on the audit just completed on general operations, Tatamagouche Water Utility and various reserves of the Municipality for 2000-01. She confirmed that the auditors have been able to give a clear opinion on the financial information presented. Council was asked to read and analyse this report and address any questions they might have to Mr. Bruce Purchase, Director of Corporate Services. A copy of the report was circulated to Council at the onset of the meeting.

Moved by Councillor Elliott
Seconded by Deputy Mayor Matheson

“That the presentation from Ms. Patterson-Jones on the 2000-01 Auditors’ Report be received for information.”

Motion Carried.

Following the Grant Thornton presentation, Mr. Bruce Purchase provided a brief presentation of the three additional documents circulated to Council at the onset of the meeting:

- S Statement of Area Rates
- S 2000-01 Internal Operating Fund Statements
- S 2000-01 Treasurer's Statement (showing a surplus of \$620,978)

Staff Presentations

Revised Equalization Proposal

Mr. Gary MacIsaac, CAO, presented an overhead presentation on the revised equalization proposal received from UNSM on May 10, 2001 (circulated to Council on May 11th). A copy of this presentation is on file in the Clerk's office.

Highlights of this proposal include:

- S County's amount in 2000-01 was \$530,000
- S Municipality has had no objection to revised formula, supports concept of equalization - problem with how grant should be funded
- S Province picks up costs of corrections, grants in lieu, housing and roads' grant. Province continues to fund equalization but grant is now fully funded
- S Municipalities turn over current revenues from deed transfer tax to Province - in Colchester's case, this amounts to \$250,000
- S Deed transfer tax of 1.5% be implemented province-wide - for Colchester, this would be an increase of 1.0%
- S no staff recommendation on revised proposal - Council on record as supporting equalization
- S All municipal submissions due to UNSM by June 12, 2001

Moved by Councillor Taylor
Seconded by Councillor Cooke

"That a letter be sent to the UNSM indicating that Council does not support this new proposal and will continue to support the February provincial proposal (letter should note how Council reached this conclusion and be copied to local MLA's, appropriate Cabinet Minister(s) and all municipalities)."

Motion Carried.

Water Services - Truro Heights Area

Mr. MacIsaac and Susheel Arora, Director of Public Works, provided Council with an overhead presentation on the issue of water services in the Truro Heights area. A copy of this presentation is on file in the Clerk's office. Highlights include:

- S approached by Town of Truro concerning whether County would like to be involved in the planning process to increase water flow to the Millbrook Power Centre. County agreed to do so.
- S water to power centre will require a water tank
- S current County policy is to promote development in serviced areas
- S three options: (1) start and build County utility; (2) start County utility but buy bulk water from Town; (3) expand Town utility into County
- S public consultation proposed to determine need only
- S finances - may not be affordable without cost sharing with other levels of government
- S should Council choose to go ahead with this project, will have no affect on the infrastructure priority list for the sewage treatment plants in Brookfield, Great Village and Tatamagouche

Moved by Councillor Taylor

Seconded by Deputy Mayor Matheson

“That Council instruct staff to pursue this matter to determine costs and need for water services in the Truro Heights area.”

Motion Carried.

Correspondence

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

- S No. 7: letter from David Darrow concerning the report “Review of Municipal Tax Implications of the Natural Gas Utility”
- S No. 6: letter from Anna Allen regarding municipalities’ involvement in fire inspections
- S No. 10: letter from FCM regarding municipal governments win right to appeal in rights-of-way case
- S No. 16: letter from Kevin Caines describing accomplishments of the Joint Colchester Traffic Management Committee
- S No. 17: letter from Derek Firth announcing the allocation of

- funds to assist in recovery of derelict vehicles within N.S.
- S** No. 18: letter from Bill Langille concerning reconstruction of College Road
- S** No. 13: letter from Sempra Atlantic Gas concerning the report “Review of Municipal Tax Implications of the Natural Gas Industry”
- S** No. 1: letter from Elaine Wagner concerning amendments to the MGA rules affecting planning appeals

ACTION

**Douglas J. Morris,
Hicks LeMoine,
Barristers, Solicitors
and Notaries**

A letter to the CAO dated May 10, 2001 from **Douglas J. Morris, Hicks LeMoine, Barristers, Solicitors and Notaries**, concerning a donation to the County of property located in Five Islands.

Moved by Councillor Cavanaugh
Seconded by Councillor Masters

“That the letter from Mr. Morris concerning a donation to the County of property located in Five Islands be referred to Council Committee.”

Motion Carried.

**Jeanne Delany, Child
Care Awareness Days
Coordinator, Child
Care Connection-NS**

A letter to Mayor Smith dated May 14, 2001 from **Jeanne Delany, Child Care Awareness Days Coordinator, Child Care Connection-NS**, requesting the County to declare the month of June as “Child Care Awareness Days”.

Moved by Deputy Mayor Matheson
Seconded by Councillor Elliott

“That the month of June 2001 be proclaimed as “Child Care Awareness Days.”

Motion Carried.

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

A letter to Mayor Smith dated May 15, 2001 from **Wayne McCormick, Chairman, Village of Bible Hill**, concerning possible appointment of a delegate from the Village of Bible Hill to PAC.

Moved by Councillor Taylor
Seconded by Deputy Mayor Matheson

“That the letter from Mr. McCormick concerning possible appointment of a delegate from the Village of Bible Hill to PAC be referred to Council Committee.”

Motion Carried.

**Samuel Lee Dickie,
1825 Pictou Road**

A letter to the Municipality dated May 22, 2001 from **Samuel Lee Dickie, 1825 Pictou Road**, concerning an application for a plan amendment from C2 to R2 for property located on Truro Heights Road.

Moved by Councillor Cavanaugh
Seconded by Deputy Mayor Matheson

“That the letter from Mr. Dickie concerning an application for a plan amendment from C2 to R2 for property located on Truro Heights Road be referred to PAC and that the Chief Administrative Officer be instructed to set up a public hearing date on this matter.”

Motion Carried.

**Jo Ann Fewer, CEO,
CoRDA**

A letter to Mayor Smith dated May 24, 2001 from **Jo Ann Fewer, CEO, CoRDA**, requesting Council to appoint a representative to the UNESCO Biosphere Designation initiative.

Moved by Councillor Taylor
Seconded by Councillor Cavanaugh

“That this letter be referred to the Nominating Committee for appointment of a Council representative.”

Motion Carried.

**Dr. James Smith,
MLA, Liberal Health
Critic, N.S. Liberal
Caucus**

A copy of a letter dated May 30, 2001 from **Dr. James Smith, MLA, Liberal Health Critic, N.S. Liberal Caucus**, concerning the proposed Barrington Bill which would enable the District of Barrington to use property taxes to “top up” the salaries of physicians who decide to locate to the Barrington community.

Moved by Councillor Cavanaugh
Seconded by Councillor Masters

“That the County send a letter of opposition to the proposed Barrington Bill.”

Motion Carried.

**David Darrow,
Executive Director,
Municipal Services,
Service N.S. &
Municipal Relations**

A copy of a letter dated May 9, 2001 from **David Darrow, Executive Director, Municipal Services, Service N.S. and Municipal Relations** and a letter to Mayor Smith dated May 31, 2001 from **James Connors, Vice President, Legal and External Affairs, Sempra Atlantic Gas**, concerning the Gates report “Review of Municipal Tax Implications of the Natural Gas Industry.”

-and-

**James Connors, V.P.-
Legal & External
Affairs, Sempra
Atlantic Gas**

Following a brief discussion on this issue, Council agreed not to respond to either of these letters as Colchester County is on record as not supporting the special tax deal with Sempra.

**Anna Allen,
President, UNSM**

A copy of a memorandum dated May 8, 2001 from **Anna Allen, President, UNSM**, regarding municipalities’ involvement in fire inspections.

Following a brief discussion on this item, it was agreed that, although Council has a long history of being on record of not supporting provincial downloading, it is understood that the Fire Safety Bill will be going ahead and funding has been allocated in the County’s 2001-02 budget.

FCM

A copy of a Member Advisory notice dated May 17, 2001 from the **Federation of Canadian Municipalities** advising of FCM’s appeal of a recent Canadian Radio-Television and Telecommunications Commission decision on rights-of-way that severely infringes on municipal constitutional and property rights.

In response to a question from Council on whether this will affect Colchester, the Mayor advised that it was discussed at the recent FCM conference in Alberta and participants were told that this has definite implications for Nova Scotia. As this is not a budget item for FCM, some of the larger municipalities have been approached for a one-time contribution to FCM’s legal case.

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

A letter to Mayor Smith dated May 14, 2001 from **Kevin Caines, Area Manager-Colchester, Department of Transportation and Public Works**, describing accomplishments of the Joint Colchester Traffic Management Committee.

Moved by Councillor Taylor
Seconded by Councillor Elliott

“That the issue of the Robie Street lane design be referred to Council Committee for further discussion.”

Motion Carried.

**Derek Firth, Chief
Operating Officer,
RRFB**

A letter to Mayor Smith dated May 10, 2001 from **Derek Firth, Chief Operating Officer, RRFB**, announcing the allocation of funds to assist in recovery of derelict vehicles within Nova Scotia.

Moved by Councillor Baas
Seconded by Councillor McKenna

“That the issue of the RRFB Derelict Vehicle Program be referred to Council Committee for further discussion.”

Motion Carried.

**H. William Langille,
MLA, Colchester-
North**

A letter to Mayor Smith dated May 10, 2001 from **H. William Langille, Colchester-North**, in response to Colchester County’s letter concerning the reconstruction of College Road.

Council agreed that the Mayor would contact Mr. Langille and set up a meeting to more clearly define when the reconstruction of College Road would take place.

**Elaine Wagner,
Appeals
Officer/Clerk, N.S.
Utility & Review
Board**

A letter to the CAO dated April 24, 2001 from **Elaine Wagner, Appeals Officer/Clerk, N. S. Utility and Review Board** concerning amendments to the Municipal Government Act rules affecting planning appeals.

The CAO reported that the County’s resolution on planning appeals will be debated at the UNSM Regional Meeting on June 5, 2001. If approved, it will then be referred to the UNSM Annual Conference in October.

INFORMATION

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

A letter to Mayor Smith dated April 25, 2001 from **Ronald Russell, Minister of Transportation and Public Works**, in response to Colchester County's letter regarding support of government's decision not to allow pipeline in road shoulders. Council agreed to receive this letter for information purposes.

**Jane Purves,
Minister of Education**

A copy of a letter dated May 2, 2001 concerning provincial operating grants for regional library boards for 2001-02 fiscal year. Council agreed to receive this letter for information purposes.

CoRDA

A copy of CoRDA Business Plan 2001-02 received from the **Colchester Regional Development Agency** (executive summary only - complete document on file in Clerk's office). Council agreed to receive this business plan for information purposes.

**Anna Allen,
President, UNSM**

A copy of a memorandum dated May 4, 2001 from **Anna Allen, President, UNSM**, concerning the UNSM General Insurance Program. Council agreed to receive this memorandum for information purposes.

**Charles Crosby,
Mayor, Town of
Yarmouth**

A copy of a letter dated May 15, 2001 from **Charles Crosby, Mayor, Town of Yarmouth**, concerning the Town of Yarmouth restating its support for the Province's equalization proposal.

**Canadian Oil Heat
Association**

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

Building Inspector

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

**Department of
Foreign Affairs and
International Trade**

Copy of questions and answers received from the **Department of Foreign Affairs and International Trade** concerning GATS. Council agreed to receive this report for information purposes.

**Nancy G. Rubin,
Stewart McKelvey
Stirling Scales**

A copy of a letter dated May 22, 2001 confirming Millbrook Indian Band's withdrawal of Planning Appeal PL-00-29, First Truro Shopping Centres Limited. Council agreed to receive this letter for information purposes.

**Council Committee
Reports &
Recommendations**

**Council Committee
Reports**

Deputy Mayor Matheson presented the report from the Council Committee meeting held on May 10, 2001 which consisted of the following motions:

Moved by Deputy Mayor Matheson
Seconded by Councillor Masters

“That Council adopts the following criteria for establishment of an area rate to enhance new school construction, as put forward by Executive Committee:

- S** A formal request will be made to the Municipality by a community group outlining the enhancements requested, the costs of these enhancements as well as any other information that is relevant.
- S** Unless otherwise requested by the community group, the boundaries of the area rate will include all properties within the service area of the new school.
- S** Following receipt of this request by the Municipality, the community group will convene a public information meeting(s) where the proposed enhancements and the resulting financial impacts will be explained. The intent of the meeting is to provide information and gauge public reaction, although no vote will be taken at the meeting.
- S** The meeting will be advertised in the local and provincial newspapers and notices will be sent home to all school children in the affected area. Notice of the meeting particulars will also be provided to County Councillors.
- S** Following the public information meeting, a report will be made to County Council. Following this, Council will decide whether a new area rate will be levied.
- S** The area rate will apply to all residential, commercial and resource properties. Farmland and forestry properties will be exempted.”

Motion Carried.

**Area Rates and
Budgets 2001-02**

Moved by Deputy Mayor Matheson
Seconded by Councillor Masters

“That Council increases the sewer maintenance rate for 2001-02 by one cent (1.0¢) to 10.0¢/\$100; and,

That Council approves the area rates for 2001-02 as amended.”

Motion Carried.

**General Agreement
on Trade in Services
(GATS)**

Moved by Deputy Mayor Matheson
Seconded by Councillor Baas

“That Council adopts the attached resolution submitted by the Tatamagouche Chapter of the Council of Canadians, as amended.”

Motion Carried.

**Sidewalk in Urban
Service Area -
Priority List**

Moved by Deputy Mayor Matheson
Seconded by Councillor Elliott

“That Council identified the East Prince/Brunswick Street area as the high priority for further sidewalk construction in the Urban Service Area.”

Motion Carried.

**Five Islands
Lighthouse - Lease**

Moved by Deputy Mayor Matheson
Seconded by Councillor Cooke

“That Council authorizes the Mayor and CAO to sign the new lease on the Five Islands Lighthouse.”

Motion Carried.

**CAO Training
Request**

Moved by Deputy Mayor Matheson
Seconded by Councillor Elliott

“That the Municipality approves a budget for tuition and travel in the amount of \$16,000 in support of a training request from the CAO to enroll in a program at the John F. Kennedy School of Government at Harvard University.”

Motion Carried.

Executive Committee

There was no business arising from the Executive Committee minutes of May 7, 2001.

PAC

Councillor Masters circulated minutes from a Planning Advisory Committee and Area Planning Advisory Committee meeting held on May 3, 2001 (copy on file in the Clerk's office). It was requested that when possible, these minutes be included in the pre-meeting Council package.

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

Local Senior Games

S Councillor McKenna reported that he represented Council at the closing social and BBQ for the Local Senior Games on May 25, 2001.

Children's Aid Society

Councillor Elliott reported the following from the Children's Aid Society:

S Annual general meeting scheduled for June 6th at 7:00 p.m.
S restructuring and downsizing of the Board taking place

CoRDA

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

S met with federal/provincial officials concerning long-term funding for RDA's
S first Committee meeting held on May 15th of the Bay of Fundy UNESCO Biosphere Designation - Committee seeking Council representation. Next meeting scheduled for June 12th
S Information Technology Committee in place to look at digital economy in Colchester
S "Issue Identification" session to be held June 13th
S annual general meeting scheduled for June 19th at 5:00 p.m.

Tatamagouche Zoning Committee

Councillor LeFresne reported that the Tatamagouche Zoning Committee will hold a public meeting on June 19th from 2:30 to 7:30 p.m.

Tatamagouche Chamber of Commerce

Mayor Smith reported that he will be representing Council at the Tatamagouche Chamber of Commerce annual meeting and dinner being held on June 1st.

**School Enhancement
Area Rate**

Moved by Deputy Mayor Matheson
Seconded by Councillor Elliott

“That Council approves a new area rate for school enhancement in South Colchester, for properties in the area comprised of a feeder system for the South Colchester High School; and,

That the area rate be set at 2.5 cents for a term to satisfy the repayment of a school enhancement in the amount of \$350,000 plus any interest charges; and,

That the final terms of the funding arrangements be to the satisfaction of the Chief Administrative Officer and Solicitor.”

Motion Carried.

**Amendment to Policy
Statement on
Recreation Area
Rates**

Moved by Councillor Masters
Seconded by Councillor Taylor

“That Council approves the amendments to the Policy Statement on Recreation Area Rates, as presented.”

Motion Carried.

**Resolution re Area
Rates**

Moved by Councillor Elliott
Seconded by Councillor Masters

“That the following resolution on area rates be approved with amendments to include the South Colchester School Enhancement Area Rate at 2.5¢ and the Upper Stewiacke Fire Protection rate at 13¢:

WHEREAS the Municipal Council of the County of Colchester is required to levy rates which it deems sufficient for an area or for the benefit of an area for the current twelve-month period;

RESOLVED that pursuant to **Section 75 of the Municipal Government Act**, the Municipal Council of the Municipality of the County of Colchester authorizes the levying and collection of the area rates as per attached Schedule “A” (**with amendments as noted**)

FURTHER RESOLVED that the said Council hereby requires payment of said rates to be made to the Tax Collector or Treasurer of the said Municipality on or before the 9th day of August, 2001;

FURTHER RESOLVED that said Council hereby imposes an additional percentage charge of 15% per annum on all rates and taxes remaining unpaid after the 9th day of August, 2001.”

Motion Carried.

**Revised Equalization
Proposal**

This item was addressed under “Staff Presentations” above.

**Payment of
Councillors By-law
Amendment**

Moved by Councillor Taylor
Seconded by Councillor Elliott

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

Motion Carried.

Financial Statements

Moved by Deputy Mayor Matheson
Seconded by Councillor McKenna

“That Council approves the preparation of financial statements for 2001-02 on a non-consolidated basis.”

Motion Carried.

**CPDS - Industrial
Development
Integration**

Mayor Smith advised that Council would be involved in the staffing of the Marketing and Promotions Officer position. Council requested that once staffed, this person would provide Council with a general status report of activities. After further discussion on this issue, the following motion was approved:

Moved by Councillor Masters
Seconded by Councillor McKenna

“That Council supports the relationship with the Colchester Park Development Society as indicated in the Mayor’s letter to the Society dated April 9, 2001 and that a letter be sent to the Province indicating the County’s support for the promotions and marketing of the Debert Air Industrial Park.”

Motion Carried.

**Street Light -
Stewart's Bridge
(District 8 Side)**

Moved by Councillor Cavanaugh
Seconded by Deputy Mayor Matheson

“That this issue be referred to the June 14, 2001 Council Committee for further discussion.”

Motion Carried.

**Group Insurance
Renewal**

This “information” item was presented to advise Council of premium changes for employee insurance coverage effective June 1, 2001.

Partnership Award

Council noted that Colchester County recently received the Partnership Award 2000 from the N.S. Construction Safety Association for its participation in occupational health and safety in the government sector.

Recess

Council agreed to recess to an In-Camera meeting at 10:30 p.m. Following the In-Camera meeting, Council reconvened in open session with all Councillors in attendance except Councillor Cavanaugh.

**Recyclables
Agreement Extension**

Moved by Councillor Elliott
Seconded by Councillor Baas

—

“That the Municipality authorize the Mayor and CAO to enter into an extension of the current recyclables agreement with the Valley Waste Management Authority for an additional three-year term with a rate of \$45 in year 1, \$55 in year 2 and \$55 in year 3.”

Motion Carried.

Adjournment

Moved by Councillor McKenna
Seconded by Councillor Cooke

“That the meeting be adjourned at 11:34 p.m.”

Motion Carried.

Sheila Arsenault
Deputy Clerk