

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, October 25, 2001 at 7:00 p.m.

Roll Call

The roll was called with the following Councillors in attendance:

Mayor Mike Smith, Chair	
Councillor Bill Masters	District #2
Deputy Mayor Hugh Matheson	District #3
Councillor Richard Elliott	District #4
Councillor Glen Edwards	District #5
Councillor Jimmie LeFresne	District #7
Councillor Soley Lynds	District #8
Councillor Keith Baas	District #9
Councillor Doug Cooke	District #10

Absent:

Councillor Bob Taylor	District #1
Councillor Ron Cavanaugh	District #6
Councillor Earl McKenna	District #11

Councillors Taylor and McKenna arrived at the Session at 8:10 p.m.

Approval of Agenda

Moved by Councillor Edwards
Seconded by Councillor Masters

“That the agenda be approved with the following additions/deletions:

- 10b: Add new item, Employee Computer Purchase Plan - Banking Resolution
- 11: Delete “In-Camera” item
- 11: Add new item, Compost-District 9”

Motion Carried.

Minutes

Moved by Councillor LeFresne
Seconded by Councillor Elliott

“That the minutes of meeting held on September 27, 2001 be approved as circulated.”

Motion Carried.

**Business Arising
from Minutes**

**Council Procedure
Regarding
Committee Reports**

In response to an inquiry at an earlier meeting from Councillor McKenna, Mr. Peter Rogers, the Municipal Solicitor, advised that there is nothing in the procedures' bylaw that prevents the Chairperson of Council Committee or the Chair of the Planning Advisory Committee from voting the way he/she chooses to vote. When making the motion, they are bringing forward the views of the Committee and not necessarily their own. Therefore, he/she may vote against a motion that he/she has made.

Presentations

Cathy Fox - 840 Pictou Road

Cathy Fox, 840 Pictou Road, provided Council with background information leading up to her letter to Mayor Smith dated September 7, 2001 concerning the Jack Coupur/Atlantic Central Drive development adjacent to her property on East Mountain. Ms. Fox indicated that Mr. Coupur had not honoured his commitment made to Council in 1996 when his commercial subdivision was rezoned. At that time, Mr. Coupur agreed to provide a buffer and trees to screen his commercial subdivision from neighbouring residential properties, including that of Ms. Fox. Ms. Fox made reference to a set of draft covenants prepared by Mr. Coupur at that time which proposed landscaping and buffering commitments. Mr. Coupur had planted one row of trees last year; however, a number of these trees have since died.

Subsequent to a general discussion on this issue, the following motion was put forward from a Council Committee Report to Council from an in-camera meeting held on October 11, 2001:

Moved by Councillor Baas
Seconded by Councillor Lynds

“That the Municipality write a strongly worded letter to Mr. Coupur advising that Council expects him to live up to the commitments made at the 1996 public hearing regarding berms and planting of trees.”

Motion Carried.

Staff Presentations

**Salary Scales and
Pension Plan**

Mr. Bruce Purchase, Director of Corporate Services, provided an overhead presentation on the County's employee salary structure and pension plan. A copy of his presentation was circulated to Council and is available through the Clerk's office.

Correspondence

Council requested the following 'Correspondence' items be moved from Information to Action:

- S** No. 10: letter from J. Robert Renouf, Chignecto-Central Regional School Board attaching School Board financial statements
- S** No. 6: letter from Peter Kelly, HRM, regarding establishment of an Atlantic Mayors' Congress
- S** No. 7: letter from Frank Henderson, Commercial Safety College concerning the use of engine brakes
- S** Nos. 11 and 16: letter from James W. Moir Jr. and Lloyd A. Gillis concerning the Task Force Report on Non-Resident Land Ownership in Nova Scotia

ACTION

**Mr. and Mrs. Smith,
North River**

A letter to Mayor Smith dated October 2, 2001 from **Mr. and Mrs. Smith, North River**, concerning disallowing the use of tire hubs as mailbox anchors.

Moved by Councillor LeFresne
Seconded by Councillor Elliott

"That the letter from Mr. and Mrs. Smith concerning disallowing the use of tire hubs as mailbox anchors be received for information only and that a letter be prepared to Mr. and Mrs. Smith advising them of Council's decision."

Motion Carried.

**Howard Jordan,
Great Village**

A letter to the County Clerk dated October 9, 2001 from **Howard Jordan, Great Village**, requesting connection of residential property on East Queen Street to the existing sewer line.

Moved by Councillor Elliott
Seconded by Councillor Masters

"That the letter from Howard Jordan concerning connection of residential property on East Queen Street to the existing sewer line be referred to Council Committee."

Motion Carried.

**Jack Layton, Chair,
The White Ribbon
Campaign and
President, FCM**

A copy of a letter dated September 27, 2001 from **Jack Layton, Chair, The White Ribbon Campaign and President, FCM**, concerning the White Ribbon Campaign, including a proclamation request to declare November 25-December 6 as White Ribbon Days.

Moved by Deputy Mayor Matheson
Seconded by Councillor Elliott

“That November 25-December 6, 2001 be proclaimed as White Ribbon Days.”

Motion Carried.

**Residents of
District 10**

A petition received from **residents of District 10** concerning the installation of street lights on the Brown Road, Economy.

Moved by Councillor Cooke
Seconded by Deputy Mayor Matheson

“That the petition received from residents of District 10 concerning the installation of street lights on the Brown Road in Economy be referred to Council Committee.”

Motion Carried.

**Lorraine Gailey,
Regional Director,
Communications &
Commemoration,
Veterans Affairs
Canada**

A letter to Mayor Smith dated October 15, 2001 from **Lorraine Gailey, Regional Director, Communications and Commemoration, Veterans Affairs Canada**, requesting Council’s support in declaring the week of November 5-11, 2001 as Veterans’ Week.

Moved by Deputy Mayor Matheson
Seconded by Councillor Edwards

“That the week of November 5-11, 2001 be proclaimed as Veterans’ Week.”

Motion Carried.

**Douglas
Cunningham,
Tatamagouche**

A letter to the County Clerk dated October 11, 2001 from **Douglas Cunningham, Tatamagouche**, requesting a sewer tax exemption from property located at 20 Main Street.

Moved by Councillor LeFresne
Seconded by Deputy Mayor Matheson

“That the letter from Douglas Cunningham requesting a sewer tax exemption from property located at 20 Main Street be referred to Council Committee.”

Motion Carried.

**Sheldon Dorey, CAO,
Town of Stewiacke**

A letter to the CAO dated October 12, 2001 from **Sheldon Dorey, CAO, Town of Stewiacke**, in response to the Municipality's letter of September 18th regarding the St. Andrews' Watershed.

Moved by Councillor Masters
Seconded by Councillor Elliott

"That the letter from Sheldon Dorey regarding the St. Andrews' Watershed be referred to Council Committee."

Motion Carried.

**J. Robert Renouf,
Director of Finance,
Chignecto-Central
Regional School
Board**

A letter to the CAO dated October 1, 2001 from **J. Robert Renouf, Director of Finance, Chignecto-Central Regional School Board**, attaching the School Board's financial statements for year ending March 31, 2001.

Council agreed that a copy of the School Board's financial statements for year ending March 31, 2001 would be placed in Councillor mailboxes.

**Mayor Peter Kelly,
Halifax Regional
Municipality**

A letter to Mayor Smith dated October 5, 2001 from **Mayor Peter Kelly, Halifax Regional Municipality**, regarding the establishment of an Atlantic Mayors' Congress and an invitation to its inaugural session to be held November 23-25.

Moved by Councillor Baas
Seconded by Councillor Taylor

"That a letter be sent to Mayor Kelly indicating that the Municipality's interests are adequately served through the Union of Nova Scotia Municipalities and the Federation of Canadian Municipalities and therefore, Council does not support participation in an Atlantic Mayors' Congress."

Motion Carried.

**Frank Henderson,
President/General
Manager,
Commercial Safety
College**

A letter to Mayor Smith dated October 5, 2001 from **Frank Henderson, President/General Manager, Commercial Safety College**, in response to the Mayor's letter dated September 27, 2001 concerning the use of engine brakes.

Moved by Councillor Baas
Seconded by Councillor Masters

"That a letter be sent to Mr. Henderson indicating that the Mayor's letter dated September 27, 2001 was not intended as a complaint

against the Commercial Safety College but to increase student awareness of problems associated with unnecessary engine brake use.”

Motion Carried.

**James W. Moir,
Chair, Voluntary
Planning’s Task
Force on Non-
Resident Land
Ownership**

A copy of a letter dated September 27, 2001 from **James W. Moir, Chair, Voluntary Planning’s Task Force on Non-Resident Land Ownership** and a letter to the CAO dated September 19, 2001 from **Lloyd A. Gillis, Task Force Member**, concerning the Task Force and Gillis reports on non-resident land ownership.

-and-

**Lloyd A. Gillis, Task
Force Member**

It was noted that the Task Force Report concluded that the Province would not pursue the option which would enable municipalities to levy additional property taxes on non-resident property owners. Mr. Gillis has views which are contrary to those contained in the report.

INFORMATION

**Bruce Lohnes,
Mayor, Town of
Stewiacke**

A copy of a letter/e-mail dated October 12, 2001 from **Bruce Lohnes, Mayor, Town of Stewiacke**, regarding proposed increases in telephone rates specific to rural Nova Scotia. Council agreed to receive this letter for information purposes.

**Elizabeth A. Irwin,
President, N.S.
Association of
Realtors**

A letter to Mayor Smith dated October 4, 2001 from **Elizabeth A. Irwin, President, N.S. Association of Realtors**, concerning the proposal to implement a standardized deed transfer tax. Council agreed to receive this letter for information purposes.

**Jack Layton,
President, FCM**

A copy of a letter dated October 9, 2001 from **Jack Layton, President, FCM**, attaching the President’s Report on FCM’s September 2001 Board Meeting. Council agreed to receive this letter for information purposes.

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

A letter to Mayor Smith dated October 3, 2001 from **David Morse, Minister of Environment and Labour**, regarding time lines for the Muggah Creek watershed cleanup project. Council agreed to receive this letter for information purposes.

Nova Scotia NDP

Copy of NDP presentation from the **Nova Scotia NDP** to the CRTC concerning potential increased rural phone rates. Council agreed to receive this presentation for information purposes.

**Colchester-East
Hants Health
Authority**

Copy of August/September 2001 newsletter from the **Colchester-East Hants Health Authority**. Council agreed to receive this newsletter for information purposes.

Department of Environment and Labour

Copy of draft document dated October 3, 2001 from the **Department of Environment and Labour** regarding Environmental Assessment Regulations. Council agreed to receive this document for information purposes.

Verna Gibson, South Colchester Development Association

Copy of letter dated September 28, 2001 to Minister Gordon Balsler from **Verna Gibson, South Colchester Development Association**, concerning SCDA's relationship with the Colchester Regional Development Agency. Council agreed to receive this letter for information purposes.

Linda Atkinson, A/Regional Representative, N.S. Sport and Recreation Commission

A letter to the CAO received September 28, 2001 from **Linda Atkinson, A/Regional Representative, N.S. Sport and Recreation Commission**, concerning a change in staffing at the regional office of the Commission. Council agreed to receive this letter for information purposes.

Warden Chris Perry, Municipality of the District of Yarmouth

A copy of a letter dated September 28, 2001 from **Warden Chris Perry, Municipality of the District of Yarmouth**, regarding Yarmouth's objection to the proposed increase in basic telephone service rates. Council agreed to receive this letter for information purposes.

Peter Terauds, Municipality of Annapolis County

A copy of a letter dated September 26, 2001 to CRTC from **Peter Terauds, Municipality of Annapolis County**, on the proposed increase in telephone rates specific to rural Nova Scotia. Council agreed to receive this letter for information purposes.

Michael Baker, Minister of Justice and Attorney General

A letter to Mayor Smith dated September 20, 2001 from **Michael Baker, Minister of Justice and Attorney General**, in response to our letter requesting an amendment to the Motor Vehicle Act to change the speed limit from 50 to 70 km. Council agreed to receive this letter for information purposes.

Federation of Canadian Municipalities

A copy of a Members' Advisory from the **Federation of Canadian Municipalities** regarding CRTC seeking input on rights-of-way contract intervention issue. Council agreed to receive this letter for information purposes.

Building Inspector

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

Elinor Caplan, Minister of Citizenship and Immigration

A copy of a letter dated September 26, 2001 from **Elinor Caplan, Minister of Citizenship and Immigration**, concerning Canada's Citizenship Week being held October 15-21, 2001. Council agreed to receive this letter for information purposes.

**Mayor Anna Allen,
President, UNSM**

A copy of a letter dated October 2, 2001 to CRTC from **Mayor Anna Allen, President, UNSM**, regarding Aliant Telecom's proposed price regime for 2002 to 2005. Council agreed to receive this letter for information purposes.

Development Officer

A copy of the Development Activity Report received from the **Development Officer** for the month of September 2001.

**Service N. S. &
Municipal Relations**

A copy of the October 2001 newsletter "Deeds and Dialogue" received from **Service Nova Scotia and Municipal Relations**. Council agreed to receive this newsletter for information purposes.

**Elaine Wagner,
Appeals Officer, N.S.
Utility and Review
Board**

A copy of a letter dated October 22, 2001 from **Elaine Wagner, Appeals Officer, N.S. Utility and Review Board**, concerning an appeal from the Village of Bible Hill on the amendment to the Central Colchester Land-Use Bylaw. Council agreed to receive this letter for information purposes.

**Robert Thibault,
Minister of State,
ACOA**

A copy of a letter to Brooke Taylor dated October 9, 2001 from **Robert Thibault, Minister of State, ACOA**, regarding approval of the Brookfield Sewage Treatment Plant project. Council agreed to receive this letter for information purposes.

**Robert Thibault,
Minister of State,
ACOA**

A copy of a letter to Bill Casey dated October 9, 2001 from **Robert Thibault, Minister of State, ACOA**, regarding approval of the Brookfield Sewage Treatment Plant project. Council agreed to receive this letter for information purposes.

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

A letter to Mayor Smith dated October 15, 2001 from **Angus MacIsaac, Minister, Service Nova Scotia and Municipal Relations**, in response to our letter concerning the request from the Brookfield and Area Emergency Response Service to register their vehicles using restricted plates. Council agreed to receive this letter for information purposes.

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

A copy of a letter to Mayor Anna Allen dated October 11, 2001 from **Angus MacIsaac, Minister, Service Nova Scotia and Municipal Relations**, updating her on the Province's efforts to formulate a response to the UNSM equalization proposal. Council agreed to receive this letter for information purposes.

**Selection of Alternate
Council Committee
Chair**

Mayor Smith called for nominations for the position of Alternate Council Committee Chair.

Councillor Baas moved and Councillor Masters seconded the nomination of Councillor McKenna.

Deputy Mayor Matheson moved and Councillor Cooke seconded the nomination of Councillor Elliott.

Mayor Smith called three times for further nominations, and hearing none, the nominations ceased.

A secret ballot was conducted, the results of which declared Councillor McKenna as Alternate Council Committee Chair.

Moved by Councillor Taylor
Seconded by Councillor LeFresne

“That the ballots for the election of Alternate Council Committee Chair be destroyed.”

Motion Carried unanimously.

**Council Committee
Reports and
Recommendations**

**Council Committee
Report**

Deputy Mayor Matheson presented the reports from the Council Committee meeting held on October 11, 2001 (including In-Camera) which consisted of the following motions:

**Assessment Services
Alternative Service
Delivery Study**

Moved by Deputy Mayor Matheson
Seconded by Councillor Masters

“That Council adopts the position statements set out in the Action Item from Council Committee, October 11, 2001.

Motion Carried.

Compost Screener

Andrew Blackburn, Compost Operations Supervisor and Tom MacMillan, Solid Waste Manager, were present for this item to address questions raised by Councillors at the Committee meeting held on October 11, 2001.

Moved by Deputy Mayor Matheson
Seconded by Councillor Elliott

“That the Municipality of Colchester agrees in principle to a joint purchase of a compost screener with Pictou County Solid Waste Management System, at an approximate price of \$30,000 plus HST, subject to participation by Pictou and subject to the final terms of the agreement being satisfactory to the Chief Administrative Officer and Municipal Solicitor.”

Motion Carried.

**Disposal of Surplus
Municipal Parkland**

Moved by Deputy Mayor Matheson
Seconded by Councillor Edwards

“That Council approves the Disposal of Municipal Parkland Policy as presented at the October 11, 2001 Council Committee session.”

Motion Carried.

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

“That the policy be referred to Council Committee and have staff explore further the ‘neighbours first right of refusal’ option under the Disposal of Parkland Process section of the policy.”

Motion **Defeated**.

The motion to amend having been Defeated, the main motion was Put and Carried.

**Surplus Land on
Gasper Cross**

Moved by Deputy Mayor Matheson
Seconded by Councillor Edwards

“That the Municipality sell the surplus property owned by the Municipality, located on Gasper Cross, Salmon River, by tender.”

Motion Carried.

**Lease Extension - 39
Pictou Road**

Moved by Deputy Mayor Matheson
Seconded by Councillor Taylor

“That Council authorize the Chief Administrative Officer and the Mayor to sign a lease with the Village Commissioners of Bible Hill for a 10-year term commencing on June 1, 2007 and ending on June 1, 2017 and adopting all of the terms and conditions contained in the lease between Her Majesty the Queen in the Right of Her Province of Nova Scotia and the Village Commissioners of Bible Hill dated February 22, 1982 which lease was deemed assigned to the Municipality upon the Municipality acquiring the property from her Majesty in 1982.”

Motion Carried (by a two-thirds majority)

**Snowplowing of
County Sidewalks**

Moved by Deputy Mayor Matheson
Seconded by Councillor Elliott

- “1. That the Municipality provide sidewalk snowplowing services in-house on a trial basis and that the necessary equipment as set out in the Action Item from Council Committee, October 11, 2001, be rented with a rent-to-purchase option for 2001-02 year; and,
2. A term position in the Wastewater Collection Crew be made permanent.”

Motion Carried.

**Sludge Disposal
Control**

Moved by Deputy Mayor Matheson
Seconded by Councillor Taylor

“That the current sludge disposal contract between Fundy Composting Limited and the Municipality which is due to expire on January 31, 2002, be extended for a one-year term to January 31, 2003.”

Motion Carried.

Executive Committee

Mayor Smith presented a brief verbal report on the Executive Committee meeting held the morning of October 11, 2001. The minutes of this meeting will be distributed at November Council.

**Planning Advisory
Committee**

Councillor Masters presented a brief verbal report on the PAC meetings held on October 2 and 4, 2001. The Committee will continue its review of the Municipal Planning Strategy Review over the next two months and hopes to have it ready by January 2002.

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

**Central Nova Tourist
Association**

Councillor Edwards reported that the Host Program will be discussed at CNTA’s meeting on November 22, 2001.

**Chignecto-Central
Regional School
Board**

Deputy Mayor Matheson reported that the land for the Brookfield High School has been purchased. The Department of Education will be meeting with those who expressed interest in bidding on the construction tender. Completion date is now March 2003 rather than September 2002.

**Colchester Park
Development Society**

Councillor Baas reported that CPDS has hired Mr. Don Dobson for the position of Industrial Promotion and Marketing Specialist. Councillor Baas will approach Mr. Dobson about making a presentation to a future

Council meeting.

**UNESCO Biosphere
Designation Initiative**

Councillor Baas reported that he has attended two meetings on the UNESCO Biosphere Designation Initiative and will report on both at a future meeting.

**Colchester Park
Water Utility**

Councillor McKenna reported that he and Councillor Taylor attended a meeting of the Colchester Park Water Utility this evening. Approximately 100 attendees showed strong support to keep the Utility. The Utility is looking at the federal infrastructure program for funding to upgrade its facility.

**Employee Computer
Purchase Plan -
Banking Resolution**

Moved by Councillor Taylor
Seconded by Councillor Edwards

“That Council authorizes the Mayor and CAO to sign the attached loan resolution for the Employee Computer Purchase Plan.”

Motion Carried.

Compost - District 9

Councillor Baas indicated that residents of District 9 may make a presentation to November Council Committee to express their opposition to the expansion of the existing green cart program. A petition is currently being circulated. Councillor Baas will check out the idea of Council and/or staff attending a public meeting in Debert. It was agreed that adequate notice would be provided in advance of the meeting.

**Village of Bible Hill
Appeal - 258 Pictou
Road**

Moved by Councillor Taylor
Seconded by Deputy Mayor Matheson

“That the Municipality send a letter to the Village of Bible Hill requesting them to reconsider their appeal to the Nova Scotia Utility and Review Board on the rezoning at 258 Pictou Road.”

Motion **Defeated**.

Adjournment

Moved by Councillor Elliott
Seconded by Councillor McKenna

“That the meeting be adjourned at 9:50 p.m.”

Motion Carried.

Sheila Arsenault
Deputy Clerk