

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 29, 2004 at 7:00 p.m.

Roll Call

The roll was called with the following Councillors in attendance:

Mayor Michael 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

Public Hearings

Zoning Amendment from Institutional to Residential, Maplewood Manor, Tatamagouche

Mayor Smith called the public hearing to order respecting an application for a by-law amendment involving a text change to the Tatamagouche Land Use By-law that allows for the establishment of residential uses with the Institutional Zone. The text for the application and a related staff report have been circulated to Council members and have been made available to the public.

Mr. Gary MacIsaac, CAO advised that all guidelines of the Municipal Government Act regarding advertising of the public hearing have been followed.

Mayor Smith reminded Councillors that only those Councillors present throughout the public hearing can vote on the amendment when it is eventually considered by Council. This public hearing is Council's opportunity to hear the application and every concern of area residents. Individual Councillors will have an opportunity to debate the merits of the amendment when the motion is presented to Council. Staff is present at this hearing to answer any technical questions that may arise as a result of the public's input.

Mr. Crawford MacPherson, Director of Community Development provided an overview of the application. The application is for rezoning from Institutional to Residential. The property is an old house built in the late 1880's and is located at 150 Blair Avenue, Tatamagouche. It is currently operating as a nursing home. The applicants have tried to

sell the property as an operating business without success and are planning to put the business back on the market but would also like to have the option to sell as a residential property. If the property does not sell, the applicants plan to close the business and live in the house.

Staff recommends that the property remain as institutional and the current by-law be amended to allow for residential use. This would permit the property to be used for residential uses or operate as institutional.

Councillor LeFresne stated that the Area Planning Advisory Committee met for the first time regarding this application on March 23, 2004 and made an appropriate motion at that time.

Mayor Smith asked Mr. MacIsaac if any written submissions have been received. Mr. MacIsaac indicated there were no written submissions.

As Chair of the Area Planning Advisory Committee, Councillor LeFresne put the following motion on the floor:

Moved by Councillor LeFresne
Seconded by Councillor Cavanaugh

“That Council approve that the Tatamagouche Land Use By-law be amended to permit Village Residential (VR-1) uses in the Institutional zone.”

Motion Carried Unanimously.

Mayor Smith advised that this is a land use by-law amendment application which does not require approval of the Minister of Service Nova Scotia and Municipal Relations. Council’s decision on this application is appealable to the Nova Scotia Utility and Review Board. Any appeal of Council’s decision must be made within 14 days of the advertising of same in local newspapers.

As there was no further business, Mayor Smith declared the public hearing closed.

Land Use By-Law Amendment to Allow for the Installation of Cellular Phone Tower within the Village Residential Zone, Tatamagouche

Mayor Smith called the public hearing to order respecting an application for a by-law amendment involving a text change to the Tatamagouche Land Use By-law that would allow for the establishment of a structure associated with a private or public utility within any zone. The text for the application and a related staff report have been

circulated to Council members and have been made available to the public.

Mr. Gary MacIsaac, CAO advised that all guidelines of the Municipal Government Act regarding advertising of the public hearing have been followed.

Mayor Smith reminded Councillors that only those Councillors present throughout the public hearing can vote on the amendment when it is eventually considered by Council. This public hearing is Council's opportunity to hear the application and every concern of area residents. Individual Councillors will have an opportunity to debate the merits of the amendment when the motion is presented to Council. Staff is present at this hearing to answer any technical questions that may arise as a result of the public's input.

Mr. Crawford MacPherson, Director of Community Development provided an overview of the application. Cellular service is a concern along the Northumberland Strait and Aliant is installing a series of new towers to improve service. The recommended site is on a 60 acre of piece of land off Main Street and Highway 311. Aliant is looking to set up the cell tower on 6 acres of this land including frontage and access.

The Committee received a request to review the existing policy however, the current Land Use By-law is silent on the communication towers. Staff is recommending to adopt in the Central Colchester Land Use By-law a fairly minor amendment:

Public and Private Utilities

Unless otherwise provided for under this By-law, a facility that is essential for the delivery of a municipal service or public utility, such as a sewer collection system and treatment facility, a water supply and distribution facility, a transportation facility and electrical power, telecommunication, cable television, and natural gas transmission and distribution facility shall be permitted in any zone.

Mayor Smith asked if there was someone in the audience to speak for the applicant and give an overview of the proposed rezoning. Mr. Don MacKay, Aliant, stated that he did not bring a prepared presentation but was available to answer any questions.

Councillor LeFresne advised that the community is pushing very hard for cell phone service and they have been waiting a long time. The community is supportive of this initiative.

As Chair of the Area Planning Advisory Committee, Councillor LeFresne put the following motion on the floor:

Moved by Councillor LeFresne
Seconded by Councillor Edwards

“That Council approve that the Tatamagouche Land Use By-law be amended to permit the siting of public and private utility infrastructure in any zone.”

Motion Carried Unanimously.

Mayor Smith advised that is this a land use by-law amendment application which does not require approval of the Minister of Service Nova Scotia and Municipal Relations. Council’s decision on this application is appealable to the Nova Scotia Utility and Review Board. Any appeal of Council’s decision must be made within 14 days of the advertising of same in local newspapers.

As there was no further business, Mayor Smith declared the public hearing closed.

Approval of Agenda

Moved by Councillor LeFresne
Seconded by Councillor Cooke

“That the agenda for April 29, 2004 be approved with the following amendments:

add	Presentations	James Baxter James Yuill Don Cox John Gallagher
delete	#7 Staff Presentation - Operating Permit-Central Colchester Waste Water Treatment Facility, Mr. Susheel Arora, Director of Public Works.”	

Motion Carried Unanimously.

Approval of Minutes

Moved by Councillor McKenna
Seconded by Councillor Taylor

“That the minutes of the Special Council meeting held on March 23, 2004 be approved as circulated with the following amendment:

Councillor LeFresne was present at the meeting.”

Motion Carried Unanimously.

Moved by Councillor McKenna
Seconded by Councillor Lynds

“That the minutes of the Regular Council meeting held on March 25, 2004 be approved with the following amendments:

On page 31, the paragraph regarding what is involved in the injecting method, the wording “under the lagoon and” be deleted; and

Councillor Edwards was the dissenting vote instead of Councillor Elliott in the motion to increase the testing fee from \$300 to \$600; and

Councillor Edwards seconded the motion that the definition of 4b be changed to ‘excluding waste product comprised of crustaceans’; and

The motion under Mr. David Bellefontaine, Task Force Chair, Voluntary Planning, A Citizen’s Policy Forum was withdrawn; and

The motion that Council agrees that a letter be sent to Mr. Butlin indicating the County’s intentions regarding the future of Nelson Park was carried unanimously.”

Motion Carried Unanimously.

Business Arising from Minutes

There was no business arising from the minutes.

Presentations

James Baxter, Baird’s Septic

Mr. James Baxter appeared before Council to address the recent notice placed in the newspaper and to make the public aware of the cost increase if the proposed Biosolids By-law is approved.

Mr. Baxter stated that the figures were taken from Fundy Composting. Baird’s has received funding in the past but have also secured an \$80,000 loan in the past year. Baird’s offers a vital service to the community and dispose of sludge at no cost to the Municipality and Baird’s also donates services to the community. Baird’s is looking out for the tax payers and are not being greedy.

Mr. Baxter stated that it is his opinion that not enough information has been provided to Council to make a decision on the proposed By-law.

James Yuill, Jim Burrows, Clifton Federation of Agriculture

Mr. James Yuill appeared before Council and advised that they did not

have a presentation however, wanted to be available to answer any questions from the presentation made two (2) weeks ago.

Mr. Yuill was asked if the position of the Clifton Federation of Agriculture was still the same and Mr. Yuill stated that it was.

Discussion regarding the By-law infringing on normal farm practices was raised and it was advised that the Farm Practice Act states that no by-law can override the Act.

Regarding animal manure, Mr. Yuill was asked if manure was excluded in the proposed By-law, if this would make them feel better about the By-law. Mr. Yuill stated that it would make them feel better if manure was specifically excluded from the By-law because the way that it is currently worded, even if a small amount of human biosolids gets into the manure, it would make it a Noxious Biosolid.

Don Cox, Nova Scotia Federation of Agriculture

Mr. Don Cox appeared before Council to address concerns on behalf of the Nova Scotia Federation of Agriculture regarding the proposed Biosolids By-law.

Mr. Cox advised that the Nova Scotia Federation of Agriculture recognizes the Municipalities' need to dispose of biosolids however, there are some concerns as to the By-law itself.

Mr. Cox stated the Province is putting guidelines in place. It should be up to the Province to enforce uniform guidelines and if 55 Municipalities create their own by-laws than inconsistencies will develop.

Mr. Cox advised that the Nova Scotia Federation of Agriculture cannot support the By-law proposed by Council and stated that it will set a precedent which may implicate problems in agriculture.

Mr. Cox stated that the Municipality, UNSM, and the Province need to work together to provide a uniform approach and encouraged Council not to pass the proposed By-law.

Mr. John Gallagher

Mr. John Gallagher appeared before Council representing tenants of CPDS and to express concerns regarding the sale of the properties.

Mr. Gallagher provided Council with a list of 52 questions from tenants (copy on file in Clerk's office) and requested answers to the list of questions.

Moved by Deputy Mayor Matheson

Seconded by Councillor Baas

“That Council accept the list of questions/concerns and refer to CPDS requesting answers in a timely fashion.”

Motion Carried Unanimously.

Mr. Brian McNutt, Sunrise Trail Sewage Disposal

Mr. Brian McNutt appeared before Council to address his concerns with the proposed Biosolids By-law.

Mr. McNutt stated that he applauds the fact that Council is trying to deal with this issue however, he feels the By-law was written without experience and should not be enacted.

Mr. McNutt stated that this whole issue started with Inglewood Farms and had nothing to do with his business of handling residential septic but he has been drawn into the mess.

Mr. McNutt advised that there is a huge difference between residential septic and commercial sludge and these should be kept separate. Mr. McNutt also stated that he has always followed the guidelines put out by the Department of Environment and Labour and his research shows his practice poses little to no risk to the environment.

Mr. McNutt also stated that now that the Municipality has confirmed that Baird's Septic received Municipal funding, they should do the same for the North Shore.

Moved by Councillor LeFresne
Seconded by Councillor Baas

“That these presentations be received.”

Motion Carried Unanimously.

Mr. Steven Nielson, Colchester County Federation of Agriculture

Mr. Steven Nielson appeared before Council to express his concerns with the proposed By-law.

Mr. Nielson stated that all stakeholders need to get together and work with the Department of Environment and Labour. We need to come together as a group and put pressure on the Department of Environment and Labour and reinforce that this issue is a big problem.

Mr. Kurt Cormier, Ms. Beth Rhyno, Rothsay

Mr. Kurt Cormier and Ms. Beth Rhyno appeared before Council to answer any questions that Councillors may have regarding Rothsay.

Mr. Cormier stated that Inglewood Farms did not get a permit today. An amendment to an existing permit, specific to the wording about product coming from Rothsay, not septic sewage from other communities, was issued allowing Inglewood Farms to spread Rothsay product.

Mr. Cormier stated that Rothsay's biggest concern with the By-law is the stabilization process. The By-law should be results based, not process based and urge that Council reconsider this.

A question was raised as to whether there was any follow-up on product leaving the Rothsay plant. Mr. Cormier stated that Rothsay does do follow-up to make sure regulations are being met.

The concern of odours was mentioned, indicating that the odours in July are significantly worse than from this time of year. Mr. Cormier stated that Rothsay has not received complaints about odours however, odours can be managed through technology.

Mr. Cormier was asked if Rothsay land applied today and he indicated that yes, industrial sludge was land applied at Inglewood Farms. It was asked if Rothsay saw the actual spreading of the sludge and Mr. Cormier stated that they did follow up before and after the sludge was applied.

Mr. Cormier stated that Rothsay followed all of the guidelines and regulations.

Mr. Chris Cutten, Inglewood Farms

Mr. Chris Cutten appeared before Council regarding the proposed By-law.

Mr. Cutten stated that he felt that Council was picking a fight with Inglewood Farms and that the County does not like what Inglewood Farms is doing so they are trying to put Inglewood Farms out of business. Mr. Cutten stated that they have not done anything wrong and that Inglewood Farms have followed all the guidelines set out by the Department of Environment and Labour.

Mr. Colin Nickerson

Mr. Colin Nickerson appeared before Council to address his concerns

regarding the proposed Biosolids By-law.

Mr. Nickerson stated that as previously presented by Rothsay, all their numbers surpass the County criteria. Mr. Nickerson indicated that his position on this is that the By-law could result in shut downs including the Rothsay plant, septic pumps and will also affect the beef and dairy industry, all because of the stabilization process in the proposed By-law and he does not understand this.

Mr. Fred Blois, Concerned Citizen, RR# 1 Truro

Mr. Fred Blois appeared before Council to express his concerns regarding the spreading of biosolids.

Mr. Blois stated that he has a bit of a problem understanding why anyone would want to apply biosolids and Rothsay product when there is no scientific proof of any nutritional value.

Mr. Blois stated that there is good science and concrete proof that biosolids are just not right.

Mr. Jeff Cutten, Inglewood Farms

Mr. Jeff Cutten appeared before Council to clarify what happened today regarding land applying.

Mr. Cutten provided Council with a copy of the permit amendment dated April 28, 2004, from the Department of Environment and Labour allowing Inglewood Farms to land apply biosolids from Rothsay.

Mr. Cutten stated that the Department of Environment and Labour thought that Inglewood Farms was mixing biosolids so an amendment to the existing permit was requested. The moratorium is specific to the land application of sewage biosolids.

Mr. Cutten indicated that the spreading that was done today was monitored. There was little wind and little smell. Mr. Cutten stated that product he is receiving from Rothsay is extremely clean and also stated that what was land applied today was not mixed with any other product.

Mr. Cutten stated that when he took biosolids from Halifax Regional Municipality, he had no idea there would be such a public outcry but stated that there is still a lot that the public do not understand.

Mr. Cutten stated that he would like Council to vote no to the By-law and work with them to resolve concerns.

Mr. Don Cox, Nova Scotia Federation of Agriculture

Mr. Don Cox requested to address Council again this evening after making an earlier presentation.

Mr. Cox indicated that this comment is not specifically related to the proposed By-law however, he stated that where Rothsay fits in the food chain is very important. It is a multi-million dollar industry and without Rothsay, it would be difficult for the farming process to operate.

Mayor Smith stated that he agrees with Mr. Cox, however, Rothsay is not any more or less important than anyone else.

Moved by Councillor Cavanaugh
Seconded by Councillor Masters

“That these presentations be received.”

Motion Carried Unanimously.

At this point, Council agreed that Action Item #9, Land Application of Noxious Biosolids By-law - Second Reading, be moved forward on the agenda to follow presentations.

**Action Item - Land
Application of
Noxious Biosolids
By-law - Second
Reading**

Moved by Councillor Baas
Seconded by Councillor Lynds

“That the By-law be tabled.”

Motion Carried. *(Councillors Cooke, McKenna,
Masters and Mayor Smith opposed)*

At this time, 11:05 p.m., Councillor Edwards left the meeting.

**Standing Committee
Reports and
Recommendations
Council Committee
Report**

Deputy Mayor Matheson presented the report from the Council Committee meeting held on April 15, 2004:

Road Name Change - Section of Masstown Road to G. Porter Road

Moved by Deputy Mayor Matheson
Seconded by Councillor Baas

“Council approves that the section of Masstown Road between Highway 2 and the Shore Road be renamed to G Porter Road and staff be instructed to forward appropriate information to the Department of Transportation and Public Works.”

Motion Carried Unanimously.

Street Light Petitions - Ruth Drive, Glengary Drive, Ella Jane Drive and

Edith Lee Drive

Moved by Deputy Mayor Matheson
Seconded by Councillor Lynds

“Council approves that the street light petitions for Ruth Drive, Glengary Drive, Ella Jane Drive and Edith Lee Drive be accepted and that a new area rate be created to recover these costs.”

Motion Carried Unanimously.

Loan Guarantee - Onslow-Belmont Fire Brigade

Councillor Masters declared a conflict of interest on this matter and removed himself from the table.

Moved by Deputy Mayor Matheson
Seconded by Councillor McKenna

“Council approves that the Municipality of the County of Colchester provide a “letter of intent” in support of the loan of \$150,000 for the Onslow-Belmont Fire Brigade to purchase a new fire truck and in the event this is not satisfactory to the lending institution, that the Municipality provide a loan guarantee for this amount.”

Motion Carried Unanimously.

At this point, Councillor Masters returned to the table.

Vehicle Reserve

Moved by Deputy Mayor Matheson
Seconded by Councillor Baas

“Council approves the Vehicle Reserve Schedule as presented at the April 15, 2004 Committee meeting and that this schedule be continued to be reviewed annually.”

Motion Carried Unanimously.

Use of County Vehicles Policy

Moved by Deputy Mayor Matheson
Seconded by Councillor LeFresne

“Council approves the amendments to the use of County Vehicles Policy as presented at the April 15, 2004 Committee meeting.”

Motion Carried Unanimously.

Training Request - Colchester Fire Fighters Association

Moved by Deputy Mayor Matheson
Seconded by Councillor Elliott

“Council approves that funding be approved for a set of Level 1 Fire Fighting training videos at an estimated cost of \$4,200, plus HST, source of funds to be general operations.”

Motion Carried. *(Councillor Baas opposed)*

CPDS Debert - Subdivision of Land

Moved by Deputy Mayor Matheson
Seconded by Councillor Taylor

“Council approves the policy amendments to Council’s Standard Specifications for the Design and Construction of Municipal Services, as presented at the April 15, 2004 Committee meeting, to permit the creation of private roads with 15 metre right of way provided it has piped storm drainage.”

Motion Carried. *(Councillor Baas opposed)*

**Executive Committee
Report**

The report from the April 14, 2004 Executive Committee meeting was presented by Mayor Smith.

**Tatamagouche
Water Utility
Committee**

Councillor LeFresne gave a report on the situation regarding the Tatamagouche Water Utility and stated that the Tatamagouche Water Utility has been in the news of late.

The Tatamagouche water is tested daily for chlorine, weekly for bacteria, and quarterly for THM. In 2002, the guidelines changed on THM and we have until 2008 to meet these guidelines.

One of the concerns with the water is colour. The water does become discoloured in the spring and fall and this has become worse this past year due to the flood.

A recent survey/petition went around the Tatamagouche area. 220 names were on the petition however, when you take out the duplicate names, names of children and outside residents, this brings the list down to one quarter of the original 220.

Some of the issues in the news have been that the Tatamagouche water is causing premature balding, rashes and the chlorine is burning people.

Councillor LeFresne stated that there is a poster campaign stating ‘for a discount in water rates, call Councillor LeFresne’. The poster was up

for approximately four weeks and this resulted in three calls.

There was also a campaign for water testing. This was hung on doors in Tatamagouche in bags containing a bottle and letter with a proposal for analysis. The bottles were not sterile, there were no numbers on the bottles and no instructions on how to take a proper sample. The letter referred to 'residents' but this should have been 'customers' as the company initiating this campaign was selling water softening equipment. Residents thought that Councillor LeFresne was doing this on behalf of the Water Utility.

Another media story talked about the recent campaign and Tatamagouche was compared to a Walkerton waiting to happen. There were also allegations that a citizen has had E. Coli twice caused by the Tatamagouche water but this was covered up.

Councillor LeFresne stated that a local restaurant in Tatamagouche has posted a sign indicating that they would not be using Tatamagouche water.

Councillor LeFresne stated that the situation is snowballing and could be damaging to the community.

Action Items

Flooding - 46 Stephen Avenue

Mr. Susheel Arora, Director of Public Works advised that there have been on-going concerns with the flooding on this property, 46 Stephen Avenue, and there are also concerns that with future development, the flooding may worsen.

There is a steep gradient leading to this property and the brook flowing down is causing flooding. Water is not going into the basement of the home but settling across the lot.

Mr. Arora stated that meandering is causing the overflow. Also, the culvert seems to be a little undersized. There is a lot of water flowing down to this property and he is not sure what can be done with this. To do anything with the brook, we would have to deal with the Department of Natural Resources.

Mr. Stephen Brown, property owner, stated that with the development of the sub-divisions, every ditch is draining into the main ditch which goes onto his property.

Mr. Gary MacIsaac stated storm water management is included in Long Range Planning and that Council has to decide how to deal with this issue in the short term.

Moved by Councillor Taylor

Seconded by Councillor Lynds

“That Council approve that staff write the Department of Transportation and Public Works to strongly recommend the size of the culvert be increased.”

Motion Carried Unanimously.

Dog Control Services

Mr. Gary MacIsaac, CAO advised that the position of Dog Control Officer has been filled on a term basis since 2003 and there is a need to fill the position on a full time basis. Staff is recommending to Council that this service be delivered in-house and staff recommends that Council authorize the position be filled. Due to personnel implications, a separate In-camera Action Item is being presented on this matter.

Moved by Councillor Cavanaugh
Seconded by Councillor LeFresne

“That the Municipality approve filling the position of Animal Control Officer.”

Motion Carried Unanimously.

**Former Five Islands
Elementary School**

Moved by Councillor Cooke
Seconded by Councillor LeFresne

“That Council approve the sale of the Former Five Islands Elementary School, for \$10,000 plus HST, if applicable, to the Five Islands Bazaar.”

Councillor Cooke inquired about how and when it is decided to make HST applicable.

Mr. Bruce Purchase, Director of Corporate Services advised that it is not optional. If they are registered for HST, it is self assessed and if they are not registered, they are required to pay us the HST.

Motion Carried Unanimously.

**Award of Tender -
Truro Heights
Sidewalk**

Council was advised that staff is recommending the low bid of \$485,565 which is an increase of approximately \$90,000 to the original estimated cost.

Moved by Councillor Masters
Seconded by Councillor McKenna

“That Council approve that Santec Construction be awarded the tender for construction of the Truro Heights Sidewalk at a cost of \$485,565, plus HST.”

Motion Carried Unanimously.

**Award of Request for
Proposal - Public
Works Building**

Council was advised that one issue that has arisen is the existing soil conditions on the proposed site. Due to this, site preparation costs are being closely evaluated.

Councillor Taylor raised the question as to whether the building has to be on this lot. Mr. Susheel Arora, Director of Public Works advised that other options were being reviewed.

Moved by Councillor Cavanaugh
Seconded by Deputy Mayor Matheson

“That Council give authority to Council Committee to award the Request for Proposal for the Public Works Building.”

Motion Carried Unanimously.

**Management
Agreement -
Materials Recovery
Facility**

Moved by Deputy Mayor Matheson
Seconded by Councillor Lynds

“That the Municipality enter into the Agreement with Northeastern Resource Recovery Limited and Tom MacMillan as presented and that the Mayor and CAO be authorized to execute the Agreement.”

Motion Carried Unanimously.

**Contract Extension -
Fire Safety Inspector**

Moved by Deputy Mayor Matheson
Seconded by Councillor Cooke

“Council recommends that the Term Fire Inspector position be extended to a three year term ending in April 2007.”

Motion Carried Unanimously.

**Active Communities
Coordinator**

Council was advised that there is also an in-camera item regarding this issue on tonight’s agenda. The existing position in the Recreation Department has not been here for three years and staff is looking at filling this position with some changes in duties.

Moved by Councillor McKenna
Seconded by Councillor LeFresne

“That Council recommend that the CAO be authorized to fill the vacant position within the Recreation Department as the Active Community Coordinator.”

Motion Carried Unanimously.

**Sale of Kemptown
Property**

Moved by Councillor Cavanaugh
Seconded by Councillor Cooke

“That Council approve the process to dispose of the property located at 256 Loop Old #4 Highway, Kemptown, as recommended.”

Motion Carried Unanimously.

Information Items

**Finance Manager
Position**

At the February 26, 2004 Council meeting, Council approved Administration to fill the vacancy of the Finance Manager position. Thirty-six applications were received for the position and four of the applicants were interviewed. An offer was made to Joyce McGeehan and Joyce accepted the offer and will commence duties on May 31, 2004.

**RFP Awarded for the
Review of the Radio
Communication
Systems (Central
Dispatch)**

The Request for Proposals closed on April 16, 2004 and two proposals were submitted. The Communications Committee of the Colchester Fire Fighters Association and County Staff met on April 19 to review and evaluate the proposals. The recommendation from this meeting was that the proposal from Oldham Engineers Inc. best suited our needs and the contract has been awarded to Oldham Engineers Inc. by the CAO.

Correspondence

Council requested the following correspondence be moved from Information to Action:

- No. 8: Letter to the Mayor dated April 8, 2004 regarding Inspection Conducted on Property at Station Road, Londonderry.
- No 11: Fax dated April 19, 2004 to Colchester County Wardens/Mayors, Councillors and CAO regarding the recommendation for the Rural Caucus Sub-committee for Terms of Reference concerning mandate and objectives.
- No. 17: Email dated April 23, 2004 with a copy of a letter from Minister Barnet regarding changes in the Business Occupancy Tax, equalization formula and taxation of village water utilities
- No. 21: Letter dated April 21, 2004 to Gary MacIsaac, CAO regarding the tipping fee for scrap glass.

**Ms. Jo Ann Fewer,
Executive Director,
CoRDA**

Memo dated April 22, 2004 to Gary MacIsaac, CAO, regarding an application for the CoRDA Board Vacancy position.

Moved by Councillor Masters
Seconded by Deputy Mayor Matheson

“That Council approve that Mr. Laurie Jennings be appointed to the

vacant CoRDA Board position.”

Motion Carried Unanimously.

Mr. Jeff Yuill

Letter to the Mayor dated April 23, 2004 regarding the formation of a community monitoring committee.

Moved by Councillor Taylor
Seconded by Deputy Mayor Matheson

“That Council approves that staff write a letter to Mr. Yuill indicating that the proposed Biosolids By-law was tabled and that his letter was received for information purposes.”

Motion Carried Unanimously.

Mr. John Novak

Letter dated April 29, 2004 requesting a zoning change.

Moved by Councillor Taylor
Seconded by Councillor Cavanaugh

“That Council approve that this zoning change request be referred to the Planning Advisory Committee.”

Motion Carried Unanimously.

**Honourable Kerry
Morash, Department
of Environment and
Labour**

Letter to the Mayor dated April 8, 2004 regarding Inspections Conducted on property at Station Road, Londonderry.

Councillor Cooke stated that one concern he has is whether the large pile of creosote ties was part of the clean-up.

Mr. Gary MacIsaac, CAO advised that he would check with the County’s Building Inspector as to whether the creosote ties were part of the clean up and report back to Councillor Cooke.

**Richie Cotton,
Chairperson, Rural
Caucus**

Fax dated April 19, 2004 addressed to Colchester County Wardens/Mayors, Councillors and CAO regarding the recommendation from the Rural Caucus Sub-committee for Terms of Reference concerning mandate and objectives.

Council agreed to receive this for information purposes.

**Ken Simpson,
Executive Director,
UNSM**

Email dated April 23, 2004 with a copy of a letter from Minister Barnet regarding changes in the Business Occupancy Tax, equalization formula and taxation of village water utilities.

Deputy Mayor Matheson asked for an update on these matters.

Mr. Gary MacIsaac, CAO stated that \$200,000 was budgeted for the Equalization grant but in fact the grant will remain at last year's level of \$500,000. In addition, the Province is proposing to phase out the Business Occupancy Tax.

Mr. Peter Kohler

Letter dated April 21, 2004 to the CAO regarding the tipping fee for scrap glass.

Deputy Mayor Matheson inquired as to whether there was a problem with the scrap glass. Mr. Gary MacIsaac advised the private C&D site in Kemptown was accepting this material initially but was advised by the Department of Environment and Labour that this was contrary to their permit. As a result, the material is now being brought to the Balefill for disposal at a tipping fee of \$60. This is the same fee charged to all materials ending up in the cell.

Councillor Taylor asked how we handle the scrap glass. Mr. MacIsaac stated that he would look into this and advise Councillor Taylor.

**Honourable Ronald
S. Russell, CD
Minister,
Department of
Transportation and
Public Works**

Letter to the Mayor dated March 15, 2004 regarding the resurfacing of a section of Trunk 4 in the Mount Thom Area. Council agreed to receive this letter for information purposes.

**Mr. John Pankhurst,
Chair, North Shore
Community
Development
Association**

Letter to the CAO dated March 17, 2004 regarding Nelson Park. Council agreed to receive this letter for information purposes.

**Mr. Robert
Christianson, Clerk
and Treasurer, The
Village of Bible Hill**

Letter dated March 15, 2004 to the CAO regarding Bible Hill Investigation into Possible Oil Contamination Main Street, Riverside Avenue and Avon Street. Council agreed to receive this letter for information purposes.

**Ms. Catherine
McCarthy, Director
of Communications,
RRFB Nova Scotia**

Release dated March 24, 2004 regarding Nova Scotia Enviro-Depots Receive Handling Fee Increase. Council agreed to receive this release for information purposes.

**Mr. K. Wayne
McCormick,
Chairman, The
Village of Bible Hill**

Letter dated March 22, 2004 concerning the Residents of Avon Street and Riverside Avenue. Council agreed to receive this letter for information purposes.

**Pam MacIntosh,
Development
Officer, Community
Development Office**

March 2004 Development Activity Report addressed to the Mayor and Council. Council agreed to receive this report for information purposes.

**Mannie Withrow,
Building Inspector,
Community
Development Office**

Building Permit Information for March 2004. Council agreed to receive this for information purposes.

**Peter Doig, Director,
Government
Relations**

Email dated April 14, 2004 regarding Hurricane Juan Consultant's Report. Council agreed to receive this for information purposes.

**Ms. Janice Wentzell,
Association of
Municipal
Administrators, Nova
Scotia**

Email dated April 14, 2004 regarding a Call for Expressions of Interest to serve on a Fair and Equitable Funding Review Committee. Council agreed to receive this email for information purposes.

**Mayor John Morgan,
President, UNSM**

Copy of a letter dated April 16, 2004 regarding policy priorities (document on file in Clerk's office). Council agreed to receive this letter for information purposes.

**Jack Novack,
Director and
Professor, Public
Sector Programs,
Dalhousie University
College of
Continuing Education**

Letter to the Mayor dated April 15, 2004 regarding a new development in the life of Continuing Education at Dalhousie University. Council agreed to receive this letter for information purposes.

**Federation of
Canadian
Municipalities**

Members' Advisory dated April 15, 2004 regarding Quality of Life Highlights Report Released. Council agreed to receive this Members' Advisory for information purposes.

**Mr. Bruce Patterson,
Saguenay Herald**

Letter dated April 16, 2004 to the Mayor regarding the procedure for obtaining a formal grant of a coat of arms (additional information on file in Clerk's office). Council agreed to receive this letter for information purposes.

**Michele Raymond,
MLA, Service Nova
Scotia and Municipal**

Letter to Mayor and Councillors about the Nova Scotia budget and the impact of the budget on Nova Scotians. Council agreed to receive this letter for information purposes.

Relations Critic

UNSM

Email dated April 22, 2004 regarding Provincial Budget Brief-Major Impacts on Municipalities. Council agreed to receive this email for information purposes.

Federation of Canadian Municipalities

Members' Advisory dated April 23, 2004 regarding 'Municipalities call for a New Deal on rights-of-way'. Council agreed to receive this Members' Advisory for information purposes.

UNSM

Email dated April 26, 2004 regarding an Overview of UNSM Priorities. Council agreed to receive this email for information purposes.

Ms. Marie T. Mullally, C.A., President and CEO

Letter dated April 23, 2004 to the Mayor with highlights of the Nova Scotia Gaming Corporation's 2004-05 business plan. Council agreed to receive this letter for information purposes.

Recess

Council agreed to recess to an in-camera session at 12:40 a.m. and reconvened in open session at 12:55 a.m.

Adjournment

Moved by Councillor McKenna
Seconded by Councillor Cavanaugh

"That the meeting be adjourned at 12:56 a.m."

Motion Carried Unanimously.

Gary MacIsaac
Chief Administrative Officer