

November 25, 2004

## 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, November 25 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 Mike Cooper	District #4
Councillor Glen Edwards	District #5
Councillor Ron Cavanaugh	District #6
Councillor Jimmie LeFresne	District #7
Councillor Bob White	District #9
Councillor Doug Cooke	District #10
Councillor Terri Mingo	District #11

Absent:

Councillor Soley Lynds	District #8
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### Approval of Agenda

Moved by Councillor Cooke  
Seconded by Councillor White

“That the agenda for November 25, 2004 be approved with the following additions/deletions:

S delete under #5, Presentations: Elroy Geddes, President,  
Colchester Legion Pipes and Drums  
S add 10b: Rural Caucus  
S add 10c: Valley Crossroads  
S add 15b: Access to Schools”

Motion Carried Unanimously.

Mr. Geddes has asked that his presentation be given at the Council Committee session on December 9th.

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**Approval of Minutes**

Moved by Councillor Cooke  
Seconded by Councillor Edwards

“That the minutes of meetings held on September 30 and October 28, 2004 be approved as circulated.”

Motion Carried Unanimously.

**Business Arising from Minutes**

Two items arose from Business Arising:

- S Page 2004-135 of October 28 minutes: no response has been received to date on a letter written to the Province on voters' frustration with Sunday Shopping plebiscite process
- S Page 2004-138 of October 28<sup>th</sup> minutes: no response has been received to date on a letter written to the Province on Council's dissatisfaction with Transportation and Public Works' first response to the Municipality concerning size of culvert beneath Old Courthouse Branch Road.

**Presentations**

Mr. Terry Hartling, Regional Manager, Northern Assessment Region

Mr. Hartling has been asked to make a presentation to Council on two issues: (1) capping of assessments and (2) assessment appeal of Sobey's Debert property.

Assessment Services is responsible for providing assessment rolls to 55 municipal units in Nova Scotia. In 2004, the provincial government passed legislation (Bill 40) to limit the increase of assessment of certain properties. Assessment Services' role in Bill 40 is to implement the Cap Program in response to this legislation.

Mr. Hartling briefly explained the eligibility criteria for this Program, including the calculation formula with examples. Applications to this Program must be received by November 30, 2004 to be considered for 2005. Property owners will receive notification of market value in January 2005. Eligible property owners will receive notification of market value and capped assessment in February 2005. Mr. Hartling reported that of the 6,000 notices sent out in this region (1,420 in Colchester County), approximately 1,100 applications have been received to date.

Mr. Hartling provided the background on the assessment appeal of the Sobey's Cold Storage Warehouse property in Debert. The assessed value of this property from 2001 to 2003 was approximately \$6.4

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million. With a major expansion two years ago, the assessed value increased to \$16.8 million in 2004. Sobey's has been appealing these assessments since 2001. In 2004, the Utilities and Review Board ruled the property value be adjusted from \$16.8 to \$13.1 for 2004, for 2002 from \$6.4 to \$5.9 million, and for 2001 from \$6.4 to \$5.9 million, for a total difference of approximately \$4.7 million. Mr. Hartling stated that this case is very unusual in that the assessed property value was reduced by such a large amount and for the appeal to be outstanding for this number of years.

#### Colchester East Hants Falls Prevention Coalition

Representing the Colchester East Hants Falls Prevention Coalition were Michelle Gould, a physiotherapist; Rod Nielsen, Brookfield Fire Department; and Sheila Rafferty, N.S. Community College. The group provided an outline on falls and falls prevention, a copy of which was circulated to Council.

The Coalition's goal is to educate seniors on how to make their homes safer. In 2005, the Coalition will ask the Province and the County to proclaim a fall prevention week/day to make people more aware. The Province and Municipality will also be asked to become more involved in making seniors' housing safer by improving the condition of existing sidewalks, new sidewalk construction, improved sidewalk lighting; increased public funding; improved safety in County buildings; reduced slippery surfaces; lobbying for building code changes for homes that are turned into seniors' homes, etc.

Moved by Councillor Cavanaugh  
Seconded by Councillor LeFresne

"That the presentations from the Northern Assessment Region and the Colchester East Hants Falls Prevention Coalition be received."

Motion Carried Unanimously.

#### **Staff Presentations**

##### Hilary Paquet, Parks and Trails Coordinator - Trails 2010 - A Trail Strategy for Colchester County

The CAO explained that this presentation came about as the result of a long-term planning process in January 2004. At that time, Council considered trail development as part of the recreation component. Part I of the Trail Strategy for Colchester County will be presented this evening and with feedback from Council, Part II will be brought forward in early winter.

Ms. Paquet further explained that in January 2004, Council identified trails as a priority and committed to the development of a county-wide

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trail strategy. Colchester lacked a framework at the municipal level to support trail development; therefore, the Strategy is the first step to fill this gap.

The purpose of the Trail Strategy is to set the direction of future trail development in the County. Part I of the Strategy: provides a vision and guiding principles; identifies background information, including the benefits of trails, relevant policies and documents, and an overview of trail development in Colchester; and outlines the Municipality's role in future trail development. Council has committed to becoming more involved in trail development by undertaking this strategy. A copy of Part I of the Trails Strategy was circulated in Council's package for this evening's meeting.

For the next session on the Trail Strategy, staff were asked to identify the geographic location of each picture shown in the slide presentation.

*At this point, Councillor Cavanaugh excused himself from the meeting for personal reasons.*

Sue Burley, Manager of Recreational Services

Ms. Burley provided a brief overview of the Mayor's Challenge since its inception in 2003. The Challenge for both 2003 and 2004 has been a huge success for the residents of Colchester County. For 2005, the Challenge will go back to the basics by increasing the physical activity level of Colchester residents; introducing the idea of tracking daily steps through the use of a pedometer; and setting personal goals to increase personal activity level through increasing the number of steps taken on a daily basis. The difference between this Challenge and those held previously will be simplicity so everyone can participate, a new interactive website, and events and walking groups in participants' own communities.

**Standing Committee  
Reports and  
Recommendations**

**French River  
Watershed  
Management**

As Alternate Chair at November Committee, Councillor LeFresne presented the report from the Council Committee meeting held on November 9, 2004:

Moved by Councillor LeFresne  
Seconded by Councillor Mingo

“That Council approves the creation of a French River Watershed Committee to commence work in January 2005 and instruct the Nominating Committee of Council to recommend persons for the

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six-member committee with representation from the Tatamagouche Water Utility, North Shore River Restoration Group, Area Councillor and the Forestry, Agriculture and Residential sectors.”

Motion Carried Unanimously.

**Planning Advisory Committee**

Councillor Masters presented the PAC report for the month of October 2004.

In its report, PAC recommended that Council not approve Advocate Publishing’s request to consider an amendment to the Municipal Planning Strategy that would effectively result in the rezoning of its property at 228 Main Street in Bible Hill from commercial to lower density development.

Moved by Councillor Masters  
Seconded by Councillor Taylor

“That the report from the Planning Advisory Committee for the month of October 2004 be adopted as presented.”

Motion Carried Unanimously.

Staff will respond to Advocate Publishing advising them of Council’s decision.

**Nominating Committee**

Mayor Smith presented the report from the Nominating Committee meeting held on November 24<sup>th</sup>. He asked Council to consider leaving Councillor Taylor on the CoRDA/CPDS Board until March 2005 at which time, Councillor White will take over as Council’s representative.

Moved by Councillor Masters  
Seconded by Councillor White

“That the report from the Nominating Committee dated November 25, 2004 be adopted as presented with the understanding that Councillor Taylor will continue to serve on the CoRDA/CPDS Board until the end of March 2005, at which time Councillor White will assume the position.”

Motion Carried Unanimously.

**Capital Budget - List of Projects**

The CAO indicated that this is the first time Council has been through the process of identifying projects to proceed to be costed by staff and

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providing direction on which projects are to be brought forward in the budgeting process.

Council agreed that items 1 through 7 on the "Existing Approvals to be Brought Forward" attachment were ongoing and funding already committed.

With regard to Item No. 3, Sewer Replacement on Robie Street, staff were requested to provide a more extensive report at a later date, particularly on the easement issue.

Referring to No. 23, Valley Sidewalks, Councillor Mingo identified two additional projects to be added to the list: (1) a sidewalk at the end of Eagle Drive and the Valley Variety Store; and (2) an extension of the sidewalk running from Teviot Place, down Coldstream Road to College Road.

Staff were directed to report back at a future meeting on existing or unfinished projects with estimated costs, source of funding and recommended priorities

**Highway  
Welcoming Signs**

Mayor Smith raised the issue of having professional welcoming signs upon entrance into the County and asked Council to consider referring the matter to a future Committee meeting.

Moved by Councillor Taylor  
Seconded by Councillor Cooper

"That the issue of professional County welcoming signs be referred to Council Committee."

Motion Carried Unanimously.

**Leave of Absence -  
Councillor Soley Lynds**

Moved by Councillor Mingo  
Seconded by Councillor Edwards

"That Council approve a leave of absence for Councillor Lynds for the January 27 and February 24, 2005 Council sessions."

Motion Carried Unanimously.

**Rural Caucus**

Mayor Smith reported on a UNSM Rural Caucus meeting that he and the CAO attended earlier today in Kentville. At this meeting, a motion was passed appointing Mayor Smith as the representative of the 21 rural municipalities at the Atlantic Mayors' Congress.

Mayor Smith indicated that he agreed to do this if endorsed by

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Council. Meetings of the Congress are held in Halifax, Moncton, Summerside and the next one takes place in Newfoundland.

Moved by Councillor Masters  
Seconded by Councillor LeFresne

“That Council approve the endorsement of Mayor Smith’s representation of the 21 rural municipalities at upcoming meetings of the Atlantic Mayors’ Congress and that all associated costs be absorbed by the Municipality of Colchester.”

Motion Carried Unanimously.

### Valley Crossroads

Referring to an article in the November 9<sup>th</sup> edition of the Truro Daily News, Councillor Mingo asked Council to consider the following motion:

Moved by Councillor Mingo  
Seconded by Councillor Taylor

“That a letter be written to Bill Langille, MLA, Colchester North, thanking him for making safety a priority for the citizens of Colchester County through the proposed installation of traffic lights at the Valley Crossroads intersection and include in this letter a request for a timeframe on when this installation would be carried out.”

Motion Carried Unanimously.

### Correspondence

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

- No. 4: letter from N.S. Sport and Recreation dated November 4, 2004 regarding submission for hosting 2011 Canada Winter Games
- No. 11: letter from the Province dated November 18, 2004 concerning compensation to municipalities for conducting provincial Sunday shopping plebiscite

### ACTION

**Shane and Kathy Richard, Little/Middle Wonders Child Care Centres**

A letter to Mayor Smith dated October 30, 2004 from **Shane and Kathy Richard, Little/Middle Wonders Child Care Centres**, requesting a change in zoning for the Little/Middle Wonders Child Care Centres at 815 College Road.

Moved by Councillor Masters

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Seconded by Councillor Taylor

“That the letter from the Little/Middle Wonders Child Care Centres requesting a change in zoning be referred to the Planning Advisory Committee.”

Motion Carried Unanimously.

**Bill Casey, MP,  
Cumberland-  
Colchester-  
Musquodoboit Valley**

A copy of a press release dated November 5, 2004 from **Bill Casey, MP, Cumberland-Colchester-Musquodoboit Valley**, calling for municipalities to report any rail crossings in need of safety improvements.

Council were asked to advise staff of any rail safe opportunities they would like considered under Transport Canada’s Grade Crossing Improvement Program.

**Christine Blair,  
Chairwoman, The  
Village of Bible Hill**

A letter to Mayor Smith dated November 9, 2004 from **Christine Blair, The Village of Bible Hill**, requesting deletion of certain clauses in the Municipal Planning Strategy and Land-Use By-law which deals with establishment of mobile homes on lots within the Guest Drive subdivision.

Moved by Councillor Taylor  
Seconded by Councillor Masters

“That the letter from The Village of Bible Hill requesting deletion of certain clauses in the Municipal Planning Strategy and Land-Use By-law concerning the establishment of mobile homes on lots within the Guest Drive subdivision be received for information.”

Motion Carried Unanimously.

**Farida Gabbani, Chair  
of Board, Truro Sport  
Heritage Society**

A letter to Council dated November 15, 2004 from **Farida Gabbani, Chair of Board, Truro Sport Heritage Society**, requesting County sponsorship of the Society.

Moved by Councillor Taylor  
Seconded by Councillor White

“That the letter from the Truro Sport Heritage Society requesting County sponsorship be referred to Council Committee.”

Motion Carried Unanimously.

**Liz Pace, Sport**

A letter to Mayor Smith dated November 4, 2004 from **Liz Pace,**

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**Consultant, N.S. Sport & Recreation**

**Sport Consultant, N.S. Sport and Recreation**, regarding submissions for hosting the 2011 Canada Winter Games.

Upon request of Council, the CAO reported on the first meeting of the local 2011 Canada Winter Games Committee. At the first meeting, it was stressed that care and comfort for the athletes and facilities is a major priority. If Colchester County were to be the host for this event, some 1,700 athletes would require housing for two weeks. Councillor Taylor has agreed to spearhead this issue with the N.S. Agricultural College. The Committee meets again next Tuesday.

**Barry Barnet, Minister of Service N.S. & Municipal Relations and Michael Baker, Minister of Justice**

A letter to Mayor Smith dated November 18, 2004 from **Barry Barnet, Minister of Service Nova Scotia and Municipal Relations and Michael Baker, Minister of Justice**, concerning compensation to municipalities for conducting provincial Sunday Shopping Plebiscite.

Staff reported that the cheque received from the Province in the amount of \$17,332 as compensation to the municipalities for conducting the provincial Sunday Shopping Plebiscite seemed fair; however, they will look further into the matter to confirm that all expenses are covered.

#### INFORMATION

**Karen Doyle, Council Recorder, Municipality of Richmond**

A copy of a letter dated October 14, 2004 from **Karen Doyle, Council Recorder, Municipality of Richmond**, concerning a resolution in support of elimination of the business occupancy tax. Council agreed to receive this letter for information purposes.

**Councillor Jim Smith, Halifax Regional Municipality**

A copy of a report from **Councillor Jim Smith, Halifax Regional Municipality**, on an FCM conference held in September 2004. Council agreed to receive this report for information purposes.

**Union of N.S. Municipalities**

A copy of an e-mail dated November 2, 2004 from the **Union of Nova Scotia Municipalities**, attaching the newest edition of the Municipal Solutions Newsletter. Council agreed to receive this e-mail for information purposes.

**Lloyd Hines, Warden, Municipality of Guysborough**

A copy of an e-mail dated November 4, 2004 from **Lloyd Hines, Warden, Municipality of Guysborough**, attaching a summary of the FCM Board meeting held on September 8-11, 2004. Council agreed to receive this e-mail for information purposes.

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**Louis Tousignant,  
Chair, Off-Highway  
Vehicle Task Force,  
Voluntary Planning**

A copy of a letter received November 4, 2004 from **Louis Tousignant, Chair, Off-Highway Task Force, Voluntary Planning**, attaching a final report of the Voluntary Planning Off-Highway Vehicle Task Force (report on file in Clerk's office). Council agreed to receive this letter for information purposes.

**Colchester-East Hants  
Regional Library**

A copy of the Library's annual report for 2003-04 from the **Colchester-East Hants Regional Library**. Council agreed to receive this report for information purposes.

**Development Officer**

A copy of the Development Activity Report from the **Development Officer** for the month of October 2004. Council agreed to receive this report for information purposes.

**Building Inspector**

A copy of the Building Permit Statistics report from the **Building Inspector** for the month of October 2004. Council agreed to receive this report for information purposes.

**Assistant Commissioner  
Ian Atkins, CO, NS  
RCMP**

A copy of a letter received November 17, 2004 from **Assistant Commissioner Ian Atkins, Commanding Officer, N.S. RCMP**, enclosing a copy of the N.S. RCMP's annual report (report on file in Clerk's office). Council agreed to receive this letter for information purposes.

**Melvin & Glenda  
Simon, 40 Macland  
Drive**

A copy of a letter to Bill Langille, MLA, Colchester North, dated November 6, 2004 from **Melvin & Glenda Simon, 40 Macland Drive**, concerning paving of Macland Drive. Council agreed to receive this letter for information purposes.

**Katherine Hanna,  
Concerned Citizens  
Group of Lr. Truro**

A copy of a letter to the Minister of Environment and Labour dated November 25, 2004 from **Katherine Hanna, Concerned Citizens Group of Lower Truro**, concerning water testing by the Department of Environment and Labour. Council agreed to receive this letter for information purposes.

**Paving of Macland  
Drive**

In correspondence with the Province, the Municipality had asked that the Department of Transportation and Public Works accept the cost overrun for the paving of Macland Drive due to the tenders received for the project being 28% greater than the original estimate. The Province did not approve this request. After consulting with the original petitioner and the Area Councillor in September/early October, the Municipality chose not to proceed with the paving on the basis that the costs were too onerous for the property owners on Macland Drive. The petitioner also requested that the existing paving petition be withdrawn. The property owners were formally advised that the paving will not occur.

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**Pension Plan - Actuarial Services**

Three responses were received in response to the Municipality's call for bids on the provision of actuarial services for the County employee pension plan. In the past, this pension consultation service was provided by Morneau Sobeco. One of the three responses officially declined to bid. Based on the results of the remaining two bids and meetings held with the bidders, the CAO awarded the tender to Plenus Consultants from Halifax who will commence services on January 1, 2005.

**Meeting with Indian and Northern Affairs - Addition to Millbrook Reserve**

Mayor Smith reported on a meeting that he and the CAO had on November 2<sup>nd</sup> with Mr. John Brown, Regional Director General of Indian and Northern Affairs Canada. Mr. Brown advised that Millbrook has not formally applied under the Additions to Reserves Policy to expand their land base adjacent to the Power Centre. He agreed to notify the Municipality once this application is received. He also advised that under this Policy, these applications can take up to 10 years before a final decision is made.

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

Councillor Edwards reported on the latest tourism statistics for 2004.

**Access to Schools**

*Councillor Mingo declared a conflict of interest and removed herself from the table.*

Mayor Smith reported on a meeting that he, Deputy Mayor Matheson and the CAO had with the Chignecto-Central Regional School Board on November 16th regarding community access to school facilities. A particular case was brought forward at the meeting concerning the school in Brookfield where \$350,000 was collected from the area residents for enhanced facilities of which the community has limited access. The School Board agreed to consider agreements with the Municipality provided the County assumed any associated liability.

The CAO reported that the School Board is expected to come back to the Municipality with specific wording for the South Colchester School agreement as well as a proposal on access to elementary schools.

*At this point, Councillor Mingo returned to the table.*

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**Adjournment**

Moved by Councillor LeFresne  
Seconded by Councillor Cooper

“That the meeting be adjourned at 11:10 p.m.”

Motion Carried Unanimously.

Sheila Arsenault  
Deputy Clerk