

June 30, 2005

MUNICIPAL COUNCIL

(D R A F T - to be approved on August 25/05)

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, June 30, 2005, at 7:00 p.m.

Roll Call

The roll was called with the following Councillors in attendance:

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|----------------------------|--------------|
| Mayor Mike Smith, Chair | |
| Councillor Bob Taylor | District #1 |
| 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 Soley Lynds | District #8 |
| Councillor Bob White | District #9 |
| Councillor Doug Cooke | District #10 |
| Councillor Terri Mingo | District #11 |

Absent:

| | |
|-------------------------|-------------|
| Councillor Bill Masters | District #2 |
|-------------------------|-------------|

Moment of Silence

Council observed a moment of silence for Mr. Gordon Brace, a former Councillor for District 10.

Approval of Agenda

Moved by Councillor Cooke
Seconded by Councillor White

“That the agenda for June 30, 2005 be approved with the following additions:

- add 8b: County Blue Roads
- add 8c: Bridges/Petitions
- add 8d: Village of Bible Hill Election
- add 13b: Nature Conservancy Canada
- add one additional Property Matter to be considered in-camera”

Motion Carried Unanimously.

Approval of Minutes

Moved by Deputy Mayor Matheson
Seconded by Councillor Taylor

“That the minutes of meeting held on May 26, 2005 be approved as circulated.”

Motion Carried Unanimously.

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**Business Arising
from Minutes**

Regarding the increase to the height of the Balefill, a question was raised about the application to the Department of Environment and Labour amending the Balefill operating permit. It was stated that Porter Dillon was too busy to do the work so three other companies were approached. The application will be made once the work is completed.

With regards to the May meeting with Minister Barnet on the Municipality's position on Villages and fuel tax revenues, a question was raised as to whether a response has been received from Minister Barnet. The Mayor indicated that the Municipality has not yet received a response and he has followed up with both a letter and phone call.

An inquiry was made about the Creamery Square Project and it was stated that this would be dealt with later in the meeting under Reports from Councillors.

Presentations

**Grant Thornton-County Financial Statements - Gerry Hutchings
and Bruce Purchase, Director of Corporate Services**

Mr. Hutchings presented the Audit Report and Statements to Council and provided a brief report on the audit of the Municipality. Two meetings with the Executive and Audit Committee were held to go over the statements. The first paragraph of the Auditors' Report states that we have audited the financial statements. The second paragraph indicates the audit was conducted in accordance with the principles of the local government, PSAC. The third paragraph states that Grant Thornton provide a clean opinion on the financial results.

Mr. Purchase provided a brief presentation on the Treasurer's statement.

Moved by Councillor Mingo
Seconded by Councillor Edwards

“That Council receive and accept the financial statements as presented.”

Motion Carried Unanimously. _____

Brian McNutt

Mr. McNutt appeared before Council to express his concerns regarding the proposed Septage By-law stating that he had only learned about this a couple of days ago and just received a copy of the By-law today.

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Mr. McNutt raised concerns with costs, hours of operation and volumes accepted. The acceptable volume limits a pumper to hauling septage from two households but can pump up to five per day.

Discussion was held on the acceptable volume of septage going into the plant per day and some concerns were raised about this issue. Mr. MacIsaac, CAO, indicated that the acceptable volume was based on 1000 homes on the North Shore and on average, one home being pumped out every five years. Based on this assumption, the Sewage Treatment Plant would be able to handle the volume.

Mr. McNutt indicated that he was informed that haulers could have access to the plant with a swipe card and that they could also haul from Pictou County. He raised the questions about why the plant was built in the middle of the Creamery Square and that he thought the Municipality was trying to impress the public.

Moved by Councillor Lynds
Seconded by Councillor Edwards

“That the presentation from Brian McNutt be received.”

Motion Carried Unanimously.

**Standing Committee
on Reports and
Recommendations**

Deputy Mayor Matheson presented the two reports from the Council Committee meeting held on June 16, 2005 and the Special Committee meeting held on June 22, 2005:

**UNSM Study on
Fair and Equitable
Funding**

Moved by Deputy Mayor Matheson
Seconded by Councillor LeFresne

“That Council approves that Mayor Smith write to the UNSM expressing concern that the report entitled, A Question of Balance - An Assessment of the State of Local Government in Nova Scotia, fails to address the issue of municipal viability and advising that until this has been completed, Colchester will express opposition to the recommendations contained in the report.”

Motion Carried Unanimously.

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**Canada Post - Civic
Addressing**

Moved by Deputy Mayor Matheson
Seconded by Councillor White

“That Council approves that the Municipality make available civic addressing information to Canada Post.”

Motion Carried Unanimously.

**Cottage Country
Waste Management
Program**

Moved by Deputy Mayor Matheson
Seconded by Councillor Cooke

“That Council approves that the Municipality sell its garbage boxes for \$1 to private road associations that meet the criteria set out in the memorandum from the Waste Reduction Coordinator dated June 9, 2005.”

Motion Carried Unanimously.

**County Personnel
Policies**

Moved by Deputy Mayor Matheson
Seconded by Councillor Cavanaugh

“That Council approves that current policies numbered 4.02, 4.03, 4.04, 4.05, 6.02, 6.03, 6.05, and 6.12 be repealed; and

That Council approves that policies numbered 4.02, 4.03, 4.05, 6.02, 6.05, and 6.12, as presented be approved and that policies numbered 4.04, and 6.03 be approved as amended.”

Motion Carried Unanimously.

**Request for
Financial Assistance
- Year of the Veteran
Memorial Garden**

Moved by Deputy Mayor Matheson
Seconded by Councillor Cooper

“That Council approves to donate \$2000 in cash an in kind contribution subject to CAO approval.”

Motion Carried Unanimously.

**Address Change -
CFS Debert**

Moved by Deputy Mayor Matheson
Seconded by Councillor White

“That Council approves that the community name Debert CFS and its boundary delineation be removed from the 911 system, and be merged into the surrounding community of Debert.”

Motion Carried Unanimously.

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**Street Paving
Request - Cottam
Drive and
MacLaughlin
Avenue**

Moved by Deputy Mayor Matheson
Seconded by Councillor White

“That Council approves that Cottam Drive and MacLaughlin Avenue be added to the County’s priority list of cost-shared paving and that this information be forwarded to the Department of Transportation and Public Works.”

Motion Carried Unanimously.

**Street Paving
Request - Glenabbey
Drive (Off Wilson
Mountain Road)**

Moved by Deputy Mayor Matheson
Seconded by Councillor Edwards

“That Council approves that Glenabbey Drive be added to the County’s priority list of cost-shared paving and that this information be forwarded to the Department of Transportation and Public Works.”

Motion Carried Unanimously.

**MADD Cobequid
Request for Support**

Moved by Deputy Mayor Matheson
Seconded by Councillor LeFresne

“That Council approves that the Municipality provide a grant to MADD Cobequid in the amount of \$500, source of funds to be the Trails Reserve, Municipal Trails Program Expense.”

Motion Carried Unanimously.

**Amendments to
CoRDA Legislation**

Moved by Deputy Mayor Matheson
Seconded by Councillor Taylor

“That Council approves that the Municipality support the proposed amendments to Bill No. 232, “An Act to Incorporate the Colchester Regional Development Agency”.”

Motion Carried Unanimously.

**Sewer Extensions -
Brookfield and
Great Village**

Moved by Deputy Mayor Matheson
Seconded by Councillor Taylor

“That Council approves adding five sewer extensions in Brookfield and one in Great Village to the Five Year Capital Budget commencing with 2005/06; and

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That Council approves ranking the six sewer extensions as high priority.”

Motion Carried Unanimously.

**Sidewalk - East
Prince to Deuille’s**

Moved by Deputy Mayor Matheson
Seconded by Councillor Edwards

“That Council approves adding East Prince to Deuille’s to the Five Year Capital Budget commencing with 2005/06; and

That Council approves ranking the project as a high priority.”

Motion Carried Unanimously.

**Sidewalk -
Teviot/Coldstream
to College Road**

Moved by Deputy Mayor Matheson
Seconded by Councillor Mingo

“That Council approves adding Teviot/Coldstream to College Road to the Five Year Capital Budget commencing with 2005/06; and

That Council approves ranking the project as a high priority.”

Motion Carried Unanimously.

**Sidewalk - East
Prince - Existing
Approval**

Moved by Deputy Mayor Matheson
Seconded by Councillor Edwards

“That Council approves adding East Prince - Existing Approval to the Five Year Capital Budget commencing with 2005/06; and

That Council approves ranking the project as the highest existing priority.”

Motion Carried Unanimously.

Sidewalk - Debert

Moved by Deputy Mayor Matheson
Seconded by Councillor White

“That Council approves adding Debert to the Five Year Capital Budget commencing with 2005/06; and

That Council approves ranking the project as a high priority.”

Motion Carried Unanimously.

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**Occupational Health
and Safety
Improvements at the
Balefill**

Moved by Deputy Mayor Matheson
Seconded by Councillor Cooper

“That Council approves adding Occupational Health and Safety Improvements at the Balefill to the Five Year Capital Budget commencing with 2005/06; and

That Council approves ranking the project as a high priority.”

Motion Carried Unanimously.

**Balefill Compost
Pad**

Moved by Deputy Mayor Matheson
Seconded by Councillor Cavanaugh

“That Council approves adding Balefill Compost Pad to the Five Year Capital Budget commencing with 2005/06; and

That Council approves ranking the project as a high priority.”

Motion Carried Unanimously.

Balefill Scales

Moved by Deputy Mayor Matheson
Seconded by Councillor Cooke

“That Council approves adding Balefill Scales to the Five Year Capital Budget commencing with 2005/06; and

That Council approves ranking the project as a low priority.”

Motion Carried Unanimously.

**Materials Recovery
Facility Expansion**

Moved by Deputy Mayor Matheson
Seconded by Councillor Taylor

“That Council approves adding Materials Recovery Facility Expansion to the Five Year Capital Budget commencing with 2005/06: and

That Council approves ranking the project as a high priority.”

Motion Carried Unanimously.

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**Bible Hill Water
Expansion**

Moved by Deputy Mayor Matheson
Seconded by Councillor Taylor

“That Council approves adding Bible Hill Water Expansion to the Five Year Capital Budget commencing with 2005/06.”

Motion Carried Unanimously.

**Debert Air
Industrial
Park/CPDS**

Moved by Deputy Mayor Matheson
Seconded by Councillor White

“That Council approves adding the Debert Air Industrial Park/CPDS to the Five Year Capital Budget commencing with 2005/06.”

Motion Carried Unanimously.

**Farnham Road
Extension**

Moved by Deputy Mayor Matheson
Seconded by Councillor Taylor

“That Council approves adding Farnham Road Extension to the Five Year Capital Budget commencing with 2005/06.”

Motion Carried Unanimously.

**Executive and Audit
Committee**

There was no business arising from the minutes of the Executive and Audit Committee meeting held on May 25, 2005.

Action Items

**UNSM Special
Session August 4,
2005 - Delegates**

Moved by Councillor Edwards
Seconded by Councillor White

“That the following six members of Council be appointed as voting delegates: Mayor Smith, Deputy Mayor Matheson, Councillors White, Taylor, Cooke and Cavanaugh and that Councillors LeFresne and Mingo would serve as alternates.”

Motion Carried Unanimously.

It was agreed that the voting delegates would meet briefly prior to the 1:00 pm meeting on August 4th.

**First Reading -
Septage By-law**

Mr. MacIsaac, CAO, gave a quick overview on this action item indicating that in August 2004, Council approved an additional operating component, at a cost of \$50,000, to allow for septage to be treated at this facility. The septage capacity was based on the assumption of 1000 homes in Colchester and that septic tanks are

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pumped on a five year cycle. There are some prohibitions in that commercial septage and porta-potties are not accepted. With pricing, there can be some flexibility and Council can choose to lower the price.

Councillor LeFresne stated that he had conversations with haulers from the area and some legitimate concerns were raised. One of the concerns was with the volume, as the capacity in the By-law appears to be 1.5 houses per day. Other concerns are that the rate is too high and the days the plant is open. The By-law states that staff is to set times but if there is flexibility, this should not be a problem.

Discussion was held about price and concerns were raised on this issue. It was stated that the price could be lowered and Council could still proceed with First Reading. If the rate was dropped, the difference could come from the general rate.

Concerns were raised about if haulers have septage from commercial businesses or from homes in other Counties. Mr. Dennis James, Municipal Solicitor, stated that in the By-law, there are three levels offences and that haulers could be fined if this happens.

Moved by Councillor LeFresne
Seconded by Councillor Cooper

“That Council approves, by way of First Reading, the Septic Waste Disposal By-law, with the following amendment; that the fee per litre be changed from \$0.045 to \$0.035.”

motion amended.

Moved by Councillor Cooke (in amendment)
Seconded by Councillor White

“That Council approves the First Reading without the amendment in the price per litre from \$0.045 to \$0.035.”

Motion Defeated.

(Mayor Smith, Deputy Mayor Matheson, Councillors Taylor, Cooper, Cavanaugh and LeFresne opposed)

With the amending motion having failed, the main motion was Put and Carried with Councillors Cooke, Cavanaugh and Lynds opposed.

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County Blue Roads

A concern whether County Blue Roads have been dust treated as yet was raised. Mr. Ramesh Ummat, Director of Public Works, advised that this is usually done in June and July. It was agreed that Mr. Ummat would follow up on this issue and report back to Councillors via correspondence in their mailboxes.

Bridges/Petitions

Councillor Cavanaugh submitted two petitions regarding the condition of bridges; Stewart's bridge in North River with 185 signatures on the petition and Loop#4 bridge in Kemptown with 301 signatures.

Moved by Councillor Cavanaugh
Seconded by Councillor Taylor

"That the two petitions be received by Council and that Council forward the petitions on to MLA Bill Langille with a letter of support."

Motion Carried Unanimously.

**Village of Bible Hill
Election**

Moved by Councillor Taylor
Seconded by Councillor Cavanaugh

"That letters be written to the Village of Bible Hill Chair, Rick Hilliard and Commissioner, Earl McKenna regarding their appointment in the recent election."

Motion Carried Unanimously.

Moved by Councillor Mingo
Seconded by Councillor Cavanaugh

"That a letter also be written to the Village of Bible Hill Deputy Chair, Tom Burke on his appointment."

Motion Carried Unanimously.

**Correspondence -
Action**

Dr. John R Hamilton,
Campaign Chair,
Recovery house

A copy of a letter to the Mayor dated June 7, 2005 requesting support for the Residential Addictions Treatment Program, Road to Recover Campaign.

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Moved by Councillor Cooper
Seconded by Councillor Cooke

“That this letter be received for information purposes.”

Motion Carried Unanimously.

Mayor Bill Mills,
Town of Truro

A copy of a letter to Mayor Smith dated June 21, 2005 regarding a New Regional Library.

Councillor Cooke provided a brief report on the Colchester East Hants Regional Library current facilities and their need for a new facility and on library governance, and operating funding.

Discussions were held about the letter received from Mayor Mills regarding a new regional library and concerns were raised about why this letter would come from the Mayor of the Town of Truro instead of from the Library. It was stated that the next Library Board meeting is to be held on July 6th and if this matter is referred to Committee in August, the July 6th meeting would be missed. A question was raised as to whether Council should have someone attend the July 6th meeting or that a letter be sent requesting clarification on reasonable process.

Moved by Councillor Taylor
Seconded by Councillor Mingo

“That a letter be written to the parties involved expressing Council’s views regarding the process and invite representatives to make a presentation to Council.”

Motion Carried. *(Councillor White opposed)*

Councillor Cooke stated that the Library Board had indicated that they would like another member of Council to be on the Committee.

Moved by Councillor Cavanaugh
Seconded by Councillor Edwards

“That Councillor Mingo be the second representative from Council on the Library Board.”

Motion Carried Unanimously.

Debbie MacInnis,
Dept. of
Transportation

A copy of a letter to the Mayor dated May 24, 2005 regarding the request for signage on Highway 104/Exit 21 to indicate access to communities of Middle and Upper Stewiacke.

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Moved by Councillor Cooper
Seconded by Councillor LeFresne

“That another letter be written requesting signage on Highway 104/Exit 21 to indicate access to the community of Upper Stewiacke only.”

Motion Carried Unanimously.

Honourable Stephen
Harper, P.C., M.P.,
Leader of the
Opposition, Leader of
the Conservative
Party of Canada

A copy of a letter dated May 6, 2005 passing the federal budget and funding risk for municipalities. Council agreed to receive this for information purposes.

Minister Kerry
Morash, Department
of Environment and
Labour

A copy of a letter to the Mayor dated May 26, 2005 regarding the new Fire Safety Act.

Moved by Deputy Mayor Matheson
Seconded by Councillor White

“That a follow up letter be written to Minister Morash expressing concerns that the Minister’s letter does not address the issues raised in Mayor Smith’s letter.”

Motion Carried Unanimously.

Steve Talbot,
Executive Director,
Forest Products
Association of Nova
Scotia

A letter to the Mayor dated June 16, 2005 regarding the importance of Intensive Forest Management and what it means to the future of the forest industry in Nova Scotia.

Moved by Councillor Cooper
Seconded by Councillor Taylor

“That a letter be written inviting this organization to come to Council to make a presentation to provide more information.”

Motion Carried Unanimously.

Mayor Charles
Crosby, President
UNSM

A letter to the Mayor dated June 16, 2005 concerning the 2005 HST Offset Payment. Council agreed to receive this letter for information purposes.

Kenneth RBSimpson,
Executive Director,
UNSM

A letter of response to the Mayor dated June 28, 2005 regarding the August 4th Special Meeting of UNSM. Council agreed to receive this letter for information purposes.

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**Correspondence -
Information**

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| Mr. Jay Brenton, Regional Manager, Department of Environment and Labour | A letter to the CAO dated May 25, 2005, regarding Colchester County Council Flood Committee. Council <u>agreed</u> to receive this letter for information purposes. |
| Colchester-East Hants Regional Library Board | A copy of minutes of the Regular Meeting held on February 1, 2005 and a copy of the Report of the Regional Library Director. Council <u>agreed</u> to receive these for information purposes. |
| Regional Manager, New Horizons for Seniors Program, Social Development Canada | A copy of a letter received on June 6, 2005 regarding the new Horizons for Seniors Program and the next Call for Applications for project funding. Council <u>agreed</u> to receive this for information purposes. |
| Bill Casey, M.P., Cumberland Colchester Musquodoboit Valley | A letter of response to the Mayor dated June 2, 2005 regarding Council's support for the proposal of sharing the gas tax with municipalities. Council <u>agreed</u> to receive this letter for information purposes. |
| Development Officer | A copy of the Development Activity Report for the month of May 2005. Council <u>agreed</u> to receive this report for information purposes. |
| Building Inspector | A copy of Building Permit Statistics for the month of May 2005. Council <u>agreed</u> to receive this for information purposes. |
| Premier John Hamm - and - P. Monteith, Executive Correspondence Officer, Office of the Prime Minister | Letters to the Mayor dated June 7 and 8, 2005 regarding Council's support of having the Stanley cup awarded to a showdown between the world's best women's hockey teams. Council <u>agreed</u> to receive these letters for information purposes. |
| Canadian Heritage | A News Release received on June 20, 2005 entitled Government of 'Canada More Than Doubles Funding for Cultural Capitals of Canada Awards'. Council <u>agreed</u> to receive this News Release for information purposes. |
| S/Sgt. Hugh Walker, District Commander, Royal Canadian Mounted Police | A letter to the Mayor dated June 9, 2005 regarding the R.C.M.P. Statistical Report (copy of report on file in Clerk's office). Council <u>agreed</u> to receive this report for information purposes. |

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Peter MacKinnon,
CEO, Colchester East
Hants Health
authority

A letter dated May 25, 2005 regarding the 2005 Report to Our Community (report on file in Clerk's office). Council agreed to receive this report for information purposes.

David L. Emerson,
Minister of Industry

A letter to the Mayor dated June 14, 2005 regarding the Community Access Program (CAP) to Canada's communities. Council agreed to receive this letter for information purposes.

Dwight Bishop,
Ombudsman

A letter to the Mayor dated June 15, 2005 with a copy of the Nova Scotia's Office of the Ombudsman Annual Report (report on file in Clerk's office). Council agreed to receive this for information purposes.

Paul Legere, CA,
Directory of Finance,
Chignecto-Central
Regional School
Board

A letter to the CAO dated June 22, 2005 concerning the 2005-06 Budget for Chignecto-Central Regional School Board (budget on file in Clerk's office). Council agreed to receive this for information purposes.

Minister Barry Barnet,
Service Nova Scotia
and Municipal
Relations

A letter to the Mayor dated June 17, 2005 regarding a Municipal Picture Exhibit. Council agreed to receive this letter for information purposes.

Information Items

Director of Public Works Position

Council had previously authorized staff to open competition for the position of Director of Public Works. Twelve applications were received and three candidates were interviewed for the position. An offer was made to Mr. Ramesh Ummat, the County's Project Engineer. He has accepted the position and commenced duties on June 15, 2005.

Staff will proceed with recruitment for the Project Engineer's position.

Bass River House - County-owned Property

This county owned property has been sold. The County received a cheque for \$48,404, after commission and legal fees and in accordance with the Municipal Government Act, the proceeds of the sale have been transferred to the Capital Reserve Fund.

Community Trail Funding Program - 2005 Grants

At a previous Council meeting, Council approved adoption of Municipal Funding for Community Trails Policy with an annual allocation of \$50,000 for trail maintenance and capital. Seven applications were received for funding support and six out of the seven were successful.

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Councillor LeFresne raised concerns with a major washout on the Denmark Trail.

FCM Reports from Participants

Reports from delegates who attended the 2005 FCM Conference in St. John's Newfoundland were received.

Nature Conservancy Canada

Councillor Cooke reported that he had been invited to attend a meeting in Halifax on June 29th. A piece of land in West Colchester is being turned over to the Province to be conserved. The parcel of land is on Economy Point and they eventually hope to have trails and there will be not cutting of trees. Councillor Cooke indicated that he gave a speech on behalf of the County talking about designated wilderness area, trails and the Municipality's commitment to giving \$1 million to community trails.

Reports from Councillors Appointed to Outside Boards and Agencies

Councillor White gave a brief report on CoRDA. The Annual General Meeting launched the regional economic plan. A video on living in Colchester was released.

Councillor LeFresne reported on the Creamery Square indicating that their Annual General Meeting was held on June 27th. They are building a new farm market building. Councillor LeFresne stated that an engineer has been hired to build, Jed Stonehouse is doing marketing and the project manager is working with County staff on building a new road.

Councillor Cavanaugh gave a brief report on the Flood Committee which met a couple of weeks ago.

Recess

Council agreed to recess to an in-camera session at 11:10 p.m. and reconvened in open session at 11:40 p.m.

Acquisition of Property for Trail Development - North River

Moved by Councillor Cavanaugh
Seconded by Deputy Mayor Matheson

“That the Municipality purchase land located at 483 Highway 311, North River (the back section of the property bounded on the west by the North River) from Stewart and Lola Lynds, for a price of \$10,000 with the actual size of the property to be determined by survey.”

Motion Carried Unanimously.

Adjournment

Council agreed to adjourn the meeting at 11:42 p.m.

Gary MacIsaac
Chief Administrative Officer