

February 23, 2006

**MUNICIPAL COUNCIL**

A Regular Session of the Municipal Council of the Municipality of the County of Colchester was held in the Courthouse, Truro, N.S. on Thursday, February 23, 2006 at 7:00 p.m.

**Roll Call**

The roll was called with the following Councillors in attendance:

Mayor Mike Smith, Chair	
Councillor Bob Taylor	District #1
Councillor Bill Masters	District #2
Deputy Mayor Hughie 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 Cavanaugh  
Seconded by Councillor White

“That the agenda for February 23, 2006 be approved with the following additions/deletions:

S	add 12b: Civic Centre
S	add 12c: Firefighters’ Curling Championships
S	add 12d: Rural Roads
S	add 12e: Spring 2006 Debenture Funding
S	add 12f: Position Vacancy - Utility Services
S	add 14b: Bridge - Kempton Loop
S	add 14c: Great Village Sewer Extension”

Motion Carried Unanimously.

**Approval of Minutes**

Moved by Deputy Mayor Matheson  
Seconded by Councillor Edwards

“That the minutes of meeting held on January 26, 2006 be approved as circulated.”

Motion Carried Unanimously.

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**Business Arising  
from Minutes**

There was no business arising from the minutes of meeting held on January 26, 2006.

**Presentations**

Mr. Don MacKay, Regional Manager, Northeastern N.S., Aliant

Mr. MacKay was asked to be a presenter at Council as a result of a motion passed by Committee in November 2005 requesting that Aliant be contacted to appear before Council regarding their policy on who gets high speed internet. There are a number of areas in the County that do not have access to this service.

In his presentation, a copy of which was circulated to Council, Mr. MacKay provided an overview of Aliant and its services. He did indicate that high speed internet service should be available in all areas of Colchester County by the end of 2006.

Jo Ann Fewer, Executive Director, Colchester Regional  
Development Agency and Ron Creighton, Chair, CoRDA Board

Ms. Fewer provided an overhead presentation on last year's achievements and highlights of the 2006-07 business plan. She also presented a video entitled "Where Business Moves and Where People Live.

CoRDA's achievements in 2005-06 included:

- a five year regional economic plan
- host to 100 potential immigrant families on exploration visits
- over 200 youth care kits distributed
- host to Atlantic wide transportation conference
- sale of industrial park properties
- marketing of 'Where Business Moves' and 'Where People Live' brands through trade shows, billboards and TV ads

In 2006-07, CoRDA's themes will include:

- support to existing businesses
- recruitment of new businesses
- creation of new enterprises
- creation of dynamic welcoming community

Ms. Fewer indicated that CoRDA is asking the Municipality of Colchester for the same funding as last year, \$122,976.

Ms. Fewer then introduced Ms. Holly Boston, Executive Director for the Nova Scotia Association of Regional Development Authorities. Ms. Boston provided a brief overview of the

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Association and handed out a copy of their brochure. The Association was established in 1999 to serve as the voice for 13 RDA's located throughout the province. The Association has a Board of 26 members.

Renee Kimber, Shortt's Lake West Road

Ms. Kimber's presentation relates to Item No. 7 on this evening's agenda.

Ms. Kimber indicated that she has been living on Shortt's Lake West Road for 20 years and along with others, is opposed to the installation of street lights in that area. It is her feeling that the petition should be thrown out and if people want a street light, they should have N.S. Power install a yard light on their property.

**Street Light Petition  
- Shortt's Lake West  
Road**

Council agreed to move this item forward on the agenda to accommodate those in the audience.

The CAO updated Council on the status of the petition in the last week since the Action Item was written. With numerous residents withdrawing their support, the petition did not contain a majority of property owners and a majority of assessed value. The current numbers show 47% in favour and 53% opposed; therefore, staff recommended that Council reject the petition.

Moved by Deputy Mayor Matheson  
Seconded by Councillor Masters

"That the petition requesting the installation of street lights on Shortt's Lake West Road be rejected."

Motion Carried Unanimously.

Council recommended that the policy on street light petitions be reviewed, specifically the process of notification to residents.

Moved by Councillor Cavanaugh  
Seconded by Councillor Mingo

"That the notification process on petitions be referred to Council Committee."

Motion Carried Unanimously.

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**Standing Committee  
Reports and  
Recommendations**

Deputy Mayor Matheson presented a report from the Council Committee meeting held on February 9, 2006:

**911 Community  
Names for  
Colchester County**

Moved by Deputy Mayor Matheson  
Seconded by Councillor White

“That Council approves the adoption of the 128 community names listed in an Action Item dated February 9, 2006 and that the final boundary maps for each community be approved by the CAO.”

Motion Carried Unanimously.

**2006-07 to 2010-11  
Capital Budget**

Moved by Deputy Mayor Matheson  
Seconded by Councillor Taylor

“That Council approves that the following three projects be deleted from the Municipality’s capital budget:

- Expansion of Water Distribution System - Main Street and East Court Road, Bible Hill
- Replacement of Sanitary Sewage Line, Main and Avon Streets, Bible Hill
- Sludge Handling - Compost Facility

*and,*

That the Tatamagouche Water Treatment Plant project remain in the capital budget at an estimated cost of \$1,500,000;

*and,*

That the Salmon River Water Distribution System project remain in the capital budget at an estimated cost of \$250,000, subject to the outcome of Council discussion on this matter at March Committee.”

Motion Carried Unanimously.

**Property Tax Write-  
Offs**

Moved by Deputy Mayor Matheson  
Seconded by Councillor Edwards

“That Council approves that property taxes and interest totalling \$1,697.66, as attached to Action Item dated February 9, 2006, be written off.”

Motion Carried Unanimously.

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**Executive and Audit  
Committee**

Regarding 578 Salmon River Road, staff advised that the land-use by-law issue has not been resolved and will be going to Court. The Solicitor has had some difficulty in finding out who the property owner is but has finally located an address in Edmonton.

Regarding the Valley Waste Recyclables Contract, staff will be seeking direction from Council during the in-camera session.

**Letter of  
Understanding - Ski  
Grooming  
Equipment**

Moved by Councillor Mingo  
Seconded by Councillor Cooper

“That the letter of understanding attached to Action Item dated February 23, 2006 be approved and that the CAO be authorized to sign on behalf of the Municipality.”

Motion Carried Unanimously.

**Transfer of CPDS  
Infrastructure to  
County**

In January, Council passed a motion indicating that a final decision on the transfer agreement of CPDS infrastructure would be made at February Council. This would allow CPDS an opportunity to provide input following their meeting on February 6<sup>th</sup>.

CoRDA/CPDS have now come back with two amendments to the agreement:

1. That the Municipality consult with CoRDA/CPDS on an annual basis regarding infrastructure needs.
2. CoRDA/CPDS are concerned with having to run the industrial promotions and marketing budget out of the 20% they receive from the sale of properties and how this will affect their budget when the properties are all sold.

Staff are recommending that No. 1 be inserted into the agreement and regarding No. 2, that a clause be inserted whereby the terms and conditions would be reviewed at the end of a three-year term.

Moved by Councillor Masters  
Seconded by Councillor White

“That the transfer agreement of CPDS infrastructure to the Municipality of Colchester be approved subject to the Solicitor making the following changes requested by CoRDA/CPDS:

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1. That the Municipality consult with CoRDA/CPDS on an annual basis regarding infrastructure needs.
2. That the terms and conditions of the agreement be reviewed at the end of a three-year term; and,

That the Mayor and CAO be authorized to execute the agreement.”

Motion Carried Unanimously.

**Temporary  
Borrowing  
Resolutions -  
Central Colchester  
Wastewater  
Treatment Facility**

Moved by Councillor Cavanaugh  
Seconded by Councillor Cooke

“That Council authorize the Mayor and CAO to sign both temporary borrowing resolutions as presented in an Action Item dated February 23, 2006.”

Motion Carried Unanimously.

**Provincial  
Generator Program**

Moved by Councillor Taylor  
Seconded by Councillor Mingo

“That unallocated funding from 2004-05 in the amount of \$3,636 be directed toward the Village of Bible Hill; and,

That the Municipality provide a grant in the amount of \$3,636 to the Upper Stewiacke Fire Brigade towards the purchase of a generator, source of funds to be general operations.”

Motion Carried Unanimously.

**Tatamagouche  
Water Utility**

Moved by Councillor LeFresne  
Seconded by Councillor Cavanaugh

“That the Municipality reaffirm that the replacement of the Tatamagouche Water Utility is number one on its capital priority list.”

Motion Carried Unanimously.

**Civic Centre**

Mayor Smith provided an update to Council on the Town of Truro being a part of the Steering Committee for the civic centre study. He was told by Mayor Mills at a recent Steering Committee meeting that as the result of an email survey conducted with members of Town Council, the Town of Truro is not going to approve the existing Terms of Reference for the study.

Mayor Smith then advised Mayor Mills that the Town cannot be

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part of the Steering Committee as their representatives have no authority to be there without agreeing to the terms of reference, and they were told to leave the meeting.

In the absence of the Town of Truro on the Steering Committee and the fact that the consultant had been hired when Truro was still part of the Committee, Mayor Smith asked for Council's support in paying the other half of the \$70,000 consultant fee out of this year's budget as an unbudgeted item. The remaining \$35,000 is going forward as part of the 2006-07 maintenance budget.

Moved by Councillor Taylor  
Seconded by Councillor Cavanaugh

"That Council approve the funding of the remaining half of the consultant fee for the civic centre study in the amount of \$35,000, source of funds to be 2005-06 general operations."

Motion Carried Unanimously.

### **Firefighters' Curling Championships**

Councillor Cavanaugh made reference to a letter he had received from the North River and District Fire Brigade Curling Team. As provincial champions, the team is looking for financial assistance to help with their expenses when they participate in the Canadian Championships in Ottawa from March 30<sup>th</sup> to April 9<sup>th</sup>. Mayor Smith indicated that he had been approached as well.

After a brief discussion, it was recommended that Council not support this event as it has been their long-standing policy not to do so given the number of similar requests received from other organizations and if approved, would have potential to be a significant cost to taxpayers.

Moved by Councillor Cavanaugh  
Seconded by Councillor Taylor

"That the Municipality send a letter of congratulations to the North River and District Fire Brigade Curling Team and advise them that it is not Council's policy to support travelling to athletic events."

Motion Carried Unanimously.

### **Rural Roads**

Councillor Taylor recommended that Council have a representative on a committee being established to look at roads in rural communities. He asked that this be referred to Council Committee.

Moved by Councillor Taylor

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Seconded by Councillor Mingo

“That Council representation on the committee on rural roads be referred to Council Committee.”

Motion Carried Unanimously.

**Spring 2006**  
**Debenture Funding**

Moved by Councillor LeFresne  
Seconded by Councillor White

“That Council authorize the Mayor and CAO to sign the three Pre-Approval of Debenture Issuance Subject to Interest Rate Resolutions as attached to Action Item dated February 23, 2006.”

Motion Carried Unanimously.

**Position Vacancy -**  
**Utility Services**

Moved by Councillor White  
Seconded by Councillor Edwards

“That Council authorize Administration to open competition for the position of Utility Services Worker in accordance with the collective agreement and the County personnel policies.”

Motion Carried Unanimously.

**Correspondence**

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

- No. 8: email dated February 1, 2006 from Landis Mining Corporation enclosing copy of news release
- No. 1: minutes of Rural Caucus minutes from meeting held on January 20, 2006
- No. 12: letter dated February 3, 2006 from Environment and Labour regarding on-site sewage disposal systems regulations

**ACTION**

**Karen McNeil,**  
**Parent Fundraising**  
**Coordinator**

A letter to Mayor Smith dated January 26, 2006 from **Karen McNeil, Parent Fundraising Coordinator**, regarding fundraising for the National Juvenile Volleyball Championships in B.C.

Moved by Councillor Masters

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Seconded by Deputy Mayor Matheson

“That the letter dated January 26, 2006 from the Parent Fundraising Committee requesting support for the National Juvenile Volleyball Championships in B.C. be received for information.”

Motion Carried Unanimously.

Staff were directed to advise Ms. McNeil in writing of Council’s decision in this regard.

**J.B. Harnish,  
Secretary, Hilden  
Community  
Association**

A letter to Council dated January 30, 2006 from **J.B. Harnish, Secretary, Hilden Community Association**, requesting additional crosswalks in Hilden.

Moved by Deputy Mayor Matheson  
Seconded by Councillor LeFresne

“That the request from the Hilden Community Association for additional crosswalks in their community be referred to Council Committee.”

Motion Carried Unanimously.

**Nigel Leggett, Chief,  
Valley-Kemptown &  
District Fire Brigade**

A letter to the County dated February 2, 2006 from **Nigel Leggett, Chief, Valley-Kemptown District Fire Brigade**, requesting a loan guarantee for \$400,000 to purchase a new rescue truck and make renovations to their hall.

Moved by Councillor Cavanaugh  
Seconded by Councillor Mingo

“That the request from the Valley-Kemptown District Fire Brigade for a loan guarantee for \$400,000 to purchase a new rescue truck and make renovations to the hall be referred to Council Committee.”

Motion Carried Unanimously.

**Residents of Wilson  
Mountain Road**

A petition received on February 8, 2006 from the **residents of Wilson Mountain Road**, requesting paving of the Wilson Mountain Road, Murray Siding.

Moved by Councillor Edwards

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Seconded by Councillor Mingo

“That the petition to pave Wilson Mountain Road be referred to Council Committee.”

Motion Carried Unanimously.

**Lisa Patton, c/o  
North River  
Elementary School**

A letter to Mayor Smith received January 31, 2006 from **Lisa Patton, c/o North River Elementary School** and Mayor Smith’s interim response dated February 2, 2006 regarding an application for trail funding.

Moved by Councillor Cavanaugh  
Seconded by Councillor White

“That a letter be written to the provincial office of Nova Scotia Health Promotion in support of the playground improvement work to be completed at the North River Elementary School.”

Motion Carried Unanimously.

**Douglas Landsberg**

A letter to Mayor and Council received February 9, 2006 from **Douglas Landsberg**, requesting a change in zoning on Wright Avenue, Bible Hill.

Moved by Councillor Taylor  
Seconded by Councillor Masters

“That the request received from Douglas Landsberg requesting a change in zoning on Wright Avenue, Bible Hill, be referred to the Planning Advisory Committee.”

Motion Carried Unanimously.

**Anne Bastarache,  
Guidance  
Counsellor, École  
acadienne de Truro**

A letter to Mayor Smith dated January 30, 2006 from **Anne Bastarache, Guidance Counsellor, École acadienne de Truro**, and the CAO’s interim response dated February 13<sup>th</sup>, requesting consideration of a County scholarship for the school’s first graduating class.

Moved by Councillor White

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Seconded by Councillor Cooper

“That the letter from the École acadienne de Truro requesting consideration of a County scholarship for the school’s first graduating class be referred to Council Committee.”

Motion Carried Unanimously.

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

A letter to the CAO dated February 20, 2006 from **Elaine Wagner, Clerk, N.S. Utility and Review Board**, concerning the number and boundaries of polling districts.

Moved by Councillor Edwards  
Seconded by Councillor Mingo

“That the letter from the N.S. Utility and Review Board concerning the number and boundaries of polling districts be referred to Council Committee.”

Motion Carried Unanimously.

**David Birkett,  
President, Landis  
Mining Corporation**

An email to the CAO dated February 1, 2006 from **David Birkett, President, Landis Mining Corporation**, enclosing a copy of a news release regarding the Alton Natural Gas Storage project.

Deputy Mayor Matheson noted that this is potentially positive for the Alton area.

**Union of N.S.  
Municipalities**

A copy of the Rural Caucus Minutes from a meeting held on January 20, 2006 received from the **Union of N.S. Municipalities**.

At the request of Councillor Cooper regarding the item on Page 3 under Business Arising, the CAO provided an update on roads as it relates to the implementation report on fair and equitable funding.

Councillor Taylor made reference to an item on Gas Tax and Villages on Page 6. The CAO agreed to follow up with the Counties of Kings and Victoria regarding their approach on budgeting for Village projects and report back if necessary.

**Environment and  
Labour**

A copy of a letter dated February 3, 2006 from **Environment and Labour**, regarding the on-site sewage disposal systems regulations.

Council agreed to refer these regulations to Council Committee and

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asked staff to include a comparison of lot sizes in their report.

## INFORMATION

**Philip Hicks,  
President, N.S.  
Agricultural College**

A letter to Mayors Smith and Mills dated January 24, 2006 from **Phillip Hicks, President, N.S. Agricultural College**, regarding support for the new civic centre. Council agreed to receive this letter for information purposes.

**Chris Themelis,  
Account  
Coordinator,  
Strategic Objectives**

A letter to Mayor Smith dated January 27, 2006 from **Chris Themelis, Account Coordinator, Strategic Objectives**, regarding Kraft Hockeyville. 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 January 2006. Council agreed to receive this report for information purposes.

**Development Officer**

A copy of the Development Activity Report received from the **Development Officer** for the month of January 2006. Council agreed to receive this report for information purposes.

**Central Nova  
Tourist Association**

A copy of a newsletter dated January 31, 2006 received from the **Central Nova Tourist Association**. Council agreed to receive this newsletter for information purposes.

**Union of N.S.  
Municipalities**

A copy of an email dated January 31, 2006 from the **Union of N.S. Municipalities** regarding the 2006-07 assessment services budget. Council agreed to receive this email for information purposes.

**Karen Nash,  
Executive Assistant,  
Coastal  
Communities  
Network**

A letter to Mayor Smith dated February 1, 2006 from **Karen Nash, Executive Assistant, Coastal Communities Network**, concerning an annual conference in April 2006. Council agreed to receive this letter for information purposes.

**Ted Ross, Building  
Code Coordinator,  
Environment &  
Labour**

A letter to Mayor Smith dated February 1, 2006 from **Ted Ross, Building Code Coordinator, Environment and Labour**, regarding amendments to the building code regulations (report on file in CAO's office). Council agreed to receive this letter for information purposes.

**Avril Vollenhoven,  
Manager,  
Communications,  
Canada Post**

A letter to Mayor Smith dated February 2, 2006 from **Avril Vollenhoven, Manager, Communications, Canada Post**, concerning implementing changes to rural routes. Council agreed to receive this letter for information purposes.

**Union of N.S.**

A copy of an email dated February 8, 2006 from the **Union of N.S.**

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<b>Municipalities</b>	<b>Municipalities</b> , regarding a pre-budget submission to the Minister of Finance. <u>Council agreed</u> to receive this email for information purposes.
<b>Reg Loughead, Administrator, Progressive Alliance of Retailers Inc.</b>	An email to the CAO dated January 5, 2006 from <b>Reg Loughead, Administrator, Progressive Alliance of Retailers Inc.</b> , and the CAO's response dated February 9 <sup>th</sup> regarding business occupancy tax. <u>Council agreed</u> to receive this letter for information purposes.
<b>Allan Bonnyman, North Colchester River Restoration Project</b>	A copy of an annual report for 2005 received from <b>Allan Bonnyman, North Colchester River Restoration Project</b> . <u>Council agreed</u> to receive this report for information purposes.
<b>Union of N.S. Municipalities</b>	A copy of an email dated February 14, 2006 from the <b>Union of N.S. Municipalities</b> , regarding a greenhouse gas reduction report (copy of report in CAO's office). <u>Council agreed</u> to receive this email for information purposes.
<b>Michelle Richard, Provincial Volunteers Awards Coordinator, Recreation N.S.</b>	A copy of an email to Mayors and Wardens dated February 14, 2006 from <b>Michelle Richard, Provincial Volunteers Awards Coordinator, Recreation N.S.</b> , regarding the 2006 provincial volunteer award nominations. <u>Council agreed</u> to receive this email for information purposes.
<b>Moya Greene, President and CEO, Canada Post</b>	A letter to Mayor Smith dated February 15, 2006 from <b>Moya Greene, President and CEO, Canada Post</b> , regarding service in rural and urban postal facilities across Canada. <u>Council agreed</u> to receive this letter for information purposes.
<b>Colin Fowlie, Creamery Square Association</b>	An email to the CAO dated February 20, 2006 from <b>Colin Fowlie, Creamery Square Association</b> , and the CAO's response dated February 22 <sup>nd</sup> regarding the Creamery Square project. <u>Council agreed</u> to receive this letter for information purposes.
<b>Janet Pelley, Library Director, Public Library, Colchester-East Hants</b>	A copy of the minutes of meetings of the Library Board held on September 27 and November 22, 2005 received from <b>Janet Pelley, Library Director, Public Library, Colchester-East Hants</b> . <u>Council agreed</u> to receive these minutes for information purposes.
<b><u>New Website and Email Address</u></b>	The Municipality has purchased a new domain name of colchester.ca to replace the current colchester-county.ns.ca. Both names will be running for a couple of years until everything has been updated.

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**Bridge - Kemptown Loop**

Councillor Cavanaugh advised that he had received a phone call from MLA Bill Langille's secretary indicating that the Province has no intention of re-opening the Kemptown Loop or replacing the bridge.

**Great Village Sewer Extension**

Because the expansion to the Great Village sewer system is on the capital budget list for 2008-09, Councillor Cooke was asked by Council to conduct a survey of the residents who would be part of this extension project. Councillor Cooke circulated a copy of his survey results. Of the 29 properties that would be served by this extension, nine are farms, leaving a maximum of 20 properties to benefit from this service at a cost of approximately \$23,000 each.

Before making a final decision on whether this project remains on the capital budget list, Councillors were encouraged to take a drive out to Great Village to look at the proposed sewer extension area. A map will be placed in Councillor mailboxes showing where the area is in Great Village.

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

Deputy Mayor Matheson reported that he had attended the "Recycles" awards on February 10<sup>th</sup> in Wentworth, a Regional Chairs' meeting on February 20<sup>th</sup> in Milford and plans on attending an open house for the new fire hall in Brookfield on February 25<sup>th</sup>.

Councillor Edwards reported that he represented the County at the annual banquet of the Tatamagouche Fire Department on February 18<sup>th</sup>.

**Flood Advisory Committee**

Councillor Cavanaugh presented the Flood Advisory Committee report which provided information on 2005-06 projects completed as of February 3, 2006. A copy of the report was circulated on table for this evening's meeting.

Councillor Cavanaugh indicated that people were very thankful to have this work done. He felt the contractor did a great job and that a thank you letter should be sent from the Flood Advisory Committee.

The Committee will be meeting again in the spring and new requests are already coming in.

Councillor Cavanaugh also reported that he had attended the last meeting of the North River Elementary School Steering Team which included a tour of the new expansion. Official opening is scheduled for April.

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Councillor White reported that CPDS is winding down at the end of this fiscal year at which time, it will be passed over to the Colchester Regional Development Agency.

Councillor Mingo reported that she had attended a meeting of the Library Board on February 7<sup>th</sup>.

**Recess**

Council agreed to recess to an in-camera session at 10:05 p.m. and reconvened in open session at 10:15 p.m.

**Adjournment**

Moved by Deputy Mayor Matheson  
Seconded by Councillor Cavanaugh

“That the meeting be adjourned at 10:53 p.m.”

Motion Carried Unanimously.

Sheila Arsenault  
Recording Secretary