

January 29, 2009

**MUNICIPAL COUNCIL**

The Regular Session of the Municipal Council of the Municipality of the County of Colchester was held in the Courthouse, Truro, N.S. on Thursday, January 29, 2009 at 7:00 p.m.

**Roll Call**

The roll was called with the following Councillors in attendance:

Mayor Bob Taylor, Chair	
Councillor Christine Blair	District #1
Councillor Bill Masters	District #2
Councillor Gerald Buott	District #3
Councillor Mike Cooper	District #4
Councillor Glen Edwards	District #5
Councillor Karen MacKenzie	District #6
Councillor Jimmie LeFresne	District #7
Deputy Mayor Ron Cavanaugh	District #8
Councillor Bob White	District #9
Councillor Tom Taggart	District #10
Councillor Earl McKenna	District #11

**Approval of Agenda**

Moved by Councillor Masters  
Seconded by Councillor Edwards

“That the agenda for January 29, 2009 be approved with the following additions:

- add 10b: Sidewalks on Eagle Drive
- move #12, Sidewalk in Brookfield, from an Information Item to Action Item #10c
- add new #12: Waste Management Master Plan - Engineering Services
- add 12b: Minister’s Tour”

Motion Carried Unanimously.

**Approval of Minutes**

Moved by Councillor Blair  
Seconded by Deputy Mayor Cavanaugh

“That the minutes of meetings held on November 13 and 27, 2008 be approved as circulated.”

Motion Carried Unanimously.

**Business Arising from Minutes**

There was no business arising from the minutes of meetings held on November 13 and November 27, 2008.

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**Presentations**

North Colchester River Restoration Association

Representing the North Colchester River Restoration Association were Mr. John O’Hearn and Mr. Allan Bonnyman.

In his presentation, Mr. O’Hearn indicated that the goal of the Association is to restore and enhance the water quality and fish habitat of the French and Waugh’s Rivers. The Association has now completed its ninth year and during that time, has raised and invested \$250,000 in the community. Because of funding received from the Municipality over the last five years, the Association was able to employ 30 high school students.

Mr. O’Hearn stated that the Association would like to see the Municipality extend its support as was provided previously, \$5,000 per year for five years.

Moved by Councillor LeFresne  
Seconded by Deputy Mayor Cavanaugh

“That the presentation from the North Colchester River Restoration Association be received and the request for funding be referred to budget deliberations.”

Motion Carried Unanimously.

Shubenacadie Canal Commission

Representing the Shubenacadie Canal Commission was Mr. Allan Billard.

In his presentation, Mr. Billard made reference to appearing before Council a couple of years ago. He provided an information binder on the organization, including a ten-year business plan and background study.

The Commission would like to begin the process of applying for a Canadian heritage river designation. In order to do so, the Commission requires \$150,000 to get the project to the nomination phase. They have applied for funding through ACOA’s Innovative Community Fund and talked to Regional Development Agencies. From the Municipality, they are looking for \$20,000 to conduct the work that is required over the next 15 months to get to the nomination phase of the project.

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Moved by Councillor McKenna  
Seconded by Councillor White

“That the presentation from the Shubenacadie Canal Commission be received and the request for funding be referred to budget deliberations.”

Motion Carried Unanimously.

**Standing Committee  
Reports and  
Recommendations**

Deputy Mayor Cavanaugh presented the reports from the Council Committee meetings held on December 11, 2008 and January 15, 2009:

**Mowing and  
Summer  
Maintenance of  
County Properties**

Moved by Deputy Mayor Cavanaugh  
Seconded by Councillor Buott

“That Council authorizes the Municipality to carry out the summer maintenance of municipal properties using in-house resources starting from April 2009; and,

That, for this purpose, two additional staff be hired on term positions for a period of six (6) months during the summer time from the beginning of May to the end of October each year.”

Motion Carried Unanimously.

**Former Salmon  
River Elementary  
School**

Moved by Deputy Mayor Cavanaugh  
Seconded by Councillor Edwards

“That Council authorizes the Municipality to accept the Salmon River Elementary School and property from the Chignecto Central Regional School Board; and,

That, given the Salmon River Elementary School and property are not required for a municipal purpose, that staff proceed to administer the disposal process pursuant to policy.”

Motion Carried Unanimously.

**Former East  
Stewiacke  
Elementary School**

Moved by Deputy Mayor Cavanaugh  
Seconded by Councillor Cooper

“That Council authorizes the Municipality to conduct an appraisal of the East Stewiacke Elementary School and property before being considered for acceptance from the Chignecto Central Regional School Board.”

Motion Carried Unanimously.

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**Flood Advisory  
Committee**

Moved by Deputy Mayor Cavanaugh  
Seconded by Councillor Masters

“That Council approves the Flood Advisory Committee 2008-09 Work Program of approximately \$40,858.08 (less HST rebate).”

Motion Carried Unanimously.

**Flag Flying Policy**

Moved by Deputy Mayor Cavanaugh  
Seconded by Councillor Blair

“That Council approves the Flag Flying Policy for the Municipality of the County of Colchester as presented.”

Motion Carried Unanimously.

**2009 FCM  
Conference**

Moved by Deputy Mayor Cavanaugh  
Seconded by Councillor Edwards

“That Council approves that all Councillors have the opportunity to attend two FCM annual conferences during the four-year term of Council; and,

That the Mayor, Deputy Mayor and CAO have the opportunity to attend FCM annual conferences; and,

That Mayor Taylor, Deputy Mayor Cavanaugh, Councillor Edwards, Councillor Blair, Councillor Masters, Councillor Cooper, Councillor LeFresne and the CAO be authorized to attend the 2009 FCM Annual Conference in Whistler, B.C., with the first alternate being Councillor White and the second alternate being Councillor Buott.”

Motion **Defeated**.

*(Councillors Blair, Masters, Buott,  
MacKenzie, Taggart and McKenna  
opposed)*

Moved by Councillor Masters  
Seconded by Councillor Buott

“That Council approves that the Mayor, Deputy Mayor and three Councillors have the opportunity to attend all FCM annual conferences; and,

That Councillors will be chosen through a draw of eligible Councillors; and,

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That eligible Councillors are those Councillors who have not attended an FCM conference during each term of Council until such time as all Councillors have had an opportunity to attend a conference, after which all Councillors will become eligible again.”

Motion Carried. *(Councillor McKenna opposed)*

*Conflict of Interest*

*Councillors Blair and Councillor Masters declared a conflict of interest at this point in the meeting and removed themselves from the table.*

Moved by Councillor McKenna  
Seconded by Councillor Edwards

“That the selection process for determining what Councillors attend the 2009 FCM Annual Conference be to put into a hat the names of the five Councillors previously chosen to attend and draw out three names.”

Motion **Defeated**. \_\_\_\_\_ *(Mayor Taylor, Deputy Mayor Cavanaugh, Councillors Buott, Cooper and White opposed)*

Moved by Deputy Mayor Cavanaugh  
Seconded by Councillor Buott

“That the selection process for determining what Councillors attend the 2009 FCM Annual Conference be to put names into a hat of all Councillors and draw out three names.”

Motion Carried Unanimously.

*Councillor Blair and Councillor Masters returned to the table.*

The three Councillors chosen from the draw were Councillor Edwards, Councillor Buott and Councillor White, with alternates being Councillor Masters, Councillor LeFresne and Councillor Cooper respectively.

**Bible Hill Volunteer  
Fire Brigade**

Moved by Deputy Mayor Cavanaugh  
Seconded by Councillor Buott

“That Council approves a donation of \$200 to the Bible Hill Volunteer Fire Brigade to help cover banquet costs at the Nova Scotia Firefighters’ Curling Competition, source of funds to be general operations as an unbudgeted item.”

Motion Carried Unanimously.

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**Harmony Road  
Sidewalk**

Moved by Deputy Mayor Cavanaugh  
Seconded by Councillor Edwards

“That Council approves up to \$815,000 for the Harmony Road Sidewalk, including retaining wall, contingency and land assembly; and,

That the source of funds for this project be approved at a 50% allocation to the Municipal Infrastructure Fund and 50% allocation to the urban area rate; and,

That staff be authorized to tender the project; and,

That Executive and Audit Committee be given authority to make the final decision on land assembly; and,

That staff be directed to approach the provincial Department of Transportation and Infrastructure Renewal for a potential funding contribution to the project.”

Motion Carried Unanimously.

**Debert Sidewalk**

Moved by Deputy Mayor Cavanaugh  
Seconded by Councillor White

“That Council approves up to \$380,000 for the Debert Sidewalk, including retaining wall, contingency and land assembly; and,

That the source of funds for this project be approved at a 50% allocation to the Municipal Infrastructure Fund and 50% allocation to the Debert House Sales Fund; and,

That staff be authorized to tender the project; and,

That Executive and Audit Committee be given authority to make the final decision on land assembly.”

Motion Carried Unanimously.

**Executive and Audit  
Committee**

There was no business arising from the minutes of meeting held on January 27, 2009.

**Nominating  
Committee**

\_\_\_\_\_  
Moved by Councillor Buott  
Seconded by Councillor Masters

“That the report from the Nominating Committee dated January 27, 2009 be adopted as presented; and,

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That any additional names received to fill citizen representative vacancies be forwarded to Nominating Committee and subsequent recommendation to Council.”

Motion Carried Unanimously.

Councillor LeFresne indicated that he had several names for the Nominating Committee which he had recruited for vacancies on committees in his district.

### **ACTION ITEMS**

#### **First Reading - Tax Exemption By-law**

Moved by Deputy Mayor Cavanaugh  
Seconded by Councillor Buott

“That Council hereby approves by way of First Reading the Tax Exemption By-law as attached to the Action Item dated January 29, 2009.”

Motion Carried Unanimously.

#### **Temporary Borrowing Resolution - Regional Hospital**

Moved by Councillor Masters  
Seconded by Councillor LeFresne

“That Council authorizes the Mayor and CAO to sign the temporary borrowing resolution for the new Regional Hospital as presented.”

Motion Carried Unanimously.

#### **Scotia Pool Financial Request**

Moved by Councillor Blair  
Seconded by Councillor McKenna

“That Council staff be directed to meet with representatives of Scotia Pool to explore funding options, including working within the current approved budget allotment, and report back to Council at budget deliberations.”

Motion Carried Unanimously.

#### **Cost-Shared Paving Programs**

Moved by Councillor LeFresne  
Seconded by Deputy Mayor Cavanaugh

“That the Mayor and CAO be authorized to sign Construction Agreement Number 2009-008 for the paving of sub-division streets; and,

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That staff be directed to write to the Department of Transportation and Infrastructure Renewal advising them that there are currently no streets identified by Council for inclusion in the cost-shared construction agreement for the year 2009.”

Motion Carried Unanimously.

**Sidewalks - Eagle Drive**

Councillor MacKenzie made reference to a petition brought forward to Council in December 2007 in support of a sidewalk at Eagle Drive in Valley. This sidewalk is currently on the Capital Budget list for 2011-12. Councillor MacKenzie reported that at a meeting she had with MLA Karen Casey on this issue, MLA Casey stated that if Transportation and Infrastructure Renewal (TIR) have the paving of Eagle Drive on its priority list, would the Municipality be willing to move up the sidewalk project to coincide with the paving project. Councillor MacKenzie asked Council to consider having staff investigate the potential of implementing the sidewalk project at Eagle Drive to coincide with TIR’s paving project.

Moved by Councillor MacKenzie  
Seconded by Deputy Mayor Cavanaugh

“That the potential of implementing the sidewalk project at Eagle Drive to coincide with the Transportation and Infrastructure Renewal paving project be referred to Council Committee.”

Motion Carried Unanimously.

**Sidewalk in Brookfield**

Councillor Buott reported that, for safety reasons, residents in his area are pushing for a sidewalk from Highway 289, north on Carter Road to at least the Sportsplex entry way. Children are walking on the road and it is difficult to get a fire truck through when an event is going on and cars are parked on both sides of the road. Councillor Buott asked Council to consider referring this matter to budget deliberations.

Moved by Councillor Buott  
Seconded by Councillor Cooper

“That the issue of building a sidewalk from Highway 289 north on Carter Road be referred to budget deliberations.”

Motion Carried Unanimously.

**Correspondence**

**ACTION**

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**Colleen Hunt,  
Program Officer,  
Dept. of Canadian  
Heritage**

A letter to Mayor Taylor dated January 6, 2009 from **Colleen Hunt, Program Officer, Department of Canadian Heritage**, requesting that February 15, 2009 be proclaimed National Flag of Canada Day.

Moved by Councillor McKenna  
Seconded by Councillor Buott

“That February 15, 2009 be proclaimed National Flag of Canada Day in Colchester County.”

Motion Carried Unanimously.

**Chuck & Lynn Cox,  
North River &  
District Recreation  
Association**

An email dated January 28, 2009 from **Chuck and Lynn Cox, North River and District Recreation Association**, requesting a letter of support in order to access provincial funding.

Moved by Deputy Mayor Cavanaugh  
Seconded by Councillor Buott

“That Council approves a letter of support be provided to Nova Scotia Health Promotion and Protection in support of the North River and District Recreation Association’s application for renovations and improvements to their ball facility located in North River.”

Motion Carried Unanimously.

**Marg Rovers,  
Chairperson, Scotia  
Pool Management  
Team**

A letter to Mayor Taylor dated January 28, 2009 from **Marg Rovers, Chairperson, Scotia Pool Management Team**, requesting a letter of support in order to access provincial funding.

Moved by Councillor Buott  
Seconded by Deputy Mayor Cavanaugh

“That Council approves a letter of support be provided to Nova Scotia Health Promotion and Protection in support of Scotia Pool’s application for window replacement in their facility in Bible Hill.”

Motion Carried Unanimously.

#### INFORMATION

**Building Inspector**

Copies of Building Permit Statistics Reports received from the **Building Inspector** for the months of November and December 2008. Council agreed to receive these reports for information purposes.

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**Development Officer** Copies of Development Activity Reports received from the **Development Officer** for the months of November and December 2008. Council agreed to receive these reports for information purposes.

### **INFORMATION ITEMS**

#### **Waste Management Master Plan - Engineering Services**

The CAO advised that the Municipality is advertising a Request for Proposals for engineering services for the design of the Waste Management Master Plan. The proposal is valid for a minimum of 90 days from the date of closing of the tender. During that time, staff are hoping that the federal government will make an announcement on how municipalities can access funding for shovel-ready projects.

#### **Ministerial Tour**

The CAO advised that the newly appointed Minister of Service Nova Scotia and Municipal Relations, Richard Hurlburt, is conducting a tour of all 55 municipalities within the province. He has requested a meeting with Colchester County Council on Friday, February 6<sup>th</sup> from 10:45 to 11:45 a.m. This meeting will take place in Council Chambers.

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

Councillor Blair requested that staff provide her with information on the Police Advisory Board to which she has been recently appointed.

Councillor Masters reported on a tour that he and Mayor Taylor participated in to look at civic centre facilities in Summerside and Charlottetown, PEI.

Councillor Masters reported that the Planning Advisory Committee met on February 10<sup>th</sup> to look at the wind turbine by-law.

Councillor Masters reported that after a lot of work by staff, the Clifton Federation of Agriculture has agreed to a final draft of a land-use plan and by-law. This document will now go before the Clifton Area Planning Advisory Committee, followed by a community meeting. It is expected that the By-law will be brought before County Council the first part of May.

Councillor Buott reported on a recent meeting of the Northern Region Waste Resource Management Committee.

Councillor Cooper reported that this week he had received a copy of the St. Andrews Source Water Protection Plan from the Province.

Councillor Cooper also reported that the new Winding River School will be having an open house in February.

Councillor Edwards reported that the Central Nova Tourist Association is having its annual meeting March 5-6, 2009. The Central Nova Tourist

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Association, the Antigonish-Eastern Shore Tourist Association and the Pictou County Tourist Association are looking at an implementation plan for a new marketing agency.

Councillor MacKenzie reported on a meeting of the Library Board that she attended on Tuesday evening. Three issues were discussed:

- library in Stewiacke being an unhealthy building
- feasibility study for new library in Truro - looking at utilizing the old fire hall building
- name for new library in Tatamagouche

Deputy Mayor Cavanaugh reported that the Flood Advisory Committee has completed the project in Upper Stewiacke. The Committee has one more project to do in this fiscal year in New Annan. At its next meeting, the Committee will look at new year projects and restructuring.

Councillor White reported on a recent CoRDA partners' meeting. Topics discussed included the need for a new residence at the Nova Scotia Community College and CoRDA's support of the Regional Transportation Plan.

Councillor Taggart reported on meetings he had attended of the Truro and District Chamber of Commerce. Topics discussed were cooperation and support for the Debert Air Industrial Park as a redistribution centre and as a way to increase business and revenue in Truro.

Councillor McKenna reported on a School Board meeting that he and Councillors MacKenzie and Blair had attended on January 19<sup>th</sup>. The Board is looking at establishing a priority list of what schools need to be replaced over the next four to five years.

Mayor Taylor reported on the following activities:

- four committees established for civic centre project
- participated in three tours in connection with civic centre project
- participated in recent Transportation Forum involving three local municipalities and Millbrook
- met with Department of Transportation and Infrastructure Renewal on various issues - may meet quarterly
- attended annual banquet for Salmon River Fire Brigade last Saturday evening - recognized Lloyd Langille for 45 years as volunteer firefighter

**Recess**

Council agreed to recess to an in-camera session at 10:30 p.m. and reconvened in open session at 12:05 a.m.

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**Market Study  
Reclassification**

Moved by Councillor LeFresne  
Seconded by Councillor MacKenzie

“That Council approves the market study reclassification (attached) to be effective April 1, 2009; and,

That Council approves a consumer price index adjustment to the proposed salaries pursuant to Personnel Policy 6.03, to be effective April 1, 2009; and,

That Council approves an amendment to Personnel Policy 6.03, section 3, to provide that if an employee moves to a new range as a result of an organizational salary review, the employee in that position shall remain at the same step in that range, but that if a range is adjusted due to a change in responsibilities, the CAO shall place the employee in a pay range based on a recommendation from the Director responsible for the Department.”

Motion Carried Unanimously.

Moved by Councillor White  
Seconded by Councillor Buott

“That the development of a suitable wellness program be referred to Council Committee for consideration.”

Motion Carried Unanimously.

**Kempton Host  
Community Agreement**

Moved by Deputy Mayor Cavanaugh  
Seconded by Councillor McKenna

“That Council directs staff to implement the Property Value protection clause of the Kempton Host Community Agreement with respect to 238 River Road, Kempton.”

Motion Carried Unanimously.

**Adjournment**

Moved by Councillor Edwards  
Seconded by Councillor White

“That the meeting be adjourned at 12:10 a.m.”

Motion Carried Unanimously.

Sheila Arsenault  
Recording Secretary