

March 26, 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, March 26, 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
Deputy Mayor Ron Cavanaugh	District #8
Councillor Bob White	District #9
Councillor Tom Taggart	District #10
Councillor Earl McKenna	District #11

Regrets:

Councillor Jimmie LeFresne	District #7
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**Approval of Agenda**

Moved by Councillor White  
Seconded by Deputy Mayor Cavanaugh

“That the agenda for March 26, 2009 be approved with the following addition:

- add to No. 16, In-Camera: one additional Land Matter”

Motion Carried Unanimously.

**Approval of Minutes**

Moved by Councillor McKenna  
Seconded by Councillor Buott

“That the minutes of meeting held on February 26, 2009 be approved as circulated.”

Motion Carried Unanimously.

**Business Arising from Minutes**

There was no business arising from the minutes of meeting held on February 26, 2009.

March 26, 2009

**Presentations**

**Ms. Kim Cole**

In her presentation, Ms. Cole indicated that she represents a group of dog owners who are looking for a place to take their dogs off leash. This location would allow dogs to exercise off leash to help socialize them so they are not as aggressive toward other dogs. Such a place would benefit both the owner and the dog as well as the community.

Mr. Cole indicated that the group is requesting the County's assistance in locating a fenced-in property the size of a ballfield (minimum of one acres) where dogs can run off leash. The area should also have garbage cans and someone to maintain them.

Moved by Deputy Mayor Cavanaugh  
Seconded by Councillor Buott

“That the presentation from Kim Cole be received and referred to Council Committee.”

Motion Carried Unanimously.

**Mr. Tim Tucker, Truro and District Chamber of Commerce**

In his presentation, Mr. Tucker indicated that the Truro and District Chamber of Commerce fully understands that the Municipality has to have a source of revenue and that revenue has to be increased; however, the Chamber feels that, given the economic climate, this is the wrong time for a ten-cent increase in the commercial tax rate. The mandate of the Chamber is economic growth development; however, if a business is looking to set up in this area and they see the tax rate, it could hinder that happening.

On behalf of the Chamber, Mr. Tucker requested that Council reconsider the increase in the commercial tax rate.

Moved by Councillor White  
Seconded by Councillor Edwards

“That the presentation from the Truro and District Chamber of Commerce be received.”

Motion Carried Unanimously.

**Standing Committee  
Reports and  
Recommendations**

Deputy Mayor Cavanaugh presented the reports from the Council Committee meetings held on March 12 and 19, 2009:

March 26, 2009

**Economic  
Development Grants  
Policy**

Moved by Deputy Mayor Cavanaugh  
Seconded by Councillor Buott

“That Council approves the Economic Development Grants Policy as presented.”

Motion Carried Unanimously.

**North River  
Ballfield Lease**

Moved by Deputy Mayor Cavanaugh  
Seconded by Councillor Blair

“That Council approves the lease agreement between the Municipality of the County of Colchester and the North River and District Recreation Association as presented.”

Motion Carried Unanimously.

**Forklift for  
Materials Recovery  
Facility**

Moved by Deputy Mayor Cavanaugh  
Seconded by Councillor Buott

“That Council approves an amendment to the Capital Budget to allow for the purchase of a second forklift at the Materials Recovery Facility, in addition to the purchase of the first forklift approved by Council on July 10, 2008.”

Motion Carried Unanimously.

**Scotia Pool Financial  
Request**

Moved by Deputy Mayor Cavanaugh  
Seconded by Councillor Blair

“That Council approves that the current level of funding in the amount of \$100,000 continue to be provided to Scotia Pool in 2009-10.”

Motion Carried Unanimously.

**County Personnel  
Policies**

Moved by Deputy Mayor Cavanaugh  
Seconded by Councillor White

“That Council approves that the current Personnel Policies numbered 5.01, 5.04 and 6.03 be repealed; and, that revised Personnel Policies numbered 5.01, 5.04 and 6.03 be approved as presented.”

Motion Carried Unanimously.

March 26, 2009

**Civic Centre  
Memorandum of  
Understanding  
Amendments**

Moved by Deputy Mayor Cavanaugh  
Seconded by Councillor Masters

“That Council approves an amended Civic Centre Memorandum of Understanding, as attached to Action Item dated March 12, 2009, subject to approval by the Council of the Town of Truro.”

Motion Carried Unanimously.

**Fire Safety Act and  
Municipal  
Inspection Program**

Moved by Deputy Mayor Cavanaugh  
Seconded by Councillor Buott

“That Council approves the implementation of the following options with respect to the Fire Safety Act and Municipal Inspection Program:

- That the inspection program be re-established in 2009-10 and the vacant Fire Inspector position be filled;
- That staff be instructed to research alternate compliance options adopted by other jurisdictions, such as the Halifax Regional Municipality and Ontario, and recommend guidelines that could be adopted as policy in Colchester County; and,
- That a letter be written to the Assistant Deputy Minister of Environment to request an update on the status of the proposed amendments to the regulations that had been forwarded to the Municipality in March 2006.”

Motion Carried Unanimously.

**Loan Guarantee -  
Cobequid District  
Fire Brigade**

Moved by Deputy Mayor Cavanaugh  
Seconded by Councillor Masters

“That Council approves that the Municipality of the County of Colchester provide a ‘letter of intent’ in support of a loan of \$160,000 for the Cobequid District Fire Brigade for the purchase of a new chassis replacement for an aging truck; and,

In the event that this is not satisfactory to the lending institution, that the Municipality provide a loan guarantee for this amount.”

Motion Carried Unanimously.

March 26, 2009

**Debert Phase I  
Design**

Moved by Deputy Mayor Cavanaugh  
Seconded by Councillor White

“That Council approves a \$40,000 budget for the Debert Phase I Infrastructure Design Project, source of funds to be the Debert House Sales Reserve.”

Motion Carried Unanimously.

**Proceeds from Sale  
of Bass River House**

Moved by Deputy Mayor Cavanaugh  
Seconded by Councillor Taggart

“That Council authorizes that the balance of the proceeds from the sale of the Bass River House in the amount of \$41,403.57, and any accumulated interest, be used for projects that are approved by Council and geographically defined by the Bass River schools’ catchment area.”

Motion Carried Unanimously.

**Transfer of Funds**

Moved by Deputy Mayor Cavanaugh  
Seconded by Councillor Cooper

“That Council approves the transfer of \$350,000 from the 2008-09 Operating Fund to the Special Operating Reserve, with this amount being transferred back into the Operating Fund in 2009-10.”

Motion Carried Unanimously.

**2009-10  
Organization  
Structure**

Moved by Deputy Mayor Cavanaugh  
Seconded by Councillor Edwards

“That Council approves the organization structure for the Municipality of the County of Colchester, as presented at the March 17<sup>th</sup> Special Council Committee meeting, effective April 1, 2009.”

Motion Carried Unanimously.

**Budget  
Approval/Tax Rate  
Resolution**

Moved by Deputy Mayor Cavanaugh  
Seconded by Councillor Masters

“That Council approves the 2009/10 Operating Budget with the additions/deletions as set out at a Special Council Committee meeting on March 19, 2009; and,

That the following Tax Resolution be approved as presented:

March 26, 2009

WHEREAS the Municipal Council of the County of Colchester is required to levy rates which it deems sufficient to raise the sum required to defray the expenditure of the Municipality of the County of Colchester for the current twelve month fiscal period;

RESOLVED that pursuant to **Section 72 of the Municipal Government Act**, the Municipal Council of the Municipality of the County of Colchester estimates that sums amounting to **\$17,901,242** are required for the lawful purpose of the Municipality for the year ending **March 31, 2010**, after crediting the probable revenue from all sources other than rates for the abatement and losses which occur in the collection of the taxes for the said year which may not be collected or collectible;

FURTHER RESOLVED that the said Council authorize the levying and collection of a rate of **seventy-nine cents ( \$0.79)** on each \$100.00 of the assessed value of the residential and resource property assessed in the **2009** Assessment Roll;

FURTHER RESOLVED that the said Council authorize the levying and collection of a rate of **two dollars ten cents (\$2.10)** on each \$100.00 on the assessed value of Commercial Property and Business Occupancy assessed in the **2009** Assessment Roll;

FURTHER RESOLVED that pursuant to **Section 78 of the Municipal Government Act** in lieu of all rates and taxes of the Municipality, an owner of forest property to which the said section applies shall pay tax equal to twenty-five (25) cents per acre on holdings of 50,000 or less and forty (40) cents per acre on holdings greater than 50,000 acres and where an area, village or commission rate is levied for fire protection, the owner shall pay an additional tax of one (1) cent per acre;

FURTHER RESOLVED that the said Council hereby requires payment of said rates to be made to the Tax Collector or Treasurer of the said Municipality on or before the 13th day of August, 2009;

FURTHER RESOLVED that said Council hereby imposes an additional percentage charge of 15% per annum on all rates and taxes remaining unpaid after the 13th day of August, 2009.”

Motion Carried. *(Deputy Mayor Cavanaugh, Councillors Blair and McKenna opposed)*

**Executive and Audit Committee**

There was no business arising from the minutes of meeting held on February 26, 2009.

Deputy Mayor Cavanaugh presented the report from the Executive and Audit Committee meeting held on March 12, 2009:

March 26, 2009

**Former Salmon  
River Elementary  
School**

Moved by Deputy Mayor Cavanaugh  
Seconded by Councillor Edwards

“That Council approves that the Municipality sell a portion (approximately 10,500 square feet) of the former Salmon River Elementary School property, located at 2084 East Prince Street to the abutting property owner(s) of PID #20037081, at market value plus expenses; and,

That the remaining portion of the former Salmon River Elementary School property, located at 2084 East Prince Street, be sold ‘as is’ through a Request for Proposal process.”

Motion Carried Unanimously.

*At this point in the meeting, 8:40 p.m., Deputy Mayor Cavanaugh left the meeting due to illness.*

**ACTION ITEMS**

**First Reading -  
Deed Transfer Tax  
By-law**

Staff noted a memorandum from the County Solicitor on table regarding this Action Item. In the memorandum, the Solicitor indicated that Council may want to consider whether it wishes to enable a resolution for future adjustment to the Deed Transfer Tax By-law rather than requiring a by-law amendment, similar to that which was done for the Tax Exemption By-law. The difference is a simplified process of implementation.

Therefore, two versions of the amended Deed Transfer Tax By-law were placed on table this evening, one identified as “A” which was attached to the Action Item, the other identified as “B”, which would enable Council, by resolution, to change the rate of the deed transfer tax provided it does not exceed one and one half percent of the value of the property being transferred.

Moved by Councillor Cooper  
Seconded by Councillor Blair

“That Council hereby approves First Reading of the Deed Transfer Tax By-law, identified as ‘B’, as presented.”

Motion Carried Unanimously.

**Eagle Drive Sidewalk**

Staff noted a letter on table dated March 26, 2009 from the MLA Karen Casey to the Minister of Transportation and Infrastructure Renewal (TIR). In her letter, MLA Casey requested TIR assistance and support for a proposal that would see the Province repaving Eagle Drive and the

March 26, 2009

County carrying out the Eagle Drive sidewalk project during the 2009 construction season. MLA Casey also requested that the design work be completed by TIR.

Moved by Councillor MacKenzie  
Seconded by Councillor Masters

“That Council approves the Eagle Drive Sidewalk Project for fiscal year 2009-10 at an estimated cost of \$750,000, with the source of funding being 50% from the Municipal Infrastructure Fund and 50% from the Urban Area Rate; and,

That staff be authorized to tender for design services conditional upon receiving written confirmation from the Province that the proposed Eagle Drive paving project will not occur before the sidewalk project; or, that the Eagle Drive paving and sidewalk project will occur as a joint project.”

Motion Carried Unanimously.

**Bible Hill Water Plan -  
Phase III**

The CAO provided a verbal report on this item. To allow the Village of Bible Hill time to make a decision on the tender awarding of this project, staff are requesting that this item be referred to April Council Committee and that Council authorize Committee to make a final decision at that time.

Also, the CAO indicated that in correspondence to the Municipality, the Village has indicated that due to a significant increase in the estimated project cost, they are attempting to source additional funding. They have requested that Council consider increasing the Municipality’s share from the original amount of \$83,000 to 50% of the local share of approximately \$200,000. At the April meeting, Council Committee will be asked to consider a number of options with respect to this request.

Moved by Councillor Masters  
Seconded by Councillor Blair

“That Council refer the Bible Hill Water Plan - Phase III Project to April Council Committee and that Committee be given authority to make a final decision.”

Motion Carried Unanimously.

**Second Reading - Tax  
Exemption By-law**

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

“That Council hereby approves Second Reading of the Tax Exemption By-law as presented.”

Motion Carried Unanimously.

March 26, 2009

**Tax Exemption By-law -  
Amendment to Exempted  
Property List**

Moved by Councillor Masters  
Seconded by Councillor Cooper

“That Council approves the additions to the Exempted Property List attached to the Tax Exemption By-law as presented.”

Motion Carried Unanimously.

**Date of April Council  
Committee**

Moved by Councillor Masters  
Seconded by Councillor Buott

“That the Regular Session of Council Committee be held on Thursday, April 16, 2009 at 7:00 p.m.”

Motion Carried. *(Councillor White opposed)*

Councillor White indicated that he would be unable to attend on April 16<sup>th</sup>.

**Correspondence**

**ACTION**

**Myrna Burton, Malaria  
Prevention Group**

A letter to the Mayor dated February 18, 2009 from **Myrna Burton, Malaria Prevention Group**, requesting that April 25, 2009 be declared World Malaria Day.

Moved by Councillor McKenna  
Seconded by Councillor Buott

“That April 25, 2009 be proclaimed World Malaria Day in Colchester County.”

Motion Carried Unanimously.

**Stanley Reid, Barrachois  
Harbour Fishermen’s  
Association**

A letter to the Mayor dated March 10, 2009 from **Stanley Reid, Barrachois Harbour Fishermen’s Association**, requesting financial assistance to replace wharf.

Moved by Councillor McKenna  
Seconded by Councillor Cooper

“That the letter from the Barrachois Harbour Fishermen’s Association requesting financial assistance to replace a wharf be received for information.”

Motion Carried Unanimously.

March 26, 2009

**Brian Holland, Clerk-Treasurer, Municipality of Barrington**

A letter to the CAO dated March 17, 2009 from **Brian Holland, Clerk-Treasurer, Municipality of Barrington**, requesting support for 2009 being declared the Year of the Lobster.

Moved by Councillor Cooper  
Seconded by Councillor Edwards

“That Council supports the Municipality of the District of Barrington in declaring 2009 as the Year of the Lobster in Barrington.”

Motion Carried Unanimously.

**Terri Troy, CEO, HRM Pension Plan**

An email dated March 23, 2009 from **Terri Troy, CEO, Halifax Regional Municipality Pension Plan**, requesting municipalities to agree to sign a letter from the Nova Scotia pension industry to the provincial government regarding the implementation of new pension legislation.

Moved by Councillor Buott  
Seconded by Councillor McKenna

“That Council supports the signing of a letter from the Nova Scotia pension industry to the provincial government regarding implementation of new pension legislation in the Fall of 2009.”

Motion Carried Unanimously.

**Bonnie Walsh, Harmony Heights Elementary School**

A letter to Council dated March 23, 2009 from **Bonnie Walsh, Harmony Heights Elementary School**, regarding the lack of crossing guards.

Moved by Councillor Edwards  
Seconded by Councillor Cooper

“That the letter from the Harmony Heights Elementary School regarding the lack of crossing guards be referred to Council Committee.”

Motion Carried Unanimously.

## INFORMATION

**Building Inspector**

A copy of the Building Permit Statistics Report for the month of February 2009 received from the **Building Inspector**. Council agreed to receive this report for information purposes.

**Development Officer**

A copy of the Development Activity Report for the month of February 2009 received from the **Development Officer**. Council agreed to receive this report for information purposes.

March 26, 2009

**INFORMATION ITEMS****Insurance for Not-for-Profit Organizations - Grant Applications**

Approval of the Not-for-Profit Insurance Program was in November 2008 with an annual budget of \$10,000. At that time, there were 15 groups who applied under this Program for a total amount being approved of \$6,983. The remaining funds were included in the deadline for February 27, 2009 which resulted in eight applications being received for a total amount being approved of \$3,101.

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

Councillor Edwards reported on a meeting he attended of the Central Nova Tourist Association. He reported that out of 29 things to see in the world, the LA Times recommended visiting the Joggins fossil park and museum. Also, of the new seven wonders of nature in Canada, the Bay of Fundy came in second place behind the dinosaur park in Alberta.

Councillor Masters reported that a public meeting in the Clifton District will be held on Wednesday, April 8<sup>th</sup> at the Old Barns School. The purpose of the meeting will be to present draft planning policies for the Clifton area.

Councillor Masters reported that CoRDA is currently developing an update to their strategic plan. In Debert, there are a significant number of requests coming in which have resulted in two sales of land with another one in progress.

Councillor Masters reported on activities from the Civic Centre Project Steering Committee. The Committee has short-listed the applicants for the Fundraising Coordinator position to five. Eight submissions have been received in response to the Request for Proposals for architectural design services.

Councillor Blair reported that she and Councillor McKenna attended the Village of Bible Hill monthly meeting.

Councillor Blair reported on a training session she attended in Halifax today on Effective Decision Making. A copy of the training material she received will be placed in Councillor mailboxes.

Councillor Buott reported on a meeting he attended today of the Northern Region Waste Resource Management Committee. There has been a lot of money spent on "Please Litter" signage.

Councillor White reported that he is rejoining the long-range planning sub-committee for CoRDA.

Councillor Taggart reported that the next meeting of the Truro and District Chamber of Commerce is April 1, 2009.

March 26, 2009

**Recess**

\_\_\_\_\_ Moved by Councillor White  
Seconded by Councillor Buott

“That Council recess to an in-camera session at 9:40 p.m.”

Motion Carried Unanimously.

Moved by Councillor Buott  
Seconded by Councillor White

“That Council reconvene in open session at 10:45 p.m.”

Motion Carried Unanimously.

**Bastionhost Purchase  
Sale Agreement  
(Diefenbunker)**

Moved by Councillor Taggart  
Seconded by Councillor Buott

“That, in accordance with the Municipal Government Act, Council approves the transfer of road and water assets located on the Diefenbunker property to CoRDA in support of the purchase and sale agreement between Bastionhost and the Colchester Regional Development Agency; or, on Lot 397 if acquired by Bastionhost.”

Motion Carried Unanimously.

**Debert Sidewalk -  
Potential Expropriation**

Moved by Councillor White  
Seconded by Councillor Buott

“That Council delegate to April Council Committee the authority to deal with the expropriation process associated with the Debert sidewalk project; and,

That staff be authorized to take the necessary steps to retain a surveyor and appraiser to prepare for expropriation if necessary.”

Motion Carried Unanimously.

**Adjournment**

Moved by Councillor White  
Seconded by Councillor McKenna

“That the meeting be adjourned at 11:00 p.m.”

Motion Carried Unanimously.

Sheila Arsenault  
Recording Secretary