

April 30, 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, April 30, 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 Buott

“That the agenda for April 30, 2009 be approved with the following additions:

- add No. 9b: County Flags
- add No. 11b: Flooding on Stephen Avenue, Salmon River
- add No. 11c: Park Street
- add No. 11d: Veterans’ Memorial Park
- move Action Item No. 7, Second Reading - Wind Turbine Development By-law to follow No. 5, Presentations - Robin McAdam, Executive Vice President of Sustainability, NS Power”

Motion Carried Unanimously.

Approval of Minutes

Moved by Councillor White
Seconded by Deputy Mayor Cavanaugh

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

Motion Carried Unanimously.

April 30, 2009

**Business Arising
from Minutes**

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

Presentations

Robin McAdam, Executive Vice President of Sustainability, NS Power

Mr. Charles Demond from Atlantic Wind Power introduced Mr. Robin McAdam and Ms. Pam McKinnon from NS Power.

Mr. McAdam provided a brief background on how Nova Scotia Power Inc. (NSPI) has contracted with a number of wind developers for renewable energy in Nova Scotia, one of which is Atlantic Wind Power. NSPI has recently purchased the development rights for a project at Nuttby Mountain in Colchester County. It is hoped that this project will get underway in 2011 or earlier if possible.

Ms. McKinnon indicated that NSPI took over development rights of the Nuttby Mountain project about four days ago. A provincial environmental assessment has been approved and a federal one is underway. The challenge now is project pricing. Ms. McKinnon offered to come back to Council with a further update as the project progresses.

Moved by Councillor McKenna
Seconded by Councillor Edwards

“That the presentation from Nova Scotia Power Inc. be received.”

Motion Carried Unanimously.

ACTION ITEMS

**Second Reading -
Wind Turbine
Development By-law**

Staff noted a revised version on table of the Wind Turbine Development By-law than was previously circulated in the Council package for tonight's meeting. Also on table was a memorandum from the County Solicitor explaining these revisions. None of the amendments are material so as to require a reintroduction of the By-law.

The County Solicitor noted three additional amendments that were not included in the revised version on table:

- Under 4c, as the application and consent forms are no longer included with the By-law, the last sentence of this clause should read, ‘The Owner or Operator submits a completed application in such form as is approved from time to time by the Municipality’.
- Section 9.5, paragraph (b) to be added should read, ‘This section shall operate in addition to the provisions contained in Section 9.3 of this by-law’.

April 30, 2009

- Section 6(h) should read just 'Section 8' only.

Moved by Deputy Mayor Cavanaugh
Seconded by Councillor Masters

"That Council hereby approves Second Reading of the Wind Turbine Development By-law as amended."

Motion Carried Unanimously.

Presentations
(cont'd)

The following presentations all relate to Action Item No. 8, Second Reading - Deed Transfer Tax By-law which proposes an increase from 0.5% to 1.0%, effective May 1, 2009.

Marion LeBlanc

Ms. LeBlanc indicated that she represents the financial industry in Nova Scotia. She has worked in the mortgage business for a number of years. Because of the global financial situation, she feels that increasing the deed transfer tax is not sending a positive message to the residents of Colchester County. Given the current economic times, Ms. LeBlanc asked Council to reconsider the effective date of the increase from May 1, 2009 to spreading it over three to five years. Ms. LeBlanc made reference to the C.D. Howe Institute Report, a copy of which she will leave for Council to look at. The report, released in December 2008, addresses the impact of Toronto's new land transfer tax on the housing market by reducing transactions and lowering prices.

Sharon Corcoran

Ms. Corcoran indicated that she represents some 50 real estate professionals as well as the buyers and sellers they serve in Colchester County. This group is unanimously opposed to an increase in the deed transfer tax. Having sold real estate for 30 years, Ms. Corcoran asked Council not to jeopardize the real estate market in Colchester County by increasing the deed transfer tax.

Alan MacNeill and Ron Chisholm

Mr. MacNeill indicated that he is the President of the Barristers Society of Colchester and East Hants. Over the last couple of weeks, he has canvassed real estate agents and lawyers about their concerns on the proposed increase in the deed transfer tax. These concerns include: timing and amount of increase; greater disincentive for first home buyers, and fragility of employment market. Mr. MacNeill stated that timing is the real issue; therefore, it is his recommendation that if

April 30, 2009

Council wishes to pass the By-law, that the implementation date be put off. The best time would be after the Labour Day weekend in September.

Mr. Chisholm indicated that with his experience with clients, first home buyers have a hard time coming up with the money for the down payment and associated hidden costs.

Jim Munro

Mr. Munro indicated that he has been in the mortgage consulting and real estate sales business for over 40 years. He asked Council to reconsider this increase in the deed transfer tax because of the effect it will have on young first time home buyers.

Mike Main

Mr. Main stated that although he is not a first time home owner, he has just purchased a new home in the last week. He finds it offensive that he should be made responsible for certain costs which should be shared with the general tax base.

Moved by Councillor LeFresne
Seconded by Councillor Cooper

“That the presentations regarding Action Item No. 8, Second Reading - Deed Transfer Tax By-law, be received.”

Motion Carried Unanimously.

**Standing Committee
Reports and
Recommendations**

Deputy Mayor Cavanaugh presented the report from the Council Committee meeting held on April 16, 2009:

**Request to Install
Sidewalk on Osprey
Court**

Moved by Deputy Mayor Cavanaugh
Seconded by Councillor Blair

“That Council grants permission to the Village of Bible Hill to install a sidewalk from the intersection of Osprey Court and Talon Court, to the intersection of Osprey Court and College Road; and,

That the sidewalk to be installed be made of concrete.”

Motion Carried Unanimously.

**Executive and Audit
Committee**

There was no business arising from the minutes of meetings held on March 26, April 6 and 16, 2009.

April 30, 2009

ACTION ITEMS

(cont'd)

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

Moved by Councillor LeFresne
Seconded by Councillor Edwards

“That Council hereby approves Second Reading of the Deed Transfer Tax By-law as presented, effective May 1, 2009.”

Motion **Defeated**.

(Mayor Taylor, Deputy Mayor Cavanaugh, Councillors Blair, Masters, Buott, Cooper, MacKenzie, White, Taggart and McKenna opposed)

Moved by Councillor Masters
Seconded by Deputy Mayor Cavanaugh

“That Council hereby approves Second Reading of the Deed Transfer Tax By-law which will increase the deed transfer tax from 0.5% to 0.75% effective September 15, 2009 and from 0.75% to 1.0% effective January 1, 2010.”

Motion Carried Unanimously.

Recess

Council agreed to take a short recess at 10:25 p.m. and reconvened at 10:30 p.m.

**Tatamagouche
Library - Selection
of Consulting
Services**

Moved by Councillor LeFresne
Seconded by Deputy Mayor Cavanaugh

“That Council gives authority to Council Committee at the May meeting to approve the hiring of a design consultant for the Tatamagouche Branch Library Project.”

Motion Carried Unanimously.

County Flags

Councillor LeFresne requested that, given the large number of County flags in storage, Council may wish to consider lowering the price from \$47 to \$25 as a way of getting the flags out into the community.

Moved by Councillor LeFresne
Seconded by Councillor McKenna

“That the price of the County flags be referred to Council Committee.”

Motion Carried Unanimously.

April 30, 2009

Correspondence

ACTION

**Gary MacKenzie,
Camp Debert Army
Paintball Club**

A letter dated February 3, 2009 from **Gary MacKenzie, Camp Debert Army Paintball Club**, regarding the ballfield near the Debert Hospitality Centre.

Moved by Deputy Mayor Cavanaugh
Seconded by Councillor White

“That the letter from the Camp Debert Army Paintball Club regarding the ballfield near the Debert Hospitality Centre be referred to Council Committee.

Motion Carried Unanimously.

**Michael Taylor,
President, Debert
Military History
Society**

A letter dated March 16, 2009 from **Michael Taylor, President, Debert Military History Society**, requesting funding for renovations to the Museum building.

Moved by Councillor White
Seconded by Councillor Buott

“That the letter from the Debert Military History Society requesting funding for renovations to the Museum building be referred to Council Committee.”

Motion Carried Unanimously.

**Trudy Thompson,
Chair, Chignecto
Central Regional
School Board**

A letter to Mayor and Council dated March 27, 2009 from **Trudy Thompson, Chair, Chignecto Central Regional School Board**, regarding an upcoming Board meeting on May 12, 2009.

Moved by Deputy Mayor Cavanaugh
Seconded by Councillor Buott

“That all available Councillors be encouraged to attend the Chignecto Central Regional School Board meeting on May 12, 2009.”

Motion Carried Unanimously.

During discussion on this item, there were several areas of concern that Council would like to see on the agenda for this meeting:

- recovery of 2008 School Board election costs;
- closure of elementary school in Bass River in five years time
- closure/replacement of Bible Hill Central and East Court Schools
- health issues at Central Colchester Jr. High School

April 30, 2009

**NS NAOSH Steering
Committee**

A letter to Council dated April 1, 2009 from the **Nova Scotia North American Occupational Safety and Health Steering Committee** requesting that the week of May 3-9, 2009 be proclaimed North American Occupational Safety and Health Week.

Moved by Councillor Cooper
Seconded by Councillor Buott

“That the week of May 3-9, 2009 be proclaimed North American Occupational Safety and Health Week in Colchester County.”

Motion Carried Unanimously.

**Jeff Yuill/David
DeWolf, Dutch
Mason Blues
Festival Committee**

A letter to Mayor and Council from **Jeff Yuill/David DeWolf, Dutch Mason Blues Festival Committee**, requesting financial support of \$5,000 toward the festival event.

Moved by Councillor Masters
Seconded by Councillor Edwards

“That the letter from the Dutch Mason Blues Festival Committee requesting \$5,000 in financial support for the festival event be referred to Council Committee.”

Motion Carried Unanimously.

**Tom Harrison,
Events Planner,
Northern Aids
Connection Society**

A letter dated April 6, 2009 from **Tom Harrison, Events Planner, Northern Aids Connection Society**, requesting May 17, 2009 be proclaimed International Day Against Homophobia.

Moved by Councillor Edwards
Seconded by Councillor Buott

“That May 17, 2009 be proclaimed International Day Against Homophobia in Colchester County.”

Motion Carried Unanimously.

**Wade Dickie, 116
Truro Heights Road**

A letter dated April 14, 2009 from **Wade Dickie, 116 Truro Heights Road**, regarding a rezoning application for property located between 186 and 218 Truro Heights Road.

April 30, 2009

Moved by Councillor Masters
Seconded by Councillor White

“That the letter from Wade Dickie regarding a rezoning application for property located between 186 and 218 Truro Heights Road be referred to the Planning Advisory Committee.”

Motion Carried Unanimously.

**Gloria Lewis,
President, Five
Islands Lighthouse
Preservation Society**

A letter to Mayor and Council dated April 21, 2009 from **Gloria Lewis, President, Five Islands Lighthouse Preservation Society**, requesting permission to move a building on to the same location as the lighthouse.

Moved by Councillor Taggart
Seconded by Councillor LeFresne

“That the letter from the Five Islands Lighthouse Preservation Society requesting permission from the County to move a building on to the same location as the Five Islands lighthouse be referred to Council Committee.”

Motion Carried Unanimously.

Council requested that pictures of the building in question be provided when this item comes forward to Council Committee.

**Michelle Purdy,
Massage Therapy
Clinic**

A letter to Councillor LeFresne dated April 16, 2009 from **Michelle Purdy, Massage Therapy Clinic**, requesting a rezoning of 262 Main Street, Tatamagouche from institutional to commercial.

Moved by Councillor LeFresne
Seconded by Councillor Masters

“That the letter from the Massage Therapy Clinic requesting a rezoning of the property located at 262 Main Street, Tatamagouche, be referred to the Tatamagouche Area Planning Advisory Committee.”

Motion Carried Unanimously.

**Cindy Johnson,
Colchester Legion
Pipes and Drums**

A letter to Mayor Taylor dated April 28, 2009 from **Cindy Johnson, Colchester Legion Pipes and Drums**, requesting funding for the 65th anniversary celebrations in the Netherlands in May 2010.

April 30, 2009

Moved by Deputy Mayor Cavanaugh
Seconded by Councillor Blair

“That the letter from the Colchester Legion Pipes and Drums requesting funding for the 65th anniversary celebrations in the Netherlands in May 2010 be referred to Council Committee.”

Motion Carried Unanimously.

**Evan Hansen,
Colchester Ground
Search and Rescue**

A letter to Mayor Taylor dated April 30, 2009 from **Evan Hansen, Colchester Ground Search and Rescue**, requesting emergency funding.

Conflict of Interest

Councillor Masters declared a conflict of interest on this item and removed himself from the table.

Moved by Deputy Mayor Cavanaugh
Seconded by Councillor White

“That the letter from Colchester Ground Search and Rescue requesting emergency funding be referred to Council Committee.”

Motion Carried Unanimously.

Council requested that a financial report from the organization be provided for when this item comes forward to Council Committee.

At this point, Councillor Masters returned to the table.

INFORMATION

Building Inspector

A copy of the Building Permit Statistics Report for the month of March 2009 was 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 March 2009 was received from the **Development Officer**. Council agreed to receive this report for information purposes.

INFORMATION
ITEMS

**Community Park
Funding Program**

Five applications under the Community Parks Funding Program were received for the February 27, 2009 deadline. Some groups have applied for funding from Health Promotion and Protection; therefore, County

April 30, 2009

funding is pending approval of the provincial funding. The next application deadline for this program is September 11, 2009.

Flooding on Stephen Avenue, Salmon River

Moved by Councillor Edwards
Seconded by Councillor McKenna

“That the issue of flooding this past winter on Stephen Avenue in Salmon River be referred to the Flood Advisory Committee with direction to bring back a recommendation to Council for consideration.”

Motion Carried Unanimously.

Park Street

Councillor Taggart would like Council to look at fixing Park Street. A bridge could be built to avoid having to close Park Street for five to ten days a year and also serve as another way out of Bible Hill via Farnham Road.

Veterans' Memorial Park

Councillor Taggart invited all Councillors to attend the International Day of the Peacekeepers to be held on May 29, 2009 at 9:30 a.m. at the Veterans' Memorial Park in Bass River.

Reports from Councillors Appointed to Outside Boards and Agencies

Councillor Blair presented a report from the Police Advisory Board meeting held on April 28th. Councillor McKenna also attended the meeting. Councillor Blair was elected Chair and Franz Kesek was elected Vice-Chair of the Board. All members were sworn in and provided with a Code of Conduct. Topics discussed included: RCMP priority planning, proposed False Alarm By-law, terms and responsibilities for Board members, training, Board reports in quarterly County newsletter. Next meetings are scheduled for June 22nd and September 28th.

Councillor Blair also reported that she and Councillor McKenna continue to attend meetings of the Village of Bible Hill Commission. At the last meeting, the Village conveyed their appreciation of Council's support for Phase III of the water extension project and the Osprey Court sidewalk.

Councillor Masters reported that he attended the last meeting of the Shubenacadie Canal Commission on behalf of Councillor Cooper who was unable to attend.

Councillor Masters reported on the latest CoRDA activities, including a submission being considered on a property in Debert and identification of a number of Gateway priorities.

April 30, 2009

Councillor Buott reported that he had attended a ratepayers' meeting in Brookfield where the fire area rate remained the same as last year at 17.5 cents. The old fire hall has been sold and the money has been put in reserves for a new fire truck.

Councillor Cooper reported that he had attended the official opening of the Winding River Elementary School. He also reported that both he and the Deputy Mayor attended a Meetings and Rules of Order Seminar in Halifax on March 27, 2009. He felt that the seminar would be of great benefit to all members of Council.

Councillor Edwards reported that he had attended a couple of meetings of the Central Nova Tourist Association. They are still looking at the possible amalgamation of three of the organizations. The Visitor Information Centres will be opening soon.

Councillor MacKenzie reported that the next meeting of the Library Board will be May 26th.

Councillor White reported that he will once again be part of the long-range planning sub-committee for CoRDA. He has been asked to be a judge at the Debert Heritage Days' event. He also attended a meeting of the School Advisory Council and Debert Parents' Group regarding a sidewalk for the area.

Councillor Taggart reported that at the last meeting he attended of the Truro and District Chamber of Commerce, they discussed the increase in the commercial tax rate. He also reported that there is a new RCMP Constable in District 10.

Councillor McKenna reported that he was very pleased to attend an event about a month ago to welcome home the Nova Scotia entry (from the Truro-Colchester area) in the Canadian Senior Women's Curling Championship who will now be representing Canada next November in Russia.

Mayor Taylor reported on a number of activities he has recently attended or participated in:

- Big Brothers/Big Sisters Bowl for Kids - County raised \$610
- Nova Scotia Youth Bowling Championships
- Volunteer awards for Village of Bible Hill, County and Province
- Transportation Forum meeting this morning
- meeting regarding Lancaster Drive in Debert
- Bible Hill annual fire brigade banquet

April 30, 2009

Councillor Taylor also reported that the civic centre project is ongoing - awaiting federal funding, architectural design firms short-listed, tender issued for fundraising consultant. He has asked the Project Manager, Paul Smith, to provide Council with a report on the project every couple of months.

Adjournment

_____ Moved by Councillor McKenna
Seconded by Councillor White

“That the meeting be adjourned at 11:40 p.m.”

Motion Carried Unanimously.

Sheila Arsenault
Recording Secretary