

June 25, 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, June 25, 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 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

Absent:

Councillor Karen MacKenzie	District #6
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Public Hearing - County of Colchester Subdivision By-law Review

Since First Reading, one matter of substance with respect to minimum lot size has come forth which would result in a substantive change. The CAO advised that a full report would be given at the August Committee meeting and that the Public Hearing on this matter should be postponed.

Moved by Councillor Masters
Seconded by Councillor Buott

“That the Public Hearing for the County of Colchester Subdivision By-law Review be postponed.”

Motion Carried Unanimously.

Approval of Agenda

Moved by Councillor White
Seconded by Councillor Buott

“That the agenda for June 25, 2009 be approved with the following additions:

- No. 6: Presentation - Shayn Higgins, Brookfield Sewer Extension (*on table*)
- No. 9b: Action Item - Radio Coverage,

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- No. 9c: Tatamagouche Fire Hall (*on table*)
Action Item - Clear Cutting
- No. 11b: Information Item - Open Fire Burning
- No. 11c: Information Item - Wastewater Treatment Facility
- No. 11d: Information Item - Public Works Position Vacancy (*on table*).

Motion Carried Unanimously.

Approval of Minutes

Moved by Councillor McKenna
Seconded by Councillor Edwards

“That the minutes of the meeting held on May 28, 2009 be approved as circulated.”

Motion Carried Unanimously.

Business Arising from Minutes

There was no business arising from the minutes of the meeting held on May 28, 2009.

Presentations

Debi Karrel, Property Valuation Services Corporation (PVSC)

Ms. Karrel provided Council with an overview of Property Valuation Services Corporation. Ms. Karrel stated that they are a not for profit entity owned by municipalities. Their official launch date was April 1, 2008 and they operate under a Board of Directors who are municipally elected or administrative (Association of Municipal Administrators). The mission of the PVSC is to provide market valuation and other related services.

The presentation included information on PVSC legislation, some typical activity by the PVSC during an assessment year, information on the Capped Assessment Program and eligibility, and statistical information on capped assessment for both the Province and Colchester County for 2008 and 2009.

Moved by Councillor White
Seconded by Councillor Cooper

“That the presentation from Property Valuation Services Corporation be received for information.”

Motion Carried Unanimously.

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Hilden Citizens' Association - Sidewalk

Representative from the Hilden Citizen's Association appeared before Council to address the concerns on behalf of Hilden residents regarding a stretch of road along Highway No. 2 in Hilden, from Truro Road to Edwards Road and are requesting an extension of sidewalk for this area. This is a very busy secondary highway. Some residents did a road check and in a period of just over one hour, over 900 vehicles passed through this area.

Some of the concerns of the citizens include the shoulder being very narrow, the ditch being quite deep and when filled with water, can be 3 ½ to 4 feet deep and the speed of traffic passing through the area. It is also a location for a school bus stop and between the narrow shoulder and deep ditches, there is no room for the children to get off the bus safely.

A petition of over 160 names was provided to Council with a request for the sidewalk extension to be placed on a future agenda for consideration.

Moved by Councillor Buott
Seconded by Deputy Mayor Cavanaugh

“That the presentation from the Hilden Citizens' Association be received and forwarded to Council Committee for discussion.”

Motion Carried Unanimously.

Shayn Higgins, Brookfield Sewer Extension

Mr. Higgins appeared before Council requesting that the sewer service be extended to his property located at 197 Highway No. 2 in Brookfield. A letter dated June 23, 2009 from Mr. Higgins was circulated to Council.

Mr. Higgins made an inquiry of Council as to why his neighbour's property has sewer service but it cannot be extended to his property. He stated that he is on the same grade as the other property and is approximately 200 feet away. Mr. Higgins indicated that his septic is in a deteriorated state and that he was not aware of this when he purchased the property.

Moved by Councillor Blair
Seconded by Councillor Buott

“That, since there are several new Councillors around the table, staff have another look at the Brookfield Sewer Extension and report back

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to Council so that they can make an educated decision with regards to an extension.”

Motion Carried. *(Councillors Cooper and Edwards opposed)*

Mayor Taylor advised Mr. Higgins that Council would review the matter and get back to him.

Standing Committee Reports and Recommendations

Deputy Mayor Cavanaugh presented the report from the Council Committee meeting held on June 11, 2009:

Debert Military History Society

Moved by Deputy Mayor Cavanaugh
Seconded by Councillor White

“That Council approves funding assistance in the amount of \$50,000 to the Debert Military History Society for renovation to the Debert Military Museum, source of funds to be the Debert House Sales Reserve.”

Motion Carried Unanimously.

County Flags

Moved by Deputy Mayor Cavanaugh
Seconded by Councillor Buott

“That Council authorize staff to maintain 55 County flags for municipal buildings; to offer for sale the remaining 100 flags in stock at a price of \$25.00 each; to place a notice on the website and in the newsletter on a regular basis that flags are available for sale and at no cost to organizations such as fire departments, post offices, schools, and libraries.”

Motion Carried Unanimously.

Creamery Square Association

Moved by Deputy Mayor Cavanaugh
Seconded by Councillor LeFresne

“That Council approves funding assistance in the amount of \$36,002 to the Creamery Square Association in support of Phase 3(a) of the Creamery Square Development Project, source of funds to be the Operating Reserve.”

Motion Carried Unanimously.

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**Award of Tender -
Sidewalk on Plains
Road, Debert**

Moved by Deputy Mayor Cavanaugh
Seconded by Councillor White

“That Council approves the awarding of a tender for the construction of a sidewalk on Plains Road in Debert, from the Post Office to the entrance of the Debert Elementary School, to S.W. Weeks Construction Services Limited at a cost of \$235,261.50, plus applicable taxes; and,

That the carrying of an internal contingency amount of \$23,526, plus applicable taxes, towards this project be approved; and

That source of funds be 50% Debert House Sales Reserve, and 50% Municipal Infrastructure Fund.”

Motion Carried Unanimously.

**Executive and Audit
Committee**

There was no business arising from the minutes of the Executive and Audit Committee meetings held on May 27 and 28, 2009.

**Tatamagouche
Water Utility
Committee**

Operating Budgets

Moved by Councillor LeFresne
Seconded by Councillor Buott

“That Council approves the 2009/10 and 2010/11 Operating Budgets as presented.”

Motion Carried Unanimously.

Water Rate Study

Moved by Councillor LeFresne
Seconded by Councillor White

“That Council approves engaging consultants to prepare a water rate study in preparation for an application to the Nova Scotia Utility and Review Board.”

Motion Carried Unanimously.

ACTION ITEMS

**Award of Tender -
Harmony Road and
Salmon River Road
Sidewalks**

Mr. Ramesh Ummat, Director of Public Works, provided a summary on the projects indicating that both projects were combined into one tender to achieve better pricing. Three bids were received for the projects.

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Moved by Councillor Edwards
Seconded by Councillor Cooper

“That Council approves the award of tender for the construction of sidewalks on Harmony Road from the intersection of Harmony Road and East Prince Street to Deuville’s Rink and construction of sidewalk on Salmon River Road from the intersection of Salmon River Road and Eagle Drive to Valley Variety Store to S. W. Weeks Construction Services Limited at a cost of \$467,218.25 plus applicable taxes; and,

That the carrying of an internal contingency amount of \$46,750 plus applicable taxes towards the sidewalk projects be approved.”

Motion Carried Unanimously.

Diversion Credits

Mr. Dan McDougall, CAO, presented the Action Item circulated on table for this evening’s meeting.

Moved by Councillor Masters
Seconded by Councillor Blair

“That staff prepare a diversion formula, based on Option 3 - Municipal Diversion Formula, to present to Council Committee for consideration.”

Motion Carried Unanimously.

**Radio Coverage -
Tatamagouche Fire
Department**

Councillor LeFresne presented Council with an email communication from the Tatamagouche Fire Department and advised that there are concerns with radio coverage which is a major safety issue. The problem appears to be with the Provincial Tower on Nuttby to the new antenna on Nuttby. For a recent motor vehicle accident, it took several attempts for the Fire Department to reach Dispatch in Kentville to call for ambulance and fire to the scene and some of the members of the department did not get the page.

Moved by Councillor LeFresne
Seconded by Deputy Mayor Cavanaugh

“That the email communication be received and that the matter be referred to staff for immediate action.”

Motion Carried Unanimously.

Clear Cutting

Mayor Taylor indicated that there were some alarming figures in today’s Chronicle Herald with respect to clear cutting and suggested that a letter be sent to the Province expressing concern.

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Moved by Councillor Buott

Seconded by Deputy Mayor Cavanaugh

“That a letter be sent to the Province from the Municipality expressing concerns about clear cutting.”

Motion Carried.

(Councillor Blair opposed)

**Correspondence -
ACTION**

**Kenneth Henderson,
Chair, Truro
Heritage Advisory
Community**

A letter to the CAO dated April 20, 2009 regarding the 250th anniversary celebrations, First Planters’ Settlement.

Moved by Deputy Mayor Cavanaugh

Seconded by Councillor LeFresne

“That the letter from Truro Heritage Advisory Community be received for information.”

Motion Carried Unanimously.

**Herman Berfelo,
President, NS
Morgan Horse Show**

A letter requesting funding through economic grants for the NS Morgan Horse Show, September 5 and 6, 2009.

Moved by Councillor Masters

Seconded by Councillor Buott

“That the letter from the NS Morgan Horse Show requesting funding for the NS Morgan Horse Show be referred to Council Committee.”

Motion Carried Unanimously.

Councillor Masters suggested that financial information be requested from this organization.

**Jim Langille, CAO,
Town of Truro**

A letter to the Mayor dated June 2, 2009 regarding the establishment of a lawn bowling facility and County representation on the Committee.

Moved by Councillor Masters

Seconded by Councillor Edwards

“That Councillor McKenna be nominated as the County representative for the Lawn Bowling Facility Committee.”

Motion Carried Unanimously.

Antoinette

A letter to the Mayor dated June 5, 2009 requesting permission for a

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**MacDonald,
Planning
Committee,
Tatamagouche
Tattoo**

fly-by over the North Shore Recreation Centre on July 24, 2009.

Moved by Councillor McKenna
Seconded by Councillor Buott

“That a letter be sent indicating that the Municipality has no objection for the Canadian Forces to perform a fly-by over the North Shore Recreation Centre.”

Motion Carried Unanimously.

**Karen Theriault,
Director, Public
Relations,
Colchester East
Hants Health
Authority**

A letter to the Mayor dated June 9, 2009 regarding representation on a new Community Advisory Committee.

Moved by Councillor Masters
Seconded by Councillor White

“That Councillor Blair be nominated as the County representative for the Community Advisory Committee.”

Motion Carried Unanimously.

**Correspondence -
INFORMATION**

Building Inspector

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

**INFORMATION
ITEMS**

Trail Grants Update

The Municipal Funding for Community Trails Policy stipulates that Council will receive information summarizing the program for the year including number and name of applicants, amounts being requested and the successful applicants.

Two applications were received for the June 5, 2009 deadline. The applicants were the Tatamagouche Area Trails Association (TATA) and the Colchester Five Islands ATV Club. The TATA requested \$50,000, which represents 18% of the total project cost for repairs to the French River Trail. The Colchester Five Islands ATV Club's application was incomplete. They will be invited to re-apply.

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The total grant amount approved is \$50,000 to the Tatamagouche Area Trails Association.

Open Fire Burning

Concerns were expressed that the Open Fire Burning By-law as discussed at the June 11th meeting was not on this meetings agenda and that it be put on the August Committee agenda.

Wastewater Treatment Plant

Given the situation with the Halifax Wastewater Treatment Plant and the recent Robie Street flooding, Councillor Taggart expressed some concerns on flood conditions and the Municipality's Wastewater Treatment Facility .

Mr. Ramesh Ummat, Director of Public Works, advised that nothing is fail safe, however, measures have been taken to handle flood conditions. A bypass was installed at the Wastewater Treatment Plant in Lower Truro and the plant is located at a much higher elevation with a pumping station below.

Public Works Position Vacancy - Wastewater Collection Worker

The vacancy created due to Sean Sutherland accepting the position of Small Systems Treatment Supervisor, was advertised internally in accordance with Council direction and the Union Agreement.

Two internal applications were received and after interviewing both applicants, a letter of offer was made to Pierre Lynds. Mr. Lynds accepted the offer and commenced work on June 22, 2009.

Also, in accordance with the Union Agreement, staff have proceeded with an internal posting for the position vacated by Mr. Lynds. If there are no eligible internal candidates, staff will proceed to advertise for the position externally.

Report(s) from 2009 FCM Conference

A copy of reports from delegates who attended the 72nd Annual FCM Conference in Whistler, British Columbia from June 5-8, 2009 were circulated to Council.

Reports from Councillors Appointed to Outside Boards and Agencies

Councillor Blair presented a report from the Police Advisory Board meeting held on June 22nd. Councillor McKenna also attended the meeting. Topics discussed included: Sections 57 to 68 of The Police Act, a draft Alarm By-law, training for Board members tentatively scheduled for September 2009, noise complaints and jurisdiction, and the Safe Communities Initiative. The next meeting is scheduled for September 28th.

Moved by Councillor Blair
Seconded by Councillor Buott

“That a False Alarm By-law, as presented in draft form, with amendments, to the Police Advisory Board, be reviewed with a

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possible start date of January 1, 2010.”

Motion Carried Unanimously.

Councillor Masters reported on the CoRDA Annual General Meeting. This was a historic meeting with 113 in attendance. Items noted by Councillor Masters included: CoRDA’s organization being one of the best in the province if not the best; Mr. Stu Rath, a long term board member’s resignation; and, the number of immigrants coming to Colchester as it is such a welcoming community.

Councillor Buott reported that he attended meetings of the Hilden Citizen Association, the Brookfield Citizen Association and the Library Board where the audited statements were reviewed. He also attended the function at the Creamery Square in Tatamagouche and the Biosolids Tour in Halifax.

Councillor Cooper advised that he recently attended the Biosolids Tour in Halifax and the Emergency Management Operations (EMO) training. The general consensus with EMO is that the H1N1 virus is coming back in the fall, that upwards of 150,000 could be affected and the municipalities have to be prepared. Councillor Cooper reported that he missed the last Shubenacadie Canal Commission meeting.

Councillor Edwards advised that he was away and not able to attend the CNTA Annual General Meeting. He attended the meeting at the Harmony Heights School regarding the crossing guard which he indicated that he is not recommending at this point. Only five were in attendance at the meeting, two of which had signed the petition for the crossing guard.

Councillor LeFresne advised that he attended the June 17th Tatamagouche Water Utility meeting which was discussed earlier.

Deputy Mayor Cavanaugh indicated that there is a Flood Advisory Committee meeting on June 29th.

Councillor White reported that he attended the recent CoRDA Annual General Meeting as well as the Pandemic Session that was held this week.

Councillor Taggart advised that he attended the French Community Centre opening. He attended two meetings of the Closing Committee of the Bass River elementary school and indicated that he intends to take an active part in this. Councillor Taggart also attended the Biosolids Tour in Halifax.

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Councillor McKenna advised that he attended the Biosolids Tour in Halifax, the June 20th Creamery Square function and the June 22nd Police Advisory Board meeting.

Mayor Taylor indicated that he was in attendance at the Peace Keepers Memorial Park event, Relay for Life, the Creamery Square Heritage Centre function and the National Aboriginal Day event. Mayor Taylor also attended the three day Emergency Management training which he felt was very well done. He plans to attend the graduation ceremony tomorrow evening at CEC.

Mayor Taylor also provided a brief update on the Civic Centre Steering Committee. Five interviews were held for the engineering consultants. The firm selected was Shore Tilbe Irwin in partnership with JDA Architects. The Committee is still waiting on funding from the Federal Government and for the Province to turn over the land. Approval of design is scheduled for discussion this week.

Recess

Moved by Councillor McKenna
Seconded by Councillor White

“That Council recess to an in-camera session at 10:20 p.m.”

Motion Carried Unanimously.

Moved by Councillor McKenna
Seconded by Councillor Buott

“That Council reconvene in open session at 12:00 a.m.”

Motion Carried Unanimously.

**Sale of Surplus Land
- Valley**

Moved by Councillor Masters
Seconded by Councillor Buott

“That Council accept the \$40,000 purchase price proposal and authorize staff to develop an agreement with the proponent which provides a time frame for project completion; the requirements to meet all municipal by-laws and policies; and other applicable standards.”

Motion Carried Unanimously.

Adjournment

Moved by Deputy Mayor Cavanaugh
Seconded by Councillor White

“That the meeting be adjourned at 12:03 a.m.”

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Motion Carried Unanimously.

Tracey Veno
Recording Secretary