

September 24, 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, September 24, 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 Tom Taggart	District #10
Councillor Earl McKenna	District #11

Absent:

Councillor Bob White	District #9
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Moment of Silence

Council observed a moment of silence for Soley Lynds who passed away earlier this week. Mr. Lynds served as Councillor for two terms from 2000 to 2008.

**Public Hearing -
Rezoning for
Tideview Enterprises
Ltd., Tidal Bore
Road, Lower Truro**

Mayor Taylor called the public hearing to order concerning a rezoning application made by Mr. Allan Bruce, owner of Tideview Enterprises Limited, to rezone portions of two properties located on Tidal Bore Road, Lower Truro, from E-3 to E-4.

The text for the application and a related staff report have been circulated to Council members and have been made available to the public.

Mr. Bruce Purchase, Director of Corporate Services, advised that the guidelines of the Municipal Government Act regarding advertising of the public hearing had been followed.

Mayor Taylor reminded Councillors that only those present throughout the public hearing can vote on the amendment to the rezoning when it is eventually considered by Council. The public hearing is Council's opportunity to hear the application and every concern of area residents. Individual Councillors will have an opportunity to debate the merits of the rezoning when the motion is presented to Council. Staff are present at this hearing to answer any technical questions that may arise as a result of the public's

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input.

Ms. Pam Macintosh, Municipal Planner, provided a brief overview of the application. The applicant, Mr. Allan Bruce, is requesting the rezoning of portions of two properties located on Tidal Bore Road from E-3 to E-4. The purpose of the request is to make the properties more marketable.

Staff are of the opinion that the application is properly before Council and is consistent with the policies of the Central Colchester Municipal Planning Strategy; therefore, staff recommend that the application be approved.

Mr. Bruce was present at the hearing but had nothing to add to Ms. Macintosh's briefing to Council.

Councillor Masters, Chair of the Planning Advisory Committee, presented a report on this application.

The Planning Advisory Committee considered this application at its meeting held on September 3, 2009. At that time, the Committee recommended that Mr. Bruce's request go forward to Council for approval.

Mr. Purchase advised that no written submissions had been received regarding this application.

Councillor Masters placed the following motion on the floor:

Moved by Councillor Masters
Seconded by Councillor Blair

"That Council approve the rezoning of portions of the properties known as 104 Tidal Bore Road and PID # 20210357, from E-3, Flood Way 1:20 Modification to E-4, Flood Way Fringe as depicted on the topographical survey, as presented."

Motion Carried Unanimously.

Mayor Taylor advised that this is a rezoning application which does not require approval of the Minister of Service Nova Scotia and Municipal Relations. Council's decision on this application is appealable to the Nova Scotia Utility and Review Board. Any appeal of Council's decision must be made within 14 days of the advertising of same in local newspapers.

As there was no further business, Mayor Taylor declared the public

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hearing closed.

Approval of Agenda

Moved by Councillor Masters
Seconded by Councillor Buott

“That the agenda for September 24, 2009 be approved with the following additions and deletions:

- delete Item #6(1): Presentation from Kevin Quinlan
- add to Item #7: Flood Advisory Committee - report from meeting held on September 22, 2009
- add Item #8b: Garbage Collection, Cottage Lane
- add Item # 8c: Newsletter
- add Item #8d: Garbage Removal, Cottage Country.”

Motion Carried Unanimously.

Approval of Minutes

Moved by Councillor McKenna
Seconded by Councillor Edwards

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

Motion Carried Unanimously.

Business Arising from Minutes

Councillor McKenna made an inquiry about the Sewage Treatment Plant on Marshland Drive and the concerns of property owner Mr. Terry Bailey. Mr. Purchase advised that the planned upgrade is currently in progress and some testing has been done but the upgrade is not completed as yet.

Presentations

Mr. David Horton, General Manager and Mr. Jim Dewolfe, Regional Manager, Seaside Communications Ltd.

In his presentation, Mr. Horton informed Council that Seaside Communications Ltd. was contracted by the Province to serve rural communities in Nova Scotia. Their network consists of 13 structures/communication towers servicing all counties.

Mr. Horton indicated that the problems that are occurring are in areas that are also being serviced by other providers. Equipment from the various providers is causing service interference. Seaside equipment can be set up to synchronize, but existing systems are not built to these standards and unless synchronization occurs, there are going to be clashes.

A petition to the Province within the next couple of days is being

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made suggesting that Seaside Communications not go into areas with existing networks and to let existing service providers bring their equipment to standard so that all providers' equipment is compatible.

Mr. Horton indicated that the next step is with the Province to make a decision on the proposal. If an agreement is not made on this issue, customers will continue to not get proper service as Seaside also confirmed their contract with the Province requires them to have high speed internet available to everyone in this contract area by the end of 2009 so they cannot sit by and wait for a provincial decision or upgrades to be done by existing providers.

Moved by Councillor Buott
Seconded by Councillor Taggart

“That the presentation from Seaside Communications Ltd. be received.”

Motion Carried Unanimously.

**Standing Committee
Reports and
Recommendations**

Council agreed to move the Nominating Committee Report to the start of the Standing Committee Reports and Recommendations.

**Nominating
Committee**

Deputy Mayor Cavanaugh presented the report from the Nominating Committee meeting held on Sept 24, 2009.

**Flood Advisory
Committee**

Moved by Deputy Mayor Cavanaugh
Seconded by Councillor Masters

“That Council approves the appointment of Mr. Hank Kolstee and Mr. Edward Franklin as citizen representatives on the Flood Advisory Committee for the Municipality of Colchester .”

Motion Carried Unanimously.

**Dangerous and
Unsightly Premises
Committee**

Moved by Deputy Mayor Cavanaugh
Seconded by Councillor Cooper

“That Council appoints Councillor Christine Blair, Councillor Gerry Buott, Councillor Glen Edwards, Councillor Tom Taggart and Councillor Bob White to serve as Council representatives on the Dangerous and Unsightly Premises Committee; and,

That Council appoints Councillor Edwards to serve as Chair of the Dangerous and Unsightly Premises Committee and the Committee

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choose a Vice Chair; and,

That either the Chair or Vice Chair be in attendance in order to constitute a quorum.”

Motion Carried Unanimously.

Council Committee

Deputy Mayor Cavanaugh presented the report from the Council Committee meeting held on September 10, 2009:

**Dangerous and
Unsightly Premises
Policy**

Moved by Deputy Mayor Cavanaugh
Seconded by Councillor Buott

“That Council approves the amended Dangerous and Unsightly Premises Policy, as presented on table, to:

- a) Delegate authority to the Administrator to issue orders, excluding demolition; and,
- b) Create a new Standing Committee of Council entitled the Dangerous and Unsightly Premises Committee with authority to issue orders concerning demolition and to hear appeals of decisions of the Administrator.”

Motion Carried Unanimously.

**Five-Year Capital
Budget Plan**

A revised Schedule A, Page 2, of the Five-Year Capital Budget Plan was distributed on table. Mr. Purchase provided a brief description of the revisions to this schedule.

Moved by Deputy Mayor Cavanaugh
Seconded by Councillor Taggart

“That Council approves the five-year Capital Budget Plan, as presented to Council Committee on September 10, 2009, with the following amendments:

- a) Schedule ‘A’: \$425,000 in municipal funding for the Tatamagouche Branch Library project in 2009-10; and
- b) Schedule ‘C’: Granville Drive Sewer project move forward to 2009-10 for costing.”

Motion Carried Unanimously.

Councillor LeFresne provided Council with a report from the Library Committee of the Tatamagouche Library Branch. He indicated that construction costs for the library have increased since the time the original budget of \$425,000 was approved. Costs for the new library are estimated at \$200 per square foot.

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Concerns were raised and discussion was held on the budgeted amount of \$425,000 versus actual estimated costs of \$650,000.

Councillor LeFresne indicated that the Library Committee should be meeting two or three more times and he would take Council concerns back to the Committee. It was suggested that the architects be asked to come before Council to make a presentation.

Councillor LeFresne also reported on fundraising goals of the Committee advising that \$40,000 has been raised, exceeding the goal of \$25,000.

**Small Flood
Reduction Projects
Policy**

Moved by Deputy Mayor Cavanaugh
Seconded by Councillor Taggart

“That Council approves the Small Flood Reduction Projects Policy, as presented, and recommended by the Flood Advisory Committee.”

Motion Carried Unanimously.

**Purchasing and
Tendering for Goods
and Services Policy**

Moved by Deputy Mayor Cavanaugh
Seconded by Councillor Masters

“That Council approves the amended Purchasing and Tendering for Goods, Services and Construction Projects Policy as presented.”

Motion Carried Unanimously.

**Executive and Audit
Committee**

There was no business arising from the minutes of the Executive and Audit Committee meeting held on September 10, 2009.

**Planning Advisory
Committee**

Councillor Masters indicated that the report from the Planning Advisory Committee had already been presented earlier in the evening during the public hearing.

**Flood Advisory
Committee**

Deputy Mayor Cavanaugh reported on the meeting on September 22, 2009 which was held to discuss Flood Committee projects for 2009/2010.

Projects discussed included: Stonehouse Property - North River - bank failure of existing rock - approximately 200 feet at an estimated cost of \$12,000; Bible Hill Estates - Farnham Brook Road - six locations totalling approximately 550 feet bank stabilization at an estimated cost of \$10,000; Jack Aitchison - French River Watershed - approximately 200 feet of bank stabilization and blockage of three low spots along stream bank at an estimated cost of \$9,000; Leland MacNutt - Campground -

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approximately 500 feet of earth berm at an estimated cost of \$7,000.

An alternative project if funding is available was also discussed.: Gary Scott - Stewiacke River bank stabilization at an estimated cost of \$18,000.

Moved by Deputy Mayor Cavanaugh
Seconded by Councillor McKenna

``That the Flood Advisory Committee proceed with these projects.``

Motion Carried Unanimously.

ACTION ITEMS

First Reading - Outdoor Fire By-law for Bible Hill

A revised version of the By-law was distributed on table. This version included three minor changes to the original By-law that was circulated in the Council package.

Moved by Councillor McKenna
Seconded by Councillor Blair

“That Council hereby approves, by way of First Reading, the Open Fire By-law as presented on table.”

Moved by Councillor Blair
Seconded by Councillor McKenna

“That a copy of the Open Fire By-law be forwarded to the Village of Bible Hill and the Fire Chief for the Bible Hill Fire Department, informing them what stage Council is at and invite any input they may have.”

Motion Carried Unanimously.

Garbage Collection, Cottage Lane

Councillor Masters raised concerns regarding the issue of garbage collection on Cottage Lane. This area was formerly cottage country but in recent years has grown to a subdivision with 27 permanent residents. As this area is classed as seasonal, there is no garbage collection after September 28th. The residents would like to have year round collection.

Moved by Councillor Masters
Seconded by Councillor Buott

“That staff look at current collection procedures for Cottage Lane and

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come back at October Committee with suggestions on how this can be handled, possibly as a pilot project.”

Motion Carried Unanimously.

Newsletter

Councillor Cooper raised concerns about timing of the County Newsletter to residents. The most recent issue of the newsletter contains information about Fall Clean-up but the newsletter was not received by residents of District 4 until the week after Fall Clean-up. Councillor LeFresne indicated that this was also the case in his area.

Staff were instructed to look at residents in District 4 that missed Fall Clean-up.

**Garbage Removal,
Cottage Country**

Councillor Taggart expressed concerns raised in his area regarding Fall Clean-up in cottage country.

Moved by Councillor Taggart
Seconded by Deputy Mayor Cavanaugh

“That as a recommendation for the next garbage tender, Fall Clean-up in cottage country be extended to the week following Thanksgiving.”

Motion Carried Unanimously.

Correspondence

ACTION

**Michael Gregory,
Chairman,
Tatamagouche Village
Commission**

A letter to the Mayor and Council dated September 8, 2009 requesting financial assistance for a sidewalk project in Tatamagouche.

Moved by Councillor LeFresne
Seconded by Deputy Mayor Cavanaugh

“That the letter from the Tatamagouche Village Commission be received for information.”

Motion Carried Unanimously.

**Ms. Margaret Miller,
President, MADD
Cobequid**

A letter to the Mayor and Council dated September 4, 2009, requesting permission to permanently place a memorial bench in the Tatamagouche area.

Moved by Councillor LeFresne
Seconded by Councillor Masters

“That the letter from MADD Cobequid be referred to the

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Tatamagouche Village Commission.”

Motion Carried Unanimously.

Correspondence

INFORMATION

Building Inspector

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

**INFORMATION
ITEMS**

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

Councillor Blair reported that there was no meeting of the Hospital Committee. The Police Advisory Board meeting is scheduled for September 28, 2009. Councillor Blair attended a meeting of the Village of Bible Hill Commission and indicated Phase 3 of the water expansion project is now complete.

Councillor Masters reported earlier in the meeting on the Planning Advisory Committee meeting. CoRDA is moving into new offices on September 25th on Commercial Street. The federal government has announced funding for Regional Development Agencies in the province.

Councillor Buott reported briefly on the RRFB indicating that they are currently waiting for budget completion.

Councillor Cooper reported that he attended the September 22nd Flood Advisory Committee meeting that was reported on earlier in the meeting. The Shubenacadie Canal Commission meeting is scheduled for next week.

Councillor LeFresne reported earlier in the meeting on the library meeting held in Tatamagouche. He had a brief visit from Officer Walker from the RCMP and is looking forward to a future meeting

with the District Commander and Officer Walker along with the Mayor and CAO.

Deputy Mayor Cavanaugh reported that he attended the Flood Advisory Committee meeting as reported on earlier this evening. He

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was also in attendance at a meeting held with Adam Fisher regarding the Salmon River.

Councillor Taggart reported that he had attended the Flood Advisory Committee meeting and has met with the RCMP liaison for the West Colchester area.

Councillor McKenna reported that he had attended the first meeting of the Lawn Bowling Committee. This Committee is currently looking at various sites for lawn bowling and are hoping to get the project started this coming Spring and may be seeking funding sometime in the future. The Committee is looking for additional members. Councillor McKenna also indicated that he has met with the RCMP liaison for his area.

Mayor Taylor reported that he had attended several receptions, meetings and events over the past month including the REMO meeting, the infrastructure funding announcement for the Village of Bible Hill, the wreath laying ceremony for the Battle of Britain, the Flood Advisory Committee meeting, a CoRDA meeting, and a Rural Caucus meeting in Joggins. Mayor Taylor also gave a brief update on the Civic Centre indicating that he was in attendance at the September 2nd meeting. Another Civic Centre meeting is scheduled for September 29th to review construction management firms.

Recess

Council agreed to recess to an in-camera session at 9:25 p.m.

Moved by Councillor Edwards
Seconded by Councillor LeFresne

“That Council reconvene in open session at 9:38 p.m.”

Motion Carried Unanimously.

Adjournment

Moved by Councillor McKenna
Seconded by Councillor Buott

“That the meeting be adjourned at 9:38 p.m.”

Motion Carried Unanimously.

Tracey Veno
Recording Secretary