

January 27, 2011

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 27, 2011 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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Public Hearing - Amendment to Development Agreement - Wallace Property Rentals

Mayor Taylor called the public hearing to order respecting an application for an amendment to a development agreement involving the installation of solar heat collector panels at 59 Pictou Road, Bible Hill. The text of the application and a related staff report have been circulated to Council members and have been made available to the public.

Mr. Dan McDougall, Chief Administrative Officer, 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 Councillors present throughout the public hearing can vote on the development agreement amendment when it is eventually considered by Council. This 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 development agreement 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 input.

Ms. Pam Macintosh, Municipal Planner, provided a brief overview of

January 27, 2011

the application. The application is for an amendment to the development agreement for the installation, in the ground, of approximately 160' length of solar heat collector panels. The panels would be located along a portion of the rear property line. Paragraph 20 of the development agreement identifies items deemed to not be substantial, meaning that any deviation, would require Council approval. The original agreement was for a new 24-unit apartment building along with the conversion of an existing house into two units.

Ms. Macintosh indicated that the proposed amendment was consistent with policies and objectives outlined in the Municipal Planning Strategy and was properly before Council; therefore, staff recommend that the request be approved.

The applicant's representative indicated that the panels will be screened by evergreen hedging between the existing chain link fence and the panels.

Councillor Masters presented a report on behalf of the Planning Advisory Committee. The Committee felt that this proposed amendment was an improvement to the original development agreement. The only question of concern has been addressed by way of the hedge screening.

Mr. McDougall advised that one written submission had been received by way of an email from Mr. Ron Mekers dated January 25, 2011 which was read into the record.

There were no members of the public who stepped forward to address Council on this application.

As the Chair of the Planning Advisory Committee, Councillor Masters placed the following motion on the floor:

Moved by Councillor Masters
Seconded by Councillor Taggart

“That Council approves the Municipality of the County of Colchester entering into an amended development agreement with Wallace Property Rentals for 59 Pictou Road, Bible Hill, PID #20338752, which would allow for the installation, in the ground, of approximately 160' length of solar heat collector panels.”

Motion Carried Unanimously.

Mayor Taylor indicated that this is a development agreement

January 27, 2011

amendment 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 the local newspaper.

As there was no further business on this matter, Mayor Taylor declared the public hearing closed.

Approval of Agenda

Moved by Councillor Cooper
Seconded by Councillor Edwards

"That the agenda for January 27, 2011 be approved with the following additions:

- add Item #8b: Veterans' Memorial Park, Bass River
- add Item #8c: Meeting Date for Grants to Non-Profit Organizations Presentations (on table)
- add under Item #6, Presentations: Marian McDonald."

Motion Carried Unanimously.

Approval of Minutes

Moved by Deputy Mayor Cavanaugh
Seconded by Councillor McKenna

"That the minutes of meetings held on November 25 and December 9, 2010 be approved as circulated."

Motion Carried Unanimously.

**Business Arising
From Minutes**

There was no business arising from the minutes of meetings held on November 25 and December 9, 2010.

Presentations

Deputy Mayor Wendy Robinson, Town of Stewiacke

Deputy Mayor Robinson provided a brief overview on the Stewiacke River Country Trail. Phase 1 is 99% complete and Phase 2 has yet to be done. The purpose of her presentation was to request the Municipality of Colchester replace signage on the County side of the river which states "You are now exactly halfway between the equator and the North Pole" as the current sign is showing signs of wear and tear. The Town of Stewiacke is planning to put a new sign on their side of the river but does not wish to replace both signs.

Moved by Councillor McKenna

January 27, 2011

Seconded by Councillor Buott

“That the presentation from Deputy Mayor Wendy Robinson, Town of Stewiacke, be received and the request for new signage along the Stewiacke River Country Trail be referred to Council Committee.”

Motion Carried Unanimously.

Mr. Ron Smith, Executive Director, Colchester Regional Development Agency

Mr. Smith provided a powerpoint presentation on CoRDA's 2011-12 Business Plan, including an overview of CoRDA's goals and objectives, highlights from Year One of the 2010-15 Strategic Plan and identification of County priorities/projects. Copies of the presentation package were circulated to Council on table.

Moved by Councillor White
Seconded by Councillor Masters

“That the presentation from the Colchester Regional Development Agency be received.”

Motion Carried Unanimously.

Ms. Marian McDonald

Ms. McDonald indicated that she lives at 272 Loon Lane, Shortt's Lake and the purpose of her presentation was to urge Council to set a flat rate for garbage collection rather than through the general rate. In support of this position, Ms. McDonald circulated several emails from other residents living in the same area.

Moved by Councillor Buott
Seconded by Councillor Blair

“That the presentation from Ms. Marian McDonald be received.”

Motion Carried Unanimously.

Standing Committee Reports and Recommendations

Deputy Mayor Cavanaugh presented reports from Council Committee meetings held on December 9, 2010 and January 13, 2011:

Request for Funding

Moved by Deputy Mayor Cavanaugh

January 27, 2011

**- 2011 Heritage
Conference**

Seconded by Councillor Buott

“That Council approves a donation in the amount of \$1,500 in support of the 2011 Heritage Conference being held June 2 and 3, 2011 in Colchester County, source of funds to be 2011-12 Economic Development Grants.”

Motion Carried Unanimously.

**Economic
Development Grant
Policy Review**

Moved by Deputy Mayor Cavanaugh
Seconded by Councillor McKenna

“That Council approves that the current Economic Development Grant Policy remain in effect and that an increase in the amount of funding be considered during the 2011-12 budget deliberations.”

Motion Carried Unanimously.

**Smoke-Free
Recreational
Properties**

Moved by Deputy Mayor Cavanaugh
Seconded by Councillor Buott

“That Council authorizes staff to develop a policy that would identify smoke-free recreational areas with an emphasis on where people congregate such as sports fields and playgrounds versus trails and open spaces; and, that an education program be created which would include posting signs at those specific locations where people gather.”

Motion Carried Unanimously.

**Municipal Sidewalk
Strategy**

Moved by Deputy Mayor Cavanaugh
Seconded by Councillor Blair

“That Council approves the adoption of the Municipal Sidewalk Network Strategy as presented at the December 9, 2010 Council Committee meeting; and, that staff report back to Council Committee with recommendations concerning a five-year priority list and financing options for priority and non-priority projects.”

Motion Carried Unanimously.

Civic Numbering

Moved by Deputy Mayor Cavanaugh
Seconded by Councillor Cooper

“That Council approves that the Municipality of Colchester maintain the status quo of issuing civic numbers and leave responsibility to the

homeowner for installing civic number signage on their home or

January 27, 2011

property; and, that the Municipality of Colchester contribute to a public education campaign through the Municipality's newsletter and website."

Motion Carried. *(Councillors Blair, MacKenzie and McKenna opposed)*

**Solid Waste Area
Rate**

Moved by Deputy Mayor Cavanaugh
Seconded by Councillor Taggart

"That Council approves that solid waste disposal and collection costs be financed through the general residential rate; and, that the garbage and compost flat or uniform charge be eliminated, effective April 1, 2011."

Motion **Defeated** Unanimously.

Tipping Fee Increase

Moved by Deputy Mayor Cavanaugh
Seconded by Councillor Buott

"That Council approves that the solid waste tipping fee be increased from \$75/tonne to \$95/tonne, effective April 1, 2011."

Motion Carried Unanimously.

**Major Flood
Projects Reserve
Fund**

Moved by Deputy Mayor Cavanaugh
Seconded by Councillor Blair

"That Council approves that a reserve fund be set up for Major Flood Projects and that staff be authorized to transfer the 2010-11 unspent funds to this reserve; and,

That \$50,000 be included in the 2011-12 budget for major flood projects, subject to final operating budget approval."

Motion Carried Unanimously.

**2011 National Police
Curling
Championships**

Moved by Deputy Mayor Cavanaugh
Seconded by Councillor Edwards

"That Council approves a donation in the amount of \$1,000 in support of the 2011 Canadian Police Curling Championships being held in Truro, March 26-April 2, 2011, source of funds to be the 2010-11 general operations as an unbudgeted expenditure."

Motion Carried Unanimously.

Village Tax

Moved by Deputy Mayor Cavanaugh

January 27, 2011

Collection

Seconded by Councillor Blair

“That Council approves that a Village Tax Collection rate be based on the number of tax bills with the rate of \$16.85 per tax bill for 2011-12; and,

That the rate of \$16.85 be adjusted annually beginning 2012-13 based on the average annual increase of the Consumer Price Index for Nova Scotia; and,

That the basis to determine the Village Tax Collection rate be reviewed every five years.”

Motion Carried Unanimously.

Executive and Audit Committee

There was no business arising from the minutes of meetings held on November 25, December 9 and 21, 2010 and January 13, 2011.

Planning Advisory Committee

There was no business arising from the report of the meeting held on December 2, 2010 other than what was reported earlier in the evening at the public hearing.

ACTION ITEMS

First Reading - Revisions to the False Alarm By-law

Moved by Councillor McKenna
Seconded by Councillor Blair

“That Council hereby approves by way of First Reading the False Alarm By-law as presented.”

Motion Carried Unanimously.

Veterans’ Memorial Park, Bass River

In response to an inquiry from Councillor Taggart, staff confirmed that an email had been received from the Veterans’ Memorial Park Committee in Bass River requesting permission to allow a flyby of an aircraft out of Greenwood during the International Day of United Nations Peacekeepers’ event being held in Bass River on May 29, 2011. Staff are in the process of responding to this request.

Meeting Date for Grants to Non-Profit Organizations Presentations

Moved by Councillor Masters
Seconded by Deputy Mayor Cavanaugh

“That Council approves the date of March 1, 2011 at 5:00 p.m. as the date and time for Council to receive presentations from the non-profit organizations with respect to their grant applications.”

Motion Carried Unanimously.

Correspondence

January 27, 2011

ACTION

**Nova Scotia Sport
Hall of Fame**

A letter dated November 26, 2010 from the **Nova Scotia Sport Hall of Fame**, requesting financial support for the Future Hall of Famers' Education Program.

Moved by Councillor McKenna
Seconded by Councillor Taggart

“That the letter from the Nova Scotia Hall of Fame requesting financial support for the Future Hall of Famers' Education Program be referred to Council Committee.”

Motion Carried Unanimously.

**Ken Henderson,
Cobequid Planters
250 Society**

A letter received January 5, 2011 from **Ken Henderson, Cobequid Planters 250 Society**, requesting financial assistance for the Years of the Planters' celebration.

Moved by Councillor McKenna
Seconded by Councillor Blair

“That the letter from the Cobequid Planters 250 Society requesting financial assistance for the Years of the Planters' celebration be referred to Council Committee.”

Motion Carried Unanimously.

**Sharron Byers,
Chairperson,
Northumberland
Arts Council**

A letter dated January 17, 2011 from **Sharron Byers, Chairperson, Northumberland Arts Council**, requesting financial assistance for capital improvements to the Fraser Cultural Centre building.

Moved by Councillor Edwards
Seconded by Councillor McKenna

“That the letter from the Northumberland Arts Council requesting financial assistance for capital improvements to the Fraser Cultural Centre building be referred to Council Committee.”

Motion Carried Unanimously.

**Union of NS
Municipalities**

A letter to the Mayor dated January 21, 2011 from the **Union of Nova Scotia Municipalities**, requesting a three-year contribution to the Women in Local Government Bursary Program.

Moved by Councillor White
Seconded by Councillor Cooper

January 27, 2011

“That the letter from the Union of Nova Scotia Municipalities requesting a three-year contribution to the Women in Local Government Bursary Program be received for information.”

Motion Carried Unanimously.

Moved by Councillor Masters
Seconded by Deputy Mayor Cavanaugh

“That staff be directed to look into whether a bursary program is available to municipalities that does not have specific eligibility requirements such as gender.”

Motion Carried Unanimously.

INFORMATION

Building Inspector

A copy of the Building Permit Statistics received from the **Building Inspector** for the months of November and December 2010. Council agreed to receive these reports for information.

Development Officer

A copy of the Development Activity Report received from the **Development Officer** for the months of November and December 2010. Council agreed to receive these reports for information.

INFORMATION ITEMS

Reports from Councillors Appointed to Outside Boards & Agencies

Councillor Blair reported that the Police Advisory Board met on January 17th at which time, the new Staff Sergeant, John Berry, was introduced. The Hospital Community Committee is scheduled to meet again on February 4th. Councillor Blair also attended the regular meeting of the Village of Bible Hill, the Fire Brigade and a Dangerous and Unsightly Premises Committee meeting.

Councillor Masters reported that he had attended a meeting last evening of the Project Steering Committee for the new civic centre.

Councillor Buott reported that he had attended a meeting of the Brookfield Community Association, a meeting of the Library Board, and a meeting of the Dangerous and Unsightly Premises Committee.

Councillor Cooper reported that he had attended a meeting of the Regional Emergency Management Advisory Committee and the Colchester Scottish Society's Robbie Burns Day event.

January 27, 2011

Councillor Edwards reported that he had attended the Salmon River Fire Brigade's annual banquet and a meeting of the Dangerous and Unightly Premises Committee. The CNTA meeting cancelled for today has been rescheduled for next week.

Councillor MacKenzie reported that she had attended a meeting of the Library Board.

Deputy Mayor Cavanaugh announced that the projects scheduled for this year by the Flood Advisory Committee were near completion.

Councillor White reported that he had attended meetings of the Industrial Parks Committee, CoRDA and the Dangerous and Unightly Premises Committee.

Councillor Taggart reported that he had attended meetings of the Dangerous and Unightly Premises Committee and the Planning Advisory Committee.

Councillor McKenna reported that the Lawn Bowling Committee has now gotten an Executive Committee together.

Mayor Taylor presented his written report, a copy of which was circulated in the package for this evening's meeting.

Closed Session

Moved by Councillor McKenna
Seconded by Councillor Buott

"That the meeting go into closed session at 9:38 p.m."

Motion Carried Unanimously.

Moved by Councillor McKenna
Seconded by Councillor White

"That the meeting reconvene in open session at 10:29 p.m."

Motion Carried Unanimously.

**Nova Scotia Civic
Centre**

Moved by Councillor Buott
Seconded by Councillor Masters

"That Council authorizes staff to amend the revised Memorandum of Understanding between the Municipality of the County of Colchester and the Town of Truro to adjust the Operating Board composition as follows:

- 2 elected representatives - Municipality of Colchester;

January 27, 2011

- 2 elected representatives - Town of Truro;
- 3 citizen representatives - appointed by the Municipality of Colchester;
- 3 citizen representatives - appointed by the Town of Truro;
- first citizen appointments to be one each (Municipality of Colchester/Town of Truro) for one-year term, one each for two-year term, and one each for three-year term; and,
- citizen appointees to serve for a maximum of two consecutive terms.”

Motion Carried Unanimously.

Moved by Councillor Blair
Seconded by Councillor Taggart

“That the Mayor and Chief Administrative Officer of the Municipality of the County of Colchester be authorized to sign the contribution agreement with Her Majesty the Queen in Right of Canada (represented by the Minister of Transportation, Infrastructure and Communities ‘Canada’ for the Nova Scotia Civic Centre (2010-11/2015-2016)).”

Motion Carried Unanimously.

Adjournment

Moved by Deputy Mayor Cavanaugh
Seconded by Councillor White

“That the meeting be adjourned at 10:33.”

Motion Carried Unanimously.

Sheila Arsenault
Recording Secretary