

March 29, 2012

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 29, 2012, 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 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 Bill Masters	District #2
Councillor Jimmie LeFresne	District #7

**Public Hearing -
Amendments to
Municipal Planning
Strategy & Land Use
By-law**

Mayor Taylor called the public hearing to order regarding amendments to the 2002 Central Colchester Municipal Planning Strategy (MPS) and Land Use By-law (LUB). The proposed amendment to the MPS would be the addition of a new policy to allow a one-time only extension of the Brookside Abattoir, a non-conforming industrial use. The amendment to the LUB would be an additional clause permitting the one-time only expansion of the Abattoir building with conditions. The text for the proposed amendments and a related staff report have been circulated to Council members and have been made available to the public.

Mr. Crawford Macpherson, Director of Community Development, 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 amendments when they are eventually considered by Council. This public hearing is Council's opportunity to hear the amendments and any concerns of Colchester County residents. Individual Councillors will have an opportunity to debate the merits of the amendments 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.

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Ms. Pam Macintosh, Municipal Planner, provided a brief overview of the application. Amendments to the MPS and LUB have been requested in order to proceed with an application to expand the existing Brookside Abattoir facility by about 1,300 square feet (a 35% increase to the existing building) in order to meet federal inspection requirements. This expansion would enable this business to market their products beyond the Nova Scotia border.

Ms. Macintosh indicated that staff are proposing that a new policy be added to Part 4.7 of the MPS to address this specific site to allow a one-time only expansion. In tandem with that, would be an amendment to the LUB by the inclusion of a new sub-section under Part 6, Non-Conforming Uses and Structures, which would permit such an expansion with a maximum size increase of 35%.

The applicant, Mr. Michael Isenor, Brookside Abattoir Co-op Ltd., indicated that this expansion would not be noticeable from the outside. The expansion is required in order for the company to receive a federal inspection designation. Operational costs will increase slightly and the amount of truck traffic should remain the same.

In the absence of Councillor Bill Masters, Chair of the Planning Advisory Committee (PAC), Deputy Mayor Cavanaugh presented the report to Council on this application from a meeting held on February 1st. At that meeting, PAC members were generally in favour of the proposal and recommended that Council approve both the MPS and LUB amendments as presented.

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

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

Deputy Mayor Cavanaugh placed the following motion on the floor regarding this application:

Moved by Deputy Mayor Cavanaugh
Seconded by Councillor Blair

“That having had second reading, Council approves amendments, as presented, to the Municipal Planning Strategy by the addition of a new policy to Part 4.7 to allow a one-time only expansion of the Brookside Abattoir facility, a non-conforming industrial use; and,

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an additional Clause to Part 6, Section 6.5, of the Land Use By-law, permitting the one-time only expansion of the Abattoir building with conditions.”

Motion Carried Unanimously.

Mayor Taylor indicated that the MPS amendment may require the approval of the Minister of Service Nova Scotia and Municipal Relations (SNSMR) and will not come into effect until any such approvals have been obtained. Council’s decision on this amendment is not appealable to the Nova Scotia Utility and Review Board. Upon completion of the review by SNSMR, the Municipality will publish a notice in the local newspaper providing the effective date of the amendment.

At the same time, the Municipality will publish a notice advertising that the Land Use By-law amendment has been approved as this decision 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 on this matter, Mayor Taylor declared the public hearing closed.

Approval of Agenda

Moved by Councillor McKenna
Seconded by Councillor White

“That the agenda for March 29, 2012 be approved with the following additions/deletions:

- delete Item #8: First Reading - Construction and Demolition By-law
- add Item #12b: 2012 Municipal Election - Polling Districts (on table)
- add to Item #14, Closed Session: Executive and Audit Committee - minutes of meeting held on February 23, 2012
- add Item #9b: Weight Restrictions - Highway 311 between Grant’s Grocery and Tatamagouche.”

Motion Carried Unanimously.

Approval of Minutes

Moved by Councillor Buott
Seconded by Councillor Cooper

“That the minutes of the meeting held on February 23, 2012 be approved as circulated.”

Motion Carried Unanimously.

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Business Arising from Minutes

There was no business arising from the minutes of the meeting held on February 23, 2012.

Presentations

There were no public presentations received for this evening's meeting.

Standing Committee Reports and Recommendations

Deputy Mayor Cavanaugh presented reports from Council Committee meetings held on March 15 and March 22, 2012:

**Street Paving -
Delaney Drive,
Huckleberry Lane
and Mulberry
Terrace**

Moved by Deputy Mayor Cavanaugh
Seconded by Councillor MacKenzie

“That Council approves the inclusion of Delaney Drive, Huckleberry Lane and Mulberry Terrace in the provincial priority list of street paving and that the Province of Nova Scotia be requested to include these three streets in its street paving priority list under the Cost-Shared Street Paving Program for the year 2012-13.”

Motion Carried Unanimously.

**Former Maple Leaf
School**

Moved by Deputy Mayor Cavanaugh
Seconded by Councillor Edwards

“That Council approves the Municipality of Colchester accepting the Maple Leaf School and property declared surplus by the Chignecto Central Regional School Board, subject to the results of an environmental assessment.”

Motion Carried Unanimously.

**Waste Management
Master Plan -
Composting &
Biosolids Handling
Facility**

Moved by Deputy Mayor Cavanaugh
Seconded by Councillor Buott

“That Council authorizes staff to invite proposals for engineering services for the Waste Management Master Plan Component III (design options for a double stream composting and biosolids handling facility).

Motion Carried Unanimously.

**County Personnel
Policies**

Moved by Deputy Mayor Cavanaugh
Seconded by Councillor Cooper

“That Council approves that the current Personnel Policies numbered 1.01, 1.02, 1.03, 1.04, 2.01, 2.02, 2.03, 2.04 and 3.02 be repealed; and, that revised Personnel Policies numbered 1.01, 1.02,

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1.03, 1.04, 2.01, 2.02, 2.03, 2.04 and 3.02 be approved, as presented.”

Motion Carried Unanimously.

**Smoke Free Outdoor
Recreational Spaces
Policy**

Moved by Deputy Mayor Cavanaugh
Seconded by Councillor White

“That Council approves the Smoke Free Outdoor Recreational Spaces Policy as presented.”

Motion Carried Unanimously.

**Public Works
Summer Term
Position**

Moved by Deputy Mayor Cavanaugh
Seconded by Councillor Blair

“That Council approves the hiring of a summer term position for the Public Works Department for 26 weeks, effective April 16, 2012.”

Motion Carried Unanimously.

**Agreement -
Footprint
Developments
Limited**

Moved by Deputy Mayor Cavanaugh
Seconded by Councillor Edwards

“That Council approves that, as a result of the failure of the developer to commence construction within the time provided for in the agreement, that the Agreement dated November 2, 2009 between Footprint Developments Limited and the Municipality of the County of Colchester be terminated; and,

That staff be authorized to sell the three lots on Pictou Road through a real estate agency rather than a request for proposals process.”

Motion Carried Unanimously.

**Former Salmon River
Elementary School**

Moved by Deputy Mayor Cavanaugh
Seconded by Councillor Edwards

“That Council approves the Municipality of Colchester retaining the former Salmon River Elementary School property for a potential future municipal use; and,

That the small portion of land (10,500 square feet) be offered for

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sale to the neighbouring property owner at appraised market value; and if not accepted, withdraw the offer; and,

That the building be rented to the RCMP at market rates for the purpose of carrying out training exercises; and, that the revenue exceeding rental expenses be set aside for future demolition costs.”

Motion Carried Unanimously.

**Service Extension
Curbside Collection -
Apartments 4 to 6
Units**

Moved by Deputy Mayor Cavanaugh
Seconded by Councillor Buott

“That Council authorizes staff to proceed to negotiate with the current curbside collection contractor for additional services for the 92 four to six unit apartment buildings and for any future buildings that would be included during the life of the collection contract; and,

That all property owners that do not want to have municipal curbside collection for their apartment buildings must annually submit this in writing by June 1st each year.”

Motion Carried Unanimously.

**Five Islands Senior
Citizens’ Club**

Moved by Deputy Mayor Cavanaugh
Seconded by Councillor Taggart

“That Council approves a contribution in the amount of \$4,000 to the Five Islands Senior Citizens’ Club, source of funds to be the Bass River House Fund.”

Motion Carried Unanimously.

**Transfer to
Operating Reserve**

Moved by Deputy Mayor Cavanaugh
Seconded by Councillor Buott

“That Council approves the transfer of \$500,000 from general operations in 2011-12 to the Operating Reserve Fund.”

Motion Carried Unanimously.

**Budget Approval/Tax
Rate Resolution**

Moved by Deputy Mayor Cavanaugh
Seconded by Councillor Taggart

“That Council approves the 2012-13 Operating Budget with the additions/deletions as set out on March 22, 2012; and,

That the following Tax Resolution be approved as presented:

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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 **\$20,823,616** are required for the lawful purpose of the Municipality for the year ending **March 31, 2013**, 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 **eighty-four cents (\$0.84)** on each \$100.00 of the assessed value of the residential and resource property assessed in the **2012** Assessment Roll;

FURTHER RESOLVED that the said Council authorize the levying and collection of a rate of **two dollars twenty-five cents (\$2.25)** on each \$100.00 on the assessed value of Commercial Property and Business Occupancy assessed in the **2012** 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 9th day of August, 2012;

FURTHER RESOLVED that said Council hereby imposes an additional percentage charge of 15% per annum on all rates and taxes remaining unpaid after the 9th day of August, 2012.”

Motion Carried. *(Councillor Cooper opposed)*

**Executive and Audit
Committee**

There was no business arising from the minutes of the meeting held on February 23, 2012.

**Planning Advisory
Committee**

There was no business arising from the Planning Advisory Committee Report from the meeting held on February 1, 2012

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except what was reported earlier in the evening during the public hearing.

Closed Session

Moved by Deputy Mayor Cavanaugh
Seconded by Councillor Cooper

“That the meeting go into closed session at 8:05 p.m.”

Motion Carried Unanimously.

Moved by Councillor McKenna
Seconded by Councillor White

“That the meeting reconvene in open session at 8:30 p.m.”

Motion Carried Unanimously.

**Nominating
Committee**

Moved by Deputy Mayor Cavanaugh
Seconded by Councillor White

“That Council approves the appointment of the following three citizen representatives to the Civic Centre Operating Board, effective immediately, for the terms indicated:

1. Nevin Jackson (3 years)
2. John Kelderman (2 years)
3. Brad Ritcey (1 year).”

Motion Carried. *(Councillors MacKenzie and Taggart opposed)*

ACTION ITEMS

**Weight Restrictions -
Highway 311**

Deputy Mayor Cavanaugh indicated that he would like to see the spring weight restrictions lifted on Highway 311 from Grant’s Grocery to Tatamagouche. The road is open from Marshall’s Corner to Grant’s but not the rest of the way. He asked Council to consider making an application to Transportation and Infrastructure Renewal to see if this can be done. During discussion on this item, it was also recommended that a request be included to have weight restrictions lifted on Park Street from Stella Jones to Main Street.

Moved by Deputy Mayor Cavanaugh
Seconded by Councillor White

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“That an application be made to Nova Scotia Transportation and Infrastructure Renewal to have the spring weight restrictions lifted on Highway 311 from Grant’s Grocery to Tatamagouche and the same for Park Street from Stella Jones to Main Street.”

Motion Carried Unanimously.

Spring 2012
Debenture Funding

Moved by Councillor Cooper
Seconded by Councillor Buott

“That Council authorizes the Mayor and CAO to sign the Pre-Approval of Debenture Issuance subject to Interest Rate Resolution, as presented, for Phase 2 of the Colchester Regional Civic Centre, with borrowing by blended debenture for a period of 20 years.”

Motion Carried Unanimously.

Correspondence

ACTION

Jamie MacNeil, NSPI

An email to the CAO dated March 26, 2012 from **Jamie MacNeil, Nova Scotia Power**, regarding Council representation on regional reliability committees.

Moved by Deputy Mayor Cavanaugh
Seconded by Councillor McKenna

“That the letter from Nova Scotia Power inviting Council representation on regional reliability committees be referred to Council Committee.”

Motion Carried Unanimously.

INFORMATION

Building Inspector

A copy of the Building Permit Statistics received from the **Building Inspector** for the month of February 2012. Council agreed to receive this report for information.

Development Officer

A copy of the Development Activity Report received from the **Development Officer** for the month of February 2012. Council agreed to receive this report for information.

INFORMATION
ITEMS

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Insurance for Not-for-Profit Organizations - Grant Applications

The winter application deadline for the Not-for-Profit Insurance Program was February 29, 2012. The County received 17 applications, all of which were approved for a total of \$6,805.

Community Park Funding Program - Winter 2012 Applications

Under the Community Park Funding Program, four applications were received for the February 28, 2012 deadline for a total approved amount of \$126,421.

2012 Municipal Election - Polling Districts

Staff reviewed the polling divisions from the 2008 municipal election and are not recommending any changes. A list of these divisions and number of electors for each was attached to this Information Item.

Reports from Councillors Appointed to Outside Boards & Agencies

Councillor Blair presented her written report for activities and events she attended in the past month. Upcoming meetings include the Police Advisory Board on April 16th and the Community Hospital Advisory Committee on April 3rd. A copy of this report was circulated on table for this evening's meeting.

Councillor Buott reported that he had attended a meeting of the Brookfield Community Association, participated in a tour of the new civic centre and attended a meeting of the Library Board.

Councillor Cooper reported that he had attended a meeting of the Nominating Committee and a meeting of the Executive and Audit Committee held earlier this evening.

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

Deputy Mayor Cavanaugh reported that he had attended the following meetings/events: TIR meeting on Robie Street Roundabout, North River Fire Brigade pancake supper, Nominating Committee and Executive and Audit Committee. He also reported that the Flood Advisory Committee has completed all the rock work and other projects will be done throughout the summer.

Councillor White reported that he had attended the TIR meeting on Robie Street Roundabout and the Bowl for Kids event.

Councillor Taggart reported that he had attended an RCMP community meeting in Five Islands, a Climate Change Workshop and the Great Village Fire Brigade annual banquet.

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Councillor McKenna reported that the Construction Committee for the lawn bowling facility has met with the contractor.

Mayor Taylor presented his written report for activities and events he participated in during the month of March. A copy of his report was circulated on table for this evening's meeting.

Closed Session

Moved by Councillor White
Seconded by Councillor McKenna

“That the meeting go into closed session at 9:20 p.m.”

Motion Carried Unanimously.

Moved by Councillor McKenna
Seconded by Councillor White

“That the meeting reconvene in open session at 10:05 p.m.”

Motion Carried Unanimously.

Adjournment

Moved by Councillor McKenna
Seconded by Councillor White

“That the meeting be adjourned at 10:07 p.m.”

Motion Carried Unanimously.

Sheila Arsenault
Recording Secretary