

September 27, 2012

## MUNICIPAL COUNCIL

The Regular Session of Council of the Municipality of the County of Colchester was held in the Courthouse, Truro, N.S., on Thursday, September 27, 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 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

### Moment of Silence

Council observed a moment of silence for Anne Chapman who passed away earlier this month. Ms. Chapman was an inspirational person and an exceptional employee of the County for over 33 years.

### Approval of Agenda

Moved by Deputy Mayor Cavanaugh  
Seconded by Councillor McKenna

- delete Item #14 - Stormwater Management (*deferred to November Committee*)
- add Item #12b: Bears
- add Item #14a: Cats
- add under Item #5 - one additional presentation by Don Wilson on Fracking Wastewater
- add under Item #12c - Street Paving on Raven Road and Junco Court (*on table*)
- add Item #12d - Sewer Boundary Extension, Board Landing Road, Central Onslow (*on table*)
- add under Item #13 - correspondence from South Colchester Academy concerning Flooding
- add Item #14b - Scotia Pool.”

Motion Carried Unanimously.

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**Approval of Minutes**

Moved by Councillor McKenna  
Seconded by Councillor Buott

“That the minutes of the meeting held on August 30, 2012 be approved as circulated.”

Motion Carried Unanimously.

**Business Arising from Minutes**

There was no business arising from the minutes of the meeting held on August 30, 2012.

**Presentations**

**Ken Henderson - Cobequid Planters' 250 Society**

Mr. Henderson advised that his presentation was to report back on funding that the Cobequid Planters' 250 Society received in early 2011. Council approved funding in the amount of \$6,201 to assist with cost of a series of events in recognition of the 250<sup>th</sup> anniversary of the arrival of English speaking settlers from New England and Ireland along the coast of Central and Northern Nova Scotia.

In his presentation, Mr. Henderson provided an overview and a series of slides outlining how the funding contributed to the many events of the Cobequid Planters' 250 Society. Some of these events included an exhibit at the library, a Truro Art Society exhibit, heritage night at the Colchester Historical Society, and the Planters' Grave Markings.

Mr. Henderson took the opportunity to thank Council for their support and returned a portion of the funding back to Council, a cheque in the amount of \$2,911.58. Mr. Henderson also presented a Darlene Waters painting to the County.

Moved by Deputy Mayor Cavanaugh  
Seconded by Councillor White

“That the presentation from the Cobequid Planters' 250 Society be received.”

Motion Carried Unanimously.

**Mr. Roger Hunka - Maritime Aboriginal People's Council**

In his presentation, Mr. Hunka expressed his concerns on the subject of his report entitled An Application Made by Atlantic Industrial Services to Treat and Discharge Hydraulic Fracturing Water. The seven page report was read by Mr. Hunka, and was circulated to Council. A copy of the report is on file in the Clerk's Office.

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Moved by Councillor Edwards  
Seconded by Councillor Blair

“That the presentation from Mr. Roger Hunka from the Maritime Aboriginal People’s Council be received.”

Motion Carried Unanimously.

Mr. Don Wilson - Fracking Wastewater

Mr. Wilson appeared before Council to express his concerns on the issue of fracking wastewater. He read his report entitled Discharging Hydraulic Fracturing Process Water into the Debert Sewer System, which was circulated to Council and a copy of the report is filed in the Clerk’s Office.

Moved by Councillor Taggart  
Seconded by Councillor Masters

“That the presentation from Mr. Don Wilson be received.”

Motion Carried Unanimously.

**Standing Committee  
Reports and  
Recommendations**

Deputy Mayor Cavanaugh presented the report from the Council Committee meeting held on September 13, 2012:

**Old Tatamagouche  
Library Property**

Moved by Deputy Mayor Cavanaugh  
Seconded by Councillor LeFresne

“That Council approves a 14-foot wide easement be established on the lands of the former Tatamagouche Library for use of the neighbouring Legion, as a drop-off parking area.”

Motion Carried Unanimously.

**Tatamagouche  
Water Utility  
Committee**

Councillor LeFresne presented the report from the Tatamagouche Water Utility meeting held on September 24, 2012:

**Operating Budget**

Moved by Councillor LeFresne  
Seconded by Councillor Buott

“That Council approves the 2012/13 Operating Budget as presented.”

Motion Carried Unanimously.

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**Water Rate Review**

Moved by Councillor LeFresne  
Seconded by Councillor Edwards

“That Council authorizes staff to engage the services of consultants to undertake a water rate review in the upcoming fiscal year to allow for implementation of new rates for April 1, 2014.”

Motion Carried Unanimously.

**ACTION ITEMS**

**Fracking Waste in Colchester (Staff Presentation)**

Atlantic Industrial Services Limited (AIS) applied to Nova Scotia Environment to treat and discharge 4.5 million litres of wastewater from hydraulic fracturing process which contained Naturally Occurring Radioactive Materials (NORM's). Nova Scotia Environment allowed AIS to treat the wastewater but could not discharge it into the sewer system until permission was received from the County. AIS has applied to the County to discharge the treated wastewater into the Debert sewer system.

Mr. Ramesh Ummat, Director of Public Works, provided a detailed presentation on: hydraulic fracturing process which included a video of hydraulic fracturing and gas extraction process; radioactivity and radio active materials, measurements of radioactivity and NORMs; and, regulatory aspects, including Health Canada Guidelines and Sewer By-law provisions.

Mr. Ummat also reviewed the AIS proposal for discharge of treated fracking wastewater, including the provision and discharge implications at the Debert Sewage Treatment Plant, as well as the applicable sections of the Municipal Sewer By-law.

Discussion was held and concerns raised about permitting the treated wastewater in the sewer system. Discussion was also held about possible amendments to the sewer by-law.

Mr. Dennis James, Municipal Solicitor, advised that municipalities should follow established by-laws and policies. Under the current sewer by-law, AIS has the right to make application.

Moved by Councillor Taggart  
Seconded by Councillor White

“That Council authorizes that the Director of Public Works (Municipal Engineer) to complete the application process with due diligence with respect to the application from Atlantic Industrial Services Limited to discharge treated Naturally Occurring Radioactive Materials (NORM's) containing “fracking” wastewater; and,

That the appeal process include public notification of any decision made

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by the Director of Public Works (Municipal Engineer) with respect to said application to receive “fracking” wastewater; and,

That the appeal period be not less than thirty (30) days; and,

That, if the Director of Public Works (Municipal Engineer) approves said application to receive “fracking” wastewater, the approvals will not permit discharge into the public wastewater system during the appeal period.”

Motion Carried Unanimously.

Moved by Councillor Masters  
Seconded by Deputy Mayor Cavanaugh

“That the Sewer By-law be referred to a future Council Committee meeting for discussion.”

Motion Carried Unanimously.

**Sewer System on  
Granville Drive -  
Service Options**

Moved by Deputy Mayor Cavanaugh  
Seconded by Councillor White

“That Council approves Option #1, as presented, that staff be directed to move forward with detailed design and development of contract drawings and specifications for the project of Construction of Public Sewer on Highway #2 from Granville Drive to existing sewer near Onslow School and the Granville Drive Loop, at an estimated cost of \$175,000 plus applicable taxes, with the source of funds being 50% from General Operating Reserves and 50% from the Gas Tax.”

Motion Carried Unanimously.

**Debert Water Utility  
Operating Budget**

Moved by Councillor White  
Seconded by Councillor LeFresne

“That Council approves the 2012/13 Operating Budget for the Debert Water Utility, as presented.”

Motion Carried Unanimously.

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**Colchester Ground  
Search and Rescue -  
Funding Request**

Moved by Councillor LeFresne  
Seconded by Councillor Cooper

“That Council approves to change the amount of capital funding to the Colchester Ground Search and Rescue to reflect the spreadsheet as presented.”

Motion Carried Unanimously.

Moved by Councillor Masters  
Seconded by Councillor Blair

“That Council approves source of funding to be from the Operating Reserve.”

Motion Carried Unanimously.

**2012 Nova Scotia  
Recreation  
Conference**

Moved by Councillor Cooper  
Seconded by Councillor Buott

“That Council approves the amount of \$4,000 with source of funds being Economic Development Grants.”

Motion Carried Unanimously.

**Deuville’s Rink**

Mr. McDougall, CAO, advised that staff have continued to research funds available from other sources and ACOA has verbally approved funding.

Moved by Councillor Masters  
Seconded by Councillor Edwards

“That Council approves Option #3, to wait and see the amount of funding received from ACOA for the rink before making a decision on County funding.”

Motion Carried Unanimously.

**Bears**

Councillor Buott raised concern about the problems with bears and green carts. It was agreed that staff be directed to provide some education to the general public on this matter.

**Street Paving -  
Raven Road and  
Junco Court**

Mr. McDougall, CAO, provided a brief summary on this item indicating that the actual costs for these paving projects came in significantly higher than originally estimated and approved by Council. Should Council choose to go forward with the projects at the new costs, it was agreed that the residents need to be informed before proceeding.

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Moved by Councillor Masters  
Seconded by Councillor MacKenzie

“That Council approves that Nova Scotia Transportation and Infrastructure Renewal be advised that the residents were informed of the original estimates and that Council agrees to the paving project based only on the original estimated amounts.”

Motion Carried Unanimously.

**Sewer Boundary  
Extension, Board  
Landing Road,  
Central Onslow**

Moved by Councillor LeFresne  
Seconded by Deputy Mayor Cavanaugh

“That Council approves the extension of the Sewer Service Boundary on Board Landing Road to accommodate an additional 35 lots as shown on the plan, as presented.”

Motion Carried Unanimously.

**Correspondence**

**ACTION**

**Nevin R. Jackson,  
Principal, South  
Colchester Academy;  
Mike Henderson and  
Christene Sandeson,  
Co-Chairs SCA  
School Advisory  
Council; and Chris  
Zwicker and Ritchie  
Scott, CCRSB  
Property Services  
Department**

A letter dated September 25, 2012 regarding the damages to the South Colchester Academy’s lower playing field due to recent flooding.

The CAO advised that additional correspondence was received from Amanda Cornelius and Everett Waters, Chris and Amanda Cornelius and Julie Walters on the same subject. Copies of these letters will be circulated in Councillor mailboxes.

Moved by Councillor Buott  
Seconded by Councillor Cooper

“That Council agrees that the matter be referred to the Flood Advisory Committee.”

Motion Carried Unanimously.

**INFORMATION**

**Building Inspector**

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

**Development Officer**

A copy of the Development Activity Report received from the **Development Officer** for the month of August 2012. Council agreed to

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receive the report for information.

## **INFORMATION ITEMS**

### **Cats**

Councillor Taggart raised concern with the issue of dealing with stray cats. It was suggested that a possible solution to this matter be a spay or neuter program. Councillor Taggart indicated that at some point in the future, this matter needs to be brought forward for serious consideration.

### **Scotia Pool**

Mayor Taylor indicated that he and other members of Council have been getting numerous emails and telephone calls expressing concern and disappointment regarding the closure of Scotia Pool. Mayor Taylor advised that he would like to issue a press release, which he read into the record; and, if Council agreed, he would like to send to the local newspaper.

The majority of the members of Council agreed. Councillor Blair expressed her concerns regarding the part about the Village of Bible Hill's promise to continue to operate Scotia Pool and indicated that this part needs clarification.

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

Being the last Council meeting prior to the election, each member of Council, while giving their report, took the opportunity to recognize and thank the members of Council, the Municipal Solicitor and staff, for their contributions.

Councillor Blair reported that the Police Advisory Board's October meeting was cancelled due to the election. The Colchester Regional Hospital regular meeting was September 4<sup>th</sup>, a tour is scheduled for October 12<sup>th</sup>, and the inpatients move is scheduled for November 25<sup>th</sup>. Councillor Blair also reported that she attended the following: an Association of Nova Scotia Villages meeting; two Village of Bible Hill meetings; flood meetings in the Village of Bible Hill and County; and, a meeting regarding a berm in Holy Well Park.

Councillor Masters reported that he had attended meetings of the Civic Centre, and the UNSM Conference.

Councillor Buott reported that he had attended a Library Board meeting, the UNSM Conference and has had meetings with residents of Brookfield regarding sidewalks.

Councillor Cooper reported that he had attended the recent Regional Emergency Management Advisory Committee meeting.

Councillor Edwards reported that he had attended a Central Nova Tourist

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Association meeting, the UNSM Conference and represented Council at a barbeque event for Feed Nova Scotia.

Councillor MacKenzie reported that she has been out of town and unable to attend meetings but she has been to some of the residents homes where basements were flooded.

Deputy Mayor Cavanaugh reported that he had attended many meetings with residents and businessmen concerning flooding. He commented on the work being done at the site in North River and hopes to have a tour soon.

Councillor White reported that he has been busy with emails and meetings concerning rinks and attended a CoRDA meeting on September 26<sup>th</sup>.

Councillor Taggart reported that he had attended a meeting at the Debert rink and a Credit Union meeting.

Councillor McKenna reported that he attended the recent UNSM Conference.

Mayor Taylor presented his written report of activities and events he had attended during the month of September. A copy of the report was circulated on table.

**Closed Session**

Moved by Councillor McKenna  
Seconded by Councillor White

“That the meeting go into closed session at 12:25 a.m.”

Motion Carried Unanimously.

Moved by Councillor White  
Seconded by Councillor McKenna

“That the meeting reconvene in open session at 1:33 a.m.”

Motion Carried Unanimously.

**Appointment of  
Acting CAO**

Moved by Deputy Mayor Cavanaugh  
Seconded by Councillor LeFresne

“That Council approves the appointment of Mr. Bruce Purchase as Acting CAO; and,

That Council authorizes the Mayor and Acting CAO to enter into agreement in consultation with the Municipal Solicitor.”

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Motion Carried Unanimously.

**Adjournment**

Moved by Councillor McKenna  
Seconded by Councillor White

“That the meeting be adjourned at 1:34 a.m.”

Motion Carried Unanimously.

Tracey Veno  
Recording Secretary