

May 16, 2013

COUNCIL COMMITTEE

The Regular Session of Council Committee of the Municipality of the County of Colchester was held in the Courthouse, Truro, Nova Scotia on Thursday, May 16, 2013 at 7:00 p.m.

Roll Call

The roll was called with the following Councillors in attendance:

Mayor Bob Taylor	
Councillor Christine Blair	District #1
Councillor Bill Masters	District #2
Councillor Geoff Stewart	District #3
Councillor Mike Cooper	District #4
Councillor Lloyd Gibbs	District #5
Councillor Karen MacKenzie	District #6
Councillor Mike Gregory	District #7
Councillor Ron Cavanaugh	District #8
Councillor Doug MacInnes	District #9
Councillor Tom Taggart	District #10
Councillor Wade Parker	District #11

Approval of Agenda

Moved by Councillor Taggart
Seconded by Councillor Cooper

“That the agenda for May 16, 2013 be approved with the following additions:

- add Item #2a: Legal Advice (Closed Session)
- add Item #2b: Public Announcement - Sewer Use Appeals Committee Decision
- add to Item #15, Closed Session: one additional ‘Negotiations’ item
- add Item #12b: Stewiacke Library - Representation on Library Committee (on table)
- add Item #12c: Street Paving of J-Class Streets - Mulberry Terrace, Huckleberry Lane and Delaney Drive (on table)
- add Item #14b: Granville Drive Sewer Extension - Status Update (on table)
- add Item #14c: Garbage Disposal in Rural Areas
- add Item #14d: Noise Complaints.”

Motion Carried Unanimously.

Closed Session

Moved by Councillor Blair
Seconded by Councillor Parker

“That the meeting go into closed session at 7:03 p.m.”

Motion Carried Unanimously.

May 16, 2013
Moved by Councillor Cooper
Seconded by Councillor Gibbs

“That the meeting reconvene in open session at 7:15 p.m.”

Motion Carried Unanimously.

**Public
Announcement -
Sewer Use Appeals
Committee Decision**

As Chair of the Sewer Use Appeals Committee, Councillor Taggart read into the minutes the following public announcement:

“The Sewer Use Appeals Committee for the Municipality of Colchester unanimously decided to overturn the March 2013 decision of the Director of Public Works to allow the discharge of 4.5 million litres of hydraulic fracturing (fracking) wastewater into the sewer systems of Colchester County. This decision is made pursuant to s.20.1 of the Sewer Use By-law after a careful review of all available evidence and having invited public comment from all interested parties by way of a public appeal process. The Committee feels that there is insufficient information to satisfy itself that the ingredients in the fracking wastewater and methods used in the fracturing process pose no health, safety or environmental hazard. Neither is it satisfied the fracking wastewater would not interfere with the operation of its wastewater system.”

A copy of this public announcement was circulated to Council and members of the media present at this meeting.

Approval of Minutes

Moved by Mayor Taylor
Seconded by Councillor MacInnes

“That the minutes of the meeting held on April 11, 2013 be approved as circulated.”

Motion Carried Unanimously.

**Business Arising
from Minutes**

There was no business arising from the minutes of the meeting held on April 11, 2013.

Presentations

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

ACTION ITEMS

May 16, 2013

Budgets 2013-14

Seconded by Councillor Gregory

“That Council Committee recommends to Council that the 2013-14 Area Rate Budgets be approved as presented.”

Motion Carried Unanimously.

**N.S. Provincial
Exhibition - Request
for Support**

Moved by Mayor Taylor
Seconded by Councillor Cavanaugh

“That Council Committee recommends to Council that staff be authorized to hire an external auditor to conduct a detailed study of the overall financial situation of the Nova Scotia Provincial Exhibition.”

Motion **Defeated**. *(Mayor Taylor, Deputy Mayor Masters, Councillors Blair, Stewart, Cooper, Gibbs, MacKenzie, MacInnes and Parker opposed)*

At this point, Mayor Taylor declared a conflict of interest on this matter and left the table.

Moved by Councillor Cooper
Seconded by Councillor Blair

“That staff be directed to approach Grant Thornton with a view to developing a terms of reference for an audit of the Nova Scotia Provincial Exhibition; and, should the price received from Grant Thornton for this service be a concern, staff will return to Council for further direction.”

Motion Carried. *(Councillors Cavanaugh and Gregory opposed)*

Following the vote on the above motion, Mayor Taylor returned to the table.

Truro Centennial Pool

Moved by Councillor Taggart
Seconded by Councillor MacInnes

“That the request from the Nova Scotia Community College Truro Campus for the Municipality of Colchester to share in the additional costs incurred to keep Centennial Pool open to the end of March 2013 be denied.”

Motion Carried Unanimously.

Economic

During discussion on this Action Item, three issues were identified:

May 16, 2013

**Development - Future
Funding to CoRDA**

- CoRDA's financial situation, including source of funds not spent
- whether CoRDA should make presentation to Council on financial situation
- release of funds to CoRDA in first quarter of 2013-14

Moved by Councillor Cooper
Seconded by Councillor Parker

"That Council Committee recommends to Council that no further funds be released from the 2013-14 budget provision for the Colchester Regional Development Agency (CoRDA) without direct authorization from Council."

Motion Carried Unanimously.

Staff were also requested to look into why the Municipality released funds to CoRDA in the first quarter of 2013-14.

Moved by Mayor Taylor
Seconded by Councillor Cooper

"That staff be directed to look into CoRDA's financial situation and report back to Council."

Motion Carried. *(Councillors Blair, Gibbs and MacInnes opposed)*

**High School
Scholarship Program**

Moved by Councillor Stewart
Seconded by Councillor Blair

"That Council Committee recommends to Council that the High School Scholarship Program be continued; and,

That an additional \$3,000 be transferred for this school year to the Scholarship Fund Reserve as an unbudgeted item; and,

That the renewal of this Program be reviewed during the 2014-15 budget deliberations."

Motion Carried Unanimously.

**Employee Wellness -
RECC Fitness
Program Funding**

Moved by Councillor Gibbs
Seconded by Councillor Taggart

"That the request to Council to consider the proposal of extending the Municipality of Colchester's Employee Wellness Program financial

assistance to the fitness program of the Rath-Eastlink Community Centre

May 16, 2013

be denied.”

Motion **Defeated**.

(Mayor Taylor, Deputy Mayor Masters, Councillors Blair, Stewart, Cooper, MacKenzie, Gregory, Cavanaugh, MacInnes, Parker opposed)

Moved by Councillor Blair

Seconded by Mayor Taylor

“That staff be directed to evaluate the proposal of extending the Employee Wellness Program financial assistance to the fitness program of the Rath-Eastlink Community Centre, with the Municipality of Colchester making a contribution to the subscription cost offered to County employees.”

Motion Carried.

(Councillors Gibbs, Cavanaugh and Taggart opposed)

**Proposed Letter to
Minister of
Environment - Old
Underground Storage
Tanks**

Moved by Councillor Stewart

Seconded by Councillor Blair

“That a letter be written to the Minister of Environment expressing the Municipality of Colchester’s concerns regarding the existing underground storage tanks located at 3782 Highway 4, Lower Debert, that were not removed as per Nova Scotia Environment’s Ministerial Order.”

Motion Carried Unanimously.

**Stewiacke Library -
Representation on
Library Committee**

Moved by Mayor Taylor

Seconded by Councillor MacInnes

“That Council Committee recommends to Council the appointment of Councillor Stewart, Councillor Cooper and the Director of Community Development to the Stewiacke Library Committee.”

Motion Carried Unanimously.

**Street Paving of J-
Class Streets Under
Provincial Cost-
Shared Paving
Program**

Moved by Councillor MacKenzie

Seconded by Councillor Gibbs

“That Council Committee recommends to Council that, as Huckleberry Lane, Delaney Drive and Mulberry Terrace are the last three streets on Transportation and Infrastructure Renewal’s priority list to be paved under the Province’s cost-shared paving program, Council approves the cost estimate of \$151,000 as the Municipality of Colchester’s share of the

paving project of all three streets, of which \$57,560 plus excess costs to a limit of 10% above the estimated value, to be paid by the Municipality as

May 16, 2013

an unbudgeted item from general operations.”

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

Moved by Mayor Taylor
Seconded by Councillor MacInnes

“That Council Committee recommends to Council that no further petitions be considered under the existing Local Improvement By-law until a review of the By-law has been carried out.”

Motion Carried Unanimously.

INFORMATION ITEMS

Dieppe Avenue Widening

On March 26, 2013, Mr. Len Reilly made a presentation to Council regarding the widening of Dieppe Avenue in Debert and safety concerns relating to the current parking practices. He also delivered a petition to Council with 47 signatures requesting a 0.6 metre (2 feet) widening of the street. Key concerns from residents were ability to access street when cars are parked on both sides, safety for children, and road surface condition.

A staff review of these issues resulted in the following:

- widening of the street not sufficient to allow for two parked cars plus a clear passage in between.
- widening of the street would have a detrimental effect on current driveways and in many cases, would reduce driveway parking spaces from two to one.
- widening of the street would result in increased travel speeds which is undesirable when safety of children is a concern
- paving or upgrading street not required under municipal policy for another three to four years.

Staff will install “no parking” signs along the east side of Dieppe Avenue at a cost of \$2,000.

Status Update - Debert

On January 9, 2013, staff forwarded a letter to Communities Culture and Heritage regarding the exhaustive nature of archaeological testing for Debert. Questions were asked of the Province and recommendations for changes to the process were made. To date, the Province has not

responded with any feedback. It has been reported that a response has been drafted but was being reviewed by all affected departments. Until such time as that is received, all archaeological work in Debert is on hold.

May 16, 2013

During discussion on this item, Mayor Taylor agreed to raise again with the Premier the lack of response from the Province. Staff agreed to come back to Council at some point with an Action Item clarifying whether CPDS properties were excluded from archaeological investigation. Councillor MacInnes indicated that he would like to be more involved in discussions regarding Debert.

**Granville Drive Sewer
Extension - Status
Update**

Subsequent to Council's approval of \$175,000 in 2012-13 for the design of the Granville Drive sewer system, staff conducted a competitive bidding process for the design services. The work was subsequently awarded to C.J. MacLellan and Associates. The topographic survey for the design has been completed and a draft preliminary report has been submitted to staff for review. Once the preliminary design report is finalized, the contractor will begin the detailed design work which has an anticipated duration of six weeks. Staff will be presenting construction cost estimates to Council during upcoming capital budget deliberations in June.

**Garbage Disposal -
Rural Areas**

Knowing that staff will be looking at illegal dumping, Councillor Stewart reported five areas in his district where this issue has become a problem. Other Councillors reported similar situations in their districts.

Noise Complaints

Councillor Stewart indicated that a couple of people in his area with noise complaints were told by the RCMP that nothing could be done without a County by-law in place. As Chair of the Police Advisory Board, Councillor Blair offered to look at minutes of past meetings where this issue was discussed and email information to Councillor Stewart.

Closed Session

Moved by Councillor Gregory
Seconded by Councillor MacInnes

"That the meeting go into closed session at 11:45 p.m."

Motion Carried Unanimously.

Moved by Councillor Cavanaugh
Seconded by Deputy Mayor Masters

"That the meeting reconvene in open session at 12:30 a.m."

Motion Carried Unanimously.

**Collective Agreement
- Union Local #3945**

It was noted that, at a meeting on April 25, 2013, Council authorized May Council Committee to make a final decision on this matter.

Moved by Councillor MacKenzie

May 16, 2013
Seconded by Councillor Blair

“That Council Committee accepts the Collective Agreement for Local 3945, commencing July 1, 2012; and, that the Mayor and CAO be authorized to sign the Agreement.”

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

**Easement
Agreement/Right of
First Refusal - Home
Hardware, Debert**

Moved by Deputy Mayor Masters
Seconded by Councillor Cavanaugh

“That Council Committee recommends to Council that the Municipality of Colchester enter into an agreement with Home Hardware Stores Limited for the use of a turning easement on PID #20153698.”

Motion Carried Unanimously.

Adjournment

Moved by Councillor Cavanaugh
Seconded by Councillor Gregory

“That the meeting be adjourned at 12:30 a.m.”

Motion Carried Unanimously.

Sheila Arsenault
Recording Secretary