

## MUNICIPAL COUNCIL

A Regular Session of the Municipal Council of the Municipality of the County of Colchester was held in the Court House, Truro, N.S. on Thursday, August 29, 2002 at 7:00 p.m.

### Roll Call

The roll was called with the following Councillors in attendance:

Mayor Mike Smith, Chair	
Councillor Bob Taylor	District #1
Councillor Bill Masters	District #2
Deputy Mayor Hugh Matheson	District #3
Councillor Richard Elliott	District #4
Councillor Glen Edwards	District #5
Councillor Ron Cavanaugh	District #6
Councillor Jimmie LeFresne	District #7
Councillor Soley Lynds	District #8
Councillor Keith Baas	District #9
Councillor Earl McKenna	District #11

Absent:

Councillor Doug Cooke	District #10
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### Approval of Agenda

Moved by Councillor Elliott  
Seconded by Councillor Edwards

"That the agenda be approved with the following additions/deletions:

4b	Presentation to Library
5	Presentation by Grace Mercer
8b	Court House Cleaner
8c	Pine Tree Drive Street Lighting
8d	Brookfield Sidewalks
10b	Balefill costs
	Delete Personnel Matter from In-Camera Session

Motion Carried Unanimously

### Minutes

Moved by Councillor McKenna  
Seconded by Councillor Masters

"That the minutes of the meetings held on June 20 and 27, 2002 be approved as circulated."

Motion Carried Unanimously.

**Business Arising from  
the Minutes**

Bruce Purchase advised Council of the memo on table regarding restricted license plates. Mr. Purchase will pursue the possibility of having the Special Hazards vehicles exempt from the license fees.

**Presentation to  
Library**

Councillor Baas presented to Janet Pelley of the Regional Library a copy of the Terry Fox Story as written by his mother, Betty Fox. This book was a gift from Mrs. Fox on a recent visit to the area.

**Presentations**

**Scott Langille and Ron Theriault, Atlantic Recycled Rubber Inc.**

Mr. Scott Langille and Mr. Ron Theriault of Atlantic Recycled Rubber Inc. made a presentation to Council and displayed samples of the by-products of their operation. The Municipality was in receipt of a letter from the Company advising of their intent to accept tires from Newfoundland.

Councillors were given the opportunity to ask questions of the presenters. In response to a comment from a Councillor, Mr. Theriault responded that the waste is as big a concern for the Company as it is for the community. Regarding security, Mr. Langille indicated that there were people on site 24 hours per day, 7 days a week and that increased fire protection will be provided when proper equipment is in place. In response to Mayor Smith's inquiry regarding a contract in Newfoundland, he was assured that the Company did not bid on this contract. Mayor Smith expressed the feelings of Council that there was opposition to any residual tires coming to Colchester before the existing problem with fluff is settled. On a direct question, Mr. Theriault assured Council that Newfoundland tires would not be coming to Colchester without prior approval from the Municipality.

Councillors expressed concern with the amount of residual tire fluff coming from this operation. In the month of July, the Balefill received 373 tonnes of tire fluff from Atlantic Recycled Rubber. Mayor Smith stated this was contrary to promises made by the Company in May 2000 and will result in a shorter life span of the Balefill facility. Messrs. Langille and Theriault made reference to several alternate potential services for the tire fluff and stated they were about to enter into a contract that would take 20 tonnes per week away from their facility. Mr. Theriault agreed to report back to Council in three weeks regarding the progress being made to correct the problems relating to fluff and in particular, to the progress being made with securing the contract that was referenced at this meeting.

Moved by Councillor Cavanaugh  
Seconded by Councillor Taylor

"That the presentation from Mr. Scott Langille and Mr. Ron Theriault of Atlantic Recycled Rubber Inc. be received."

Motion Carried Unanimously.

Moved by Councillor Cavanaugh  
Seconded by Councillor Masters

"That the presentation from Atlantic Recycled Rubber Inc. be referred to Council Committee for further discussion."

Motion Carried Unanimously.

Moved by Councillor Taylor  
Seconded by Deputy Mayor Matheson

"That staff be requested to investigate and study the solid waste diversion formula presently in use and report back to Council Committee."

Motion Carried Unanimously.

John Wilson

Mr. John Wilson, a member of the Community Liaison Committee and a resident of Kemptown expressed the concerns of citizens of Kemptown with regard to the fluff and the hazardous waste that is being produced,

Grace Mercer, Brentwood

Ms. Grace Mercer of 195 Brentwood Road made a presentation to Council regarding a dog kennel that has been constructed adjoining her property. Ms. Mercer requested Council to initiate a by-law to prevent this type of operation. Uncontrolled dog barking at the neighbourhood kennel has become unbearable for neighbours and improvements promised by the owner have not been carried out to date.

Moved by Deputy Mayor Matheson  
Seconded by Councillor Cavanaugh

"That the presentation from Ms. Grace Mercer be received."

Motion Carried Unanimously.

Ms. Kathy Haylock, Brentwood

Ms. Kathy Haylock, Brentwood, owner of the previously discussed kennel appeared before Council. Ms. Haylock explained that improvements are being planned for her kennel, but she is having difficulty obtaining proper guidelines. It was explained to Ms. Haylock that the Dog Control Officer can only make suggestions and there is no guarantee these suggestions will work. It was pointed out to Ms Haylock that the Provincial SPCA may have information that will provide guidelines for her construction.

Moved by Councillor Baas  
Seconded by Deputy Mayor Matheson

"That the presentation from Ms. Kathy Haylock be received."

Motion Carried Unanimously.

**Council Committee  
Reports and  
Recommendations**

Deputy Mayor Matheson presented the report from the Council Committee meeting held on August 15, 2002.

**Consultation Process  
For Sale of Land**

Moved by Deputy Mayor Matheson  
Seconded by Councillor Cavanaugh

"That Council approves that until such time as a water supply suitable for fire protection is in place, that the Municipality consult with the Valley-Kemptown Fire Brigade and the Kemptown Host Community Association prior to any sales of County land in Kemptown."

Motion Carried Unanimously.

**Security at Balefill  
Facility**

Moved by Deputy Mayor Matheson  
Seconded by Councilor Elliott

"That Council approves that the Municipality not proceed with security at the Balefill Site at this time."

Motion Carried. *(Councillor Cavanaugh opposed)*

**Balefill Facility  
Smoking Ban**

Moved by Deputy Mayor Matheson  
Seconded by Councillor Elliott

"That Council approves that the Municipality not implement a complete smoking ban at the Balefill Site."

Motion Carried *(Councillors Cavanaugh, Taylor,*

*Deputy Mayor Matheson opposed)*

**Tatamagouche Water  
Utility Committee  
Structure and  
Reporting**

Moved by Deputy Mayor Matheson  
Seconded by Councillor LeFresne

"That Council approves that the Council Procedures By-law be amended to add the Tatamagouche Water Utility Committee as a standing committee of Council with membership to include the Mayor, Deputy Mayor, District 7 Councillor and three citizen representatives living in the area serviced by the Tatamagouche Water Utility."

Motion Carried Unanimously.

**Scholarships**

Moved by Deputy Mayor Matheson  
Seconded by Councillor Edwards

"That Council approves that the Municipality support in principle the creation of scholarships and that staff be instructed to report back on specific details."

Motion carried Unanimously.

*Conflict of Interest Mayor Smith declared a conflict of interest and removed himself from the chair during discussion on the following matter. Councillor McKenna assumed the Chair.*

**Street Paving By-  
Law - Rural Areas**

Moved by Deputy Mayor Matheson  
Seconded by Councillor Elliott

"That Council approves that no change be made to the Street Improvement By-law for paving in rural areas."

Motion **Defeated**. *(Councillors Taylor, Masters, Cavanaugh, LeFresne, Bass, Deputy Mayor Matheson opposed)*

Moved by Councillor Masters  
Seconded by Councillor Taylor

"That the blended formula based on 50% assessment and 50% frontage be implemented for paving in rural areas and staff be instructed to include a transition clause in new by-law allowing a choice for existing petitions."

Motion Carried. *(Councillors Edwards and Elliott opposed)*

*Mayor Smith returned to the Chair at this point in the meeting.*

**Executive and Audit  
Committee**

There was no business arising from the minutes of the meeting of the Executive and Audit Committee held on August 14, 2002.

**Council Proceedings  
By-law Amendment**

Moved by Councillor LeFresne  
Seconded by Councillor Masters

"That Council hereby approves by way of First Reading the Council Proceedings By-law as amended to add the Tatamagouche Water Utility as a standing committee of council, with membership to include the Mayor, Deputy Mayor, District 7 Councillor and three citizen representatives living in the area serviced by the Tatamagouche Water Utility."

Motion Carried Unanimously.

**Payment of Councillors  
By-law Amendment**

Moved by Councillor Cavanaugh  
Seconded by Councillor Lynds

"That Council hereby approves by way of Second Reading the Payment of Councillors By-law as attached to these minutes."

Motion Carried Unanimously.

**Position Vacancy -  
Court House Cleaner**

Moved by Councillor Cavanaugh  
Seconded by Deputy Mayor Matheson

"That Council declare a vacancy in the Court House Cleaner position and authorize Administration to fill the position."

Motion Carried Unanimously.

**Pine Tree Drive  
Street Lighting**

Moved by Councillor Lynds  
Seconded by Councillor Cavanaugh

"That staff be instructed to proceed with the installation of street lighting on Pine Tree Drive."

Motion Carried.

*(Councillors Elliott, Edwards,  
McKenna, Baas and Mayor Smith  
opposed)*

**Brookfield Sidewalks**

Moved by Deputy Mayor Matheson  
Seconded by Councillor Taylor

"That staff be authorized to seek clarification from the Department of

Transportation regarding ownership and funding issues of the sidewalks in Brookfield."

Motion Carried Unanimously.

### Correspondence

Council requested the following 'Correspondence' items be moved from Information to Action:

No. 4: letter dated July 11, 2002 from Federation of Canadian Municipalities concerning FCM Establishment of an Airports Sub-Committee

No. 8: letter from Ernest L. Fage, Minister, Agriculture and Fisheries in response to a letter from Mayor Smith regarding changes to the Act for the Conservation of Agricultural Marshland

No. 11: letter from Gary MacIsaac to Mrs. Irene Gratto regarding the merger of Colchester Regional Development Agency, Colchester Park Development Society and Truro Industrial Society

No. 13: letter from Mayor Michael Smith to St. Andrews River Citizens' Coalition concerning meeting held June 13, 2002

No. 18: letter from Jack Layton, FCM Past President regarding support for the Affordable Housing Program

No. 19: letter from Councillor Jerry Blumenthal, President, UNSM, regarding elimination of the Business Occupancy Tax

No. 30: E-mail from Ken Simpson regarding Natural Gas Meeting

### ACTION

**Katherine M.  
Sullivan, CIM  
Coordinator, HRM**

A letter to Mayor Smith dated July 11, 2002 from **Katherine M. Sullivan, CIM Coordinator, Halifax Regional Municipality**, requesting that October 20-26, 2002 be declared Pap Test Awareness Week.

Moved by Councillor Cavanaugh  
Seconded by Deputy Mayor Matheson

"That the week of October 22-26 be declared Pap Test Awareness Week in the Municipality of Colchester."

Motion Carried Unanimously

**Mayor  
Michael Smith**

A letter from **Mayor Michael Smith** to Mr. Hans Alber dated July 11, 2002 regarding his nomination as a member of the St. Andrews River Joint Planning Advisory Committee.

Moved by Councillor Elliott

Seconded by Deputy Mayor Matheson

"That Mr. Hans Alber be appointed to the St. Andrews River Joint Planning Advisory Committee."

Motion Carried Unanimously.

**Lloyd Tothill et al**

An application from **Residents of Bell Road** requesting an extension to the sewer collection area in Brookfield.

Moved by Deputy Mayor Matheson  
Seconded by Councillor Cavanaugh

"That the request from residents of Bell Road for an extension to the sewer collection area in Brookfield be referred to Council Committee."

Motion Carried Unanimously.

**Donald Harvey et al**

An application from **Residents of Highway #2 and Whidden Road** requesting an extension to the sewer collection area in Brookfield.

Moved by Deputy Mayor Matheson  
Seconded by Councillor Cavanaugh

"That the request from residents of Highway #2 and Whidden Road in Brookfield for an extension to the sewer collection area in Brookfield be referred to Council Committee."

Motion Carried Unanimously.

**Brookfield Concrete Products et al**

An application from **Residents of Highway #2 South** requesting an extension to the sewer collection area in Brookfield.

Moved by Deputy Mayor Matheson  
Seconded by Councillor Cavanaugh

"That the request from property owners of Highway #2 South requesting an extension to the sewer collection area in Brookfield be referred to Council Committee."

Motion Carried Unanimously

**Herman Smith et al**

An application from **Residents of Carter Road** requesting an extension to the sewer collection area in Brookfield.

Moved by Deputy Mayor Matheson  
Seconded by Councillor Cavanaugh



"That the letter from residents of Carter Road requesting an extension to the sewer collection area in Brookfield be referred to Council Committee."

Motion Carried Unanimously

**Bruce Gamble et al**

An application from **Residents of Upper Brookfield Road** requesting an extension to the sewer collection area in Brookfield.

Moved by Deputy Mayor Matheson  
Seconded by Councillor Cavanaugh

"That the letter from residents of the Upper Brookfield Road requesting an extension to the sewer collection area in Brookfield be referred to Council Committee."

Motion Carried Unanimously.

**Federation of  
Canadian  
Municipalities**

A letter from the **Federation of Canadian Municipalities** dated July 11, 2002 advising of the formation of an Airports Sub-Committee.

Moved by Councillor Taylor  
Seconded by Councillor Baas

"That staff be requested to further investigate the Airports Sub-Committee and its importance to Colchester County."

Motion Carried Unanimously.

**Ernest L. Fage,  
Minister, Agriculture  
& Fisheries**

A letter from **Ernest L. Fage, Minister, Agriculture and Fisheries**, dated June 20, 2002 in response to a letter from Mayor Smith regarding changes to the Act for the Conservation of Agricultural Marshland.

Moved by Councillor Taylor  
Seconded by Deputy Mayor Matheson

"That the letter from Ernest L. Fage, Minister, Agriculture and Fisheries, be referred to Council Committee."

Motion Carried Unanimously.

**Jack Layton, FCM  
Past President**

A letter from **Jack Layton, FCM Past President** dated July 25, 2002 regarding support for the Affordable Housing Program.

Moved by Councillor Baas  
Seconded by Councillor Lynds

"That the letter from Jack Layton, FCM Past President regarding support for the Affordable Housing Program be referred to Council Committee."

Motion Carried Unanimously.

**Residents of Pine St.  
and Pellerin Dr.**

A petition from residents of **Pine Street and Pellerin Drive** requesting the installation of streetlights on their streets. This item was dealt with in a previous agenda item.

#### INFORMATION

**Development Officer**

A copy of the Development Activity Report from the **Development Officer** for June and July 2002. Council agreed to receive the report for information purposes.

**Building Inspector**

A copy of the Building Permit Statistics from the **Building Inspector** for the months of June and July 2002. Council agreed to receive the report for information purposes.

**CoRDA**

A copy of the minutes of the May 2002 **CoRDA** meeting. Council agreed to receive these minutes for information purposes.

**William Sutherland,  
North River**

A copy of the booklet, **History of the County Home** (copy of complete document on file in Clerk's Office). Council agreed to receive this booklet for information purposes.

**Raymond Carriere,  
Communities in Bloom**

A letter and information dated June 15, 2002 from **Raymond Carriere, National Chairman, Communities in Bloom**. Council agreed to receive this letter for information purposes.

**Cecil Clarke,  
Minister,  
Economic Development**

A letter from **Cecil Clarke, Minister, Office of Economic Development** dated July 2, 2002 and copy of Nova Scotia Business Climate. Council agreed to receive the letter for information purposes.

**Bob Williams, Truro  
& District Chamber**

A letter from **Bob Williams, President, Truro & District Chamber of Commerce** dated July 4, 2002 requesting that one policy be put in

place in Colchester County regarding smoking in public places. Council agreed to receive the letter for information purposes.

**Gary MacIsaac, CAO** A copy of a letter dated July 8, 2002 from **Gary MacIsaac, CAO**, to Mrs. Irene Gratto regarding the merger of CoRDA, Colchester Park Development Society and the Truro Industrial Society. Council agreed to receive the letter for information purposes.

**Kenneth MacDonald  
Grant Thorton LLP** A copy of the financial statements for the **Colchester-East Hants Regional Library Board** to March 31, 2002. Council agreed to receive these statements for information purposes.

**Mayor Michael Smith** A copy of a letter from **Mayor Smith** dated July 11, 2002 to the St. Andrews River Citizens Coalition concerning a meeting held on June 13, 2002. Council agreed to receive the letter for information purposes.

**St. Andrews River  
Citizens Coalition** A fax dated July 12, 2002 from **St. Andrews River Citizens Coalition** regarding proposed land-use strategy. Council agreed to receive for information purposes.

**Ronald Russell  
Minister, DOT** A letter dated July 11, 2002 from **Ronald Russell, Minister, Transportation and Public Works**, with the approved list of roads under the Aids to Municipalities Program. Council agreed to receive the letter for information purposes.

**Karen Bernardi,  
Colchester Anti-  
Poverty Network** A final report dated July 16, 2002 from **Karen Bernardi, Coordinator, Colchester Anti-Poverty Network** pertaining to Anti-Poverty Network Conference. Council agreed to receive the report for information purposes.

**Jo-Anne Himmelman,  
National Resources** A letter dated July 24, 2002 from **G. Joanne Himmelman, Director, Land Services, Department of Natural Resources**, regarding expired Lease No. 3560. Council agreed to receive the letter for information purposes.

**Councillor Jerry  
Blumenthal, President,  
UNSM** A letter dated July 25, 2002 from **Councillor Jerry Blumenthal, President, UNSM**, regarding the elimination of the Business Occupancy Tax. Council agreed to receive the letter for information

purposes.

**Councillor Jerry  
Blumenthal, President,  
UNSM**

An e-mail dated July 25, 2002 from **Councillor Jerry Blumenthal, President, UNSM**, regarding Assessment Services Update. Council agreed to receive the e-mail for information purposes.

**Krista Wood,  
Colchester East Hants  
Health Authority**

A fax dated July 30, 2002 from **Krista Wood, Colchester East Hants Health Authority**, encouraging local leaders to champion Smoke-Free By-laws. Council agreed to receive the letter for information purposes.

**Mayor Anna Allen,  
UNSM**

An e-mail dated August 6, 2002 from **Mayor Anna Allen, Immediate Past-President, UNSM**, with a Nominating Committee Update. Council agreed to receive the e-mail for information purposes.

**Federation of Canadian  
Municipalities**

A Members Advisory dated August 12, 2002 from the **Federation of Canadian Municipalities** urging all FCM members to contact their Member of Parliament to press for a new partnership with municipal governments. Council agreed to receive the letter for information purposes.

**K.G. Hamilton,  
Environment Canada**

A letter dated August 9, 2002 from **K.G. Hamilton, Environment Canada**, pertaining to a Consultation Notice re proposed Risk Management Strategy. Council agreed to receive the letter for information purposes.

**Rick Ramsay, Policy  
And Financial Advisor  
UNSM**

An e-mail dated August 14, 2002 regarding Strategic Plan Update. Council agreed to receive the e-mail for information purposes.

**St. Andrews River  
Citizens Coalition**

A fax dated July 2, 2002 from the **St. Andrew's River Citizens Coalition** regarding a meeting between Mayor Smith, Councillor Elliott, Deputy Mayor Matheson, Crawford Macpherson and Gary MacIsaac. Council agreed to receive the letter for information purposes.

**Kenneth Simpson,  
Executive Director,  
UNSM**

A letter dated August 20, 2002 from **Kenneth R.B. Simpson, Executive Director, UNSM**, thanking Mayor Smith for expressing

interest in hosting the 2004 UNSM Annual Conference. Council agreed to receive the letter for information purposes.

**Howard C. Windsor,  
Deputy Minister, DOT**

A letter dated August 19, 2002 from **Howard C. Windsor, Deputy Minister, Department of Transportation and Public Works** regarding remediation of the well water supplies affected by road salt in Bible Hill. Council agreed to receive the letter for information purposes.

**Jerry Blumenthal,  
President, UNSM**

A memo dated August 20, 2002 from **Jerry Blumenthal, President, UNSM**, relating to the Local Government Leadership Development Program Scholarship. Council agreed to receive the memo for information purposes.

**Ken Simpson,  
Executive Director,  
UNSM**

An e-mail dated August 26, 2002 from **Ken Simpson, Executive Director, UNSM**, regarding a Natural Gas Meeting. Council agreed to receive the e-mail for information purposes.

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

Mayor Smith reported that the regional Economic Development Transition Committee is engaged in the process of hiring an Executive Director and meeting to discuss the Strategic Visioning Process. Colchester will meet with officials of CPDS to discuss transition of CPDS assets.

The Mayors and CAO's of Colchester and Truro have met to discuss natural gas coming to the Colchester Region. They agreed that the area is willing to operate under the Regional Task Force.

Mayor Smith reported on a meeting of Mayors/Wardens to discuss changes to UNSM. This committee was formed at the request of Colchester County and is an important committee to the future of the UNSM.

**St. Andrews River  
Watershed Joint  
Planning Advisory  
Committee**

Councillor Elliott reported that the first meeting of the Watershed Committee will be held on September 9<sup>th</sup>.

**Recess**

Council agreed to recess to an In-Camera meeting at 10:35 and reconvened in open session at 10:40 p.m.

**Adjournment**

Moved by Councillor Cavanaugh  
Seconded by Deputy Mayor Matheson

“That the meeting be adjourned at 10:41 p.m.”

Motion Carried Unanimously.

Gary MacIsaac  
Municipal Clerk