

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, June 27, 2002 at 7:15 p.m., immediately following a Special Meeting of Council Committee.

Roll Call

The roll was called with the following Councillors in attendance:

Mayor Mike Smith, Chair	
Councillor Bob Taylor	District #1
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 Doug Cooke	District #10
Councillor Earl McKenna	District #11

Absent:

Councillor Bill Masters	District #2
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Approval of Agenda

Moved by Councillor Cavanaugh
Seconded by Councillor Taylor

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

S 10b: Recreation
S 10c: Balefill Site
S 16b: Flood Plains Study”

Motion Carried Unanimously.

Minutes

Moved by Councillor Elliott
Seconded by Councillor Taylor

“That the minutes of meeting held on May 28, 2002 be approved with the following amendment:

S Under the item ‘Appointment of Solicitor’, remove the word ‘Law’ from Patterson Palmer”

Motion Carried Unanimously.

**Business Arising
from Minutes**

There was no business arising from the minutes of meeting held on May 28, 2002.

Presentations

Krista Canning, Tobacco Reduction Strategy Coordinator, Colchester East Hants Health Authority

Ms. Krista Canning made a presentation on the Nova Scotia Tobacco Strategy, a copy of which was circulated to Council Committee prior to this evening's meeting. Since joining the Health Authority, Ms. Canning has met with each Council in Colchester/East Hants to present evidence of the effects of smoking in public and work places. The Health Authority is recommending the following actions:

- S** a common smoking by-law adopted by the four Councils of Colchester/East Hants
- S** a committee formed with a Councillor from each of the four councils plus the Tobacco Reduction Strategy Coordinator to make recommendations for the municipal by-law restricting smoking in public places
- S** the recommendations presented to all four Councils by September 2002

Moved by Councillor McKenna
Seconded by Councillor Taylor

“That the presentation from Ms. Krista Canning be received for information.”

Motion Carried Unanimously.

Moved by Councillor Taylor
Seconded Councillor Edwards

“That the Nova Scotia Tobacco Strategy be referred to Council Committee.”

Motion Carried Unanimously.

**Council Committee
Reports and
Recommendations**

Deputy Mayor Matheson presented the report from the Council Committee meeting held on June 13, 2002:

**UNESCO Biosphere
Designation**

Moved by Deputy Mayor Matheson
Seconded by Councillor Cooke

“That Council authorizes the Municipality to send a letter to the Planning Committee of the UNESCO Basins Biosphere Initiative, stating that Council is withdrawing its support for the UNESCO Biosphere

Designation Project.”

motion carried.

Moved by Councillor Taylor
Seconded by Councillor Edwards

“That the motion to withdraw Council support for the UNESCO Biosphere Designation Project be tabled.”

Motion **Defeated**. *(Mayor Smith, Deputy Mayor Matheson and Councillors Cooke, Baas, LeFresne, Elliott opposed)*

The motion to table having been defeated, the main motion was put and carried with *Councillors Taylor, Edwards, McKenna, Lynds, Cavanaugh* opposed.

**Colchester Regional
Development Agency**

Moved by Deputy Mayor Matheson
Seconded by Councillor Elliott

“That Council authorizes the Municipality to provide support in principle to the recommendations subject to final costs being known and approved; and, that Mayor Smith be appointed to sit on the Interim Board; and, that staff report back on the financial, human, legal and other costs associated with the acceptance of the Camp Debert assets.”

Motion Carried Unanimously.

Council Honorariums

Moved by Deputy Mayor Matheson
Seconded by Councillor Taylor

“That Council approves the Payment of Councillors By-law be brought forward with amendments to reflect Consumer Price Index adjustments on an annual basis based on the Nova Scotia index rate.”

Motion Carried Unanimously.

**Staffing - Stewiacke
River Park**

Conflict of Interest: Deputy Mayor Matheson declared a conflict of interest and removed himself from discussion on this matter.

Moved by Councillor McKenna
Seconded by Councillor Elliott

“That Council authorizes staff to negotiate and enter into a one-year contract for maintenance services for Stewiacke River Park with the Don Henderson Sportsplex, subject to the satisfaction of the Chief Administrative Officer and Municipal Solicitor.”

Motion Carried Unanimously.

At this point, Deputy Mayor Matheson returned to the table.

**Executive and Audit
Committee**

There was no business arising from the minutes of meetings held on May 22, 28 and June 18, 2002.

**Planning Advisory
Committee**

There was no new business arising from the Planning Advisory Committee since the public hearing held on June 20, 2002. Council will receive a final version of the 2002 Central Colchester Municipal Planning Strategy and Land-Use By-law once approved by Service Nova Scotia and Municipal Relations.

**Fire Protection -
Balefill Site and
Mingo Road**

Moved by Councillor Cavanaugh
Seconded by Councillor McKenna

“That the Municipality issue a Request for Proposals from qualified engineering consultants/firms to undertake a study to address the issues of water supply, distribution at the Balefill Site, Mingo Road and in the longer term, a potable water supply in the neighbouring communities; and,

That \$25,000 be allocated for this project and the contract be awarded by the Chief Administrative Officer in consultation with the Director of Public Works.”

Motion Carried Unanimously.

**First Reading -
Payment of
Councillors By-law
Amendment**

Moved by Councillor Taylor
Seconded by Councillor LeFresne

“That Council approves First Reading of Chapter 4 - Payment of Councillors By-law as amended.”

Motion Carried Unanimously.

**August Council
Committee**

Moved by Councillor Elliott
Seconded by Councillor Lynds

“That the regular session of Council Committee be held on Thursday, August 15, 2002.”

Motion Carried Unanimously.

Recreation

In response to an inquiry from Councillor Taylor, Council was advised that Sue Burley started on June 20, 2002 as the new Manager of Recreation. An information item on this matter will be placed in Councillor mailboxes. Ms. Burley will be prepared to make a

presentation to Council in the fall as part of the strategic planning process.

Balefill Site

Reporting on a meeting last evening in Kemptown related to the recent fire at the Balefill site, Councillor Cavanaugh recommended that three issues be referred to Council Committee for further discussion; i.e. hiring additional staff for security duty at night and on weekends at the Balefill; defining a consultation process which Council may engage in order to sell County land at the Balefill; and, enforcing a smoking ban at the Balefill, both inside and outside the facility.

Moved by Councillor Cavanaugh
Seconded by Councillor Lynds

“That the issue of providing security during off hours at the Balefill Site in Kemptown be referred to Council Committee.”

Motion Carried Unanimously.

Moved by Councillor Cavanaugh
Seconded by Councillor Baas

“That the issue of defining a consultation process which Council may engage in order to sell County land at the Balefill site be referred to Council Committee.”

Motion Carried Unanimously.

Moved by Councillor Cavanaugh
Seconded by Councillor McKenna

“That the issue of a smoking ban inside and outside the Balefill facility be referred to Council Committee.”

Motion Carried Unanimously.

Correspondence

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

- S** No. 5: letter dated May 31, 2002 from N.S. Solid Waste Resource Management Regional Chairs’ Committee concerning elimination of restricted license plates for municipal vehicles
- S** No. 3: letter dated May 27, 2002 from Emergency Measures Organization concerning the E911 Cost Recovery Fund
- S** No. 6: press release dated June 1, 2002 from CoRDA announcing provincial funding for regional development
- S** No. 11: letter dated June 17, 2002 from McInnes Cooper

S regarding an Order of Dismissal from Atlantic Recycled Rubber No. 16: letter dated June 11, 2002 from CoRDA regarding audited financial statements for fiscal year 2001-02

ACTION

**J.K. Langille, CAO,
Town of Truro**

A letter to the County CAO dated June 11, 2002 from **J.K. Langille, CAO, Town of Truro**, regarding N.S. Agriculture and Fisheries allowing property owners north of Marshland Drive in Truro the ability to form a separate marshland area.

Moved by Deputy Mayor Matheson
Seconded by Councillor Taylor

“That the Town of Truro be advised that Colchester County does not wish to participate in the formation of a new marsh body.”

Motion Carried Unanimously.

**Councillor Jerry
Blumenthal,
President, UNSM**

A memorandum dated June 13, 2002 from **Councillor Jerry Blumenthal, President, UNSM**, with an update on the creation of the new assessment services agency.

Moved by Deputy Mayor Matheson
Seconded by Councillor McKenna

“That the memorandum dated June 13, 2002 from Councillor Jerry Blumenthal concerning the creation of a new assessment services agency be received for information.”

Motion Carried Unanimously.

**Residents, Truro
Heights Road**

A letter to Mayor Smith dated June 11, 2002 from **residents of Truro Heights Road**, concerning a petition for a sidewalk along the Truro Heights Road.

Moved by Councillor Cavanaugh
Seconded by Councillor Edwards

“That the petition for a sidewalk from the residents of Truro Heights Road be referred to Council Committee.”

Motion Carried Unanimously.

**Councillor Jerry
Blumenthal,
President, UNSM**

A memorandum dated June 21, 2002 from **Councillor Jerry Blumenthal, President, UNSM**, regarding possible elimination of Business Occupancy Tax.

Moved by Councillor Cavanaugh
Seconded by Councillor McKenna

“That Council reaffirm its support for the elimination of the Business Occupancy Tax.”

Motion Carried. *(Councillor LeFresne opposed)*

**Carl Moore,
Brookfield**

A letter to Mayor Smith dated June 20, 2002 from **Carl Moore, Brookfield**, concerning the Nova Sporting Clays Club on Shortt’s Lake West Road.

Moved by Councillor Cavanaugh
Seconded by Councillor Baas

“That the letter from Carl Moore concerning the Nova Sporting Clays Club on Shortt’s Lake West Road be referred to Council Committee.”

Motion **Withdrawn**.

The motion to refer to Committee was withdrawn as Council opted to deal with the issue this evening. At this point, Mr. MacIsaac was requested to read the letter from Mr. Moore into the minutes.

Moved by Deputy Mayor Matheson
Seconded by Councillor Taylor

“That staff be allowed time to review the issues raised in Mr. Moore’s letter and that Mayor Smith respond directly once further information becomes known.”

Motion Carried Unanimously.

**Ross Maybee,
Committee
Secretary, N.S. Solid
Waste Resource
Management
Regional Chairs
Committee**

A copy of a letter dated May 31, 2002 to Angus MacIsaac from **Ross Maybee, Committee Secretary, N.S. Solid Waste Resource Management Regional Chairs Committee**, concerning the elimination of restricted license plates for municipal vehicles.

Councillor Baas asked whether the elimination of restricted plates for municipal vehicles included fire trucks. In response, Mr. Bruce Purchase stated that emergency response vehicles would be exempt but he was not certain about fire trucks.

**M.R. Lester, Chair,
E911 Cost Recovery
Committee,
Emergency**

A letter to the CAO dated May 27, 2002 from **M.R. Lester, Chair, E911 Cost Recovery Committee, Emergency Measures Organization**, concerning the E911 Cost Recovery Fund.

**Measures
Organization**

In response to Deputy Mayor Matheson's question, Mr. MacIsaac advised that the \$9,673 being received from the 911 Cost Recovery Fund is new money; therefore, not a part of our current budget.

CoRDA

A copy of a press release dated June 1, 2002 from the **Colchester Regional Development Agency**, announcing provincial funding for regional development.

In response to Councillor McKenna's question, it was confirmed that the \$25,000 is additional funding as there is now only one regional development agency in HRM rather than two. This additional funding would normally have been given to this second agency.

**David Graves,
McInnes Cooper**

A letter to the CAO dated June 17, 2002 from **David Graves, McInnes Cooper**, attaching a copy of an Order of Dismissal from Atlantic Recycled Rubber.

Mr. MacIsaac advised that this letter concerned a lawsuit that Atlantic Recycled Rubber filed against the Municipality after they purchased the property on which its facility is located. The Company has dropped its lawsuit against the County.

**Jo Ann Fewer, Chief
Executive Officer,
CoRDA**

A letter dated June 11, 2002 from **Jo Ann Fewer, Chief Executive Officer, CoRDA**, attaching audited financial statements for CoRDA for fiscal year 2001-02.

In response to Councillor Baas' question on the \$53,500 Donations In-Kind entry on Page 2, Mr. Purchase, Director of Corporate Services, indicated that it looked like an 'in and out' transaction adjustment recommended by the auditors.

INFORMATION

**Arminta Kennedy,
Regional
Coordinator, SAFE
Communities
Foundation**

A letter to Mayor Smith dated May 17, 2002 from **Arminta Kennedy, Regional Coordinator, SAFE Communities Foundation**, regarding the SAFE Communities Foundation. Council agreed to receive this letter for information purposes.

**L.A. Armstrong,
CAO, Town of
Windsor**

A letter to Mayor Smith dated May 24, 2002 from **L.A. Armstrong, CAO, Town of Windsor**, regarding Colchester's discussion paper on the future role of the UNSM. Council agreed to receive this letter for information purposes.

**Robert Cormier,
Director, Public
Safety/Fire Marshal,
Environment and**

A memorandum dated May 30, 2002 from **Robert Cormier, Director, Public Safety/Fire Marshal, Environment and Labour**, regarding fire safety regulations, vehicle registration and hazardous materials response study. Council agreed to receive this memorandum

Labour	for information purposes.
Bill Langille, MLA, Colchester North	A letter to Mayor Smith dated June 3, 2002 from Bill Langille, MLA, Colchester North , concerning a meeting with Angus MacIsaac on the Tatamagouche Sewage Treatment Plant. <u>Council agreed</u> to receive this letter for information purposes.
Ronald Russell, Minister, Transportation and Public Works	A letter to Mayor Smith dated June 6, 2002 from Ronald Russell, Minister, Transportation and Public Works , concerning the replacement of Mowatts Hill Bridge in Riversdale. <u>Council agreed</u> to receive this letter for information purposes.
James Knight, CEO, FCM	A copy of a Members Advisory dated June 10, 2002 from James Knight, Chief Executive Officer, Federation of Canadian Municipalities , concerning federal commitments to municipal governments. <u>Council agreed</u> to receive this correspondence for information purposes.
Councillor Jerry Blumenthal, President, UNSM	A copy of a memorandum dated June 18, 2002 from Councillor Jerry Blumenthal, President, UNSM , regarding summer meetings with provincial politicians. <u>Council agreed</u> to receive this memorandum for information purposes.
Building Inspector	A copy of the Building Permit Statistics from the Building Inspector for the month of May 2002. <u>Council agreed</u> to receive this report for information purposes.
Development Officer	A copy of the Development Activity Report from the Development Officer for the month of May 2002. <u>Council agreed</u> to receive this report for information purposes.
Jack Layton, Immediate Past President, FCM	A copy of a letter dated June 3, 2002 from Jack Layton, Immediate Past President, FCM , enclosing a copy of "Exploring Harmony Educational Resource Kit" (copy of resource kit on file in Clerk's office). <u>Council agreed</u> to receive this letter for information purposes.
Evelyn Scott, Mahone Bay	A letter dated June 19, 2002 from Evelyn Scott, Mahone Bay , regarding road fees. <u>Council agreed</u> to receive this letter for information purposes.
Federation of Canadian Municipalities	A copy of a letter dated June 18, 2002 from the Federation of Canadian Municipalities , regarding FCM policy priorities for the coming year. <u>Council agreed</u> to receive this letter for information purposes.
Approvals for Brookfield Sewage <u>Treatment Plant</u>	The Municipality has received approval from the Canada/Nova Scotia Infrastructure Program to change the technology at the Brookfield Sewage Treatment Plant from a Closed Loop Reactor Design to a

Sequence Batch Reactor Design. In addition, final approvals to construct have been received from the Department of Environment and Labour and construction is expected to commence in the next couple of weeks. The date for the sod-turning ceremony has been changed from July 9 to July 16, 2002.

**Pedestrian Crosswalk
Request - Hilden**

In January of this year, a request was received for a pedestrian crosswalk in Hilden. The Department of Public Works and Transportation has indicated that a crosswalk is not warranted at this location based on existing pedestrian crossing patterns and if one was installed, there would be municipal costs associated with a pedestrian refuse area and overhead signage with activated flashing lights.

As this information item generated a discussion on crosswalk requests in general, it was recommended that this issue be referred to Council Committee for further discussion.

Moved by Councillor Taylor
Seconded by Deputy Mayor Matheson

“That the issue of pedestrian crosswalks be referred to Council Committee.”

Motion Carried Unanimously.

**Colchester
Information
Technology Business
Centre**

In February 2002, Mayor Smith was contacted by Mr. Bob Williams who was acting in a consulting capacity to prepare an application to ACOA for funding to develop an IT Business Centre. Mayor Smith emphasized that his response to Mr. Williams to not endorse this project was his alone and he invited members of Council to voice their opinion on the matter. Following a discussion, Council decided it would like to strengthen the position taken by the Mayor by formally endorsing his letter to Mr. Williams of June 20, 2002.

Moved by Councillor Lynds
Seconded by Councillor LeFresne

“That the Municipality send a letter to Mr. Bob Williams to give further support to the position taken by the Mayor in his letter dated June 20, 2002.”

Motion **Defeated**. (*Mayor Smith, Deputy Mayor Matheson, Councillors Taylor, Edwards, McKenna, Cooke, Cavanaugh opposed*)

FCM Reports

Mayor Smith encouraged Councillors to contact delegates directly if they had any questions on the FCM Conference held in Hamilton, May 31-June 3, 2002.

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

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

Councillor Elliott reported that the Committee just had a meeting at which time, the consultant's report was reviewed. Next meeting will be August 12th. Committee hopes to make a presentation to Council in the early fall.

**Truro and District
Chamber of
Commerce**

Councillor LeFresne reported on a meeting of the Chamber of June 12th. The meeting dealt with the following three issues:

1. Chamber relocation across the street from where it is now.
2. Colchester signage issue
3. 2002 International Tulip Festival - was a success; however, since it did lose money, organizers are looking at changing the whole focus of the festival to family entertainment as well as re-designing the tulip beds

**Interim Board,
Colchester Regional
Development Agency**

Mayor Smith indicated that he is extremely optimistic that the six people on this Committee have a clear vision of where they want to go. It should be a busy six months for the CAO's to deal with the volume of information that needs to be processed.

**Flood Advisory
Committee**

Councillor Taylor advised that the contractor has a meeting at Dal Tech on June 28th and will be interviewing five candidates. He will report back to Council when further information is known. There have been no further meetings of the Flood Advisory Committee since March 2002.

Recess

Council agreed to recess to an In-Camera meeting at 10:45 p.m. and reconvened in open session at 10:55 p.m.

**Joint Expenditure
Board Assets**

Moved by Councillor McKenna
Seconded by Councillor Cavanaugh

“That Colchester accept the arrangement respecting the Joint Expenditure Board assets as set out in the letter from Jim Langille, Chief Administrative Officer, Town of Truro, dated June 21, 2002.”

Motion Carried Unanimously.

Adjournment

Moved by Councillor McKenna
Seconded by Councillor Baas

“That the meeting be adjourned at 11:22 p.m.”

Motion Carried Unanimously.

Sheila Arsenault
Deputy Clerk