

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 Tuesday, May 28, 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 Doug Cooke	District #10
Councillor Earl McKenna	District #11

Staff Recognition Awards

The following employees each received a letter from Mr. Gary MacIsaac, Chief Administrative Officer, in recognition of five or ten years of service with the Municipality:

Five Years

S Dave McElhinney
S Allan Hayman
S Therin Smith
S Sean Sutherland
S Russell MacKenzie
S Betty Glen

Ten Years

- Donna Malone
- Paul Smith

Mayor Smith and Mr. MacIsaac presented Mr. John Sitsler with a silver pin and certificate in recognition of 15 years of service with the Municipality. Mr. Ed Franklin was presented with a watch in recognition of 30 years of service with the Municipality.

Approval of Agenda

Moved by Councillor Elliott
Seconded by Councillor Taylor

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

S 13a: Highway 311
S 13b: Green Bridges
S 16b: Briefing to Law Amendments Committee (on table)

- S Executive and Audit Committee meetings held on May 22 and 28, 2002 - tabled until June Council
- S Add an in-camera item under Legal Matters”

Motion Carried Unanimously.

Appointment of Solicitor

Moved by Councillor Cavanaugh
Seconded by Councillor Lynds

“That the legal firm of Patterson Palmer be appointed as Solicitors for the Municipality for the year ending March 31, 2003.”

Motion Carried Unanimously.

Minutes

Moved by Councillor McKenna
Seconded by Councillor Edwards

“That the minutes of meeting held on April 25, 2002 be approved as circulated.”

Motion Carried Unanimously.

Business Arising from Minutes

There was no business arising from the minutes of meeting held on April 25, 2002.

Presentations

Mr. Gerry Hutchings, Grant Thornton

Mr. Gerry Hutchings, Grant Thornton, provided a brief report on the audit just completed on the Municipality’s general operations, Tatamagouche Water Utility and various reserves for 2001-02. A more detailed briefing was provided to the Executive and Audit Committee this afternoon. He confirmed that the auditors have been able to give a clean opinion on the financial information presented. Copies of all statements presented were circulated to Council. Councillors were encouraged to read these statements and direct any questions to Mr. Bruce Purchase, Director of Corporate Services. In addition, Mr. Purchase provided a Treasurer’s Report to Council.

Moved by Councillor Masters
Seconded by Councillor Taylor

“That the presentation from Grant Thornton on the 2001-02 Auditors’ Report be received for information.”

Motion Carried Unanimously.

Mr. John Graham and Mr. Sonny Durning

Mr. Graham and Mr. Durning each made a presentation to Council to express their strong opposition to the areas of Five Islands, Economy and Bass River being included in the UNESCO biosphere designation. This opposition was supported by petitions signed by residents of these communities. Mr. Durning asked that Council give consideration to a by-law that would protect taxpayers from having their land included in this designation without the written consent of the property owners. A copy of petitions and background information from this presentation are available in the Clerk's Office.

Moved by Councillor LeFresne
Seconded by Councillor McKenna

"That the presentations from Mr. John Graham and Mr. Sonny Durning on the UNESCO Biosphere Designation be received for information."

Motion Carried Unanimously.

**Council Committee
Reports and
Recommendations**

Deputy Mayor Matheson presented the report from the Council Committee meeting held on May 16, 2002:

**UNESCO Biosphere
Initiative**

Following a general discussion on this issue and correspondence dated May 28, 2002 from Jo Ann Fewer, Co-Chair, Bay of Fundy Biosphere Initiative (on table), Council decided to table the original motion from the May 16th Committee meeting.

Moved by Councillor McKenna
Seconded by Councillor Baas

"That the original motion to withdraw Council's support for the UNESCO Biosphere Designation Project be tabled to allow an opportunity for further study of this issue."

Motion Carried. *(Mayor Smith, Councillors Elliott and Cooke opposed)*

**Area Rates and
Budgets**

Moved by Deputy Mayor Matheson
Seconded by Councillor Masters

"That Council approves the 2002-03 Area Rates as attached."

Motion Carried Unanimously.

**Atlantic Dairy
Championship Show**

Moved by Deputy Mayor Matheson
Seconded by Councillor Taylor

“That Council approves a \$2,000 donation to the Atlantic Dairy Championship Show in support of this event being held October 15-19, 2002, source of funds to be the Economic Development Grant Fund.”

Motion Carried. *(Councillors Elliott, Cooke opposed)*

**Garbage Collection -
A. Stewart Road**

Moved by Deputy Mayor Matheson
Seconded by Councillor Masters

“That Council approves a pilot program for collection on the A. Stewart Road from June 1 to Thanksgiving Day 2002, provided that the road standards are satisfactory to the contractor supplying the service; and, that the existing blue box is removed during that time.”

Motion Carried. *(Councillor Cooke opposed)*

Staff were requested to report back to June Committee on why green carts were distributed to residents of Littlebrook Road as collection services are not provided to private roads.

**Lease of Crown Land
- Murray Siding**

Moved by Deputy Mayor Matheson
Seconded by Councillor Edwards

“That Council approves that:

- S** The Municipality enter into an interim lease with the provincial government for the 233-acre parcel of land in Murray Siding; and,
- S** The Mayor and Chief Administrative Officer execute a final lease agreement, subject to it containing the same terms as the interim lease; and,
- S** The Municipality amend its sublease agreement with the Central Nova Horse and Pony Association to reflect the term and per acre cost and that the Mayor and Chief Administrative Officer be authorized to execute this agreement; and,
- S** The Municipality express its objection to the retroactive billing.

Motion Carried Unanimously.

**Road Name Change -
Section of Hill Street
to William Street**

Moved by Deputy Mayor Matheson
Seconded by Councillor Edwards

“That the section of Hill Street from William Street to Miller Road be renamed William Street and staff be instructed to forward appropriate information to the Department of Transportation and Public Works.”

Motion Carried Unanimously.

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

Moved by Deputy Mayor Matheson
Seconded by Councillor Elliott

“That Council approves the addition of one citizen representative from Colchester County to the Joint St. Andrews River Watershed Planning Advisory Committee and that the Committee policy be amended accordingly.”

Motion Carried Unanimously.

**Chignecto-Central
Regional School
Board - Principal’s
House on Old School
Site**

Moved by Deputy Mayor Matheson
Seconded by Councillor Elliott

“That Council declines the offer from the Chignecto-Central Regional School Board to resume ownership of the Principal’s House located on the old school site property in South Colchester; thereby, giving the Board the responsibility of tendering the sale and relocation of the building.”

Motion Carried Unanimously.

**Planning Advisory
Committee**

Councillor Masters reported that the PAC has approved requests for three subdivisions to be re-designated and the completed Central Colchester Municipal Planning Strategy and Land-Use By-law is on table this evening for First Reading.

**Nominating
Committee**

At its meeting on May 28, 2002, the Nominating Committee recommended that six nominees be appointed as Citizen Representatives on the Clifton District Planning Advisory Committee.

Moved by Councillor Baas
Seconded by Deputy Mayor Matheson

“That Council approves the recommendation of the Nominating Committee that the following nominees be appointed as Citizen Representatives on the Clifton District Planning Advisory Committee:

S Charles Baird
S Fred Blois
S Art Lynds
S Andrew McCurdy
S Ellen West
S Lloyd Yuill

Motion Carried Unanimously.

**Central Colchester
Municipal Planning
Strategy and Land-
Use By-Law - First
Reading**

Moved by Councillor Masters
Seconded by Councillor Lynds

“That Council approves at First Reading the Central Colchester Municipal Planning Strategy and Land-Use By-Law, including the list of amendments dated May 28, 2002 as circulated, for purposes of forwarding these documents to a Public Hearing, reserving consideration of the amendments until Second Reading following the Public Hearing.”

Motion Carried Unanimously.

**Sidewalk
Snowplowing**

Moved by Councillor Masters
Seconded by Councillor Taylor

“That the Municipality continue to provide sidewalk snowplowing services with its own staff and equipment; and,

That the Municipality purchase a used trackless or similar machine and attachments and that \$45,000 be budgeted for these purchases.”

Motion Carried Unanimously.

**Resolution re Area
Rates**

Moved by Councillor Elliott
Seconded by Councillor Edwards

“That the following resolution on area rates be approved:

WHEREAS the Municipal Council of the County of Colchester is required to levy rates which it deems sufficient for an area or for the benefit of an area for the current 12-month fiscal period;

RESOLVED that pursuant to **Section 75 of the Municipal Government Act**, the Municipal Council of the Municipality of the County of Colchester authorizes the levying and collection of the area rates as per attached Schedule “A”;

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 8th day of August, 2002;

FURTHER RESOLVED that said Council hereby imposes an additional percentage charge of 15% per annum on all rates and taxes remaining unpaid after the 8th day of August, 2002.”

Motion Carried Unanimously.

Motion - Financial Statements

Moved by Councillor McKenna
Seconded by Councillor Cooke

“That Council approve the preparation of financial statements for 2002-03 on a non-consolidated basis.”

Motion Carried Unanimously.

2004 UNSM Conference

Moved by Councillor Baas
Seconded by Councillor Taylor

“That the Municipality proceed with a 2004 application.”

Motion Carried.

(Councillors McKenna, Edwards, Elliott, Cooke opposed)

Highway 311

Councillor LeFresne reported on a Seniors’ Coalition meeting he attended which sponsored a Safe Driving Course for 74 seniors. Councillor LeFresne was asked by the Coalition to bring to Council a request to have a white line installed along the edge of Highway 311. Staff were asked to look into this matter with the Department of Transportation and Public Works. Councillor LeFresne was asked to check into whether this request included all of Highway 311 or just the area located near Tatamagouche.

Moved by Councillor LeFresne
Seconded by Councillor Baas

“That the issue of installing a white line along the edge of Highway 311 be referred to Council Committee.”

Motion Carried.

(Councillor Lynds opposed)

Green Bridges

Councillor Cavanaugh reported on the collapse of the Mowatts Hill Bridge in Riversdale earlier today. He asked Council to consider writing a letter to the Department of Transportation and Public Works concerning the urgency of replacing this bridge as it is used as the main link for those travelling towards the Truro area.

Moved by Councillor Cavanaugh
Seconded by Councillor McKenna

“That a letter be sent to the Department of Transportation and Public Works and the area MLA concerning the urgency of replacing the Mowatts Hill Bridge in Riversdale.”

Motion Carried Unanimously.

Correspondence

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

- S** No. 1: letter dated April 25, 2002 from UNSM concerning Assessment Services Division
- S** No. 9: letter dated May 6, 2002 from N.S. Department of Agriculture and Fisheries concerning boundary change of Truro Dykeland Park
- S** Nos. 10 and 11: letters dated May 6, 2002 from Canada/N.S. Infrastructure Program concerning municipal infrastructure project priorities for 2002-03 and the Brookfield Sewage Treatment Plant
- S** No. 14: letter dated May 8, 2002 from CoRDA concerning proposed UNESCO Biosphere Designation
- S** No. 15: letter dated May 9, 2002 from Department of Education regarding enhancement funding for South Colchester High School

ACTION

**Vance Hanes, L.V.
Hanes Investments
Ltd.**

A letter to Mayor Smith and Council dated May 7, 2002 from **Vance Hanes, L.V. Hanes Investments Ltd.**, requesting rezoning of property located on Jollytown Road.

Moved by Councillor Cavanaugh
Seconded by Deputy Mayor Matheson

“That the letter from L.V. Hanes Investments Ltd. requesting rezoning of property located on Jollytown Road be referred to the Planning Advisory Committee.”

Motion Carried Unanimously.

**K. Wayne
McCormick,
Chairman, The
Village of Bible Hill**

A letter to Mayor Smith dated April 22, 2002 from **K. Wayne McCormick, Chairman, The Village of Bible Hill**, regarding an amendment to the subdivision by-law on installation of storm drains and sidewalks on main streets in new subdivisions.

Moved by Councillor Taylor

Seconded by Councillor McKenna

“That the letter from the Village of Bible Hill requesting that the Municipality investigate an amendment to the subdivision by-law on installation of storm drains and sidewalks on main streets in new subdivisions be referred to Council Committee.”

Motion Carried Unanimously.

**Residents,
Littlebrook Road,
Hilden**

A letter to the County dated April 16, 2002 from **residents of Littlebrook Road, Hilden**, requesting that the County provide maintenance of their road.

Moved by Deputy Mayor Matheson
Seconded by Councillor Elliott

“That the letter from residents of Littlebrook Road requesting that the County provide maintenance of their road be referred to Council Committee.”

Motion Carried. *(Councillor Cavanaugh opposed)*

**Krista Poole,
Coordinator,
Central Nova
Women’s Resource
Centre**

A copy of letters dated May 9 and 16, 2002 from **Krista Poole, Coordinator, Central Nova Women’s Resource Centre**, concerning support for Women’s Centres.

Moved by Councillor LeFresne
Seconded by Councillor Cavanaugh

“That the letters from the Central Nova Women’s Resource Centre concerning support for Women’s Centres be received for information.”

Motion Carried. *(Mayor Smith opposed)*

**Sue Coueslan,
Fundraising and
Event Coordinator,
Child Care
Connection-N.S.**

A letter to Mayor Smith dated April 26, 2002 from **Sue Coueslan, Fundraising and Event Coordinator, Child Care Connection-N.S.**, requesting Council’s declaration of June 2002 as Child Care Awareness Days.

Moved by Councillor McKenna
Seconded by Councillor Lynds

“That the Municipality of Colchester declare the month of June 2002 as Child Care Awareness Days.”

Motion Carried. *(Councillor LeFresne opposed)*

Wayne Durning

A letter to Council dated May 20, 2002 from **Wayne Durning** requesting financial support for the Lornevale Keep Association Festival.

Moved by Councillor Taylor
Seconded by Councillor McKenna

“That the request for financial support for the Lornevale Keep Association Festival be denied.”

Motion Carried. *(Mayor Smith, Councillors Cooke and Lynds opposed)*

**Union of N.S.
Municipalities**

A copy of a letter dated April 25, 2002 from the **Union of N.S. Municipalities** to Angus MacIsaac concerning the Assessment Services Division.

Mr. MacIsaac advised that there are no new developments regarding the new assessment agency. Our next step would be to forward Deputy Mayor Matheson’s name as a nominee for the new Board; however, we are not at this stage yet.

**Hank Kolstee,
Supervisor, Land
Protection, N.S.
Dept. of Agriculture
and Fisheries**

A letter to Crawford Macpherson dated May 6, 2002 from **Hank Kolstee, Supervisor, Land Protection, N.S. Department of Agriculture and Fisheries**, concerning a boundary change to the Truro Dykeland Park.

Staff were asked to follow up to determine the status of a letter to the N.S. Department of Agriculture and Fisheries requesting changes to provide private property owners the same fair access under the provincial process as provided under municipal processes.

**Grant Brennan,
Provincial Program
Manager,
Canada/N.S.
Infrastructure
Program**

Letters to the Chief Administrative Officer dated May 6, 2002 from **Grant Brennan, Provincial Program Manager, Canada/N.S. Infrastructure Program**, concerning municipal infrastructure project priorities for 2002-03 and the County’s request to change the treatment technology for the Brookfield Sewage Treatment Plant.

With respect to the Brookfield Sewage Treatment Plant, Mr. Susheel Arora, Director of Public Works, reported that the entire environment assessment process will not be necessary as a result of this change in technology as the dispersion quality will remain the same. Approval is expected within the next week.

Moved by Councillor Taylor
Seconded by Deputy Mayor Matheson

“That the Municipality request further clarification of the letter from the

Canada/N.S. Infrastructure Program regarding availability of funds for the Tatamagouche Sewage Treatment Plant.”

Motion Carried Unanimously.

**Donald Lohnes,
Regional Director,
Facilities
Management, Dept.
of Education**

A letter to the Director of Corporate Services dated May 9, 2002 from **Donald Lohnes, Regional Director, Facilities Management, Department of Education**, regarding enhancement funding for the South Colchester High School.

Deputy Mayor Matheson indicated that he thought that final payment of the enhancement funding was due on the opening of the South Colchester High School (September 2003) and not the completion date of June 1, 2003, as stated in the letter from the Department of Education.

**Jo Ann Fewer, Co-
Chair, Bay of Fundy
Biosphere Initiative**

A letter to Mayor Smith and Council dated May 8, 2002 from **Jo Ann Fewer, Co-Chair, Bay of Fundy Biosphere Initiative**, concerning the proposed UNESCO Biosphere Designation.

Further to a discussion on this issue earlier this evening, Council agreed to refer it to June Council Committee in order to obtain additional information and that Ms. Fewer be invited to attend.

Councillor McKenna offered to share with Council the information he had gathered on this subject.

INFORMATION

**Councillor Jerry
Blumenthal,
President, UNSM**

An e-mail dated April 26, 2002 from **Councillor Jerry Blumenthal, President, Union of Nova Scotia Municipalities**, concerning fire vehicles and use of restricted license plates. Council agreed to receive this e-mail for information purposes.

**Union of N.S.
Municipalities**

A copy of the N.S. Legislation Report Spring Session 2002 dated April 26, 2002 from the **Union of Nova Scotia Municipalities**. Council agreed to receive this report for information purposes.

**Union of N.S.
Municipalities**

A copy of the N.S. Legislation Report Spring Session 2002 dated May 10, 2002 from the **Union of Nova Scotia Municipalities**. Council agreed to receive this report for information purposes.

**Krista Burrill, Public
Relations, Colchester
East Hants Health
Authority**

A copy of a news release dated May 2, 2002 from **Krista Burrill, Public Relations, Colchester East Hants Health Authority**, announcing the Authority's first district accreditation. Council agreed to receive this news release for information purposes.

**Jack Layton,
President, Federation
of Canadian
Municipalities**

A copy of a letter dated May 1, 2002 from **Jack Layton, President, Federation of Canadian Municipalities**, regarding a municipal proposal to ratify the Kyoto Protocol. Council agreed to receive this letter for information purposes.

**Jack Layton,
President, Federation
of Canadian
Municipalities**

A copy of a Members Advisory dated May 2, 2002 from **Jack Layton, Federation of Canadian Municipalities**, regarding municipalities' response to an interim report from the Prime Minister's Task Force on Urban Issues. Council agreed to receive this correspondence for information purposes.

**Jane Stock, Interim
Project Manager, My
Home-Our
Environment**

A letter to Mayor Smith dated May 3, 2002 from **Jane Stock, Interim Project Manager, My Home-Our Environment**, regarding federal and provincial initiatives to reduce the use of pesticides. Council agreed to receive this letter for information purposes.

**John Leefe, Mayor,
Region of Queens
Municipality**

A copy of a letter to Angus MacIsaac dated May 7, 2002 from **John Leefe, Mayor, Region of Queens Municipality**, concerning a draft amendment to the Municipal Government Act dealing with water front properties. Council agreed to receive this letter for information purposes.

**Keith Hunter,
Warden, Municipality
of Cumberland**

A copy of a letter dated May 8, 2002 from **Keith Hunter, Warden, Municipality of Cumberland**, enclosing a copy of Cumberland's response to the Province's stabilization strategy (equalization grant). Council agreed to receive this letter for information purposes.

**Valerie Gauthier,
Director of Finance,
Chignecto-Central
Regional School
Board**

A letter to the Chief Administrative Officer dated May 13, 2002 from **Valerie Gauthier, Director of Finance, Chignecto-Central Regional School Board**, regarding the approved 2002-03 budget for the School Board (budget on file in Clerk's office). Council agreed to receive this letter for information purposes.

Building Inspector

A copy of the Building Permit Statistics Report received from the **Building Inspector** for the month of April 2002. Council agreed to receive this report for information purposes.

Development Officer

A copy of the Development Activity Report received from the **Development Officer** for the month of April 2002. Council agreed to receive this report for information purposes.

Aliant Telecom

A letter to Mayor Smith dated May 8, 2002 from **Aliant Telecom** regarding the 2002 Aliant Telecom Community Investment Report (copy of report on file in Clerk's office). Council agreed to receive this letter for information purposes.

**Union of N.S.
Municipalities**

A copy of a presentation to the Law Amendments Committee from the **Union of N.S. Municipalities**, on Bill No. 125, Smoke-Free Places

Act. Council agreed to receive this presentation for information purposes.

George and Donna MacNeil, 1366 Onslow Mountain Road AND Gary MacIsaac, County Chief Administrative Officer

A letter to the Municipality dated May 6, 2002 from **George and Donna MacNeil, 1366 Onslow Mountain Road**, concerning the use of green carts and a response to this letter dated May 22, 2002 from **Gary MacIsaac, Chief Administrative Officer**. Council agreed to receive these letters for information purposes.

Catherine Ray, Office of Energy Efficiency, Natural Resources Canada

A copy of a notice from **Catherine Ray, Office of Energy Efficiency, Natural Resources Canada**, concerning an upcoming newsletter entitled the 'Idle-Free Zone'. Council agreed to receive this correspondence for information purposes.

Stora Enso North America

A copy of a news release dated May 16, 2002 from **Stora Enso North America**, regarding the future of the newsprint facility. Council agreed to receive this news release for information purposes.

Allan Rock, Minister of Industry

A copy of a letter from **Allan Rock, Ministry of Industry**, inviting municipal leaders to participate in the refinement and implementation of Canada's Innovation Strategy (additional information on file in Clerk's office). Council agreed to receive this letter for information purposes.

Reports from Councillors Appointed to Outside Boards and Agencies

Tatamagouche Village Commission

Councillor LeFresne reported on a meeting of the Commission he attended on May 27, 2002. Mr. Ian Langille has been appointed as the new Chair of the Commission. There were some health concerns over the blue box being located within the Village limits. The Village is asking that the blue box not be replaced this year and the Municipality has agreed to this.

Central Nova Tourist Association

Councillor Edwards reported that as of July 16, 2002, any advertising signs installed along the highways without a permit will be removed. Permits can be obtained from the Department of Transportation and Public works.

Chignecto-Central Regional School Board

Deputy Mayor Matheson reported that the sod turning for the new South Colchester High School took place this morning.

**Briefing to Law
Amendments
Committee**

Mr. MacIsaac and Deputy Mayor Matheson represented the Municipality at the Law Amendments Committee session on May 27, 2002. Mr. MacIsaac indicated that the Brief, which is on table this evening, was presented indicating Council's support of Bill 129 in its present form. Maritimes Northeast was not in attendance at Law Amendments.

**Presentation of the
Dutch Medal of
Remembrance**

Councillor Baas reported on a ceremony that he and Deputy Mayor Matheson attended at the Royal Canadian Legion on May 27, 2002. The ceremony involved the presentation by the Dutch Ambassador of the Dutch Medal of Remembrance to veterans in Truro, Colchester and surrounding areas. There were 315 medals presented at this ceremony and over 3,000 in Nova Scotia.

Recess

Council agreed to recess to an In-Camera meeting at 9:45 p.m. and reconvened in open session at 10:28 p.m.

Adjournment

Moved by Councillor Cavanaugh
Seconded by Councillor McKenna

“That the meeting be adjourned at 10:30 p.m.”

Motion Carried Unanimously.

Sheila Arsenault
Deputy Clerk