

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, September 26, 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

Manager of Recreation Services

Mr. Gary MacIsaac, Chief Administrative Officer, introduced Sue Burley to Council who began her employment with the Municipality this summer as the new Manager of Recreation Services.

Public Hearing - 308 Pictou Road, Bible Hill Growth Centre

Mayor Smith called the public hearing to order respecting a development agreement application involving a property located at 308 Pictou Road in Bible Hill owned by Valley Meadows Limited for the purposes of establishing a grouped dwelling unit development. The text for this application and a related staff report have been circulated to Council members and made available to the public.

The Clerk, Mr. Gary MacIsaac, advised that all guidelines of the Municipal Government Act regarding advertising of the public hearing have been followed.

Mayor Smith reminded Councillors that only those Councillors present through the public hearing can vote on the agreement when it is eventually considered by Council and this public hearing is Council's opportunity to hear the application and every concern of area residents. Individual Councillors will have an opportunity to debate the merits of the agreement when the motion is presented to Council. Staff are present at this hearing to answer any technical questions that may arise as a result of the public's input.

Mr. Paul Smith, Municipal Planner, presented a brief overview of the agreement application. The application is for 3-four unit buildings on a single lot located at 308 Pictou Road. Mr. Brian Phelan of Valley

Meadows Limited is the applicant and owner of the property. The three buildings are offset from one another and connected by a 20-foot driveway with three parking areas. The site will be extensively landscaped as part of the project and the mature stand of spruce trees will remain along the back property line for buffering and screening purposes. Mr. Smith indicated that approval of this application will be at no additional cost to the Municipality as services are already available. The site is fairly well organized with adequate parking plus room for a couple of additional spaces if required.

The application for a development agreement has been made under Policy RP-25 of the Central Colchester Municipal Planning Strategy. Proposal has been reviewed by the Building Inspector, Development Officer, Public Works and the Department of Transportation and Public Works, all of whom are satisfied that the application at least meets the basic criteria for this type of development. Mr. Smith is recommending that Council enter into this development agreement with Valley Meadows Limited.

Mr. Brian Phelan, Property Owner, 308 Pictou Road: Mr. Phelan stated that he has been out of the country until September 24th and was unable to get the plans updated to include the windows. The windows will be three to four feet high verticals with grills. His desire is to have the building look attractive with extensive landscaping as well as being an asset to the community. The buildings are intended for senior citizens.

Councillor Masters advised that the Planning Advisory Committee had reviewed the application and more specifically, the development agreement itself to ensure that the developer complies with the terms of the agreement.

Mr. MacIsaac advised that no written submissions had been received regarding this application.

In response to Mayor Smith's call for public presentations, the following was received:

Mr. Graham Mumford: Mr. Mumford, a property owner adjacent to 308 Pictou Road, has a boundary dispute with the owner affecting the southern property line. He asked whether the line shown on the survey is the latest version. Mr. Smith advised that the site plan was developed on information received from the applicant and that he was aware of the boundary dispute and included a provision in the agreement to address this issue. Mr. Phelan was also advised by letter of this provision being added to the agreement. It was noted that this provision was not included in the copy of agreement circulated to Council and Mr. Smith assured Council that this would be done. At this point in the hearing,

the Municipal Solicitor read the applicable paragraph into the minutes:

“30. Developer acknowledges that the property owner of the property to the south of the lands asserts that the property line is approximately ten feet to the north of the property line depicted on the plans attached hereto (as indicated by the other survey pins shown on the plot plan). In the event that the boundary is ultimately determined by agreement or by Court Order to be located to the north of the boundary line depicted on the plot plans attached hereto, this Agreement shall apply to the lands with that amended boundary, and no further amendment of this Agreement shall be required. All terms and conditions of this Agreement shall remain applicable with any necessary modifications to reflect the amended boundary. The Developer acknowledges and agrees that the Municipality, by entering into this Agreement, takes no position as to the actual location of the southern boundary of the lands.”

The Municipal Solicitor advised that it is not normally the Municipality’s responsibility to determine who owns what. In this case, there are two different surveys which disagree and it should fall to Mr. Mumford and Mr. Phelan to resolve the boundary dispute as it does not raise any serious planning or legal implications with the agreement.

As Chair of the Planning Advisory Committee, Councillor Masters placed the following motion on the floor:

Moved by Councillor Masters
Seconded by Councillor Lynds

“That Council approve and enter into the development agreement with Valley Meadows Limited involving a property at 308 Pictou Road as described in a planning report dated September 2002, with the substitution of a new Schedule “C” showing the windows on the front of the building.”

Motion Carried Unanimously.

Mayor Smith advised that this is a development agreement application which does not require approval of the Minister of Service Nova Scotia and Municipal Relations. Council’s decision on this application is appealable to the Nova Scotia Utility and Review Board. Any appeal of Council’s decision must be made within 14 days of the advertising of same in local newspapers.

As there was no further business, Mayor Smith declared the public hearing closed.

**Public Hearing -
Jollytown Road,
Upper Brookside**

Mayor Smith called the public hearing to order respecting an application for a zoning map amendment involving a property located on the Jollytown Road in Upper Brookside from the Rural General Zone to the Rural Industrial Zone owned by Vance Hanes Auto Parts Limited. The change would allow for the establishment of a storage compound used for auto salvage purposes on approximately eight acres of the site. The text for the application and a related staff report have been circulated to Council members and have been made available to the public.

The Clerk, Mr. Gary MacIsaac, advised that all guidelines of the Municipal Government Act regarding advertising of the public hearing had been followed.

Mayor Smith reminded Councillors that only those Councillors present through the public hearing can vote on the amendment when it is eventually considered by Council and this public hearing is Council's opportunity to hear the application and every concern of area residents. Individual Councillors will have an opportunity to debate the merits of the amendment when the motion is presented to Council. Staff are present at this hearing to answer any technical questions that may arise as a result of the public's input.

Mr. Paul Smith, Municipal Planner, presented a brief overview of the amendment application. The application is for the rezoning of the western portion of a 60-acre lot located on the south side of the Jollytown Road, near its intersection with the Upper Brookside Road. The application for a zoning map amendment is made under policy RFP-35 of the 2002 Municipal Planning Strategy.

Due to the size of the lot, staff suggest that only the portion being used for the intended use of approximately eight acres be considered under this application. The intended use of the site is for a fully enclosed storage compound that will serve as a holding area for an auto salvage business located on the Brookside Road. The area would be used strictly as storage for vehicles waiting to be dismantled or crushed. The site is generally well suited for this type of land use and its fairly remote location will help minimize land use impacts and associated nuisances. The bermed enclosure provides an effective screen from adjacent residential uses nearly 800 feet to the west. The Department of Environment and Labour have not raised any concerns that may prevent a license being issued. This type of business will not generate a lot of additional traffic - approximately five to eight trips per day. Staff are recommending that this eight-acre portion of the site be rezoned from Rural General to Rural Industrial.

Mr. Vance Hanes, Vance Hanes Auto Parts Ltd.: Mr. Hanes stated that he has been in business for 10 years on Brookside Road. Due to expansion of his business and parking problems, he purchased a 60-acre tract of land along the Jollytown Road.

Councillor Masters reported that the Planning Advisory Committee had looked favourably on this application. With the location being in a remote area, it was felt that the site was more than suitable for this type of operation. The Committee did not have any environmental issues.

Mr. MacIsaac advised that no written submissions had been received regarding this application.

In response to Mayor Smith's call for public presentations, the following were received:

David Brush: Mr. Brush stated that residents are concerned with the bermed enclosure. Although it does serve as a screen from the residential uses some 800 feet away, it is just a dirt wall and very unsightly. He also did a tour of the site and was concerned with children playing in the area where cars are stacked up. There are no fences or signs on the site. Trunks are also left open which pose a danger to children. There are also some general housekeeping issues such as broken glass, old tires laying around, and oil on the ground. He believes there will be an increase in traffic as well as vandalism. He suggested that the application not be approved and the zoning remain the same.

Ray Comeau: Mr. Comeau stated that he has been in the business of junking cars for over 30 years. He felt this location would be a great site for Mr. Hanes' business rather than the lower part of Brookside Road and he supports the application.

Vance Hanes: Mr. Hanes indicated that he had been using the site for his business during the last year until he was asked by the Municipality to cease operations pending the outcome of this application. Mr. Smith advised that he understood that operations had stopped and that most of the vehicles that were stock piled on the site had been cleared out.

Mr. Hanes made the following commitments to Council:

- S hydro seeding the berm
- S signs posted to keep children out
- S possible netting of vehicles

As Chair of the Planning Advisory Committee, Councillor Masters placed the following motion on the floor:

Moved by Councillor Masters
Seconded by Councillor Lynds

“That Council approve the rezoning of a portion of the lands of Vance Hanes Auto Parts Limited located on the Jollytown Road from Rural General to Rural Industrial as described in a planning report dated September 2002.”

Motion Carried Unanimously.

Mayor Smith advised that this is a rezoning application which does not require approval of the Minister of Service Nova Scotia and Municipal Relations. Council’s decision on this application is appealable to the Nova Scotia Utility and Review Board. Any appeal of Council’s decision must be made within 14 days of the advertising of same in local newspapers.

As there was no further business, Mayor Smith declared the public hearing closed.

**Public Hearing -
Administrative
Amendments -
Central Colchester
Land-Use By-law**

Mayor Smith called the public hearing to order respecting a series of administrative land-use by-law amendments. The text of the amendments have been circulated to Council members and have been made available to the public.

The Clerk, Mr. Gary MacIsaac, advised that all guidelines of the Municipal Government Act regarding advertising of the public hearing have been followed.

Mayor Smith reminded Councillors that only those Councillors present through the public hearing can vote on the amendments when they are eventually considered by Council and this public hearing is Council’s opportunity to hear the application and every concern of area residents. Individual Councillors will have an opportunity to debate the merits of the amendments when the motion is presented to Council. Staff are present at this hearing to answer any technical questions that may arise as a result of the public’s input.

Mr. Paul Smith, Municipal Planner, indicated that the 2002 Municipal Planning Strategy and Land-Use By-law have been in effect now for a couple of months. The purpose of the amendments is to clarify the intent of some of the provisions in the By-law and to clear up any discrepancies.

Councillor Masters reported that the Planning Advisory Committee considered these amendments to be housekeeping issues and the Committee agrees with the proposed changes.

Mr. MacIsaac advised that no written submissions had been received regarding these amendments.

There was no response to Mayor Smith's call for public presentations.

As Chair of the Planning Advisory Committee, Councillor Masters placed the following motion on the floor:

Moved by Councillor Masters
Seconded by Councillor Edwards

"That Council approve the administrative amendments to the Central Colchester Land-Use By-law as outlined in a report dated September 2002."

Motion Carried Unanimously.

Approval of Agenda

Moved by Councillor Elliott
Seconded by Councillor Cooke

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

- S 14a: Altered Agenda
- S 14b: Questions from Solicitor
- S 14c: When is a Policy not a Policy
- S 14d: Balefill Tour (on table)"

Motion Carried Unanimously.

Minutes

Moved by Councillor McKenna
Seconded by Councillor Taylor

"That the minutes of the meetings held on August 15 and 29, 2002 be approved as circulated."

Motion Carried Unanimously.

Business Arising from the Minutes

There was no business arising from the minutes of August 15 and 29, 2002.

Presentations

Mr. Carl Shaw - Special Hazards Response Unit (SHRU)

Mr. Shaw is appearing before Council this evening at the request of Council Committee from its meeting held on September 12th. At part of this presentation, Council were invited to view a display of equipment in the parking lot prior to tonight's session.

Mr. Shaw indicated that the Special Hazards Response Unit is a non-fire

emergency response unit which has been in operation for six years. The unit came about because the Onslow-Belmont Fire Brigade, who had been responding to hazardous material type calls since the 1980's, did not want to do it anymore due to lack of calls. Types of calls responded to include the following:

- S hazardous materials
- S high angle rescue
- S silo rescue
- S ice and water
- S dive
- S collapse
- S mass casualty
- S rehabilitation service
- S rapid intervention

Mr. Shaw indicated that when the SHRU was formed, a business plan was presented to Council which resulted in approval of start-up funding in the amount of \$25,000. In addition to the \$25,000 from the Municipality, the SHRU received \$50,000 worth of goods from various parties. They made application and received \$40,000 from the Emergency Measures Program under the Joint Emergency Preparedness Program. Donations of equipment were received from other organizations.

The Response Unit is located at 37 Pictou Road which is owned by the Municipality. The Municipality is responsible for utilities in the building as well as insurance.

Manpower for the organization comes from volunteer fire services as they come into the unit reasonably well trained. There are currently 11 volunteer fire brigades in the County. The organization includes a Director, two Deputies, a Secretary-Treasurer, and rescue areas are set up under team leaders. Mr. Shaw indicated that his job is logistics. Members are all volunteers

The SHRU provides a service to the following municipalities: Colchester, East Hants, Cumberland, Municipality and Town of Antigonish, Municipality and Town of Pictou, District of St. Mary's, Towns of Mulgrave, Canso, Parrsboro, Oxford, Stellarton, New Glasgow and Trenton. The Towns of Amherst, Springhill and Stewiacke have opted not to buy into the service.

**Council Committee
Reports and
Recommendations**

Deputy Mayor Matheson presented the report from the Council Committee meeting held on September 12, 2002:

Smoking By-law

Moved by Deputy Mayor Matheson

Seconded by Councillor Elliott

“That Council approves the appointment of Councillor Keith Baas to a regional committee formed to make recommendations for a regional smoking by-law.”

Motion Carried Unanimously.

**UNSM Fall
Conference 2002**

Moved by Deputy Mayor Matheson
Seconded by Councillor McKenna

“That Council approves the following to attend the UNSM Annual Conference as designated voting delegates:

- S Mayor Michael Smith
- S Deputy Mayor Hugh Matheson
- S Councillor Keith Baas
- S Councillor Jimmie LeFresne
- S Councillor Bill Masters (to be confirmed)
- S Councillor Earl McKenna

and as non-voting delegates:

- S Councillor Richard Elliott
- S Councillor Glen Edwards
- S Councillor Ron Cavanaugh
- S Councillor Bob Taylor (to be confirmed)
- S Councillor Soley Lynds (to be confirmed)”

Motion Carried Unanimously.

**Art Selection
Committee**

Moved by Deputy Mayor Matheson
Seconded by Councillor Elliott

“That Council approves the appointment of Mayor Michael Smith and Councillor Glen Edwards to serve on the Art Selection Committee for the Municipality of the County of Colchester’s Art Selection Program for 2002.”

Motion Carried Unanimously.

**Certificate in Municipal
Governing**

Conflict of Interest: Councillor Elliott declared a conflict of interest and removed himself from discussion on this matter.

Moved by Deputy Mayor Matheson
Seconded by Councillor McKenna

“That Council approves funding in the amount of \$845 for tuition plus

travel costs for Councillor Richard Elliott to enroll in the Certificate in Municipal Governing Program; and,

That Council authorizes staff to research and report back on a Council training and development policy.”

Motion Carried Unanimously.

At this point, Councillor Elliott returned to the table.

**Executive and Audit
Committee**

Mr. Bruce Purchase, Director of Corporate Services, updated Council on the Request for Proposals for Banking Services. A committee has been formed of four staff who are now in the process of developing a proposal. Examples from other municipalities in the province will be looked at. It will take four to six weeks to invite proposals and receive responses with changeover early in the new year.

**Planning Advisory
Committee**

Councillor Masters stated that all PAC activity had been reported earlier this evening during the public hearings.

**Strategic Planning
Survey**

In the form of an overhead presentation, Mr. MacIsaac walked Council through the entire strategic planning survey. Highlights of this discussion include the following (a detailed report is available in the Clerk’s office):

- S consideration of a business survey
- S availability to community associations
- S urban versus rural breakdown on issues identified
- S clarification on Councillor honorariums
- S revisit the whole section on amalgamation
- S revisit the section on general and area rates
- S ask how residents find out about municipal activities rather than how would they like to find out

Moved by Councillor Taylor
Seconded by Deputy Mayor Matheson

“That Council authorizes Council Committee to make final decisions with respect to the budget and survey at its October 10, 2002 meeting; and,

That Council recommends to Council Committee that the attached budget dated September 20, 2002 be approved in the amount of \$13,575; and,

That Council recommends to Council Committee that the survey be approved with any modifications agreed to by Council; and,

That Council authorize entering into a consulting contract with dhpoel consulting in an amount of \$6,600 plus HST and the CAO be authorized to execute this agreement.”

Motion Carried Unanimously.

**Progress Report from
Atlantic Recycled
Rubber Inc. - Tire Fluff
Problems**

Mr. MacIsaac referred to and read the letter on table from Atlantic Recycled Rubber Inc. dated September 25, 2002.

It was Council's preference that Atlantic Recycled Rubber appear again before Council to explain why the contract for the tire fluff had not as yet been secured and to give a progress report on the elimination of tire fluff from the Balefill facility which was not addressed in their letter dated September 25th.

Council agreed to invite Atlantic Recycled Rubber in writing to make a presentation to October Council Committee which coincides with a Community Liaison Committee meeting being held the afternoon of the same date.

Council also felt that the letter did not satisfactorily address diversion of tire fluff and requested that tipping fees be referred to October Committee. Staff indicated that they will run a tipping fee analysis for this meeting which will follow a by-law model.

On a separate but related matter, Councillor Baas indicated that he would circulate a paper to Council entitled "Recovering Energy from Garbage".

**Second Reading -
Council Proceedings By-
law Amendment**

Moved by Councillor LeFresne
Seconded by Councillor Elliott

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

Motion Carried Unanimously.

Correspondence

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

- S** No. 12: letter dated September 19, 2002 from Service N.S. and Municipal Relations announcing the completion of the Municipal Indicators Project

ACTION

**The Honourable Denis
Coderre, Minister of
Citizenship &
Immigration**

A copy of a letter dated August 5, 2002 from **The Honourable Denis Coderre, Minister of Citizenship and Immigration** requesting a motion to proclaim week of October 14-20, 2002 as Canada's Citizenship Week.

Moved by Councillor Taylor
Seconded by Councillor Baas

“That the week of October 14-20, 2002 be proclaimed as Canada’s Citizenship Week.”

Motion Carried Unanimously.

Jane Steen, USA

A letter to the Mayor and Council dated September 1, 2002 from **Jane Steen, USA**, regarding closing of the trailer court located on Millbrook First Nations property.

Moved by Councillor McKenna
Seconded by Councillor Taylor

“That the letter dated September 1, 2002 from Jane Steen regarding closing of the trailer court located on Millbrook First Nations property be received for information.”

Motion Carried. *(Councillor Lynds opposed)*

**Angus MacIsaac,
Minister, Service N.S.
& Municipal Relations**

A copy of a letter dated September 11, 2002 from **Angus MacIsaac, Minister, Service Nova Scotia and Municipal Relations**, enclosing a copy of the Municipal Elections Act Review Discussion Paper.

Moved by Councillor Elliott
Seconded by Deputy Mayor Matheson

“That the letter dated September 11, 2002 from Angus MacIsaac concerning the Municipal Elections Act Review Discussion Paper be referred to Council Committee.”

Motion Carried Unanimously.

**Bob Houlihan,
Municipal Advisor,
Service N.S. &
Municipal Relations**

A letter dated September 19, 2002 from **Mr. Bob Houlihan, Municipal Advisor, Service N.S. and Municipal Relations**, announcing the completion of the Municipal Indicators Project.

Mr. MacIsaac encouraged Council to check out the website referred to in this correspondence which contains all municipal indicators completed under this project. The broad indicators are used as a measurement tool to see how municipalities are performing.

INFORMATION

**Barbara Taylor and
Valerie Sibley, St.
Andrews River Citizens’
Coalition**

A copy of a letter dated August 29, 2002 to the Town of Stewiacke from **Barbara Taylor and Valerie Sibley, St. Andrews River Citizens’ Coalition**, regarding an alternative water source. Council agreed to receive this letter for information purposes.

**Kenneth Simpson,
Executive Director,
UNSM**

A copy of a memorandum dated September 18, 2002 from **Kenneth Simpson, Executive Director, UNSM**, containing a report from the 2002-03 Nominating Committee. Council agreed to receive this memorandum for information purposes.

Building Inspector

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

Development Officer

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

**Gaynol Keith,
Coordinator, N.S.'s
Adopt-A-Highway
Program**

A letter dated September 5, 2002 from **Gaynol Keith, Coordinator, Nova Scotia's Adopt-A-Highway Program**, enclosing information on the Adopt-A-Highway program. Council agreed to receive this letter for information purposes.

**Gwyn Morgan,
President and CEO,
EnCana**

A copy of a letter dated September 4, 2002 from **Gwyn Morgan, President and CEO, EnCana**, concerning the Kyoto Protocol. Council agreed to receive this letter for information purposes.

**Alex Steeves, N.S.
Dept. of Justice**

A copy of a letter dated August 29, 2002 from **Alex Steeves, N.S. Department of Justice**, regarding the White Paper on Policing. Council agreed to receive this letter for information purposes.

**N.S. Adopt-A-Highway
Program**

A copy of the 'Literature' newsletter for Fall 2002 received from **N.S. Adopt-A-Highway Program**. Council agreed to receive this newsletter for information purposes.

**Stephen McIntosh,
Communications
Coordinator, Forest
Products Association of
N.S.**

A letter to Mayor Smith dated September 12, 2002 from **Stephen McIntosh, Communications Coordinator, Forest Products Association of Nova Scotia**, outlining the mandate of the Association. Council agreed to receive this letter for information purposes.

**Brian Stonehouse and
Ron L'Esperance,
Deputy Ministers of
Service N.S. &
Municipal Relations and
Environment & Labour**

A copy of a letter dated September 13, 2002 from **Brian Stonehouse, Deputy Minister, Service Nova Scotia and Municipal Relations and Ron L'Esperance, Deputy Minister, Environment and Labour**, announcing the transfer of the Building Code Act. Council agreed to receive this letter for information purposes.

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

A letter dated September 16, 2002 from **Valerie Gauthier, A/Director of Finance, Chignecto-Central Regional School Board**, regarding approved financial statements ending March 31, 2002 (full report on file in the Clerk's office). Council agreed to receive this letter for information purposes.

**Joyce MacLean,
Central Nova Tourist
Association**

An e-mail dated September 24, 2002 from **Joyce MacLean, Central Nova Tourist Association**, attaching the fall issue of the Fundy newsletter. Council agreed to receive this e-mail for information purposes.

**Gwyn Morgan,
President and CEO,
EnCana**

A copy of an Address to the Canadian Chamber of Commerce dated September 2002 from **Gwyn Morgan, President and CEO, EnCana**, concerning the Kyoto Accord (full document on file in Clerk's office). Council agreed to receive this correspondence for information purposes.

**Meeting with
Colchester Firefighters
Association**

A meeting has been arranged of Council and the Colchester Firefighters Association for 7:00 p.m., Tuesday, October 1, 2002 in Council Chambers. Councillors Masters and Lynds indicated they would be unable to attend.

**Great Village Sewage
Treatment Plant -
Engineering Services**

In response to the Request for Proposals to cover design and construction services of the Great Village Sewage Treatment Plant, four bids were received. Dillon Consulting Limited was awarded the Proposal with a bid was \$27,768 plus HST.

**Brookfield Sewage
Treatment Plant - Status
Report**

The construction of this facility began in early July. The Project Schedule submitted by the Contractor indicates that the new plant should be able to receive flows in the third week of December 2002. There will be some landscaping work left after December which will be completed in the spring of 2003.

Altered Agenda

Councillor Cavanaugh reported that, at the Council Committee session on September 12, 2002, the agenda was altered without permission. It was noted that there is an appeal process whereby a Councillor can appeal the ruling of the Chair. It is up to the Councillor to deal with it.

Questions from Solicitor

Councillor Cavanaugh asked whether the Solicitor has the right to ask a question once a Councillor has made a motion. Mr. Rogers, the Municipal Solicitor, stated that it really should go through the Chair. If it is just a procedural issue, then the Solicitor may inform the Chair only and not the group at large. Mr. Rogers was not aware of any set ruling on this.

**When is a Policy not a
Policy**

Referring to the CAO's letter to the Valley-Kemptown Fire Brigade dated August 29, 2002 concerning payment of trucks, it was suggested that if there is no policy in place regarding this issue, then Councillors should be informed of this rather than reading about it in the newspapers.

Balefill Tour

Since the recent fire at the Balefill, a number of operational changes have been made at the site. It was recommended that members of Council have a tour of the Balefill before meeting with the Colchester Firefighters Association. A tour has been scheduled for Monday, September 30, 2002 at 12:30 p.m.

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

Library Board

Councillor Cooke reported that he had attended a meeting of the Library Board on September 24th. The Board is still looking for a report from the County on air quality in the Tatamagouche Library building. Mr. Purchase reported that the Building Inspector's report would be made available to the Tatamagouche Library. The Board is still concerned with the overcrowding problem in their current location in Truro.

Smoke-Free Regional Committee

Councillor Baas reported that he attended the first meeting of this Committee. He asked whether he could have a legal opinion from the Municipal Solicitor on a 26-page document he received.

Moved by Councillor Baas
Seconded by Councillor Lynds

“That Council authorize the Municipal Solicitor to provide a legal opinion on the Town of Hudson report.”

Motion Carried Unanimously.

On a separate but related issue, Councillor LeFresne reported that he had received an e-mail which stated that all municipalities were fast tracking the smoke-free policy through their Councils and that the Community Health Board is playing a leading role in this. He was informed that this is happening and that Colchester has appointed a person to sit on the committee.

Economic Development Transition Committee

Mayor Smith reported that there have been a number of meetings held of the Economic Development Transition Committee since his last report and he hopes at some point to have some positive job news regarding the Executive Director position.

Central Nova Tourist Association

Councillor Edwards reported that the Tourism strategy is setting its goal for the next 10 years to increase revenue from \$149 million to \$300 million.

St. Andrews River Watershed Planning Advisory Committee

Councillor Elliott reported that the Committee has had another review of the draft proposal. The consultants who did the original proposal are no longer involved in the project.

CoRDA

Councillor Taylor updated Council on the latest CoRDA activities:

- S** CEO working with Industrial Promotions Officer on a couple of projects, including the Titanium project
- S** Halifax-Moncton Corridor meeting set up in Debert for October 16th
- S** Meeting with Gordon Balsler on October 3rd
- S** Federal Minister for Rural Development at Town Hall meeting in Stewiacke on October 5th
- S** Small Business Week - breakfast in Stewiacke, Tatamagouche and possibly West Colchester
- S** IT Sector Initiative - looking at smaller scale version

Flood Advisory Committee

Councillor Taylor reported that he has been in touch with Gordon Murray on a weekly basis. May know as early as tomorrow who successful candidate will be.

Recess

Council agreed to recess to an In-Camera meeting at 11:45 p.m. and reconvened in open session at 11:50 p.m.

Adjournment

Moved by Councillor McKenna
Seconded by Councillor Lynds

“That the meeting be adjourned at 12:35 a.m.”

Motion Carried Unanimously.

Sheila Arsenault
Deputy Clerk