

January 25, 2007

MUNICIPAL COUNCIL

The Regular Session of the Municipal Council of the Municipality of the County of Colchester was held in the Courthouse, Truro, N.S. on Thursday, January 25, 2007 at 7:00 p.m.

Roll Call

The roll was called with the following Councillors in attendance:

Councillor Bob Taylor	District #1
Councillor Bill Masters	District #2
Deputy Mayor Hughie Matheson, Chair	District #3
Councillor Mike Cooper	District #4
Councillor Glen Edwards	District #5
Councillor Jimmie LeFresne	District #7
Councillor Soley Lynds	District #8
Councillor Bob White	District #9
Councillor Doug Cooke	District #10
Councillor Terri Mingo	District #11

Absent:

Mayor Mike Smith	
Councillor Ron Cavanaugh	District #6

Approval of Agenda

Moved by Councillor Edwards
Seconded by Councillor Mingo

“That the agenda for January 25, 2007 be approved with the following additions:

- add 10b: Midget ‘A’ 2007 N.S. Provincial Organizing Committee
- add under No. 5, Presentations: (1) Mr. Willis Lunn and (2) Citizens Against Burning of Tires”

Motion Carried Unanimously.

Approval of Minutes

Moved by Councillor Edwards
Seconded by Councillor Mingo

“That the minutes of the meeting held on November 23, 2006 be approved as circulated and the minutes of the meeting held on December 7, 2006 be approved with the following amendment:

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- Page 2, under Correspondence from Curtis Cameron, motion should read "Moved by Councillor Taylor, Seconded by Councillor White"

Motion Carried Unanimously.

Business Arising from Minutes

There was no business arising from the minutes of meetings held on November 23 and December 7, 2006.

Presentations

Willis Lunn

Mr. Lunn, a former school teacher, expressed his concerns to Council regarding the possibility of the Resource Recovery Fund Board awarding its tire burning contract to the Lafarge Cement Plant in Brookfield. Mr. Lunn indicated that the burning of tires will put contaminants in the air. He stated that we are into the three R's (reduce, re-use, recycle) and the burning of tires does not fit into recycling.

Citizens Against Burning of Tires

Mr. Allan Sorflaten made a presentation to Council on behalf of the Citizens Against Burning of Tires. The group is very concerned with Lafarge's intention to burn most of the Province's used tires in their cement making kilns as a source of low cost industrial fuel. This plan simply represents Lafarge's response to a business opportunity that has been presented to them by the Resource Recovery Fund Board of Nova Scotia.

The group felt the burning of tires does not fit into the three R's (reduce, re-use, recycle). Their message is that the burning of tires does not fit the environmental stewardship mandate that we in this province have set for ourselves.

A copy of this presentation and report was made available to Council and can be viewed in the CAO's office.

Moved by Councillor LeFresne
Seconded by Councillor White

"That the presentations from Mr. Willis Lunn and the Citizens Against Burning of Tires be received."

Motion Carried Unanimously.

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Mr. Jack Aitchison

Mr. Aitchison indicated that he is a beef farmer from the North Shore. He stated that he is having trouble with the French River jamming in the spring time and taking his fence out when it overflows onto his property.

Staff were directed to meet with Mr. Aitchison and the Department of Environment to see if there is something that can be done to remedy Mr. Aitchison's fencing problem.

Moved by Councillor LeFresne
Seconded by Councillor Masters

"That the presentation from Mr. Jack Aitchison be received."

Motion Carried Unanimously.

**Standing Committee
Reports and
Recommendations**

As Deputy Mayor Matheson was acting as Chair for this evening's meeting, Alternate Chair, Councillor Jimmie LeFresne, presented reports from the regular sessions of Council Committee held on December 11-14, 2006 and January 11, 2007:

**Request for Funding -
Truro Curling Club**

Moved by Councillor LeFresne
Seconded by Councillor Taylor

"That Council approves a contribution in the amount of \$5,810 be made to the Truro Curling Club to cover the replacement cost of an upgraded heating system, source of funds to be the 2006-07 general operating budget."

Motion Carried Unanimously.

**Repeal of Outdated
By-laws**

Moved by Councillor LeFresne
Seconded by Councillor Lynds

"That Council approves that Chapter 9 - Public Safety By-law; Chapter 10 - Health and Sanitation By-law; Chapter 12 - Municipal Property and Streets By-law; Chapter 13 - Trade and Licensing By-law; Chapter 14 -Stray Livestock By-law; Chapter 15 - County Jail By-law; Chapter 17 - Relief of Liability By-law; Chapter 19 - Boats By-law; Chapter 20 - Junk Dealers By-law; Chapter 23 - Amendment By-law; Chapter 24 - Repeal By-law; Chapter 27 - Minimum Housing and Maintenance Standards By-law and Chapter 43 - Entertainment By-law, be repealed."

Motion Carried Unanimously.

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**Funding Request -
Legion Provincial
Convention**

Moved by Councillor LeFresne
Seconded by Councillor White

“That Council approves a contribution in the amount of \$500 be made to the Royal Canadian Legion, Branch No. 26, in support of a provincial convention being held May 18-23, 2007, source of funds to be the 2006-07 Economic Development Grant Fund.”

Motion Carried Unanimously.

**Funding Request -
N.S. Sport Hall of
Fame**

Moved by Councillor LeFresne
Seconded by Councillor Taylor

“That Council approves a contribution in the amount of \$500 be made to the Nova Scotia Sport Hall of Fame in support of their capital campaign for a province-wide education program, source of funds to be the 2006-07 general operating budget.”

Motion Carried Unanimously.

**Request for Lands at
Salmon River - New
Elementary School**

Moved by Councillor LeFresne
Seconded by Councillor Edwards

“That Council approves the transfer of land in Salmon River, that was formerly known as the Old Stewiacke Road, from the Municipality of Colchester to the Province of Nova Scotia.”

Motion Carried Unanimously.

**Street Light Petition -
Belmont Road**

Moved by Councillor LeFresne
Seconded by Councillor Lynds

“That Council authorizes the Municipality to proceed with the installation of street lights along Belmont Road and that these costs be recovered through a flat rate area charge.”

Motion Carried Unanimously.

**Brookfield Sewer
Extension**

Through a powerpoint presentation, Mr. Ramesh Ummat, Director of Public Works, briefly described his trip to Ontario to look at similar technologies to the one proposed for Brookfield. Mr. Ummat indicated that he had spent two days visiting two sites where the Small Bore Sewer system was installed, talked to operators and homeowners, and visited the final sewage treatment plants associated with these systems. A memorandum providing further details was circulated on table for this evening's meeting.

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Moved by Councillor LeFresne
Seconded by Councillor White

“That Council approves sewer extensions be put in place on John Bell Road, Carter Road and Highway 2 South, using Small Bore Systems and convention system on the portion of Highway 2 North required to service John Bell Road.”

Motion Carried. *(Councillor Cooper opposed)*

Moved by Councillor Mingo
Seconded by Councillor Taylor

“That the Municipality approach the Department of Environment and Labour to determine whether they are interested in cost sharing in this sewer extension project in Brookfield that involves new and innovative technology.”

Motion Carried Unanimously.

**Planning Advisory
Committee**

Councillor Masters presented the report from the Planning Advisory Committee meeting held on January 4, 2007. He indicated that the Bible Hill Master Plan was received positively by developers and stakeholders. A public workshop will be held on February 21, 2007 at Jenkins Hall located on the N.S. Agricultural College campus.

ACTION ITEMS

**French River
Watershed Source
Water Management
Plan**

Through a powerpoint presentation, Mr. Crawford Macpherson, Director of Community Development, walked Council through the Source Water Management Plan for the French River Watershed. The Plan is a requirement under the Provincial Water Strategy and a requirement of the Municipality’s permit to operate the Tatamagouche Water Utility.

Moved by Councillor LeFresne
Seconded by Councillor Mingo

“That Council adopts the French River Watershed Source Water Management Plan as presented.”

Motion Carried Unanimously.

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**First Reading - Tax
Exemption By-law**

Moved by Councillor Masters
Seconded by Councillor Cooper

“That Council hereby approves by way of First Reading the Tax Exemption By-law as presented.”

Motion Carried. *(Councillor Cooper opposed)*

**First Reading -
Repeal of By-laws**

Moved by Councillor Mingo
Seconded by Councillor Taylor

“That Council approves by way of First Reading, Chapter 3 - Repeal of By-laws, as presented.”

Motion Carried Unanimously.

**First Reading -
Amendment to
Penalties By-law**

Staff noted an error on Page 1, No. 1 of the By-law. It should read “When any person **contravenes** any by-law.....”.

Moved by Councillor Mingo
Seconded by Councillor White

“That Council approves by way of First Reading, Chapter 22 - Penalties By-law as amended.”

Motion Carried Unanimously.

**Midget ‘A’ N.S.
Provincial Organizing
Committee**

Councillor LeFresne made reference to a letter on table dated January 22, 2007 from the Midget ‘A’ 2007 N.S. Provincial Organizing Committee in Tatamagouche. The Tatamagouche and Area Minor Hockey Association is hosting the 2007 Nova Scotia Midget ‘A’ Provincial Hockey Championships in March and are requesting the Municipality to provide financial assistance for this event through a contribution and an advertisement in the commemorative program.

Staff advised that it has been Council’s policy to not fund teams or provincial tournaments. Typically, Council has supported tournaments where teams are coming into the province or going out of province.

Council directed staff to write a letter to the Provincial Organizing Committee advising them that the Municipality does not provide funding to provincial tournaments.

Correspondence

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

- No. 8: letter dated November 30, 2006 from Canada-N.S.

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- Infrastructure Secretariat concerning release of 2006-07 gas tax funding allocation
- No. 11: letter dated December 5, 2006 from CoRDA regarding designation of Debert Diefenbunker as national historic site and museum
 - No. 12: letter dated December 11, 2006 from Resource Recovery Fund Board regarding RRFB tire contract
 - No. 25: letter dated January 11, 2007 from West Colchester Consolidated School concerning support for farmers in Nova Scotia
 - No. 29: email dated January 22, 2007 from County's Director of Community Development concerning Debert Industrial Parks Concept Development Plan

ACTION

**Jo Ann Fewer,
Executive Director,
CoRDA**

A letter to the CAO dated November 27, 2006 from **Jo Ann Fewer, Executive Director, Colchester Regional Development Agency**, regarding the use of infrastructure funds from the sale of assets at Debert for the Regional Business Parks Signage Strategy.

Moved by Councillor Taylor
Seconded by Councillor White

“That, at the request of the Colchester Regional Development Agency, Phase I of the Regional Business Parks Signage Strategy be moved forward to Council’s capital budget discussions for consideration of being added to the 2007-08 capital projects list.”

Motion Carried Unanimously.

**Dawn Heintz, 2007
Truro Tulip Festival
Coordinator,
Downtown Truro
Partnership**

A letter to Mayor Smith dated December 12, 2006 from **Dawn Heintz, 2007 Truro Tulip Festival Coordinator, Downtown Truro Partnership**, requesting financial assistance for the 2007 festival.

Moved by Councillor White
Seconded by Councillor Taylor

“That the letter from the Downtown Truro Partnership requesting financial assistance for the 2007 Truro Tulip Festival be referred to the grants process.”

Motion Carried. *(Councillor LeFresne opposed)*

Emily Lane, Bass

A letter to the Municipality from **Emily Lane, Bass River**,

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River

requesting removal of the heritage status from the Portapique United Church.

Moved by Councillor Masters
Seconded by Councillor Edwards

“That the letter from Emily Lane requesting removal of the heritage status from the Portapique United Church be referred to the Planning Advisory Committee.”

Motion Carried Unanimously.

Nick Pryce, Terrain Group Inc.

A letter to Mayor and Councillors dated December 19, 2006 from **Nick Pryce, Terrain Group Inc.**, regarding a Canadian Tire Store development project.

Moved by Councillor Taylor
Seconded by Councillor Cooper

“That the letter from Terrain Group Inc. regarding a Canadian Tire Store development project be referred to the Planning Advisory Committee.”

Motion Carried Unanimously.

**Andy Kenny,
Administrative
Officer, Highland
District Soccer
Association**

A letter to Mayor and Councillors dated January 8, 2007 from **Andy Kenny, Administrative Officer, Highland District Soccer Association**, requesting a letter of support for an indoor sports complex.

Moved by Councillor Cooper
Seconded by Councillor Lynds

“That the letter from the Highland District Soccer Association requesting a letter of support for an indoor sports complex be referred to Council Committee.”

Motion Carried Unanimously.

**Colleen Hunt,
Program Officer,
Dept. of Canadian
Heritage**

A letter to Mayor Smith dated January 5, 2007 from **Colleen Hunt, Program Officer, Department of Canadian Heritage**, requesting that February 15, 2007 be proclaimed National Flag of Canada Day.

Moved by Councillor Edwards

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Seconded by Councillor Mingo

“That February 15, 2007 be proclaimed National Flag of Canada Day in Colchester County.”

Motion Carried Unanimously.

**Grant Brennan,
Manager, Canada-NS
Infrastructure
Secretariat**

A letter to Mayor Smith dated November 30, 2006 from **Grant Brennan, Manager, Canada-N.S. Infrastructure Secretariat**, concerning the release of the 2006-07 gas tax funding allocation.

In response to an inquiry from Councillor Taylor, staff advised that the required information has already been submitted by the Municipality; however, the money has not been released for Year 2 of the gas tax funding application.

**Jo Ann Fewer,
Executive Director,
CoRDA**

A copy of a letter dated December 5, 2006 from **Jo Ann Fewer, Executive Director, Colchester Regional Development Agency**, regarding the designation of the Debert Diefenbunker as a national historic site and museum.

Councillor White indicated that CoRDA is still looking for someone to purchase this facility. Councillor Masters stated that if the facility was declared an historic site, this designation would prohibit various types of development from taking place.

**W.D. Ring, CEO,
Resource Recovery
Fund Board**

A letter to Mayor Smith dated December 11, 2006 from **W.D. Ring, Chief Executive Officer, Resource Recovery Fund Board**, in response to the Municipality's letter regarding RRFB's tire contract.

Because of concerns raised by Council on the issue of burning tires at Lafarge Canada Inc., it was agreed that Lafarge should be invited to make a presentation to Council to address some of these issues.

Moved by Councillor Taylor
Seconded by Councillor Mingo

“That staff be directed to extend an invitation to representatives of Lafarge Canada Inc. to make a presentation to Council regarding the burning of tires at their plant in Brookfield.”

Motion Carried Unanimously.

Students and Staff,

A copy of a letter to the provincial Minister of Agriculture dated

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**West Colchester
Consolidated School**

January 11, 2007 from the **Students and Staff of West Colchester Consolidated School**, concerning support for farmers in Nova Scotia.

Moved by Councillor Taylor
Seconded by Councillor Cooper

“That a letter be written to the provincial Minister of Agriculture, copy to the School, to acknowledge the students and staff of the West Colchester Consolidated School in their efforts to support their rural community and local farm production.”

Motion Carried Unanimously.

**Crawford
Macpherson, Director
of Community
Development**

An email dated January 22, 2007 from **Crawford Macpherson, Director of Community Development**, attaching a copy of the Debert Industrial Parks Concept Development Plan.

Councillor White indicated that the last meeting of the Plan Committee was held today. He encouraged Councillors to take the time to look at the Plan before it is presented to Council Committee on February 8th.

INFORMATION

**Vivian Farrell, Chair,
CCRSB School
Closure Review
Committee**

A letter to the CAO dated November 21, 2006 from **Vivian Farrell, Chair, Chignecto Central Regional School Board Closure Review Committee**, enclosing the Board's report on the school closure review process. Council agreed to receive this letter for information purposes.

**Union of N.S.
Municipalities**

A copy of an email dated November 23, 2006 from the **Union of N.S. Municipalities**, regarding the UNSM's response to the capping legislation. Council agreed to receive this email for information purposes.

**Jack Keith, Board
Chair, Cancer Care
Nova Scotia**

A copy of a letter dated November 2006 from **Jack Keith, Chair, Cancer Care Nova Scotia**, enclosing a profile of Cancer Care Nova Scotia (copy of profile on file in CAO's office). Council agreed to receive this letter for information purposes.

Development Officer

A copy of Development Activity Reports received from the **Development Officer** for the months of November and December 2006. Council agreed to receive these reports for information purposes.

Building Inspector

A copy of Building Permit Statistics received from the **Building**

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Inspector for the months of November and December 2006.
Council agreed to receive these reports for information purposes.

**Warden Lloyd Hines,
Municipality of
Guysborough**

A copy of an email dated November 29, 2006 from **Warden Lloyd Hines, Municipality of Guysborough**, attaching a report from the latest FCM Board meeting. Council agreed to receive this letter for information purposes.

**Greg Keefe, Deputy
Minister, Service NS
& Municipal Relations**

A copy of a letter dated November 30, 2006 from **Greg Keefe, Deputy Minister, Service Nova Scotia and Municipal Relations**, regarding the postponement of regional discussion sessions on the Capped Assessment Program. Council agreed to receive this letter for information purposes.

**Joan McArthur-Blair,
President, NS
Community College &
Rob Sobey, Chair,
NSCC Board of
Governors**

A letter to Mayor Smith dated November 30, 2006 from **Joan McArthur-Blair, President, N.S. Community College and Rob Sobey, Chair, N.S. Community College Board of Governors**, enclosing a copy of a 2005-06 Report to Community (copy of report on file in CAO's office). Council agreed to receive this letter for information purposes.

**Colin MacDonald,
CAO, Town of Port
Hawkesbury**

A letter to Mayor Smith dated December 4, 2006 from **Colin MacDonald, Town of Port Hawkesbury**, regarding the World Curling Tours event in Port Hawkesbury. Council agreed to receive this letter for information purposes.

**Celeste Chesal,
Manager, Diamond
Fitness**

A letter to Council dated December 11, 2006 from **Celeste Chesal, Manager, Diamond Fitness**, and the CAO's response regarding inclusion of the fitness facility in the proposed new civic centre. Council agreed to receive this letter for information purposes.

**Jennifer Spencer,
Great Village**

A letter to Mayor Smith and Councillors from **Jennifer Spencer, Great Village**, regarding a sewer extension to Lornevale Road in Great Village. Council agreed to receive this letter for information purposes.

**Union of N.S.
Municipalities**

A copy of an email dated December 18, 2006 from the **Union of N.S. Municipalities**, providing the outcomes of the December 15th UNSM Board meeting. Council agreed to receive this email for information purposes.

**Cathryn Steel,
Communications
Strategist, Criminal
Intelligence Service**

A letter to Mayor Smith dated December 19, 2006 from **Cathryn Steel, Communications Strategist, Criminal Intelligence Service**, enclosing a copy of a 2006 Annual Report (copy of report on file in CAO's office).

Union of N.S.

A copy of an email dated December 19, 2006 from the **Union of**

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- Municipalities** **N.S. Municipalities**, attaching a newspaper article regarding assessment cap inequities. Council agreed to receive this letter for information purposes.
- Councillor Russell Walker, President, Union of N.S. Municipalities** A copy of a letter dated December 21, 2006 from **Councillor Russell Walker, President, Union of N.S. Municipalities**, regarding the UNSM's Fair and Equitable Funding Report. Council agreed to receive this letter for information purposes.
- Peter MacKinnon, CEO, Colchester East Hants Health Authority** A letter to Mayor Smith dated January 3, 2007 from **Peter MacKinnon, CEO, Colchester East Hants Health Authority**, concerning strike contingency plans for the Lillian Fraser Memorial Hospital. Council agreed to receive this letter for information purposes.
- N.S. Protocol Office** A copy of a memorandum dated January 4, 2007 from the **N.S. Protocol Office**, regarding nominations for the Order of Nova Scotia. Council agreed to receive this memorandum for information purposes.
- Citizens Against Burning of Tires, Shortt's Lake** A copy of an email dated January 9, 2007 from the **Citizens Against Burning of Tires, Shortt's Lake**, and CAO's response regarding the banning of tire burning in Nova Scotia (copy of attachments on file in CAO's office). Council agreed to receive this email for information purposes.
- Chris Parsons, Canadian Federation of Students** A copy of an email dated December 19, 2006 from **Chris Parsons, Canadian Federation of Students**, regarding support for reducing tuition fees and implementation of a national grants system. Council agreed to receive this email for information purposes.
- Union of N.S. Municipalities** A copy of an email dated January 11, 2007 from the **Union of N.S. Municipalities**, regarding the appointment of a UNSM Sustainability Coordinator. Council agreed to receive this email for information purposes.
- Celeste Gotell and Jim MacCormick, N.S. Gaming Foundation** A letter to Mayor Smith dated January 3, 2007 from **Celeste Gotell and Jim MacCormick, N.S. Gaming Foundation**, enclosing a copy of the Foundation's annual report for 2004-05 and 2005-06 (copy of reports on file in CAO's office). Council agreed to receive this letter for information purposes.
- Margo Horne, Service NS & Municipal Relations** An email to the Mayor and CAO from **Margo Horne, Service N.S. and Municipal Relations**, regarding the rescheduling of the CAP regional discussion sessions. Council agreed to receive this email for information purposes.

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**Jay Brenton, Regional
Manager, Northern
Region, DEL**

A letter to the CAO dated January 17, 2007 from **Jay Brenton, Regional Manager, Northern Region, Department of Environment and Labour**, regarding the use of tires as fuel. Council agreed to receive this letter for information purposes.

**Beverley Hiltz,
Brookfield**

A letter to Mayor Smith received January 22, 2007 from **Beverley Hiltz, Brookfield**, concerning the burning of tires at the Lafarge Cement Plant. Council agreed to receive this letter for information purposes.

INFORMATION ITEMS

Council Email Addresses

Staff are presently looking at providing Councillors with email addresses. The Manager of Computer and Information Systems will be contacting Councillors within the next two weeks to make arrangements.

Reports from Councillors Appointed to Outside Boards and Agencies

Councillor Cooke reported on a meeting of the Library Board which he attended on January 23, 2007. A proposal of the new library was circulated at that time. The site for the Library will be at the old fire station property with the regional office possibly being moved to the old Normal College building.

Deputy Mayor Matheson reported that he attended a meeting at the Marigold Centre on January 19th regarding the burning of tires at the Lafarge plant, Solid Waste Regional Chairs' meeting on January 24th and a CAP Assessment session this morning.

Recess

Council agreed to recess to an in-camera session at 10:40 p.m. and reconvened in open session at 11:10 p.m.

Kempton Property Offer

Moved by Councillor Taylor
Seconded by Councillor White

“That the Municipality provide a \$2,000 top up for the property sale at 275 River Road, Kempton, in accordance with the Host Community Agreement.”

Motion Carried Unanimously.

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Adjournment

Moved by Councillor White
Seconded by Councillor Edwards

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

Motion Carried Unanimously.

Sheila Arsenault
Recording Secretary