

June 28, 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, June 28, 2007 at 7:00 p.m.

**Roll Call**

The roll was called with the following Councillors in attendance:

Mayor Mike Smith, Chair	
Deputy Mayor Hughie Matheson	District #3
Councillor Mike Cooper	District #4
Councillor Glen Edwards	District #5
Councillor Ron Cavanaugh	District #6
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:

Councillor Bob Taylor	District #1
Councillor Bill Masters	District #2

**Approval of Agenda**

Moved by Councillor Cooke  
Seconded by Councillor White

“That the agenda for June 28, 2007 be approved with the following additions:

- add to No. 5, Presentations, Mr. Donald Harvey and Mr. Dale Hyson
- add 11b: Payment of Royalties for Bottling of Water (on table)”

Motion Carried Unanimously.

**Approval of Minutes**

Moved by Councillor White  
Seconded by Councillor Cooper

“That the minutes of a meeting held on May 29, 2007 be approved as circulated.”

Motion Carried Unanimously.

**Business Arising from Minutes**

Referring to Page 2007-28 regarding the Colchester-East Hants Public Library Board minutes, Councillor Cooke indicated that he had not as yet obtained information on the auditor’s rate increase for

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Councillor Cooper but agreed to do so in the near future.

## Presentations

### Mr. Don Harvey - Brookfield Sewer Extension Project

Mr. Harvey circulated on table a copy of his letter to Council dated June 28, 2007 concerning the sewer system extension project for Brookfield. Mr. Harvey indicated that he would like to apologize for his behaviour at the June 14<sup>th</sup> Council Committee meeting.

Reading from his letter, Mr. Harvey stated that in his findings of distances, homes, businesses and failed sewer systems, it does not make sense to cancel the worst areas and easiest to install. He believes that alternative options were not explored. Mr. Harvey asked that the issue of extending the sewer extension to include Highway 2 North be taken back to Council with the hope of a workable solution for all concerned. He asked that all people be treated equally.

Mr. Harvey requested that he be provided with a copy of all the Council minutes referring to the Brookfield sewer extension. Referring to Page 27 of the May 29<sup>th</sup> Council minutes, he asked for clarification on what '225' meant in the motions concerning this project.

### Mr. Dale Hyson - Brookfield Sewer Extension Project

Mr. Hyson indicated that he runs a garage in the village of Brookfield. He purchased the old restaurant lot next to his business to build a new garage to replace the existing one. The lot is not big enough to put a sewer system on. He purchased the lot with the understanding that a system and last year they were charged for sewer service. He stated that since he was being charged the sewer rate, he assumed the service was going to be put in and went ahead and spent \$10,000.

### Mr. Rod Nielsen - Brookfield Sewer Extension Project

Mr. Nielsen made reference to his letter to Mayor Smith and Council dated June 25, 2007 (on table). Mr. Nielsen is Chair of the Community Services Committee, Brookfield Community Assembly. He indicated that they are very pleased about their community being considered for a 36-bed long-term care facility; however, without water and sewer, it will be difficult to place it where they would like it to be. He stated that after the meeting at the fire hall in Brookfield, he thought the north end was getting the sewer extension.

Mr. Nielsen requested a time line on when the north end would have the sewer extension. Without a time line, it is difficult for a community

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to build a business plan.

Moved by Councillor LeFresne  
Seconded by Councillor Edwards

“That the presentations from Mr. Don Harvey, Mr. Dale Hyson and Mr. Rod Nielsen be received.”

Motion Carried Unanimously.

**Standing Committee  
Report and  
Recommendations**

Deputy Mayor Matheson presented the report from a Council Committee meeting held on June 14, 2007:

**RCMP Advisory  
Board**

Moved by Deputy Mayor Matheson  
Seconded by Councillor Cavanaugh

“That Council approves that a five-member board be created; and

That the Chief Administrative Officer appoint a non-voting member to act as secretary; and,

That the Nominating Committee as well as the chief officer of the local RCMP detachment or his designate be the selection committee; and,

That staff advertise for the two citizen members so that they may be appointed at the August Council meeting; and,

That the term of appointment coincide with the term of Council.”

Motion Carried Unanimously.

**Sponsorship Request  
- N.S. Provincial  
Exhibition Truro  
Strongman  
Competition**

Moved by Deputy Mayor Matheson  
Seconded by Councillor White

“That Council approves that the Municipality provide funding support to the N.S. Provincial Exhibition Truro Strongman Competition in the amount of \$750, source of funds to be the Economic Development Grants budget.”

Motion **Defeated**. *(Mayor Smith, Deputy Mayor Matheson, Councillors Cooper, Edwards, LeFresne, Lynds, Cooke and Mingo opposed)*

**Executive and Audit  
Committee**

There was no business arising from the minutes of meetings held on May 29 and June 1, 2007.

**Nominating  
Committee**

Mayor Smith provided a verbal report from the Nominating Committee meeting held earlier this evening.

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Moved by Councillor Edwards  
Seconded by Councillor LeFresne

“That Tanya Smith be appointed as the citizen representative on the Board for the Colchester Regional Development Agency/Colchester Park Development Society.”

Motion Carried Unanimously.

### **ACTION ITEMS**

#### **Final Structural Reports - Three Arenas**

#### **Conflict of Interest**

*Deputy Mayor Matheson declared a conflict of interest on this matter and removed himself from the table.*

Moved by Councillor Cavanaugh  
Seconded by Councillor Cooke

“That Council adopt the final Structural Audit Reports dated June 2007 and conclusions prepared by C.J. MacLellan and Associates for the Don Henderson Memorial Complex, the North Shore Recreation Centre and the West Colchester United Arena.”

Motion Carried Unanimously.

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

#### **Temporary Borrowing Resolutions - Tatamagouche Water Utility and Street Paving**

The CAO pointed out that the temporary borrowing resolution for the Tatamagouche Water Utility is being withdrawn at this time due to an error in the wording. The Province has been contacted about this error and will forward a correct version to the Municipality for consideration at August Council.

Moved by Deputy Mayor Matheson  
Seconded by Councillor White

“That Council authorizes the Mayor and CAO to sign the temporary borrowing resolution for street paving, as presented.”

Motion Carried Unanimously.

#### **Sponsorship Request - Bonanza 2007**

Moved by Councillor LeFresne  
Seconded by Deputy Mayor Matheson

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“That the funding request received from the organizers of Bonanza 2007 be received for information.”

Motion Carried Unanimously.

**Date of August  
Council Committee**

Moved by Councillor Cavanaugh  
Seconded by Councillor Mingo

“That the regular session of Council Committee be held on Thursday, August 16, 2007.”

Motion Carried Unanimously.

**Tatamagouche  
Water Utility  
Upgrade - Sources of  
Funding**

Moved by Councillor LeFresne  
Seconded by Councillor Lynds

“That the estimated cost overrun of \$267,000 for the Tatamagouche Water Utility capital upgrade be funded 50% from the Municipal Infrastructure Program and 50% from the Water Utility.”

Motion Carried Unanimously.

**Payment of Royalties  
for Bottling of Water**

Staff noted an error on the resolution for Payment of Royalties for Bottling of Water - last line of paragraph 3 should read ‘extract’, not ‘extracted’.

Moved by Councillor Mingo  
Seconded by Councillor Edwards

“That Council approves the resolution on the Payment of Royalties for Bottling of Water, as presented, and that this same resolution be forwarded to the Union of Nova Scotia Municipalities Resolutions Committee.”

Motion Carried Unanimously.

**Correspondence**

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

- No. 12: copy of letter dated June 14, 2007 from N.S. Utility and Review Board regarding Big 8 Beverages Ltd. appeal to rezone 1006 Salmon River Road
- No. 22: letter dated June 20, 2007 from Valley Elementary School Advisory Council regarding a proposal for a sidewalk from entrance of Eagle Drive to driveway of Valley Variety
- No. 20: copy of letter to CRTC dated June 5, 2007 from Municipality of Richmond regarding new CRTC guidelines

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ACTION

**Gerald Crosby, 14  
Pictou Road**

A letter to Council dated June 12, 2007 from **Gerald Crosby, 14 Pictou Road**, regarding a request for a rebate on overpaid taxes.

Moved by Councillor Cavanaugh  
Seconded by Councillor Mingo

“That the letter from Mr. Gerald Crosby, 14 Pictou Road, requesting a rebate on overpaid taxes be referred to Council Committee.”

Motion Carried Unanimously.

**Shari Tucker, JCI,  
Colchester**

An email dated June 21, 2007 from **Shari Tucker, JCI, Colchester**, requesting support for the Outstanding Young Person’s Awards and an interim response from the CAO’s office.

Moved by Councillor Lynds  
Seconded by Councillor Cavanaugh

“That the email from Shari Tucker, JCI, Colchester, requesting support for the Outstanding Young Person’s Awards be referred to Council Committee.”

Motion Carried Unanimously.

**Elaine Wagner,  
Appeals  
Officer/Clerk, N.S.  
Utility & Review  
Board**

A copy of a letter dated June 14, 2007 from **Elaine Wagner, Appeals Officer/Clerk, N.S. Utility and Review Board**, regarding the Big 8 Beverages Limited appeal to rezone 1006 Salmon River Road.

In response to an inquiry from Deputy Mayor Matheson, the CAO advised that Big 8 has chosen to appeal Council’s decision to approve the rezoning request for property located at 1006 Salmon River Road. This development project will be on hold until the Utility and Review Board have made a decision. This matter will be discussed at an upcoming Executive and Audit Committee meeting. In the meantime, Big 8 has since received a development permit for their own operation on Salmon River Road.

**Tracy McRae, Valley  
Elementary School  
Advisory Council**

A letter to Mayor Smith dated June 20, 2007 from **Tracy McRae, Valley Elementary School Advisory Council**, regarding a proposal for a sidewalk from the entrance of Eagle Drive to the driveway of the Valley Variety store.

Moved by Councillor Mingo  
Seconded by Councillor White

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“That the letter from the Valley Elementary School Advisory Council regarding a proposal for a sidewalk from the entrance of Eagle Drive to the driveway of the Valley Variety store be referred to Council Committee.”

Motion Carried Unanimously.

**Karen Doyle,  
Council Recorder,  
Municipality of  
Richmond**

Moved by Councillor Cooper  
Seconded by Councillor Edwards

“That the letter from the Municipality of Richmond regarding new CRTC guidelines be referred to Council Committee.”

Motion Carried Unanimously.

In preparation for bringing this forward to Committee, staff were directed to contact the Municipality of Richmond for further background information.

#### INFORMATION

**Tim Conrad, N.S.  
Construction Safety  
Association**

A letter dated May 3, 2007 from **Tim Conrad, N.S. Construction Safety Association**, regarding the Municipality receiving an Occupational Health and Safety Award. Council agreed to receive this letter for information purposes.

**Barry Barnet,  
Minister of Health  
Promotion &  
Protection**

A letter to Mayor Smith dated May 25, 2007 from **Barry Barnet, Minister of Health Promotion and Protection**, announcing a new leadership program for municipal units. Council agreed to receive this letter for information purposes.

**Ian Glasgow, CAO,  
Municipality of East  
Hants**

A copy of a letter dated May 29, 2007 from **Ian Glasgow, CAO, Municipality of East Hants**, attaching information from meetings of the UNSM Police Services Advisory Committee (copy of attachments on file in CAO's office). Council agreed to receive this letter for information purposes.

**Steve Karrel, Co-  
Chair, Canada Wide  
Science Fair 2007**

A letter to Mayor Smith dated May 29, 2007 from **Steve Karrel, Co-Chair, Canada Wide Science Fair 2007**, regarding the County's support for the Canada Wide Science Fair. Council agreed to receive this letter for information purposes.

**Peter MacKinnon,  
CEO, Colchester  
East Hants Health  
Authority**

A copy of a letter dated May 30, 2007 from **Peter MacKinnon, CEO, Colchester East Hants Health Authority**, enclosing a copy of the 2007 Report to Community (copy of report on file in CAO's office). Council agreed to receive this letter for information purposes.

**Jamie Muir,**

A letter to Mayor Smith dated May 30, 2007 from **Jamie Muir,**

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**Minister of Service  
Nova Scotia &  
Municipal Relations**

**Minister of Service Nova Scotia and Municipal Relations**, concerning a request for funding for the Brookfield Sewer Expansion Project. Council agreed to receive this letter for information purposes.

**Len Goucher,  
Minister of Tourism,  
Culture & Heritage**

A letter to Mayor Smith dated June 1, 2007 from **Len Goucher, Minister of Tourism, Culture and Heritage**, enclosing a tool kit for Nova Scotia Tourism (copy of tool kit on file in CAO's office). Council agreed to receive this letter for information purposes.

**Lafarge, North  
America**

A copy of information received at a meeting with representatives of **Lafarge, North America**, Mayor Smith and CAO on June 8, 2007. Council agreed to receive this correspondence for information purposes.

**Michael Baker,  
Minister Responsible  
for Part 1 of Gaming  
Control Act**

A letter to Mayor Smith dated June 5, 2007 from **Michael Baker, Minister Responsible for Part 1 of Gaming Control Act**, regarding a racino in Bible Hill. Council agreed to receive this letter for information purposes.

**Federation of  
Canadian  
Municipalities**

A copy of a Members' Advisory dated June 13, 2007 from the **Federation of Canadian Municipalities**, regarding the appointment of a new FCM President. Council agreed to receive this correspondence for information purposes.

**Isabel & Willis  
Bonnyman,  
Tatamagouche**

A letter to Councillor LeFresne dated May 28, 2007 from **Isabel and Willis Bonnyman, Tatamagouche**, regarding the location of the new Tatamagouche library. Council agreed to receive this letter for information purposes.

**Lloyd Hines, Chair,  
Property Services  
Valuation  
Corporation**

A copy of a letter dated June 15, 2007 from **Lloyd Hines, Chair, Property Services Valuation Corporation**, concerning the elimination of the CAP application. Council agreed to receive this letter for information purposes.

**Union of Nova Scotia  
Municipalities**

A copy of an email dated June 18, 2007 from the **Union of Nova Scotia Municipalities**, regarding the outcome of the UNSM Board meeting held on June 15, 2007. Council agreed to receive this email for information purposes.

**Ruby McMahon,  
Stewiacke**

A letter to Mayor Smith dated June 13, 2007 from Ruby McMahon, Stewiacke, concerning the Stewiacke River Park and a response from the Manager of Recreation Services. Council agreed to receive this letter for information purposes.

**Lyle Goldberg,  
Policy Analyst,  
Union of NS  
Municipalities**

A copy of an email dated June 19, 2007 from **Lyle Goldberg, Policy Analyst, Union of N.S. Municipalities**, concerning the UNSM appointment to the Resource Recovery Fund Board. Council agreed to receive this email for information purposes.



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**Union of NS  
Municipalities**

A copy of an email dated June 20, 2007 from the **Union of N.S. Municipalities**, regarding the low income tax relief policy. Council agreed to receive this email for information purposes.

**Development Officer**

A copy of the Development Activity Report for the month of May 2007 received from the **Development Officer**. Council agreed to receive this report for information purposes.

**Building Inspector**

A copy of the Building Permit Statistics for the month of May 2007 received from the **Building Inspector**. Council agreed to receive this report for information purposes.

**Nancy Frame, Price  
Waterhouse Coopers**

A letter to the CAO dated June 19, 2007 from **Nancy Frame, Price Waterhouse Coopers**, enclosing a copy of the Colchester-East Hants Public Library audited financial statements (copy of report on file in CAO's office). Council agreed to receive this letter for information purposes.

**Sam Synard, Chair,  
Green Municipal  
Fund Council, FCM**

A letter to the CAO dated June 22, 2007 from **Sam Synard, Chair, Green Municipal Fund Council, Federation of Canadian Municipalities**, concerning the application for the Colchester Waste Management Master Plan. Council agreed to receive this letter for information purposes.

**Brian Van Rooyan,  
Valley Waste  
Resource  
Management**

A copy of an email dated June 22, 2007 from **Brian Van Rooyan, Valley Waste Resource Management**, regarding the Canadian Food Inspection Agency's decision on meat waste generated by grocery stores. Council agreed to receive this email for information purposes.

**Dale Hyson, Dasz  
Enterprises,  
Brookfield**

A letter to the Mayor and Council dated June 23, 2007 from **Dale Hyson, Dasz Enterprises, Brookfield**, regarding the Brookfield sewer extension project. Council agreed to receive this letter for information purposes.

**Rod Nielsen,  
Chairman,  
Community Services  
Committee, Brookfield  
Community Assembly**

A letter to the Mayor and Council dated June 25, 2007 from **Rod Nielsen, Chairman, Community Services Committee, Brookfield Community Assembly**, regarding the Brookfield sewer extension project. Council agreed to receive this letter for information purposes.

**Kim Frizzell,  
Administrative  
Assistant, CoRDA**

A letter to the CAO dated June 25, 2007 from **Kim Frizzell, Colchester Regional Development Agency**, enclosing the CoRDA Board meeting minutes and minutes from the annual general meeting (copy of minutes on file in CAO's office). Council agreed to receive this letter for information purposes.

**Councillor Russell**

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**Walker, President,  
UNSM**

A copy of a letter to the Prime Minister dated June 26, 2007 from **Councillor Russell Walker, President, Union of N.S Municipalities**, regarding the 2005 Atlantic Accord. Council agreed to receive this letter for information purposes.

### **INFORMATION ITEMS**

**FCM Conference  
Reports**

Attached to this Information Item were reports from delegates who attended the 2007 Annual FCM Conference in Calgary, Alberta, June 1-4, 2007.

**North Shore  
Recreation Centre  
Roof Repairs - Award  
of Contract**

A contract has been approved for roof replacement and structural repairs at the North Shore Recreation Centre. The contract was awarded to Eastern Canadian Structures in the amount of \$158,680, plus taxes. A completion date of late August or early September is anticipated.

**Utility Services  
Position Vacancy**

There were 189 applications received for the Utility Services position vacancy. Five applicants were interviewed and an offer made to and accepted by Andrew Frizell. Andrew will commence his duties on June 18, 2007.

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

Councillor Cooper reported that the Shubenacadie Canal Commission held its first meeting; however, he was unable to attend due to illness. Councillor Cooper indicated that he has had several discussions with the County Parks and Trails Coordinator and has passed along a list of questions to the Commission for further clarification. Councillor Cooper expects this will come back to Council at some point and suggested that before this happens, members should take a drive along the proposed route where Riverside Road connects to Highway 289.

Councillor Edwards reported that meetings for the Truro and District Chamber of Commerce and the Central Nova Tourist Association have recessed until the Fall.

Councillor Cavanaugh reported that the Flood Advisory Committee should meet soon to look at upcoming work for the Fall season. He encouraged members to let the Committee know of any possible jobs coming up in their district.

Councillor Cavanaugh reported that the North River elementary school has closed early for renovations.

Councillor Cavanaugh reported that the last mailbox on Highway 311 is now getting mail delivery.

Councillor LeFresne reported that the recent Road Hockey Rumble

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event will be on television in the Fall.

Councillor LeFresne reported on the recent boil water order for Tatamagouche residents. He was very impressed with how staff notified the community; however, the community was not impressed with the length of the boil order.

Councillor Lynds inquired about the status of his request for a street light at the intersection of Highway 102 and the No. 2. Staff agreed to follow up with the Department of Transportation and Public Works and report back at August Council Committee.

Councillor White reported that there was an excellent turnout at the annual general meeting of CoRDA held on June 15<sup>th</sup>. The 15<sup>th</sup> anniversary of the organization was also celebrated at that time.

**Recess**

Council agreed to recess to an in-camera session at 8:45 p.m. and returned in open session at 8:50 p.m.

**CAO Participation in  
FCM Mission to China**

Moved by Councillor Edwards  
Seconded by Councillor Lynds

“That the Municipality of Colchester endorse the participation of Gary MacIsaac, Chief Administrative Officer, in the Federation of Canadian Municipalities Migrant Labour Right Project and his travel to China as part of the project activities.”

Motion Carried Unanimously.

**Adjournment**

Moved by Councillor LeFresne  
Seconded by Councillor Cooper

“That the meeting be adjourned at 9:45 p.m.”

Motion Carried Unanimously.

Sheila Arsenault  
Recording Secretary