

January 28, 2010

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 28, 2010 at 7:00 p.m.

Roll Call

The roll was called with the following Councillors in attendance:

Mayor Bob Taylor, Chair	
Councillor Christine Blair	District #1
Councillor Bill Masters	District #2
Councillor Gerald Buott	District #3
Councillor Mike Cooper	District #4
Councillor Glen Edwards	District #5
Councillor Karen MacKenzie	District #6
Councillor Jimmie LeFresne	District #7
Deputy Mayor Ron Cavanaugh	District #8
Councillor Bob White	District #9
Councillor Tom Taggart	District #10
Councillor Earl McKenna	District #11

**Public Hearing -
County of Colchester
Subdivision By-law
Review**

Mayor Taylor called the public hearing to order respecting revisions to the 1994 Colchester Subdivision By-law involving the updating of the By-law to align it with current provincial requirements and to clarify certain provisions. These changes are administrative in nature and do not alter the current subdivision policies of Council. The proposed revisions have been circulated to Council members and have been made available to the public.

Mr. Dan McDougall, Chief Administrative Officer, advised that the guidelines of the Municipal Government Act regarding advertising of the first and second readings and public hearings have been followed.

Mayor Taylor reminded Councillors that only those Councillors present throughout the public hearing can vote on the amendments when they are eventually considered by Council. The public hearing is Council's opportunity to hear the amendments and any concerns of Colchester County 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.

Ms. Pam Macintosh, Municipal Planner, provided a brief overview of the application. This public hearing and second reading of the By-law were originally scheduled for June 25, 2009; however, a wording change was made prior to the public hearing which was subsequently determined to be substantive in nature. This caused the public hearing and second reading to be postponed. The substantive issue

January 28, 2010

was in regard to minimum lot sizes for unserviced lots being reduced from 30,000 square feet to 20,000 square feet in June 2009 between first and second readings.

Councillor Masters presented a brief report on behalf of the Planning Advisory Committee, recommending that the revised By-law go forward to Council for second reading.

Mr. McDougall advised that no written submissions had been received regarding these revisions to the Subdivision By-law.

There were no members of the public present to address Council concerning the proposed revisions.

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

Moved by Councillor Masters
Seconded by Councillor Buott

“That having had the public hearing, Council approves Second Reading of the revised Colchester Subdivision By-law to align it with current provincial requirements and to clarify certain provisions.”

Motion Carried Unanimously.

Mayor Taylor advised that these are revisions which will require the approval of the Minister of Service Nova Scotia and Municipal Relations and will not come into effect until such approvals have been obtained. Council’s decision on the amendments is not appealable to the Nova Scotia Utility and Review Board.

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

Approval of Agenda

Moved by Councillor McKenna
Seconded by Councillor Edwards

“That the agenda for January 28, 2010 be approved with the following additions:

- add to Item No. 13, In-Camera: (1) Negotiations and (2) Property Matter.”

Motion Carried Unanimously.

Approval of Minutes

Moved by Councillor Cooper
Seconded by Councillor Blair

January 28, 2010

“That the minutes of the meeting held on December 17, 2009 be approved as circulated.”

Motion Carried Unanimously.

**Business Arising
from Minutes**

There was no business arising from the minutes of the meeting of December 17, 2009.

Presentations

Nova Scotia Power Inc. (NSPI)

Mr. Robin McAdam, Executive Vice President of Sustainability, Nova Scotia Power, began his presentation by introducing others in the audience who are involved with the Nuttby Mountain Wind Farm Project:

- Debra McLellan, Project Manager, NSPI
- Brad Roy, NSPI, Truro
- Jennifer Parker, Communications Officer, NSPI
- Charles Demond, Clair Peers and Steven McRae

At this point in the meeting, 7:40 p.m., Councillor Cooper temporarily left the meeting.

Mr. McAdam provided an update on the overall progress of the project, including regulatory approval received in late November 2009 and the wind farms that have been completed or near completion. These projects will bring the total amount of renewable generation in Nova Scotia to about 16% by the end of the year.

Ms. Debra McLellan, Project Manager, NSPI, completed the presentation by providing a more technical project update of the Nuttby Mountain Wind Farm project. Commissioning and start-up of the wind turbines is expected late fall of 2010 with the wind farm in service by the winter of 2010/11.

Copies of the presentation were circulated to members of Council and the media.

Moved by Councillor White
Seconded by Deputy Mayor Cavanaugh

“That the presentation from Nova Scotia Power Inc. on the Nuttby Mountain Wind Farm Project be received.”

Motion Carried Unanimously.

Councillor Cooper returned to the table at 8:05 p.m.

Dr. Marilyn Cameron

January 28, 2010

Dr. Cameron indicated that she was a veterinarian from Kings County and the purpose of her presentation was to express her concerns with the land application of biosolids and to ask Colchester County Council to consider banning biosolids being used on our food sources. The biosolids, which are promoted as a beneficial alternative to chemical fertilizers, are applied to the land that grows the food we eat. A copy of Dr. Cameron's presentation was circulated in the Council package for this evening's meeting.

Moved by Councillor McKenna
Seconded by Councillor Masters

"That the presentation from Dr. Marilyn Cameron on the land application of biosolids be received."

Motion Carried Unanimously.

Mr. Bill Swan

Mr. Swan began his presentation by introducing Paul and Carol Richardson and Richard Dykeman. Mr. Swan indicated that the purpose for this presentation was to express residents' concerns about flooding in the Murray Siding area. Up until 2003 and 2009, there has never been flooding in this area to this extent. None of the homes are in the flood risk area of Colchester County. Mr. Swan suggested possible causes for this flooding could be the new bridge, clear cutting, Hurricane Juan and urbanization. Residents in the area are concerned with emergency access during flooding as well as water flow and environmental concerns such as spillage from oil tanks. What residents are looking for is an emergency preparedness plan in place for the 2010 flood season and a timetable on when the flooding problem will be remediated.

Moved by Councillor McKenna
Seconded by Councillor Blair

"That the presentation from Mr. Bill Swan on flooding in the Murray Siding area be received."

Motion Carried Unanimously.

Moved by Deputy Mayor Cavanaugh
Seconded by Councillor Edwards

"That the issue of flooding in the Murray Siding area be referred to the Flood Advisory Committee."

January 28, 2010

Motion Carried Unanimously.

**Standing Committee
Reports and
Recommendations**

Deputy Mayor Cavanaugh presented the report from the Council Committee meeting held on January 14, 2010:

**Loan Guarantee -
Cobequid District
Fire Brigade**

Conflict of Interest

Councillor Masters declared a conflict of interest on this item and removed himself from the table.

Moved by Deputy Mayor Cavanaugh
Seconded by Councillor White

“That Council approves that the Municipality of Colchester provide a “letter of intent” in support of a loan of \$420,000 for the Cobequid District Fire Brigade for the purchase of a new pumper/tanker; and,

In the event that this is not satisfactory to the lending institution, that the Municipality provide a loan guarantee for this amount.”

Motion Carried Unanimously.

At this point, Councillor Masters returned to the table.

**Executive and Audit
Committee**

There was no business arising from the minutes of the meeting held on January 14, 2010.

ACTION ITEMS

**Meeting Date for
Grants to Non-Profit
Organizations
Presentations**

Moved by Deputy Mayor Cavanaugh
Seconded by Councillor Masters

“That Council approves Wednesday, February 24, 2010 at 5:00 p.m. as the date and time for Non-Profit Organizations to make their presentations to Council for grant applications.”

Motion Carried Unanimously.

**False Alarm By-law -
First Reading**

Moved by Councillor LeFresne
Seconded by Councillor Cooper

“That Council hereby approves by way of First Reading the False

January 28, 2010

Alarm By-law as presented.”

Motion Carried Unanimously.

Staff indicated that they will check with the Solicitor on whether any future change in fees can be carried out by way of a schedule attached to the By-law and approved by a Council resolution each time a change occurs rather than having first and second readings.

**2010 FCM Conference
Delegates**

Moved by Deputy Mayor Cavanaugh
Seconded by Councillor Buott

“That Council approves the attendance of Councillors Taggart, Blair and Masters at the FCM Annual Conference being held in Toronto, Ontario, May 28-31, 2010; and,

In the event that any one of the three Councillors is unable to attend, that Councillor McKenna be approved as an alternate delegate.”

Motion Carried Unanimously.

Correspondence

ACTION

**Ancel Langille,
Manager of
Operations, Canadian
Red Cross**

A letter to Mayor Taylor dated January 6, 2010 from **Ancel Langille, Manager of Operations, Canadian Red Cross**, requesting a property tax exemption on their building located at 139 Truro Heights Road.

Moved by Councillor Edwards
Seconded by Councillor Buott

“That the letter from the Canadian Red Cross requesting a property tax exemption on their building located at 139 Truro Heights Road be referred to Council Committee.”

Motion Carried Unanimously.

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

A letter to Mayor Taylor dated January 6, 2010 from **Colleen Hunt, Program Officer, Department of Canadian Heritage**, requesting that February 15, 2010 be proclaimed National Flag Day.

Moved by Councillor Blair
Seconded by Councillor Buott

“That February 15, 2010 be proclaimed National Flag Day in

January 28, 2010

Colchester County.”

Motion Carried Unanimously.

INFORMATION

Building Inspector

A copy of the Building Permit Statistics Report received from the **Building Inspector** for the month of December 2009. 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 December 2009. Council agreed to receive this report for information purposes.

INFORMATION ITEMS

Reports from Councillors Appointed to Outside Boards and Agencies

Councillor Blair reported on a Police Advisory Board meeting held on January 25th. Topics discussed at this meeting included a draft False Alarm By-law, Debert Policing Office, RCMP quarterly report and the absence of a provincial appointee to the Board. Councillor Blair also reported on the January 5th meeting of the Community Advisory Committee for the Hospital where the naming process for the new hospital was discussed as well as priorities for the Committee.

Councillor Blair indicated she and Councillor McKenna attended a Bible Hill Village Commission meeting on January 12th where it was reported that tenders are going out on Phase 4 of the water expansion project.

Councillor Masters reported that CoRDA had an Audit Committee meeting which is now being held on a quarterly basis. Councillor Masters also reported that CoRDA held their monthly Board meeting yesterday.

Councillor Buott reported on a library meeting he attended where they are looking at alternatives to replacing the library building. He also attended the Brookfield Community Assembly meeting on Monday night where the main topic of discussion was sidewalks.

Councillor Cooper reported that, at the request of the Mayor, he had attended the Scottish Society's celebration of Robbie Burns Day on January 23rd. He also attended a meeting of the Shubenacadie Canal Commission where they talked about the lack of a provincial appointee from this area on the Commission as well as work continuing on the Heritage River situation. Councillor Cooper indicated that he had also attended a meeting of the Regional Emergency Management Advisory Committee on January 18th.

January 28, 2010

Councillor Edwards reported that the County's Parks and Trails Coordinator, Hilary Paquet, made a presentation on trails at the last CNTA meeting held on January 21st.

Councillor LeFresne reported on a meeting he attended last evening concerning the loss by fire of one of the community halls. Another meeting will be held in a month's time.

Deputy Mayor Cavanaugh reported that he had attended a fundraiser for Haiti Relief at the North River school and that \$1,300 had been raised. A tour of the School was also provided. He also provided a report from the Flood Advisory Committee - project at Elm River Park is now complete, looking at other projects at Bible Hill trailer park on Farnham Road, the Stonehouse property in North River and the Aitchison property in New Annan.

Councillor White reported that he had attended the Dangerous and Unsightly Committee meeting last week.

Councillor Taggart reported that he had attended a Truro and District Chamber of Commerce meeting a couple of weeks ago where the main topic of discussion was the location of the new prison and the civic centre. There was also a presentation from the Chair of the Bible Hill Village Commission on water. Councillor Taggart also attended a meeting of the Five Islands Fire Brigade, the Thirsty Church Committee, and a School Board meeting on Tuesday night regarding the future of the elementary school in Bass River.

Councillor McKenna reported on a meeting he attended of the Lawn Bowling Committee on January 18th. The Committee has narrowed down a list of 12 sites for the bowling green down to two or three. The bowling green is estimated to cost \$125,000. Next meeting to be held at the end of next month.

Mayor Taylor provided his report to Council of meetings and events he has attended in January. A copy of his report will be circulated in Councillor mailboxes.

Recess

Moved by Councillor McKenna
Seconded by Councillor Blair

“That the meeting recess to an in-camera session at 10:15 p.m.”

Motion Carried Unanimously.

January 28, 2010

At this point, Councillor LeFresne excused himself and left the meeting at 10:35 p.m.

Moved by Councillor McKenna
Seconded by Deputy Mayor Cavanaugh

“That the meeting reconvene in open session at 11:10 p.m.”

Motion Carried Unanimously.

Adjournment

Moved by Councillor McKenna
Seconded by Councillor Buott

“That the meeting be adjourned at 11:12 p.m.”

Motion Carried Unanimously.

Sheila Arsenault
Recording Secretary