

June 24, 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, June 24, 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 Gerald Buott	District #3
Councillor Mike Cooper	District #4
Councillor Glen Edwards	District #5
Councillor Karen MacKenzie	District #6
Councillor Jimmie LeFresne	District #7
Councillor Bob White	District #9
Councillor Tom Taggart	District #10
Councillor Earl McKenna	District #11

Absent:

Councillor Bill Masters	District #2
Deputy Mayor Ron Cavanaugh	District #8

Refusal of Variance Hearing - Car Pro Auto Service Centre, 66 Main Street, Bible Hill

Councillor White declared a conflict of interest on this matter and removed himself from the table.

Mayor Taylor called the public hearing to order respecting a variance refused by the Municipal Development Officer, Colin Forsyth. The variance application was made by Mr. Zak Rafih for a property located on Main Street, Bible Hill. Mr. Rafih appealed the decision so Council becomes the decision making body to either uphold or overturn the decision of the Development Officer.

Mr. Dan McDougall, Chief Administrative Officer, advised that the guidelines of the Municipal Government Act regarding advertising of the public hearing had been followed.

Mayor Taylor reminded Councillors that only those Councillors present throughout the public hearing can vote on the variance when it is eventually considered by Council. This public hearing is Council's opportunity to hear the variance decision and concerns of residents so notified.

Mr. Colin Forsyth, Development Officer, provided a brief overview of the variance. Several photos were also shown with respect to this and other signage in the area. Mr. Forsyth indicated that the issue with this sign is the reader board, which is 7.49 feet from the front of

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the property line which is almost double the maximum allowable under Central Colchester Land Use By-law.

At this point in the meeting, 7:13 p.m., Councillor MacKenzie arrived.

Mr. Dennis James, Municipal Solicitor, addressed the issue of Councillor MacKenzie's slightly late arrival and indicated that since she arrived prior to any details of the hearing being heard, Councillor MacKenzie was able to vote on the variance.

Mr. Forsyth indicated that the reasons for variance refusal are: the reader board portion of the sign was added without approval; the request violates the intent of the Land Use By-law; and, evidence indicates that the sign may infringe into the public right-of-way. Mr. Forsyth also indicated that there are options available to bring the sign into compliance. Mr. Rafih's reason for the appeal is that the costs to move the sign a few feet back would be in the range of \$6,000 to \$7,000 and there are other signs in the area that are much larger.

Mr. Zak Rafih - Applicant

In his presentation, Mr. Rafih addressed lack of approval for the sign indicating this was a misunderstanding as the existing sign was intended to have a reader board. He stated that he has been in contact with an engineering firm from Halifax regarding this issue. Mr. Rafih showed photos of other signs and stated that most of the existing signs in the area do not meet regulations. His Car Pro sign is done in good taste and is no different than other signs in the area. He takes pride in the properties he owns and that they are always kept neat and clean.

There were no other members of the public who stepped forward to address Council on this application.

An inquiry was made about why the cost of moving the sign is so high. Mr. Rafih explained that the high costs are due to the base of the sign being concrete and would have to be excavated.

Discussion was held on allowing this variance may set a precedent for others. Mr. Dennis James, Municipal Solicitor, stated that this is a judgement call and if Council should allow this variance, it does not mean that others would have to be allowed.

Moved by Councillor Blair

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Seconded by Councillor Buott

“That Council approves that the decision of the Development Officer be overturned and the variance be granted to Mr. Zak Rafih for the Car Pro Auto Service Centre located at 66 Main Street, Bible Hill.”

Motion Carried Unanimously.

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

At this point, Councillor White returned to the table.

Approval of Agenda

Moved by Councillor Cooper
Seconded by Councillor Buott

“That the agenda for June 24, 2010 be approved with the following additions:

- add Item #10b: Wind Farms (on table);
- add Item #10c: Local Purchasing Policy;
- add Item #10d: Elimination/Remediation of STP #2 in Debert
 - Tendering and Award of Construction Project (on table);
- add Item 13b: Joint Transportation Meeting.”

Motion Carried Unanimously.

Approval of Minutes

Moved by Councillor Taggart
Seconded by Councillor White

“That the minutes of the meeting held on May 25, 2010 be approved with the following amendment:

- Page 2010-20 under Reports from Councillors Appointed to Outside Boards and Agencies, last sentence in the third paragraph should read, ‘the applicant who accepted the position lives in Stewiacke and is currently the Principal of Enfield District Elementary’.”

Motion Carried Unanimously.

Business Arising from Minutes

There was no business arising from the minutes of the meeting held on May 25, 2010.

Presentations

Ms. Kendra Arsenault, Grant Thornton - County Financial Statements

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and Mr. Bruce Purchase, County Director of Corporate Services -
Treasurer's Statement

Ms. Arsenault presented the 2009-10 Audit Report and Statements to Council and provided a brief report on the audit of the Municipality. A more detailed briefing was provided to the Executive and Audit Committee prior to this Council Session. The first paragraph of the Auditor's Report stated that Grant Thornton had audited the financial statements. The second paragraph indicated the audit was conducted in accordance with the Canadian generally accepted auditing standards. The third paragraph stated that Grant Thornton has provided a clean opinion on the financial results.

Copies of all statements presented were circulated to Council. Councillors were encouraged to read these statements and direct any questions to Mr. Purchase.

Mr. Purchase provided a brief presentation on the Treasurer's Statement.

Moved by Councillor McKenna
Seconded by Councillor Buott

"That Council receives and accepts the financial statements as presented and that the Mayor and CAO be authorized to sign the necessary documents."

Motion Carried Unanimously.

Moved by Councillor White
Seconded by Councillor Blair

"That Council receives and accepts the Treasurer's Statement as presented."

Motion Carried Unanimously.

Ms. Genevieve Latour and Mr. Hugh MacEachern, Canada Post

Ms. Latour provided a brief introduction on Canada Post to Council including information such as: Canadians have the lowest stamp price worldwide; they deliver to over 50 million addresses and average delivery of 45 million pieces of mail per day; Canada Post has 70,000 employees and has been financially stable over the past 15 years. Mr. MacEachern stated that there are seven corporate outlets and three

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postal outlets throughout the county. Since 1994, there have been no closures of rural or small town post offices which are an essential part of the service provided.

Concerns were expressed and discussion was held regarding a large piece of equipment that is being purchased for Halifax that could mean potential job loss in the future for postal employees in this area. Ms. Latour stated that Canada Post has never had a layoff. Some positions may be eliminated upon employee retirement. A question was raised on whether this new piece of equipment would take away the sorting of mail from the Truro area. Ms. Latour and Mr. MacEachern stated that this would not affect the sorting of mail in Truro now or in the immediate future. It will be business as usual with no layoffs or other changes due to the equipment in Halifax.

Councillor MacKenzie requested clarification on closure of the Post Office and if there are any plans to eliminate rural delivery. Ms. Latour indicated that there is no plan to close the Post Office or eliminate rural delivery. If necessary, for safety reasons, there could be changes in rural delivery but no plans for elimination. The machine in Halifax will have no impact on Truro.

Other concerns were expressed regarding contact persons at Canada Post. Mr. MacEachern and Ms. Latour advised that Council can contact either of them with any issues or concerns that may arise in the future. Mr. MacEachern also indicated that he would forward a list of contact names and numbers to Mr. McDougall for distribution to Council.

Moved by Councillor White
Seconded by Councillor Buott

“That the presentation from Canada Post be received.”

Motion Carried Unanimously.

**Standing Committee
Reports and
Recommendations**

In the absence of Deputy Mayor Cavanaugh, Councillor Cooper presented the report from the Council Committee meeting held on June 10, 2010:

**Tatamagouche
Library - Costing
Options**

Moved by Councillor Cooper
Seconded by Councillor Buott

“That Council approves that the original budget of \$425,000 for the Tatamagouche Library Project be upheld; and, that the remaining funding required to complete the project be covered through the establishment of an area rate; and

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That Council authorizes that net proceeds received from the sale of the existing library building go toward the capital cost of the new facility; and

That Council approves that the catchment area for the establishment of an area rate be the Tatamagouche Fire District.”

Motion Carried Unanimously.

Tax Exemption By-law Amendment to Property List

Moved by Councillor Cooper
Seconded by Councillor LeFresne

“That Council approves the addition of the property owned by the Atlantic Christian Training Centre at 261 Loop Highway 6, Bayhead, to the Property List of the Tax Exemption By-law for fiscal year 2010-11 and beyond.”

Motion Carried Unanimously.

Assessment and Replacement of the Water Tower in Debert

Moved by Councillor Cooper
Seconded by Councillor White

“That Council directs staff to proceed with engaging a structural engineering consultant, who has expertise in the evaluation of gunite construction water towers, to carry out a detailed external/internal structural evaluation of a water tower on MacElmon’s Road (R1) in Debert; and, based on this evaluation, make a recommendation on the structural stability and expected remaining service life of the water tower.”

Motion Carried Unanimously.

Broderick Lane Road Maintenance

Moved by Councillor Cooper
Seconded by Councillor Taggart

“That Council authorizes the Municipality to commit an amount of \$5,000 to road improvements on Broderick Lane, Lower Five Islands, source of funds to be the municipal parks maintenance budget; and, that the Lane maintenance program, as presented in an Action Item dated June 10, 2010, be adopted as presented.”

Motion Carried Unanimously.

Devens’Exchange Event

Moved by Councillor Cooper
Seconded by Councillor Edwards

“That Council authorizes that, subject to availability, Mayor Taylor, Councillor Bill Masters and the Chief Administrative Officer

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participate in the exchange event in Devens, Massachusetts, August 16-17, 2010.”

Motion Carried Unanimously.

ACTION ITEMS

2010 Dutch Mason Blues Festival - Economic Development Request

Mr. McDougall advised that in addition to the Action Item circulated with the package, additional information from the Dutch Mason Blues Festival was circulated on table this evening.

Moved by Councillor McKenna
Seconded by Councillor Blair

“That Council supports the Dutch Mason Blues Festival’s request for an Economic Development Grant.”

Motion Carried. *(Councillors Cooper, Edwards and LeFresne opposed)*

“That Council approves an Economic Development Grant for the Dutch Mason Blues Festival in the amount of \$5,000.”

Motion Carried. *(Councillors Edwards and LeFresne opposed)*

Emergency Dispatch Services Agreement

Moved by Councillor White
Seconded by Councillor McKenna

“That Council waive its policy on tendering and procurement for this instance and approve Option #2 in the Action Item presented; to re-negotiate with Valley Communications on a new agreement for an extension of up to three years.”

Motion Carried Unanimously.

Date of Meeting - Capital Budget Plan Criteria

Moved by Councillor Cooper
Seconded by Councillor Edwards

“That Council approves Tuesday, September 21, 2010 at 7:00 p.m. as the date for a meeting on capital budget plan criteria.”

Motion Carried Unanimously.

Wind Farms

On the topic of Wind Farms, Councillor Taggart read a report which he submitted to the CAO. A copy of this report was circulated on

table for this evening’s meeting. He suggested that this item be put before Council during the Capital Budget Session.

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Mr. McDougall advised that wind farms are included on Council's long-term plans for the Municipality. There are several other large projects in the works and wind farms would take a considerable amount of staff time.

Councillor Taggart indicated that he feels strongly about sustainable energy. He suggested that he would continue to do some research on wind farms and that this is something that Council should definitely consider in the future.

Local Purchasing Policy

Discussion was held on the possibility of having a policy on local purchasing giving support to local companies and contractors.

Moved by Councillor Taggart
Seconded by Councillor Blair

"That Council look into amending the existing Purchasing and Tendering of Goods, Services and Construction Projects Policy to reasonably support local businesses."

Motion Carried Unanimously.

**Elimination/
Remediation of STP
#2 in Debert -
Tendering and
Award of
Construction Project**

The CAO provided a brief overview of this Action Item which was distributed on table this evening.

Moved by Councillor White
Seconded by Councillor Cooper

"That Council approves moving forward with the process of tendering, award and construction of the Project of Remediation of STP #2 (Phase-1) in Debert; and,

That Council authorizes staff to award the contract subject to the tender prices being within budget or at the maximum being 10% over the approved budget cost for the project; and,

That the source of funds for this project be Option 2 as circulated with the Action Item to Council and staff."

Motion Carried Unanimously.

Correspondence

ACTION

**Mary Lee, President/
CEO, Health
Association of NS**

A letter to the Mayor dated June 7, 2010 from **Mary Lee, President/CEO, Health Association of NS**, requesting that September be proclaimed Continuing Care Month.

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Moved by Councillor McKenna
Seconded by Councillor White

“That Council proclaim September as Continuing Care Month in Colchester County.”

Motion Carried Unanimously.

**Larry Faulkner,
Treasurer, Economy
Recreation Centre**

A letter to the Mayor and Councillors received June 21, 2010 from **Larry Faulkner, Treasurer, Economy Recreation Centre**, requesting financial support to assist with building maintenance expenses for the Economy Recreation Centre.

Discussion was held regarding a sum of money that was provided to the Economy Recreation Centre in 2009 under the Grant Program. It was suggested that staff contact Mr. Faulkner to request additional information, including financial statements for the Economy Recreation Centre.

Moved by Councillor McKenna
Seconded by Councillor Taggart

“That the request from the Economy Recreation Centre for financial support be referred to Council Committee.”

Motion Carried Unanimously.

**Ms. Pam Macintosh,
Planner,
Municipality of
Colchester**

A memo to the Mayor and Council dated June 22, 2010 from **Pam Macintosh, Municipal Planner**, regarding a rezoning application for a property located on Pictou Road in Bible Hill.

Moved by Councillor Cooper
Seconded by Councillor Edwards

“That the rezoning application for a property located on Pictou Road be referred to the Planning Advisory Committee.”

Motion Carried Unanimously.

INFORMATION

Building Inspector

A copy of the Building Permit Statistics received from the **Building Inspector** for the month of May 2010. Council agreed to receive this report for information.

Development Officer

A copy of the Development Activity Report received from the **Development Officer** for the month of May 2010. Council agreed to receive this report for information.

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**INFORMATION
ITEMS**

**Civic Centre - Joint
Council Meeting on
July 27, 2010**

A joint Council meeting of Truro and Colchester has been set for July 27, 2010. The time and location have not been confirmed as yet. Council will be notified by email once this is confirmed.

The purpose of the meeting is to present the Councils with the overall facility design for the Civic Centre in advance of the public meeting on July 28, 2010. Members of the design team will be available at this meeting to assist in the presentation and respond to any questions the Councils may have.

**Community Trail
Funding Program -
Summer 2010
Applications**

Under the Community Trails Funding Program, two applications were received and approved for the June 4th deadline for a total amount of \$19,345.

**Joint Transportation
Meeting**

Mayor Taylor advised Council that the quarterly meeting with Transportation and Infrastructure Renewal is scheduled for Tuesday, June 29, 2010 and asked if there was anything Councillors wanted to submit for discussion at the upcoming meeting.

Councillor Buott inquired about whether the repaving along Highway #2 included an allowance for bike lane and if there are plans to pave Carter Road.

Councillor MacKenzie inquired about the stop signs on Meadowland and Village Line Avenues.

Councillor Blair mentioned the ditching problem on Corey Drive which has been a long standing issue.

Councillor Cooper indicated that he would like updates on replacing and repairing signage.

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

Councillor Blair reported that the Hospital Community Board has short listed names for the new hospital. The next Police Advisory Board is scheduled for July 19th. District Commander Graham is a guest speaker at an upcoming event on July 5th. Councillor Blair also mentioned that she attended the FCM conference where she found the meetings to be very productive. There were several excellent speakers including major party leaders. A detailed report has been submitted to the CAO's office.

Councillor Buott advised that he attended the Five Islands ratepayers' meeting, Hilden Fire Brigade Banquet, Brookfield ratepayers' meeting, a library meeting and an unsightly premises meeting.

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Councillor Cooper indicated that he attended the EMO meeting on June 14th and the Shubenacadie Canal Commission annual general meeting.

Councillor Edwards reported that he was in attendance at the Bass River Memorial Park Event and the 64th Charter Night at the Lions' Club. Councillor Edwards also indicated that Councillor Buott attended the Review of Army Cadets on his behalf.

Councillor MacKenzie advised that she attended the library board meeting. The library is currently looking at the purchase of a new van. Questions around a new facility or existing facility upgrades were raised. Prior to the board meeting, there were long service award presentations.

Councillor White attended the Five Islands and Economy Fire Brigade meetings and a tour of Broderick Lane. He advised that he is now an ex-officio member of the Onslow Community Centre. Councillor White indicated that he missed the CoRDA annual general meeting.

Councillor Taggart attended the FCM conference which he said was very educational. He also attended the Five Islands and Economy Fire Brigade meetings and the Wind Power Solar Energy Tour on Monday, June 21st.

Councillor McKenna advised that he attended the Lawn Bowling Committee meeting. Different sites are being selected for review. Councillor McKenna also indicated that he has expressed interest in being on the UNSM Resolution Committee but was informed that the Committee has already been selected.

Mayor Taylor advised that he attended the FCM conference where there were some great presentations and overall, the conference was very well done. He attended the EMO meeting and commented that these meetings are very well attended. The CoRDA annual general meeting had approximately 75 to 100 people in attendance. The Relay for Life was successful. Overall the number of teams registered were down but there was an increase in monies raised. Mayor Taylor also attended the NSCC graduation and will be attending the CEC graduation on Monday June 28th. A complete list showing the events and meetings Mayor Taylor attended during the past month was circulated with the Council package.

Recess

Moved by Councillor White
Seconded by Councillor McKenna

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“That the meeting recess to an in-camera session at 10.54 p.m.”

Motion Carried Unanimously.

Moved by Councillor Taggart
Seconded by Councillor Buott

“That the meeting reconvene in open session at 11:46 p.m.”

Motion Carried Unanimously.

**Civic Centre
Progress Report &
Budget**

Moved by Councillor White
Seconded by Councillor Edwards

“That Council approves an amendment to the Memorandum of Understanding that provides that, after all other funding sources, the local government share for the balance of funding required for the Civic Centre Project will be shared 60% by the Municipality of Colchester and 40% by the Town of Truro.”

Motion Carried Unanimously.

Adjournment

Moved by Councillor Edwards
Seconded by Councillor McKenna

“That the meeting be adjourned at 11:48 p.m.”

Motion Carried Unanimously.

Tracey Veno
Recording Secretary