

April 25, 2013

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, April 25, 2013 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
Deputy Mayor Bill Masters	District #2
Councillor Geoff Stewart	District #3
Councillor Mike Cooper	District #4
Councillor Lloyd Gibbs	District #5
Councillor Karen MacKenzie	District #6
Councillor Michael Gregory	District #7
Councillor Ron Cavanaugh	District #8
Councillor Doug MacInnes	District #9
Councillor Tom Taggart	District #10
Councillor Wade Parker	District #11

Public Hearing - Heritage Property Designation - Five Islands Lighthouse

Mayor Taylor called the public hearing to order respecting an application for a municipal heritage designation involving an application made by the Municipality that would allow for the designation of the Five Islands Lighthouse, 140 Broderick Lane, Lower Five Islands, PID #20408407, as a municipal heritage property. The text for the application and a related staff report have been circulated to Council members and made available to the public.

Mr. Ramesh Ummat, Chief Administrative Officer, advised that the guidelines of the Heritage Property Act regarding the designation and hearing process have been followed.

Mayor Taylor reminded Councillors that only those present throughout the public hearing can vote on the heritage designation when it is eventually considered by Council. This public hearing is Council's opportunity to hear the application and any concerns of area residents. Individual Councillors will have an opportunity to debate the merits of the heritage designation 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. The Municipality was approached by Gloria Lewis, on behalf of the Five Islands Lighthouse

April 25, 2013

Preservation Society, to consider registering this municipally owned building as a Municipal Heritage Property. The lighthouse has a long history within the community and is 100 years old this year. The lighthouse and the land on which the building is situated are owned by the Municipality but the Society has had a long standing lease agreement with the County for the seasonal maintenance and operation of the building. This lease agreement is currently being updated by staff.

Ms. Macintosh indicated that staff support the Five Islands Lighthouse Preservation Society in its request to have this building designated as a Municipal Heritage Property.

Although in the audience, Ms. Lewis offered no further comments regarding this application.

Councillor Taggart presented a report on behalf of the Planning Advisory Committee. The Planning Advisory Committee, which acts as the Heritage Advisory Committee for these applications, has recommended that Council proceed with this heritage designation.

Mr. Ummat advised that no written submissions have been received regarding this application.

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

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

Moved by Councillor Taggart
Seconded by Councillor Cavanaugh

“That Council approves the designation of the municipally-owned Five Islands Lighthouse at 140 Broderick Lane, Lower Five Islands, PID #20408407, as a Municipal Heritage Property.”

Motion Carried Unanimously.

Mayor Taylor indicated that the property may not be registered as a Municipal Heritage Property for at least 30 days, but not more than 120 days, after the service of Form ‘A’ (Notice of Recommendation to Register a Municipal Heritage Property) to the property owner. Form ‘B’ (Notice of Registration) must then be completed and filed in the Registry of Deeds.

As there was no further business on this matter, Mayor Taylor

April 25, 2013

declared the public hearing closed.

**Public Hearing -
Development
Agreement - 18
Truro Heights Road,
Lower Truro**

Mayor Taylor called the public hearing to order respecting an application for a development agreement involving an application made by Gordon Colpitts that would allow for the establishment of three (3), three (3) unit townhouse-style apartment buildings on a lot located at 18 Truro Heights Road, Lower Truro, PID #20318473. The text for this application and a related staff report have been circulated to Council members and made available to the public.

Mr. Ummat advised that the guidelines of the Municipal Government Act regarding advertising of the public hearing have been followed.

Mayor Taylor reminded Councillors that only those present throughout the public hearing can vote on the development agreement when it is eventually considered by Council. The public hearing is Council's opportunity to hear the application and any concerns of area residents. Individual Councillors will have an opportunity to debate the merits of the development 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.

Ms. Macintosh advised that the property is situated on the southwest side of Truro Heights Roads, a designated collector road, and extends along Tideview Drive. This 44,736 square foot site has 206 feet of frontage in total along these two roads. Two parcels were consolidated to form this acreage as part of this undertaking. The property has been zoned Residential Double Dwelling Unit (R-2) and will remain unchanged for this project.

Ms. Macintosh indicated that a revised site plan has been placed on table for this hearing. The revision was due to the removal of the proposed driveway closest to the Truro Heights Road. Staff are still in discussions with the applicant and his engineer concerning stormwater management calculations and drawings. Revised drawings and calculations were submitted earlier today but staff have not yet had time to review. The applicant understands that the development agreement will not be signed until staff are satisfied that all requirements have been met.

Ms. Macintosh indicated that staff are recommending that Council approve this application conditional upon a successful resolution of the stormwater management matter.

There was no one in the audience to speak on behalf of the applicant and give an overview of the proposed development.

April 25, 2013

Councillor Taggart reported that the Committee liked the proposal overall and viewed it as a positive development for that area. With the stormwater management issue being addressed, the Committee has recommended that Council enter into this agreement.

Mr. Ummat advised that no written submissions have been received regarding this application.

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

Councillor Taggart placed the following motion on the floor:

Moved by Councillor Taggart
Seconded by Deputy Mayor Masters

“That Council approves the Municipality of the County of Colchester entering into a development agreement with Mr. Gordon Colpitts for 18 Truro Heights Road, Lower Truro, PID 20318473, which would allow for the establishment of three (3), three (3) unit townhouse-style apartment buildings on this lot; and,

That this approval be conditional upon Mr. Colpitts satisfying the Municipality that all requirements of the development agreement have been met.”

Motion Carried Unanimously.

Mayor Taylor indicated 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 the local newspaper.

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

Approval of Agenda

Moved by Deputy Mayor Masters
Seconded by Councillor Cooper

“That the agenda for May 28, 2013 be approved with the following additions:

- add to Item #17, Closed Session - Negotiations
- add Item #11b: Capital Budget Meeting
- add to Item #17, Closed Session - Executive and Audit

April 25, 2013

- Committee - minutes of meetings held on March 26 and April 11, 2013
- add Item #11c: Cottage Country.”

Motion Carried Unanimously.

Approval of Minutes

Moved by Councillor Cavanaugh
Seconded by Councillor MacInnes

“That the minutes of the meeting held on March 26, 2013 be approved as circulated.”

Motion Carried Unanimously.

Business Arising from Minutes

There was no business arising from the minutes of the meeting held on March 26, 2013.

Presentations

Ms. Joyce Mingo, Executive Director,
Central Nova Tourist Association (CNTA)

Through a powerpoint presentation, Ms. Mingo outlined the role and activities of Nova Scotia’s Regional Tourism Industry Associations which include Destination Southwest Nova, Destination Eastern and Northumberland Shores, Central Nova Tourist Association and Destination Cape Breton. The role of these associations is to promote and develop the tourism industry by increasing the number of tourists that visit a specific geographic area in Nova Scotia, increasing the amount they spend, recognizing the concerns of the visitors and representing the collective interests of the region in the tourism industry. The associations have shifted from a membership to a stakeholder agency.

Projects that CNTA have been or are currently involved in include:

- visitors’ guides, mobile sites, entry points
- Saltscapes Magazine, 2012 Atlantic Canada Showcase, 2013 Canada Group Travel Planner, Wild Blueberry Harvest Festival
- Doers and Dramers Guide 2013, Bay of Fundy Webcam, Summerscapes and Winterscapes 2013
- visitor servicing, Saltscapes Expo 2013, social media, tear-off maps
- proposed website restructuring, marketing levy, festival and event funding and support for industry

Moved by Councillor Gibbs
Seconded by Councillor Blair

April 25, 2013

“That the presentation from the Central Nova Tourist Association be received.”

Motion Carried Unanimously.

**Standing Committee
Reports and
Recommendations**

Deputy Mayor Masters presented a report from the Council Committee meeting held on April 11, 2013:

**Public Works
Summer Term
Position**

Moved by Deputy Mayor Masters
Seconded by Councillor Gregory

“That Council approves a summer term position for the Public Works Department for 26 weeks, effective May 6, 2013.”

Motion Carried Unanimously.

**Terms of Reference -
County Flood
Advisory Committee**

Moved by Deputy Mayor Masters
Seconded by Councillor Cavanaugh

“That Council approves the Terms of Reference for the Municipality of Colchester’s Flood Advisory Committee as presented.”

Motion Carried Unanimously.

**Project Engineer -
Term Position**

Moved by Deputy Mayor Masters
Seconded by Councillor MacInnes

“That Council approves a six-month term position for a Project Engineer and directs staff to open discussion with qualified candidates for this term position.”

Motion Carried Unanimously.

**Construction Project
of Balefill Scales,
Scalehouse & Public
Drop-Off Facility**

Moved by Deputy Mayor Masters
Seconded by Councillor Blair

“That Council approves award of the tender for the Scalehouse Drop-Off Facility Project to Ian Sinclair Contracting Services for a total of \$401,031.75, excluding HST; and,

That an internal project contingency of \$40,000 be carried, to be spent only on authority of the Director of Public Works.”

April 25, 2013

Motion Carried Unanimously.

**Maritime Ride for
Sight**

Moved by Deputy Mayor Masters
Seconded by Councillor Gibbs

“That Council approves a donation in the amount of \$1,000 to the Maritime Ride for Sight event being held at the Nova Scotia Exhibition Grounds on June 7 and 8, 2013, source of funds to be Economic Development Grants.”

Motion Carried Unanimously.

**Executive and Audit
Committee**

There was no business arising from the minutes of meetings held on March 26 and April 11, 2013.

**Planning Advisory
Committee**

There was no further business to report from the meeting held on April 9, 2013 other than that presented at the public hearings held earlier this evening.

ACTION ITEMS

**Mayor and Council
Remuneration**

Moved by Deputy Mayor Masters
Seconded by Councillor Cooper

“That Council authorizes the use of the Operating Reserve Fund to cover possible additional funding in 2013-14 for Council remuneration.”

Motion Carried Unanimously.

**Flood Projects
Budget**

Moved by Councillor Taggart
Seconded by Councillor Cavanaugh

“That Council authorizes an increase of \$50,000 to the Small Flood Projects Budget for a total of \$100,000 in 2013-14, source of funds to be the Operating Reserve Fund.”

Motion Carried. *(Councillor Cooper opposed)*

Moved by Deputy Mayor Masters
Seconded by Councillor Taggart

“That Council authorizes an increase of \$150,000 to the

April 25, 2013

Municipality of Colchester's share of the Major Flood Reserve for a total of \$200,000 in 2013-14, and a total reserve fund of \$350,000, source of funds to be the Operating Reserve Fund."

Motion Carried Unanimously.

2013-14 Operating Budget

Moved by Deputy Mayor Masters
Seconded by Councillor Stewart

"That Council approves the 2013-14 Operating Budget with the additions/deletions as set out on March 25, 2013 and with amendments as set out on April 25, 2013; and,

That the following Tax Resolution be approved as presented:

WHEREAS the Municipal Council of the County of Colchester is required to levy rates which it deems sufficient to raise the sum required to defray the expenditure of the Municipality of the County of Colchester for the current twelve month fiscal period;

RESOLVED that pursuant to **Section 72 of the Municipal Government Act**, the Municipal Council of the Municipality of the County of Colchester estimates that sums amounting to **\$21,339,870** are required for the lawful purpose of the Municipality for the year ending **March 31, 2014**, after crediting the probable revenue from all sources other than rates for the abatement and losses which occur in the collection of the taxes for the said year which may not be collected or collectible;

FURTHER RESOLVED that the said Council authorize the levying and collection of a rate of **eighty-four cents (\$0.84)** on each \$100.00 of the assessed value of the residential and resource property assessed in the **2013** Assessment Roll;

FURTHER RESOLVED that the said Council authorize the levying and collection of a rate of **two dollars twenty-five cents (\$2.25)** on each \$100.00 on the assessed value of Commercial Property and Business Occupancy assessed in the **2013** Assessment Roll;

FURTHER RESOLVED that pursuant to **Section 78 of the Municipal Government Act** in lieu of all rates and taxes of the Municipality, an owner of forest property to which the said section applies shall pay tax equal to twenty-five (25) cents per acre on holdings of 50,000 or less and forty (40) cents per acre on holdings greater than 50,000 acres and where an area, village or commission rate is levied for fire protection, the owner shall pay an additional tax of one (1) cent per acre;

April 25, 2013

FURTHER RESOLVED that the said Council hereby requires payment of said rates to be made to the Tax Collector or Treasurer of the said Municipality on or before the 8th day of August, 2013;

FURTHER RESOLVED that said Council hereby imposes an additional percentage charge of 15% per annum on all rates and taxes remaining unpaid after the 8th day of August, 2013.”

Motion Carried Unanimously.

**Collective
Agreement
- Local #3945**

Moved by Deputy Mayor Masters
Seconded by Councillor Cooper

“That Council authorizes May Council Committee to make a decision on acceptance or rejection of the tentative agreement with Union Local #3945.”

Motion Carried Unanimously.

**Capital Budget
Meeting**

Moved by Councillor Stewart
Seconded by Councillor Gregory

“That Council approves the date of Monday, May 13, 2013 at 6:00 p.m. as the date and time for the first Capital Budget meeting in 2013-14.”

Motion Carried Unanimously.

Cottage Country

Councillor Taggart indicated that in West Colchester, there are many old cottages that need to be moved due to erosion and residents have told him that the cost of moving these cottages is more than what they are worth. It is his understanding that to move these cottages, the power must be disconnected and then when reconnected, it has to be according to the National Building Code. He would like to have staff look into the matter to see if there is some way that the County can assist those property owners who have to move their cottages because of erosion.

Moved by Councillor Taggart
Seconded by Councillor Gregory

“That staff be directed to look into what can be done to lessen the cost to move existing cottages in Colchester County because of coastal erosion, including looking at other municipalities approach to this issue and any ‘grandfather’ options for cottages of a certain age.”

Motion Carried Unanimously.

April 25, 2013

Correspondence

ACTION

**Diane Swinemar,
Executive Director,
Feed NS**

A letter to the Mayor dated April 2, 2013 from **Diane Swinemar, Executive Director, Feed Nova Scotia**, requesting that May 6-10 be proclaimed Hunger Awareness Week in Colchester County.

Moved by Councillor MacInnes
Seconded by Councillor Gregory

“That the week of May 6-10, 2013 be proclaimed Hunger Awareness Week in Colchester County.”

Motion Carried Unanimously.

**Steve Karrel, Vice-
Chair, NSPEC
Board of Directors**

A letter to the Mayor and Council dated April 12, 2013 from **Steve Karrel, Vice-Chair, Nova Scotia Provincial Exhibition Commission Board of Directors**, requesting interim support from the Municipality of Colchester.

Moved by Deputy Mayor Masters
Seconded by Councillor Cooper

“That staff be directed to conduct a detailed study of the overall financial situation of the Nova Scotia Provincial Exhibition facility and report back to Council.”

Motion Carried Unanimously.

**Margaret Mauger,
Executive Director,
Colchester Sexual
Assault Centre**

A letter to the Mayor and Council dated April 18, 2013 from **Margaret Mauger, Executive Director, Colchester Sexual Assault Centre**, requesting that May 2013 be proclaimed Sexual Assault Awareness Month in Colchester County.

Moved by Councillor Blair
Seconded by Councillor Gibbs

“That the month of May 2013 be proclaimed Sexual Assault Awareness Month in Colchester County.”

Motion Carried Unanimously.

**Kevin Quinlan,
NSCC Truro
Campus**

A letter to the Mayor dated April 16, 2013 from **Kevin Quinlan, NSCC Truro Campus**, requesting funding assistance with additional costs incurred to keep Centennial Pool open to the end of March 2013.

April 25, 2013

Moved by Deputy Mayor Masters
Seconded by Councillor Blair

“That the request from the NSCC Truro Campus for funding assistance with additional costs incurred to keep Centennial Pool open to the end of March 2013 be referred to Council Committee.”

Motion Carried Unanimously.

**David Gunn,
Tatamagouche**

A letter to the Mayor dated April 24, 2013 from **David Gunn, Tatamagouche**, requesting that the week of May 27-June 1, 2013 be proclaimed Train Days in Colchester County.

Moved by Councillor Gregory
Seconded by Councillor Cavanaugh

“That the week of May 27-June 1, 2013 be proclaimed Train Days in Colchester County.”

Motion Carried Unanimously.

INFORMATION

Building Inspector

A copy of the Building Permit Statistics received from the **Building Inspector** for the month of March 2013. Council agreed to receive the report for information.

Development Officer

A copy of the Development Activity Report received from the **Development Officer** for the month of March 2013. Council agreed to receive the report for information.

INFORMATION ITEMS

**Community Park
Funding Program -
Winter 2013**

Four applications were received and approved for the February 28, 2013 deadline for a total amount of \$62,620.

**Active
Transportation Plan
- College Road
Bikeways Corridor**

In January 2011, Council adopted an Active Transportation Strategy which included sidewalk projects and paved shoulders to support cycling. During a review of the Strategy, Council discussed that in some locations, proper bike lanes would be required rather paved shoulders for reasons of safety and comfort for users. Through provincial and municipal funding, including the Village of Bible Hill, staff have been able to carry out a survey and detailed design of a multi-use trail for the south side of College Road and Main Street to the Walker Street bridge. The vision is to

April 25, 2013

create a safe cycling corridor 5.8 km from Valley, through Bible Hill to the Town of Truro.

Sewer Use Appeals Committee

This Information Item provided Council with an update on the activities of the Sewer Use Appeals Committee with respect to the appeals received in opposition of the approval issued to Atlantic Industrial Services to discharge treated hydraulic fracturing wastewater into the Debert sewer system. The appeals are scheduled to be heard publicly on May 6th and 7th at the Royal Canadian Legion in Debert, beginning at 6:00 p.m. on both days. The Committee will announce its decision on the appeals in writing on May 17th.

Reports from Councillors Appointed to Outside Boards and Agencies

Councillor Blair reported on meetings she attended of the Police Advisory Board and the Dangerous and Unightly Premises Committee. The Hospital Community Advisory Committee's next meeting is scheduled for May 23rd which could possibly be the last as the Committee is being disbanded. Councillor Blair also reported that she had attended meetings of the Flood Advisory Committee, the Sewer Use Appeals Committee, the Bible Hill Fire Brigade, the Village of Bible Hill and on behalf of Council, attended the volunteer awards ceremony for the Village of Bible Hill.

Deputy Mayor Masters reported that he had attended a meeting of the Municipal Auditor General Committee and a research funding announcement at the NSAC on behalf of Council.

Councillor Stewart reported that he had attended meetings of the Library Board, the Brookfield Men's Club, wind turbines and the Dangerous and Unightly Premises Committee.

Councillor Cooper reported that he had attended meetings of the Sewer Use Appeals Committee, the Executive and Audit Committee and the Upper Stewiacke Fire Brigade awards banquet.

Councillor Gibbs reported that he had attended the flood mitigation funding announcement, a Planning Advisory Committee meeting, including a tour of the Dalhousie Mountain wind farm, and a Dangerous and Unightly Premises Committee meeting.

Councillor MacKenzie reported that she had attended two meetings regarding wind turbines.

Councillor Gregory reported that he had attended meetings of the Police Advisory Board, the Tatamagouche Village Commission, the Creamery Square Association, the Northumberland Arts Council and the Archives Committee.

April 25, 2013

Councillor Cavanaugh reported that he had represented Council at the provincial volunteer awards ceremony in Halifax.

Councillor MacInnes reported that he had attended meetings of the CoRDA Board of Directors, the Sewer Use Appeals Committee, the Dangerous and Unightly Premises Committee, the annual dinner for the Truro and District Chamber of Commerce, and participated in the Planning Advisory Committee's tour of the Dalhousie Mountain wind farm.

Councillor Taggart reported that he had attended the Great Village Fire Brigade's annual banquet, meetings of the Planning Advisory Committee, the Dangerous and Unightly Committee, the Sustainability Practices Committee, the Sewer Use Appeals Committee, and the Planning Advisory Committee's tour of the Dalhousie Mountain wind farm.

Councillor Parker reported that he had attended meetings of the Village of Bible Hill, the Sewer Use Appeals Committee and the Village of Bible Hill volunteer awards ceremony.

Mayor Taylor presented his written report of activities and events he had attended during the month of April, a copy of which was circulated on table for this evening's meeting.

Closed Session

Moved by Councillor Gregory
Seconded by Councillor Cavanaugh

"That the meeting go into closed session at 10:55 p.m."

Motion Carried Unanimously.

Moved by Councillor Cavanaugh
Seconded by Councillor Gregory

"That the meeting reconvene in open session at 12:00 a.m."

Motion Carried Unanimously.

**Regional Economic
Development**

Moved by Councillor Stewart
Seconded by Councillor Blair

2013 - 14

April 25, 2013

“That Council authorizes the Executive and Audit Committee to begin the process to develop the economic development sector for the Municipality of Colchester.”

Motion Carried Unanimously.

Adjournment

Moved by Councillor Cavanaugh
Seconded by Councillor Gregory

“That the meeting be adjourned at 12:05 a.m.”

Motion Carried Unanimously.

Sheila Arsenault
Recording Secretary