

May 28, 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 Tuesday, May 28, 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

Approval of Agenda

Moved by Deputy Mayor Masters
Seconded by Councillor Blair

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

- add to Item #6, Presentations: Brian Smith, BTS Management Consulting Ltd. - Council Remuneration
- add Item #8b: Date for Next Capital Budget Meeting (on table)
- Item #12, Closed Session: add one Property Matter and 2 additional Negotiation items
- add Item #8c: Council Remuneration
- add Item #8d: Congratulations to the Halifax Mooseheads
- add Item #10b: Municipal Alcohol Project
- add Item #10c: REN Discussions.”

Motion Carried Unanimously.

Appointment of Solicitor

Moved by Councillor Cavanaugh
Seconded by Councillor Cooper

“That Council waives policy and appoints Patterson Law as the Municipality of Colchester’s Solicitor for fiscal year 2013-14.”

Motion Carried Unanimously.

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Approval of Minutes

Moved by Councillor Gregory
Seconded by Councillor MacInnes

“That the minutes of the meeting held on April 25, 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 April 25, 2013.

Presentations

Nova Scotia Environment Compliance Division

Representing the Nova Scotia Environment Compliance Division were Joel Corcoran, Regional Compliance and Inspection Coordinator and Brad Skinner, District Manager for Truro and Amherst offices. In the presentation, Mr. Corcoran indicated that the Division is responsible for:

- issuing classes of approvals for designated activities under the Activities Designation Regulations;
- promoting the Environment Act through cooperation, communication and education;
- ensuring compliance with the Environment Act and Regulations by conducting audits, inspections and investigations.

Mr. Corcoran circulated copies of Environment’s compliance model which is used by the Division to ensure consistent response to any issue. He then went on to explain the inspection process through to compliance.

Moved by Councillor Taggart
Seconded by Deputy Mayor Masters

“That the presentation from the Nova Scotia Environment Compliance Division be received.”

Motion Carried Unanimously.

Derek Leet - Semple Creek Road

Mr. Leet had asked to make a presentation to Council in support of his written request on behalf of the residents of Semple Creek Road. The residents are asking the County to consider taking over the road. The road is now maintained by the residents.

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Mr. Leet provided a brief history of the road which was developed in 1986. At that time, the road was built to Department of Transportation standards with the understanding that the road would be turned over to the Province once the required number of houses were built. During the mid 1970's when the Province transferred responsibilities to the municipalities, the idea to turn over Semple Creek Road was forgotten.

In 2010, Mr. Leet started his inquiry on having the road transferred over to the Municipality. Mr. Leet made reference to a letter he recently received from the Acting Director of Public Works for the County. He indicated that he found the letter confusing and did not understand from the letter what needed to be done to have the road taken over by the County, so he is asking for clearer direction or guidelines. If the roads in a new subdivision such as Barrachois were taken over by the County, why can this not be done for a road in an older subdivision on Semple Creek Road.

Moved by Councillor Gregory
Seconded by Councillor Cavanaugh

“That the presentation from Mr. Derek Leet regarding the takeover of Semple Creek Road by the Municipality of Colchester be referred to Council Committee.”

Motion Carried Unanimously.

In addition to this motion, Michelle Newell, Acting Director of Public Works, also agreed to provide Mr. Leet with further details other than what was contained in her letter.

Lenore Zann - Truro Theatre Society

Ms. Zann had asked to make a presentation before Council in support of a request to the County from the Truro Theatre Society. The Society is asking for a contribution of \$2,500 for a theatrical performance of Shakespeare in Victoria Park on July 21st. Ms. Zann indicated that she wanted to be someone who could help give children an opportunity to act. This was why the Society was formed. She explained that the budget for the play is approximately \$7,500. The Society has raised \$4,100, the Town of Truro was also asked for a contribution of \$2,500 and has committed to \$1,250.

Moved by Deputy Mayor Masters

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Seconded by Councillor Gibbs

“That the presentation from the Truro Theatre Society be received and referred to June Council Committee with authority to make a final decision.”

Motion Carried Unanimously.

Brian Smith - BTS Management Consulting Ltd.

Mr. Brian Smith was hired by the Municipality to conduct a review of Council remuneration.

In his presentation, Mr. Smith indicated that he had made a presentation to the Executive and Audit Committee earlier this evening on his report on Council remuneration. The purpose of this independent review is to provide an arm’s length overview of the existing compensation levels set in 2006 in the Payment of Councillors By-law. This By-law sets a base salary for each of the Mayor, Deputy Mayor and Councillors, and provides for an annual adjustment of 2% based on the Consumer Price Index. The review is intended to consider the level of compensation for members of Council, taking into account changes in responsibility and activity levels since 2006.

In conducting this review, Mr. Smith indicated that he chose to look at a handful of rural municipalities that are comparable to Colchester. Colchester fell within the group that includes Lunenburg and Kings, both of which are significantly larger than Cumberland and Pictou Counties.

The report recommends the following salary levels:

Councillor:	\$23,700
Deputy:	\$29,000
Mayor:	\$46,500

The report also recommends that the Consumer Price Index be continued between periodic reviews but once a term of Council is over, that another comprehensive review be undertaken. Copies of the report were distributed.

Moved by Deputy Mayor Masters
Seconded by Councillor MacInnes

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“That the presentation from BTS Management Consulting Ltd. be received.”

Motion Carried Unanimously.

**Standing Committee
Reports and
Recommendations**

Deputy Mayor Masters presented reports from a Council Committee meeting held on May 16, 2013:

**Economic
Development -
Future Funding to
CoRDA**

Moved by Deputy Mayor Masters
Seconded by Councillor Taggart

“That Council directs that no further funds be released from the 2013-14 budget provision for the Colchester Regional Development Agency without direct authorization from Council.”

Motion Carried Unanimously.

**High School
Scholarship
Program**

Moved by Deputy Mayor Masters
Seconded by Councillor Stewart

“That Council approves the continuation of the High School Scholarship Program;

The transfer of an additional \$3,000 for this school year to the Scholarship Fund Reserve as an unbudgeted item; and,

That the renewal of this Program be reviewed during the 2014-15 budget deliberations.”

Motion Carried Unanimously.

**Stewiacke Library -
Representation on
Library Committee**

Moved by Deputy Mayor Masters
Seconded by Councillor MacInnes

“That Council approves the appointment of Councillor Stewart and Councillor Cooper, and the Director of Community Development to the Stewiacke Library Committee.”

Motion Carried Unanimously.

**Street Paving of J-
Class Streets**

Moved by Deputy Mayor Masters
Seconded by Councillor MacKenzie

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“That, given Huckleberry Lane, Delaney Drive and Mulberry Terrace are the last three streets on Transportation and Infrastructure Renewal’s priority list to be paved under the Province’s cost-shared paving program, Council approves the cost estimate of \$151,000 as the Municipality of Colchester’s share of the paving project of all three streets, of which \$57,560 plus excess costs to a limit of 10% above the estimated value, be paid by the Municipality as an unbudgeted item from general operations; and,

That no further petitions be considered under the existing Local Improvement By-law until a review of the By-law has been carried out.”

Motion Carried Unanimously.

**Easement
Agreement/Right of
First Refusal - Home
Hardware, Debert**

Moved by Deputy Mayor Masters
Seconded by Councillor MacInnes

“That Council approves the Municipality of Colchester entering into an agreement with Home Hardware Stores Limited for the use of a turning easement on PID #20153698.”

Motion Carried Unanimously.

**Area Rates and
Budgets/Area Rate
Resolution**

Moved by Deputy Mayor Masters
Seconded by Councillor Gregory

“That Council approves the 2013/14 Area Rate Budgets and the following resolution as presented on May 16, 2013:

WHEREAS the Municipal Council of the County of Colchester is required to levy rates which it deems sufficient for an area or for the benefit of an area for the current twelve month fiscal period;

RESOLVED that pursuant to **Section 75 of the Municipal Government Act**, the Municipal Council of the Municipality of the County of Colchester authorizes the levying and collection of the area rates as per attached Schedule A;

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.”

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Motion Carried Unanimously.

ACTION ITEMS

LED Streetlight Replacement

Kim Paterson, Administrative Assistant/Researcher, provided a powerpoint presentation on LED streetlights. In 2011, the Province announced its plan to make LED street lighting mandatory. In September 2012, the regulations were approved. The Municipality must decide whether to stay with Nova Scotia Power or purchase and maintain the new LED lights and pay Nova Scotia Power for the energy related costs. Municipalities must file a report with the Minister of Energy by June 30, 2013. If a decision is not made by the deadline, the Province will assume that the Municipality is staying with Nova Scotia Power. Council requested staff obtain additional information on LED streetlight conversion before making any decision on the matter.

Date of Next Capital Budget Meeting

Moved by Deputy Mayor Masters
Seconded by Councillor MacInnes

“That Council approves Monday, June 24, 2013 at 6:00 p.m. as the date and time for the next capital budget meeting.”

Motion Carried Unanimously.

Council Remuneration

Moved by Councillor Blair
Seconded by Councillor MacInnes

“That Council authorizes June Council Committee to make a final decision on Council Remuneration to allow time for each member to review the Compensation Report submitted by BTS Management Consulting Ltd.”

Motion Carried.

(Mayor Taylor, Deputy Mayor Masters, Councillors Cooper, Gibbs and Cavanaugh opposed)

Councillor Blair also requested that a copy of the Mayor’s job description be forwarded to all members of Council.

Congratulations to the Halifax Mooseheads

Councillor Cavanaugh recommended and Council agreed that a letter of congratulations be sent to the Halifax Mooseheads for winning the 2013 Memorial Cup in Saskatoon.

Correspondence

ACTION

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**Greg MacArthur,
Chair, Healthy
Living Round Table
Planning Committee**

A letter to the Mayor dated May 6, 2013 from **Greg MacArthur, Chair, Healthy Living Round Table Planning Committee**, requesting funding support for the Healthy Living Round Table event taking place on June 18, 2013.

Moved by Deputy Mayor Masters
Seconded by Councillor Cavanaugh

“That the request from the Healthy Living Round Table Planning Committee requesting funding support for an event on June 18, 2013 be referred to Council Committee with authority to make a final decision.

Motion Carried Unanimously.

**Curtis Millen,
President, Millen
Farms Ltd.**

A letter to the Mayor and Council dated May 13, 2013 from **Curtis Millen, President, Millen Farms Ltd.**, regarding the purchase of 400 acres of municipal land off Masstown Road.

Moved by Councillor Taggart
Seconded by Councillor Cavanaugh

“That the Millen family be invited to make a presentation at the June Council Committee meeting regarding their request to purchase 400 acres of municipal land off Masstown Road.”

Motion Carried Unanimously.

**Lenore Zann,
President, Truro
Theatre Society**

An e-letter to the Mayor dated May 22, 2013 from **Lenore Zann, President, Truro Theatre Society**, requesting funding assistance for performances of a Shakespeare play in Victoria Park.

A motion was made on this correspondence earlier in the evening at the completion of Ms. Zann’s presentation.

**Margaret Bentley,
Dutch Mason Blues
Festival**

An email to the Mayor dated April 26, 2013 from **Margaret Bentley, Dutch Mason Blues Festival**, requesting a letter of support for this event being held August 9-10, 2013.

Moved by Councillor MacKenzie
Seconded by Councillor Blair

“That Council approves a letter being provided from the

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Municipality of Colchester in support of the Dutch Mason Blues Festival being held August 9-10, 2013.”

Motion Carried Unanimously.

INFORMATION

Building Inspector

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

INFORMATION ITEMS

Release of First Quarter Funds to CoRDA

At the Council Committee meeting on May 16th, staff were asked to determine what direction was given with respect to the first quarter funding to CoRDA. Based on meeting notes by staff, discussion on funding for CoRDA was part of budget deliberations by Council at a meeting on March 25th. Funding of \$313,186 was included in the proposed budget for 2013-14. There was discussion that first quarter funds be released but that any further funding for the remainder of the year would require substantiation by CoRDA.

Municipal Alcohol Project

Mayor Taylor reported on a meeting he attended last Friday on a Municipal Alcohol Project. The meeting took place at the Rath-Eastlink Community Centre. The project started with the municipalities of Wolfville, Antigonish and Bridgewater. At this point, there are 11 municipalities involved in the project. The purpose of the project is to determine ways that municipalities can improve the well-being of communities by addressing problems caused by the use of alcohol.

REN Discussions

Mayor Taylor referenced a recent email he received from East Hants on the REN discussions. When discussions first started on this proposal, East Hants had indicated to Colchester that they were not interested in joining this region but were going with Halifax Regional Municipality. With this email inviting Mayors and CAO's to a meeting, it looks like other municipalities are still looking at the REN proposal. The meeting is scheduled for June 11th.

Reports from Councillors Appointed to Outside Boards and

Councillor Blair reported that she had attended a Police Week event on May 16th. The next Police Advisory Board meeting is scheduled for July 15th. Councillor Blair also provided a report from the Dangerous and Unightly Premises meeting held on May

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Agencies

14th. The next meeting is scheduled for June 4th. Councillor Blair also attended a meeting of the Hospital Community Advisory Committee, the Bible Hill Fire Brigade's spring banquet, the Sewer Use Appeals Committee meetings and public hearing, the County Flood Advisory Committee meeting, an information session on the new Bible Hill elementary school and a meeting of the Village of Bible Hill.

Deputy Mayor Masters reported that he had attended the public hearing in Debert on the sewer use appeals, both information sessions on wind turbines in Millbrook and Hilden, donor recognition night at the Rath-Eastlink Community Centre and a computer training session for Councillors.

Councillor Stewart reported that he had attended the Hilden Fire Brigade awards banquet, a ratepayers' meeting, the public hearing in Debert, UNSM spring conference, Dangerous and Unsightly Committee meeting, Central Nova Tourist Association meeting, Joint Library Committee meeting for Truro and one for Stewiacke, the Grant-Thornton presentation on CoRDA and a Brookfield Community Association meeting.

Councillor Cooper reported that he had attended the Councillor computer training, the public hearing in Debert, the Brookfield Fire Commission ratepayers' meeting, a capital budget meeting, an open house in Dean for wind turbines that are being built, and a meeting of the Stewiacke Library Committee.

Councillor Gibbs reported that he had attended a Flood Advisory Committee meeting, the public hearing in Debert, a capital budget meeting, a Dangerous and Unsightly Committee meeting and the Grant Thornton presentation on CoRDA.

Councillor MacKenzie reported that she had attended the Councillor computer training, the public hearing in Debert and a meeting of the Library Board.

Councillor Gregory reported that he had attended the public hearing in Debert, the UNSM spring conference in Yarmouth, the capital budget meeting, the Tatamagouche Community Expo, and the Village of Tatamagouche annual general meeting.

Councillor MacInnes reported that he had attended a meeting of the Sewer Use Appeals Committee as well as the public hearing in Debert, the Municipal Planners' Conference, the Lower Onslow Community Board meeting, the capital budget meeting, and a Dangerous and Unsightly Committee meeting.

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Councillor Taggart reported that he had attended the wind turbine session in Millbrook, meetings of the Sewer Use Appeals Committee as well as the public hearing in Debert, the Municipal Planners' Conference and the Grant Thornton presentation on CoRDA.

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

Closed Session

Moved by Councillor Gregory
Seconded by Councillor Cavanaugh

"That the meeting go into closed session at 12:10 a.m."

Motion Carried Unanimously.

Moved by Councillor Cooper
Seconded by Councillor Cavanaugh

"That the meeting reconvene in open session at 12:55 a.m."

Motion Carried Unanimously.

**Property Appraisal -
Kemptown**

Moved by Councillor Cavanaugh
Seconded by Councillor Gregory

"That Council authorizes the CAO to accept compensation top-off offers received for property located at 122 Loop Old Highway #4, Kemptown."

Motion Carried Unanimously.

**Purchase of
Property, 13 Onslow
Road**

Moved by Councillor MacInnes
Seconded by Councillor Blair

"That Council approves the staff proposal of making an offer to the property owner at 13 Onslow Road to move the home further back on their property at their own risk, with no liability to the Municipality of Colchester; and,

That Council also directs staff to negotiate with Transportation and Infrastructure Renewal to firm up its contribution towards moving the home."

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Motion Carried Unanimously.

Adjournment

Moved by Councillor Gibbs
Seconded by Councillor Cavanaugh

“That the meeting be adjourned at 1:00 a.m.”

Motion Carried Unanimously.

Sheila Arsenault
Recording Secretary