

MUNICIPAL COUNCIL

The Regular Session of the Municipal Council of the Municipality of the County of Colchester was held in the Courthouse, Truro, Nova Scotia, on Thursday, October 30, 2014.

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

Election of Deputy Mayor

Mayor Taylor called for nominations for the position of Deputy Mayor. Councillor Taggart moved and Councillor Gibbs seconded the nomination of Councillor Masters. Councillor Masters accepted the nomination. Mayor Taylor called three times for further nominations and, on hearing none, the nominations ceased.

Moved by Councillor Taggart
Seconded by Councillor Gibbs

“That Council declares Councillor Masters as Deputy Mayor for a two-year term.”

Motion Carried Unanimously.

Election of Alternate Chair

Mayor Taylor called for nominations for the position of Alternate Chair. Councillor Gibbs moved and Councillor Gregory seconded the nomination of Councillor Cooper. Councillor Cooper accepted the nomination. Mayor Taylor called three times for further nominations and, on hearing none, the nominations ceased.

Moved by Councillor Parker
Seconded by Deputy Mayor Masters

“That Council declares Councillor Cooper as Alternate Council Committee Chair for a one-year term.”

Motion Carried Unanimously.

Public Hearing

Mayor Taylor called this public hearing to order respecting amendments to the 2002 Central Colchester Municipal Planning Strategy and Land Use By-law involving an amendment to Municipal Planning Strategy Policy RP-24, Medium to High Density Residential, and subsequently, section 9.8.2, Total Dwelling Unit Limitation, of the Land Use By-law, to permit more than twelve dwelling units on a lot in the Truro Heights Growth Centre. The staff report has been circulated to Council members and has been made available to the public.

Mr. Ramesh Ummat, Chief Administrative Officer (CAO), 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 Councillors present throughout the public hearing can vote on the amendments when it is eventually considered by Council. This public hearing is Council's opportunity to hear the proposed amendments and every concern of 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 this amendment, indicating that Council instructed staff to look into allowing an increase in the number of units permitted for High Density developments in the Truro Heights area. Existing policy restricts apartment building to a maximum of 12 units. Currently, Bible Hill is the only growth center to allow more than 12 unit apartments. There is opportunity in parts of Truro Heights to attract larger apartment buildings given the proximity to Highway 102 and the close proximity to recent commercial development.

These amendments would impact only properties designated as High Density Residential. Any new buildings must be established through the development agreement process.

Two options were presented to the Planning Advisory Committee (PAC) for consideration: 1) Maintain status quo; or, 2) To provide flexibility for an increase in the number of units permitted in Truro Heights by amendment to the planning documents.

As Chair of the Planning Advisory Committee, Councillor Taggart presented the report on this amendment from the meeting held on September 9, 2014. The Committee, upon review, recommended that Council consider approving these amendments to the Municipal Planning Strategy and Land Use By-law.

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

There were no members of the public present to address the proposed amendments.

With no further information coming forward on this amendment, the following motion was placed on the floor:

Moved by Councillor Taggart
Seconded by Councillor MacInnes

“That Council approves, at Second Reading, the amended Central Colchester Municipal Planning Strategy and Land Use By-law, as presented.”

Motion Carried Unanimously.

Mayor Taylor indicated that there are two different amendments approved and they are treated differently for appeal rights. Council’s decision on the Municipal Planning Strategy amendment may require approval of the Minister of Municipal Affairs, however it is not appealable to the Nova Scotia Utilities and Review Board. There is a right of appeal from the amendment to the Land Use By-law to the Nova Scotia Utilities and Review Board. Any appeal of Council’s decision must be made within 14 days to file an appeal once notice of the advertising of the Land Use By-law amendment is published in the local newspaper.

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

Approval of Agenda

Moved by Councillor Cooper
Seconded by Councillor Gregory

“That the agenda be approved with the following additions and/or deletions:

- add Item # I-3 – Brook from Village Line to Coupar Property
- remove one Property Matter from Closed Session;
- add one Personnel Matter in Closed Session

Motion Carried Unanimously.

Approval of Minutes

Moved by Councillor MacInnes
Seconded by Councillor Gibbs

“That the minutes from the meeting on September 25, 2014, be approved as presented.”

Motion Carried Unanimously.

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**Business Arising
from Minutes**

There was no business arising from the minutes of the meeting held on September 25, 2014.

Presentations

Housing in Colchester, Mr. Stephan Richard – Director of Community Relations and Public Affairs at Housing Nova Scotia

Mr. Richard introduced Mr. Frank Carroll, Director of the Housing Authority and Ms. Michelle Waye, Director of Regional Office for Housing Services, both of whom would be assisting in the presentation this evening.

Mr. Carroll started the presentation indicating that there are five housing authorities serving Nova Scotians. He provided information on eligibility for public housing including thresholds for household income levels (HIL's); total number of public housing units available throughout the County including 375 senior units, 73 affordable housing program units, 20 family public housing units, and 48 rural native housing units; and, current numbers on a waitlist including 133 seniors, 86 family and 55 non-elderly singles.

Ms. Waye's portion of the presentation provided information on various programs and services available, such as Grant Programs, Forgivable Loans for Homeowners, and Forgivable Loan Programs for Landlords. Details on maximum amounts available per program, as well as eligibility criteria for each, was provided. Since April 2014, financial assistance in the amount of \$605,887, in the form of grants and forgivable loans, has been provided to 46 homes in Colchester.

Mr. Richard provided details on the objectives and the mission of Housing Nova Scotia which include providing healthy and affordable housing, paths to equity and home ownership, and supporting independence and dignity. Steps taken to address these objectives include development of a multi-year strategic plan, established an Advisory Board, and continued work with communities. Strategic priorities for moving forward, include building healthy, vibrant and diverse communities; meeting the needs for safe and affordable housing for all stages of life; and creating more affordable housing choices for the homeless and persons with disabilities.

Moved by Councillor Taggart
Seconded by Councillor Blair

"That Council receives the presentation on Housing in Colchester."

Motion Carried Unanimously.

**Standing Committee
Reports and
Recommendations**

Deputy Mayor Masters presented the report from the Council Committee meeting held on September 11, 2014:

Personnel Policy Amendments – Policies 5.01, 5.04, 5.05, 5.06, 5.10, 5.11, 5.12

Discussion was held regarding the suggested amendments to the Employee Service Recognition with concern that extensive consideration was given to this policy a couple of years ago. The concern is not so much with the amounts but with the fact that this particular policy needs further opportunity for discussion. Another concern was raised that the larger amounts would be more suited upon retirement.

Mr. Scott Fraser, Director of Corporate Services advised that the County has an employee approaching the 40 year mark and the current policy does not reflect service recognition beyond 35 years. Also, research was carried out on other municipal units and the amendments are comparable to these other units. Mr. Ramesh Ummat, CAO, advised that the changes introduce a monetary award at five years which was not incorporated in the original policy, resulting in a cascade effect on the monetary amounts beginning at 10 years and beyond. The changes also reflect limits imposed on the gift purchases.

Moved by Deputy Mayor Masters
Seconded by Councillor Stewart

“That Council Committee recommends to Council that current policies 5.01 (Hours of Work), 5.02 (Rest Periods), 5.05 (Performance Management Program), 5.06 (Reimbursement for Business and Training Expenses), 5.07 (Grievance Procedure), 5.11 (Service Recognition Upon Retirement or Resignation), 5.12 (Exit Interviews) be repealed; and,

That policies number 5.01 (Hours of Work), 5.04 (Job Performance Review), 5.05 (Reimbursement for Business Travel and Training Expenses), 5.06 (Dispute Resolution), 5.10 (Service Recognition Upon Retirement or Resignation), as presented; and,

That policy 5.10 (Employee Service Recognition), be brought back to Council at a future meeting for review; and,

That policy 5.11 (Exit Interviews), be approved, as amended, to include the department Director be included in the exit interview process.”

Motion Carried Unanimously.

Debert Water Utility – Three Year Operating Budget

Moved by Deputy Mayor Masters
Seconded by Councillor MacInnes

“That Council approves that the 2014/15 Debert Water Utility operating budget be approved as presented, and,

That staff be authorized to proceed with a Debert Water Utility water rate review effective fiscal year 2015/16.”

Motion Carried Unanimously.

Municipal Waste-To-Energy Project

Moved by Deputy Mayor Masters

Seconded by Councillor Blair

“That Council approves that staff be directed to:

Approach and open dialog with the Provincial Departments of Energy, Environment, Municipal Affairs and other departments to look at future potential approvals, regulatory regimes, requirements for building the facility, and uploading the energy to the transmission grid; and,

Maintain regular contact with the Pune Municipal Corporation and Concord Blue Technologies Limited; and,

Maintain contact with Lockheed Martin energy division and its representatives on the status of their new pilot project and Waste-To-Energy facility in the USA; and,

Provide periodic and timely updates to the Council on the progress of the project.”

Motion Carried Unanimously.

Nova Scotia Music Week Contribution

Moved by Deputy Mayor Masters

Seconded by Councillor MacInnes

“That Council approves the request from the Interim CoRDA Board, for funding in the amount of \$3,421 to be granted to Nova Scotia Music Week, with source of funds being from CoRDA funds.”

Motion Carried.

(Councillor Stewart opposed)

Truckers Association of Nova Scotia (TANS)

Moved by Deputy Mayor Masters

Seconded by Councillor Gibbs

“That Council approves that the wording in tender documents be changed to reflect that contractors adhere to the 80/20 rule and pay to TANS at approved provincial rates plus any surcharge.”

Motion Carried Unanimously.

Nominating Committee Report

Deputy Mayor Masters presented the report from the Nominating Committee from the meeting held earlier this evening:

Business and Economic Development Advisory Committee

Moved by Deputy Mayor Masters
Seconded by Councillor MacInnes

“That Council appoints Councillors Taggart, MacInnes, and Parker, as the three Council representatives; and,

That Stephen Johnston, Jol Hunter, and Toby Davis be appointed as the three business representatives on the Business and Economic Development Advisory Committee.”

Motion Carried Unanimously.

ACTION ITEMS

Flooding, West Colchester

Ms. Michelle Newell, Director of Public Works, advised that this item has been brought forward at the request of the Flood Advisory Committee (FAC) due to the significant amount of damage caused by the September 22, 2014, flooding in Colchester County, in particular West Colchester.

Staff have carried out a review of damages incurred by the flooding and have prepared a list of mitigation projects, with cost estimates, to aid with damages due to the September 22nd flooding as well as protect from future flooding events.

A list of potential projects has been prepared, which includes a number of small projects, as well as two flood plain studies in Great Village and Debert River, and a potential installation of a bypass culvert at the Great Village Bridge. The flood studies will be put forward to the province commencing April 2015. The installation of the bypass culverts requires further analysis and review before proceeding with this project.

Staff is recommending to proceed with the following projects totalling \$50,500 with an additional \$5,000 contingency: the Payne property riverbank repairs, \$8,500; the Mattatall property riverbank repairs, \$8,500; berm repairs upstream of Elm River Campground, \$1,500;

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Haskins property riverbank repairs, \$7,000; Don Turner property, \$20,000; and phase 1 berm construction in the Great Village (placement of fill from bridge), \$5,000.

The FAC's annual budget has been fully utilized for this fiscal year and is currently in a deficit of \$113,164. In order for FAC to proceed with any of the projects, Council would be required to approve additional funding.

Moved by Councillor Blair
Seconded by Councillor Taggart

"That Council authorizes the Flood Advisory Committee to spend up to \$50,500, in addition to the Committee's \$100,000 budget, to address flood damage from the rainstorm on September 22, 2014, with source of funds being the Major Flood Reserve, and that a maximum Contingency of \$5,000 be carried for the work."

Motion Carried Unanimously.

Moved by Deputy Mayor Masters
Seconded by Councillor Gibbs

"That Council approves additional funding to in the amount of \$25,000 from the Major Flood Reserve, to be spent on approval of the Flood Advisory Committee, in the event of further expenditures are required due to flooding for the remainder of the fiscal year."

Motion Carried.
(*Councillor Cooper and Gregory opposed*)

**Provincial/Municipal
Fiscal Review –
Information Session**

Moved by Councillor Cooper
Seconded by Councillor Parker

"That Council approves the date of November 20, 2014, at 6:00 pm, in Council Chambers to hold the information session for the Provincial/Municipal Fiscal Review."

Motion Carried Unanimously.

**Duration of Council
and Council
Committee Meetings**

Discussion was held regarding the length of meetings with concerns being expressed about staff being in attendance at the meetings and having to return early the following day after a late hour of adjournment.

Suggestions to help alleviate the lateness of meetings included:

- Daytime meetings/earlier start times;
- Chair to better control the meetings;

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- Assigning time allotment to agenda items;
- Limiting number of times to speak on one item;
- Presentations to be distributed in advance and questions prepared and held to end of presentation;
- Set separate date to hear public and staff presentations.

Moved by Councillor Cavanaugh
Seconded by Councillor Gregory

“That Council approves an additional meeting be held, as necessary, on the alternate Tuesday dates, to hear public and staff presentations; and,

That the start time for these meetings be 6:00 pm.”

Motion Carried Unanimously.

Correspondence ACTION

**Ms. Christina King,
Regional Director,
John Howard Society
of Nova Scotia**

A letter to Mayor Taylor dated October 14, 2014, requesting that November 16-23, 2014, be proclaimed National Restorative Justice Week.

Moved by Deputy Mayor Masters
Seconded by Councillor Taggart

“That Council approves that the week of November 16-23, 2014, be proclaimed National Restorative Justice Week in Colchester County.”

Motion Carried Unanimously.

Correspondence INFORMATION

Building Inspector

A copy of the Building Permit Statistics received from the Building Inspector for the month of September 2014. 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 September 2014. Council agreed to receive this report for information purposes.

INFORMATION ITEMS

Water Royalties

Mr. Ramesh Ummat, CAO, advised that Council had previously passed a motion authorizing a letter be written to the Premier, Minister Furey, and local MLA's, on the issue of royalties on bottled water. Prior to

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sending such correspondence, staff was directed to research royalty arrangements across Canada. The research resulted in findings that no municipalities receive money on the bottling of water.

The general consensus was that the province should share the royalties on water with municipalities and it was suggested that the matter of be pursued again sometime in the future.

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

Copies of reports from the Mayor and Councillors were circulated with the package or placed on table for this evening's meeting.

**Brook from Village
Line to Coupar
Property in Bible Hill**

Councillor Parker indicated that approximately three months ago, citizens put forth paperwork to the Flood Advisory Committee for possible remediation work to the brook along Village Line to the Coupar property in Bible Hill and was looking for an update. Councillor Blair advised that the Village of Bible Hill is concerned with this as well and is prepared to work with the County.

Ms. Newell advised that an analysis is currently underway for possible work in this area and that staff would be providing an update shortly.

A request for an update on storm water management was also requested.

CLOSED SESSION

Moved by Councillor Parker
Seconded by Councillor Cavanaugh

"That the meeting go into closed session at 9:48 pm."

Motion Carried Unanimously.

Moved by Councillor Cavanaugh
Seconded by Councillor Gregory

"That the meeting reconvene in open session at 10:54 pm."

Motion Carried Unanimously.

**West Colchester
Community
Development
Association Request
for County to
Purchase Land**

Moved by Councillor Parker
Seconded by Councillor MacInnes

"That Council deny the request from the West Colchester Community Development Association to have the County purchase land at the upcoming Tax Sale for the Association; and,

That a letter be written advising the reason and addressing the concern about the potential liability due to the underground tanks on the

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property from the service station previously situated there.”

Motion Carried Unanimously.

ADJOURNMENT

Moved by Councillor Cavanaugh

Seconded by Councillor Gibbs

“That the meeting be adjourned at 10:55 pm.”

Motion Carried Unanimously.

Tracey Veno
Recording Secretary