

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 Tuesday, October 27, 2015.

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 Michael Gregory	District 7
Councillor Ron Cavanaugh	District 8
Councillor Doug MacInnes	District 9
Councillor Tom Taggart	District 10
Councillor Wade Parker	District 11

Regrets

Councillor Karen MacKenzie	District 6
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Also Present

Mr. Crawford Macpherson, Interim Chief Administrative Officer
 Ms. Michelle Newell, Director of Public Works
 Mr. Wayne Wamboldt, Director of Solid Waste
 Ms. Tracey Veno, Executive Assistant/Recording Secretary
 Ms. Pam Macintosh, Planner (for item #1)

Public Hearing – Sharon United Church Heritage Property Designation

Mayor Taylor called the Public Hearing to order respecting an application for a Municipal Heritage Designation involving an application made by the congregation of the Sharon United Church that would allow for the designation of the Church, located at 15 Church Street in Tatamagouche, PID # 20086740, as a Municipal Heritage Property. The text for the application and a related staff report has been circulated to Council members and has been made available to the public.

Mr. Crawford Macpherson, Interim CAO, advised that the guidelines of the Heritage Property Act and the Public Hearing process have been followed.

Mayor Taylor reminded Councillors that only those Councillors present throughout the Public Hearing can vote on the Heritage Designation 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 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, Planner, provided an overview of the Planners Report and Recommendation on the Heritage Property Designation Application indicating that the application was made by members of the congregation. A brief history of the Church was provided including; the Church is now 161 years old, constructed in 1854; the first minister of the Church was educated in Canada; the design of the Church is wooden-framed, gothic revival style with distinctive arched windows; the most dominant architectural feature is the central tower; and, there is a Cenotaph located on the front lawn of the property. The Church maintains a prominent role in the area and is valued for its position in the village centre. Staff supports the request to designate the Sharon United Church as a Municipal Heritage Property.

Representing the congregation, Mr. Allan Bonnyman thanked Council for their time and consideration in designating the Sharon United Church as a Heritage Property.

Councillor Tom Taggart provided a brief report from the Heritage Advisory Committee meeting held on October 13, 2015 indicating that the application was reviewed with discussion on the benefits of designation as well as what restrictions designation brings. The Committee is recommending that the Sharon United Church be designated as a Heritage Property.

The CAO advised that no written submissions were received concerning this application.

There were no members from the public present at this evenings meeting.

A question was raised regarding the Church being owned by the Sharon United Church or the congregation and the ability of the congregation to make an application for heritage designation. Ms. Macintosh advised briefly on the roles of committees and bodies of the Church and as trustees, the congregation has authority to make an application. Four other approved applications for heritage designation were applied for by the trustees.

With no further discussion on the matter, Councillor Gregory placed the following motion on the floor:

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Moved by Councillor Gregory
Seconded by Councillor Cavanaugh

“That Council designate the Sharon United Church, located at 15 Church Street - PID number 20086740, in the Village of Tatamagouche, as a Municipal Heritage Property.”

Motion Carried Unanimously.

Mayor Taylor indicated that the property is now approved as a Municipal Heritage Property, pursuant to the Colchester Heritage Property By-law.

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

At this point, the Heritage Designation plaque was presented to Mr. Bonnyman.

Election of Alternate Chair

Mayor Taylor called for nominations for the position of Alternate Chair. Councillor Stewart moved and Deputy Mayor Masters seconded the nomination of Councillor Cooper. Councillor Parker moved and Councillor Blair seconded the nomination of Councillor MacInnes. Both Councillor Cooper and Councillor MacInnes accepted the nomination. Mayor Taylor called for further nominations and, on hearing none, the nominations ceased.

The CAO was appointed scrutineer and following the counting of the ballots, by majority vote, Councillor Cooper was declared Alternate Council Committee Chair for a one-year term.

Moved by Councillor Blair
Seconded by Deputy Mayor Masters

“That Council authorizes the Interim CAO to destroy the ballots used in the election of the Alternate Council Committee Chair.”

Motion Carried Unanimously.

Approval of Agenda

Moved by Councillor MacInnes
Seconded by Councillor Cavanaugh

“That the agenda be approved with the following amendments:

- Add Item #7(4), Tatamagouche Planning Advisory Committee Report from meeting held on October 26, 2015;
- Add Item #12b, Assessment Cap;

- Add Item #12c, Road Kill Along the Sides of the Road;
- Add Item #12d, Joint Meeting with Millbrook First Nation;
- Add Item #12f, Burris Drive;
- Add Item #12g, Municipal Alcohol Policy;
- Move Item #16, Next Municipal Election Voting from Information to Action, new Item #12e;
- Add Item #17b, Canada's 150th Birthday;
- Add under Closed Session, two more Negotiation Items."

Motion Carried Unanimously.

Approval of Minutes

Moved by Councillor Blair
Seconded by Councillor Stewart

"That the minutes from the meeting held on September 24, 2015, be approved, as presented."

Motion Carried Unanimously.

Business Arising from Minutes

There was no business arising from the minutes of the meeting held on September 24, 2015.

STANDING COMMITTEE REPORTS AND RECOMMENDATIONS

Council Committee Report from October 15, 2015

Deputy Mayor Masters presented the report from the Council Committee meeting held on October 15, 2015:

Personnel Policy Amendments (Section 6)

Moved by Deputy Mayor Masters
Seconded by Councillor Stewart

"That Council approves that the existing Personnel Policies numbered 6.04, 6.09, 6.10, 6.11, 6.12, 6.13, 6.14, 6.15, 6.16, 6.17, 6.21 be repealed; and,

That the amended Personnel Policies numbered 6.04, 6.09, 6.10, 6.11, 6.12, 6.13, 6.14, 6.15, 6.16, 6.17, 6.21 be approved with the following additional amendments:

- 6.04 – addition of clause 3c (page 3) which includes wording to clarify terms for reimbursement; and change Manager's Responsibilities (page 4) to Directors'/Managers' Responsibilities;

- 6.12 – change clause 2a (page 1) to include the wording dental; and clarification on immediate supervisor (page 2) by adding Directors'/Managers' Responsibilities – Directors and/or Managers shall be responsible for approving requests for Special Family Leave;
- 6.21 – clause 4a (page 2) Safety Footwear – addition of wording to clarify terms for reimbursement by students.”

Motion Carried Unanimously.

Palliser Redevelopment – Project Steering Committee Terms of Reference

Moved by Deputy Mayor Masters
Seconded by Councillor Gibbs

“That Council approves that the Terms of Reference for the Palliser Redevelopment Project Steering Committee be approved as amended; and,

That Deputy Mayor Masters and Councillor Stewart be appointed to the Committee for the purposes of overseeing a masterplan process for the Palliser Redevelopment Initiative.”

Motion Carried Unanimously.

Councillor MacInnes requested that a letter be sent to Millbrook First Nation requesting a funding contribution for the redevelopment masterplan, similar to the letter sent to the Town of Truro. Additionally, if the response received is favourable, that the Terms of Reference be amended to have the member from Millbrook First Nation on the Project Steering Committee be a voting member.

Moved by Councillor MacInnes
Seconded by Councillor Parker

“That Council approves that a formal letter be sent to Millbrook First Nation Council requesting their participation as a funding partner in the amount of \$25,000 for the Masterplan Funding Proposal for the Palliser Redevelopment and that with a funding commitment, Millbrook First Nation appoint a representative to sit on the Project Steering Committee as a voting member; and,

That if Millbrook First Nation decides not to be a funding partner, the appointed representative to the Project Steering Committee be a non-voting member.”

Motion Carried Unanimously.

Debert Water Utility Three Year Operating Budget

Moved by Deputy Mayor Masters
Seconded by Councillor MacInnes

“That Council approves the 2015/16, 2016/17, 2017/18 Debert Water Utility operating budget, as presented; and

That staff move forward with a Debert Water Utility water rate review effective fiscal 2016/17.”

Motion Carried Unanimously.

Purchase of Vacuum Truck

Moved by Deputy Mayor Masters
Seconded by Councillor Blair

“That Council authorizes staff to purchase a used vacuum truck from Joe Johnson Equipment at a cost of \$190,000 excluding HST, to be funded by the Public Works Vehicle Reserve, and that the purchase of other Public Works vehicles shown in Schedule B of the approved Capital Budget be deferred in order to support the expense.”

Motion Carried Unanimously.

**Planning Advisory
Committee Report from
October 13, 2015**

There was no business arising from the report of the meeting held on October 13, 2015.

**Tatamagouche Planning
Advisory Committee
Reports from September
15 and October 26, 2015**

It was noted that at the meeting held in Tatamagouche on September 15th concerning a rezoning amendment, additional information on four items was requested. A second meeting was held on October 26th to address the four outstanding issues.

ACTION ITEMS

**First Reading –
Amendment to the Central
Colchester Land Use By-
law**

Moved by Councillor Taggart
Seconded by Deputy Mayor Masters

“That Council approves by way of First Reading, the amended Central Colchester Land Use By-law, as presented, for purposes of forwarding this document to a Public Hearing reserving

consideration of the amendment until Second Reading following the Public Hearing.”

Motion Carried Unanimously.

**Broderick Lane Winter
Snow Removal**

Councillor Taggart introduced this item by stressing the importance of the Five Islands Lighthouse Park to West Colchester and having year round access to the park. Discussion was held on the merits of winter maintenance; the potential legal liabilities; and, the importance of continued public access.

Moved by Councillor Taggart
Seconded by Councillor Gibbs

“That Council approves to provide year round maintenance of the portion of Broderick Lane from the sole purpose of access to the park.”

Motion Carried.
(Deputy Mayor Masters and Councillors Stewart, Cavanaugh, Gregory, and Parker opposed)

Brief discussion was held on the ownership of Broderick Lane which is currently unknown; the County taking ownership possibly by expropriation; and, the standards of the road. Concern was raised that in the past, owners would have to bring the road up to standard before the County would take over a road.

Moved by Deputy Mayor Masters
Seconded by Councillor Cavanaugh

“That staff investigate taking over ownership of Broderick Lane.”

Motion Carried.
(Councillor Stewart opposed)

**First Reading –
Amendments to the
Village of Tatamagouche
Municipal Planning
Strategy and Land Use
By-law**

Moved by Councillor Gregory
Seconded by Deputy Mayor Masters

“That Council approves by way of First Reading, the amended Village of Tatamagouche Municipal Planning Strategy and Land Use By-law, as presented, for purposes of forwarding this document to a Public Hearing reserving consideration of the amendment until Second Reading following the Public Hearing.”

Motion Carried Unanimously.

Change in Bulky Waste Clean-up

Mr. Wayne Wamboldt, Director of Solid Waste, advised that the Action Item before Council is proposing the following for the handling of bulky waste items:

- Continue with regular spring clean-up;
- Eliminate fall clean up; and,
- After completion of spring clean-up, one bulky item would be permitted to be placed curbside with regular bi-weekly collection.
- For safety reasons, collection of bulky items would be discontinued from late December until after spring clean-up the following year.

Mr. Wamboldt noted that there would be no additional costs to the Municipality if these changes were implemented.

Discussion was held regarding proper notice to the constituents regarding these changes. Mr. Wamboldt reassured that the residents would receive proper notifications regarding any changes that are implemented.

Moved by Councillor Cavanaugh
Seconded by Councillor Cooper

“That Council authorizes the Director of Solid Waste to implement a new schedule of Bulky Waste Clean-up by retaining a regularly scheduled Spring Clean-up, following thereafter by the collection of one bulky item along with the regular bi-weekly solid waste collection and the elimination of Fall Clean-up; and,

That the details of the scheduling be determined by Solid Waste Department staff.”

Motion Carried.
(Councillor Gibbs opposed)

Restaurant Drive Thru – Waste Receptacles

Councillor Taggart expressed concerns regarding the issue of garbage cans being removed from the area of most Drive-Thru Restaurants and the amount of litter along roadsides due to waste being thrown out vehicle windows. To help remedy this issue, Councillor Taggart suggested the following:

1. A letter be written to all Fast Food Restaurants in the Municipality requesting the bins be replaced in the Drive Thru area;

2. A letter be written to Nova Scotia Transportation and Infrastructure Renewal requesting that the Do Not Litter Signs be put back up; and,
3. Enforcement by the RCMP with charges being laid for littering.

During discussion on the littering problem, it was noted that replacing the bins within only the Municipality won't work. It would require cooperation from the Town of Truro and Millbrook First Nation to request the same in their respective regions. It was also noted that littering is difficult for the RCMP to enforce.

Further discussion indicated that education on littering is essential and it was suggested that information be placed in the County Newsletter.

Moved by Councillor Taggart
Seconded by Councillor Gibbs

"That Council approves that a letter be written to Nova Scotia Transportation and Infrastructure Renewal stressing the importance of raising the profile on littering and requesting that the No Littering Signs be replaced along roads and highways."

Motion Carried Unanimously.

Moved by Councillor Taggart
Seconded by Councillor Gibbs

"That Council approves that staff visit Fast Food Restaurants for the purpose of education, and requesting that the waste receptacles be replaced at the drive thru areas."

Motion Carried Unanimously.

Assessment Cap

Discussion was held on having a review/plan that would have the assessment cap removed or phased out. Minister Furey, former Minister of Municipal Affairs was receptive to have the cap removed, however there is very little interest from the current Minister of Municipal Affairs. It was suggested that with without the cap, taxes could decrease significantly. At a recent UNSM Board meeting, discussion was held about it being up to municipalities to educate residents where the tax dollars are going.

Moved by Councillor Cavanaugh
Seconded by Councillor Gibbs

“That staff incorporate a line item on tax bills which would show what the tax bill would be without the assessment cap; and,

That a separate line item be added showing the portion of tax bill being paid to the province.”

Motion Carried Unanimously.

Road Kill

Concern was raised regarding road kill along the sides of the road. Formerly the responsibility of the Department of Natural Resources (DNR), but now falls under Nova Scotia Transportation and Infrastructure Renewal (TIR). If the road kill is not obstructing traffic, the Department does not have to remove it outside business hours. There is also an issue of whose responsibility it is when the road kill is along a sidewalk. With TIR having a 66 foot right of way, it was suggested that maybe clarification be sought on this. It was noted that the animal carcasses could be used by the Cobequid Wildlife Rehabilitation Centre.

Moved by Councillor Cavanaugh
Seconded by Councillor Gregory

“That a letter be written to Nova Scotia Transportation and Infrastructure Renewal requesting that the policy be changed to have road kill along the sides of road and sidewalks removed.”

Motion Carried Unanimously.

Joint Meeting with Millbrook First Nation

A request was made to have a joint meeting between the Municipality and Millbrook First Nation.

Moved by Councillor MacInnes
Seconded by Councillor Blair

“That County Council select three dates and send a formal request to the Millbrook First Nation requesting a joint meeting between the two Councils.”

Motion Carried Unanimously.

Council agreed on the following two dates that would work: November 30th at 6:00 pm; and, December 5th at 10:00 am. It was also agreed that the meeting be held in the Millbrook Room at the Rath Eastlink Community Centre, if available.

Next Municipal Election – Voting

The issue of difficulties in voting at the recent Federal Election was raised and concern was expressed about having similar problems

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when voting in the upcoming Municipal Election. The CAO advised that the requirements for voting at the Municipal Election are less stringent. It was suggested that the Returning Officer, once in place, be invited to make a presentation to Council.

On the topic of elections, Council agreed that a letter of congratulations be sent to Bill Casey. Council also agreed to send a letter to Scott Armstrong thanking him for all his efforts.

Burris Drive

Councillor Parker inquired about the paving of Burris Drive as residents are very concerned. He has spoken with Mr. Basil Pitts, Area Manager at Nova Scotia Transportation and Infrastructure Renewal, and was told that it will be paved in two weeks but is still not done. The Director of Public Works indicated that the road cannot be plowed in its current condition. Council agreed that Mayor Taylor contact Mr. Pitts about paving Burris Drive.

Municipal Alcohol Policy

Councillor Blair advised that the Municipal Alcohol Policy initiative was brought up at the recent Nova Scotia Association of Police Governance conference and was also discussed at the Police Advisory Board meeting. A workshop put on by Krista McMullen, was also held in Council Chambers on October 26th. Councillor Blair suggested that Ms. McMullen be invited to make a presentation to Council in January or February to discuss the pros and cons of policies.

Correspondence - ACTION

Joyce Levangie, Municipality of the County of Antigonish

An email to the Mayor seeking support for a resolution for the UNSM Fall Conference which would have the Province of Nova Scotia recognize the first Saturday in August as New England Day. Council agreed that this would be voted on at the upcoming UNSM Conference.

Ruby McDorman, Community Links Aging Well Together Calendar Committee

An email to Councillor MacInnes requesting funding support from the Municipality for a Year of Aging Well Calendar for seniors.

Moved by Councillor MacInnes
Seconded by Councillor Cavanaugh

“That Council approve funding in the amount of \$250 to Community Links for a Year of Aging Well Calendar for seniors.”

Motion Carried Unanimously.

Correspondence - INFORMATION

Building Inspector A copy of the Building Permit Statistics received from the Building Inspector for the month of September 2015. Council agreed to receive the report for information purposes.

Development Officer A copy of the Development Activity Report received from the Development Officer for the month of September 2015. Council agreed to receive the report for information purposes.

INFORMATION ITEMS

Private Road Service Agreements Referring to the issue of maintenance on private roads, the CAO provided a brief overview on Private Road Service Agreements indicating that these agreements are similar to the relationships with Fire Departments where monies are collected through the tax base on behalf of the Departments. In the case of maintenance on private roads, the Municipality could collect on behalf of an Association.

Discussion was held on what work would be involved for the Municipality. The CAO advised that it would mainly be the administrative work relating to collection of the rate. Any administrative costs would be factored in to the rates being charged through tax billing.

Councillor Taggart requested that this item be moved to Action for discussion at a future meeting.

RECC – LEED Silver Designation On September 3, 2015, the RECC became officially designated as a LEED Silver Building under the new construction category. A plaque and official certificate commemorating this achievement has been installed in the main hallway at the RECC and a media release will be issued in the near future to publicize the milestone.

UNSM Conference Resolutions A copy of the UNSM Conference Resolutions was distributed for this evenings meeting for review prior to the upcoming UNSM Fall Conference.

Canada's 150th Birthday Canada will be celebrating its 150th Birthday on July 1, 2017. Discussion was held on advanced planning to celebrate the event. It was suggested that staff investigate tying in the 150th Birthday Celebration with Palliser property.

Reports from Councillors Appointed to Outside Boards and Agencies Copies of reports from the Mayor and Councillors were circulated in the package or placed on table for this evenings meeting.

RECESS

Moved by Councillor Gregory
Seconded by Councillor Cavanaugh

“That the meeting go into closed session at 10:45 pm.”

Motion Carried Unanimously.

Moved by Councillor Gregory
Seconded by Councillor Cavanaugh

“That the meeting reconvene in open session at 11:15 pm.”

Motion Carried Unanimously.

**Small Wind Turbines
CoMFIT Project –
Endurance Wind**

Moved by Councillor Cavanaugh
Seconded by Deputy Mayor Masters

“That Council approves entering into the contract with Endurance Wind, as presented, contingent on advice from the Municipal Solicitor on the letter from the Deputy Minister, Department of Energy; and,

That the Mayor and CAO be authorized to sign the contract on behalf of the Municipality.”

Motion Carried.
(Councillor Parker, Stewart and Gibbs opposed)

ADJOURNMENT

Moved by Councillor Cavanaugh
Seconded by Councillor Gregory

“That the meeting be adjourned at 11:17 pm.”

Motion Carried Unanimously.

Tracey Veno
Recording Secretary