

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, March 28, 2019.

Roll Call

The roll was called with the following Councillors in attendance:

Mayor Christine Blair, Chair	
Councillor Eric Boutilier	District 1
Councillor Bill Masters	District 2
Deputy Mayor 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 Bob Pash	District 9
Councillor Tom Taggart	District 10
Councillor Wade Parker	District 11

Regrets

Councillor Karen MacKenzie District 6

Staff Present

Rob Simonds, Chief Administrative Officer (CAO)
 Michelle Newell, Director of Public Works
 Scott Fraser, Director of Corporate Services
 Crawford Macpherson, Director of Community Development
 Tracey Veno, Recording Secretary
 Mark Austin, Economic Development Officer
 Paul Smith, Senior Planner (items 2 and 3)

Approval of Agenda

Moved by Councillor Gregory
 Seconded by Councillor Cooper

"That the agenda be approved with the following amendments:

- Add Item 6-3, Nominating Committee Report of Meeting of March 25, 2019;
- Add Item 9b, Municipal Physical Activity Leadership Program Agreement – Authority for April Committee to Approve;
- Add Item 9c, Maintenance Budget;
- Add Item 11b, NorAm SBX Championships;
- Add Items 15b and c, Negotiations in Closed Session; and,
- Remove Item 13, Property Matter in Closed Session."

Motion Carried Unanimously.

Approval of Minutes

Moved by Councillor Gibbs
 Seconded by Councillor Parker

"That the minutes of the meeting held on February 28, 2019, be approved as presented."

Motion Carried Unanimously.

**Business Arising from
Minutes**

There was no business arising from the meeting held on February 28, 2019.

Presentations

Council Update: Commercial Dog Care and Kennel By-law

Paul Smith, Senior Planner, provided Council with a presentation on the Commercial Dog Care and Kennel By-law. Included in the Council package for this evenings meeting was a copy of the draft By-law. Highlights of the presentation included Council's directives relative to the development of the By-law; statement of purpose; process and guiding principles; public engagement process; By-law overview and subsequent Land Use By-law amendments; and next steps.

Discussion was held on the application fees being too low, noise fines, lack of criteria on welfare of dogs, and existing facilities that are grandfathered should be required to meet guidelines within a specified period of time. Concern was expressed about the possibilities of contamination and viruses with respect to the authority of the Animal Control Officer's ability to have access or entry to facility.

Further discussion was held on the possibility of establishing policy for ease of changes to fees and fines; queries regarding survey stats relative to percentage of respondents not in agreement with the separation distances who were non-dog owners; clarification regarding noise controls and wording on permitting; and, the importance of encouraging grandfathered facilities to register with the Municipality.

Referring to the concerns regarding animal welfare, as Chair of the Planning Advisory Committee (PAC), Councillor Taggart advised that the PAC was mandated to deal with land use and set backs. Animal welfare falls under provincial jurisdiction.

Regarding the concerns relative to the wording of Section 3 of the By-law dealing with lawfully existing vs. permitted, Mr. Smith indicated that this would be deferred to the Municipal Solicitor.

Moved by Councillor Gregory
Seconded by Councillor Boutilier

"That the presentation on the Commercial Dog Care and Kennel Facility By-law be accepted."

Motion Carried Unanimously.

**Standing Committee Reports
and Recommendations**

Council Committee Report from Meeting Held on March 14, 2019

Deputy Mayor Stewart, Chair, presented the report from meeting held on March 14, 2019:

Harmony Road Sidewalk

Moved by Deputy Mayor Stewart
Seconded by Councillor Gibbs

“That Council approves that the construction of the Harmony Road Sidewalk, as included in Council’s approved 5-year capital budget, be moved ahead from fiscal 2020/21 to fiscal 2019/20.”

Motion Carried Unanimously.

Annual Account Write Offs

Moved by Deputy Mayor Stewart
Seconded by Councillor Gregory

“That Council approves that the property taxes and interest totalling \$3,577.11 be written off.”

Motion Carried Unanimously.

Planning Advisory Committee (PAC) – Report from Meeting of March 6, 2019

Councillor Taggart, Chair of the PAC, presented the report from meeting held on March 6, 2019.

Moved by Councillor Taggart
Seconded by Deputy Mayor Stewart

“That Council accepts the Planning Advisory Committee Report from the meeting held on March 6, 2019, as presented.”

Motion Carried Unanimously.

Nominating Committee Report from Meeting Held on March 25, 2019

Moved by Deputy Mayor Stewart
Seconded by Councillor Masters

“That Council approves that Councillor Cooper be appointed to fill the vacancy on the Dangerous and Unsightly Premises Committee for the balance of the 2016-20 term of Council.”

Motion Carried Unanimously.

ACTION ITEMS

Solar Electricity for Community Buildings Program

In September of 2018, Council was informed of the approved solar energy projects under the Solar Electricity for Community Building Program by

the Nova Scotia Department of Energy. These approved projects included the Brookfield Sportsplex and the RECC.

Mr. Smith provided an overview of this item and indicated that staff requires direction on how to proceed with the solar projects proposed for the facilities. Four options were presented for consideration:

1. Not proceeding with the solar projects;
2. Proceeding with the projects, deducting profits from annual operating / capital payments;
3. Proceeding with the projects, recovering capital investment and allocating profits to facility capital reserves; and,
4. Proceeding with the project, contributing both capital costs and profits to each facility.

Staff recommends Option 3.

Moved by Deputy Mayor Stewart
Seconded by Councillor Masters

“That Council approves proceeding with the solar PV project at the RECC as outlined under Option 2 with profits being deducted from annual operating / capital payments; and, Option 4 at the Brookfield Sportsplex as outlined with contributions of capital costs and profits to the facility; and,

That staff develop and carry out a procurement process and report back to Council on actual capital costs prior to signing any agreements with Nova Scotia Power and/or the Province of Nova Scotia.”

motion amended.

Moved by Councillor Taggart
Seconded by Councillor Cooper

“That Option 2 for the RECC be changed to indicate profits being deducted from Colchester’s annual operating funds to the RECC.”

Motion Carried Unanimously.

The motion to amend having carried, the main motion was voted on and carried unanimously.

Tender Award – Teviot Place Sidewalk Reconstruction

Michelle Newell, Director of Public Works, advised that this item relates to the tender award for the sidewalk reconstruction for Teviot Place. A tender was issued publicly on February 28th with six tenders received by the closing date. The lowest bidder was Dexter Construction and the bid was deemed to be complete. Staff are recommending the tender be awarded to Dexter Construction with an internal contingency of \$15,000.

Moved by Councillor Parker
Seconded by Councillor Gregory

"That Council approves the award of the tender for the reconstruction of Teviot Place Sidewalk from Thrush Lane to Salmon River Road, to Dexter Construction for a total contract amount of \$125,330 excluding HST, and that an internal contingency of \$15,000 be approved, to be spent only on the authority of the Director of Public Works."

Motion Carried Unanimously.

**Community Field,
Tatamagouche**

Councillor Gregory advised that it has been brought to the attention of the Tatamagouche Village Commission that two different organizations are bidding to purchase the community field in Tatamagouche. This property was originally deeded to the Province in the 1970's from the Municipality and if this property is being declared surplus by the Province, it should be turned over to the Municipality.

Moved by Councillor Gregory
Seconded by Councillor Cavanaugh

"That staff request the Municipal Solicitor to contact the School Board to determine if the Community Field property in Tatamagouche is being declared surplus and request first right of redemption on the property."

Motion Carried Unanimously.

**Municipal Physical Activity
Leadership Program –
Authority for April
Committee to Approve**

Moved by Councillor Masters
Seconded by Deputy Mayor Stewart

"That Council grants authority to Council Committee at its meeting on April 11, 2019, to authorize the Mayor to execute the Municipal Physical Activity Leadership Program Agreement with the province."

Motion Carried Unanimously.

Maintenance Budget

Councillor Boutilier requested that Scotia Pool Funding be moved to the Maintenance Budget as an annual line item.

The CAO advised that from a process perspective, this would usually be done at the Additions and Deletions budget meeting. Once an amount is approved for an organization, Council could, if they so choose, make a motion to have it added as a line item in the Maintenance Budget.

Correspondence - ACTION

Pam Macintosh, Planner

A memo to the Mayor and Council requesting a proclamation recognizing the 100th anniversary of the founding of the Canadian Institute of Planners.

Moved by Councillor Gibbs
Seconded by Councillor Gregory

"That Council recognizes the 100th anniversary of the founding of the Canadian Institute of Planners."

Motion Carried Unanimously.

**Kendra MacKinnon,
Executive Director,
Colchester Sexual Assault
Centre**

An email dated March 26, 2019, regarding Sexual Assault Awareness Month.

Moved by Councillor Boutilier
Seconded by Councillor Cavanaugh

"That Council proclaims April 2019 as Sexual Assault Awareness Month."

Motion Carried Unanimously.

Alana Hirtle

Email dated March 28, 2019, regarding a proclamation for Rotary Week.

Moved by Councillor Masters
Seconded by Councillor Gibbs

"That Council proclaims the week of April 7-13, 2019 as Rotary Week."

Motion Carried Unanimously.

Correspondence - INFORMATION

Development Officer

A copy of the Development Activity report received from the Development Officer for the month of February 2019. Council agreed to receive the report for information purposes.

Building Inspector

A copy of the Building Permit Statistics received from the Building Inspector for the month of February 2019. Council agreed to receive the report for information purposes.

INFORMATION ITEMS

**Community Park Funding
Program – Winter 2019
Applications**

Four applications were received for the Spring deadline for the Community Park Funding Program. Total funding approved is \$59,769 consisting of the following:

- \$5,213 for the North River Elementary School for the purchase and installation of a multi-user, disc swing with accessible protective surfacing for their playground, pending confirmation of prices from the Chignecto Central Regional Centre for Education (CCRCE) tender process and confirmation of other funding sources;
- \$36,539 for the Harmony Heights Elementary School Parent Teacher Group for a new, large play structure with accessible protective surfacing, pending confirmation of prices from CCRCE tender process and confirmation of other funding sources;
- \$12,017 for Le Jardin d'Enfants for Phase 2 including expansion of the sand play area, natural play features and accessible

surfacing in their new outdoor play space adjacent to École acadienne de Truro, pending confirmation of other funding; and,

- \$6,000 for Cobequid Veterans Memorial Park Society for replacement of the sandbag retaining walls in the Garden of Sorrows WWI trench, reforming most of the turfgrass area and major remedial work to the gardens.

NorAm SBX Championships

Councillor Taggart advised Council of an SBX Champion from Colchester, Liam Moffatt, who recently secured the North American Cup overall SBX Championship and suggested that Council send a letter to Liam in recognition of his accomplishments.

Council agreed that the Mayor send a letter on behalf of Council recognizing Liam's accomplishments.

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 evening's meeting.

CLOSED SESSION

Moved by Councillor Boutilier
Seconded by Councillor Gibbs

"That the meeting go into closed session at 9:35 pm."

Motion Carried Unanimously.

Moved by Councillor Gibbs
Seconded by Councillor Cavanaugh

"That the meeting reconvene in open session at 11:45 pm."

Motion Carried Unanimously.

Negotiations – Energy Efficiency Project, Central Colchester Wastewater Treatment Facility

Moved by Councillor Masters
Seconded by Councillor Gibbs

"That Council authorizes staff to sign the project development agreement with Efficiency Nova Scotia for the proposed energy efficiency upgrades at the Central Colchester Wastewater Treatment Facility, and that staff initiate design and tendering work for the project."

Motion Carried Unanimously.

Personnel

Moved by Councillor Gregory
Seconded by Councillor Cooper

"That Council supports the recommendation of the CAO as it relates to the Interim Plan at the Materials Recovery Facility."

Motion Carried Unanimously.

Personnel

Moved by Councillor Boutilier
Seconded by Deputy Mayor Stewart

"That Council approves the salary adjustment for the Manager of Inspection Services retroactive to April 1, 2018, and the amended non-union salary scales, as presented."

Motion Carried Unanimously.

ADJOURNMENT

Moved by Councillor Gregory
Seconded by Councillor Cavanaugh

"That the meeting adjourn at 11:53 pm."

Motion Carried Unanimously.

Tracey Veno
Recording Secretary