

## **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, February 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 Karen MacKenzie	District 6
Councillor Michael Gregory	District 7
Councillor Bob Pash	District 9
Councillor Tom Taggart	District 10
Councillor Wade Parker	District 11

### **Regrets**

Councillor Ron Cavanaugh	District 8
--------------------------	------------

### **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  
 Wayne Wamboldt, Director of Solid Waste  
 Tracey Veno, Recording Secretary  
 Devin Trefry, Research, Policy & Comm. Engagement Officer  
 Mark Austin, Economic Development Officer  
 Craig Burgess, Recreation Manager  
 Paul Smith, Senior Planner (items 2 and 3)  
 Pam Macintosh, Planner (items 2 and 3)  
 Joanna Burris, Interim Development Officer (item 9)

### **Public Hearing – Development Agreement, Dana MacCoul, Zoning Map Amendment Request**

Mayor Blair called the Public Hearing to order respecting amendments to the 2002 Central Colchester Land Use By-law to Schedule 3, Bible Hill/Valley Zoning Map of the Land Use By-law to rezone two vacant properties owned by Dana MacCoul on Village Line Avenue in Bible Hill/Valley from Residential, Double Dwelling Unit Conversion (R-2C), to Residential Double Dwelling Unit (R-2), to allow construction of a semi-detached dwelling on each lot.

The text for the proposed amendments and related staff report were circulated to Council and have been made available to the public.

Rob Simonds, CAO, advised that the guidelines of the Municipal Government Act regarding advertising of First and Second Readings and the Public Hearing have been followed.

Councillors were reminded 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 application and every concern of area residents. Individual Councillors will have an opportunity to debate the merits of the amendments when the motion is presented to Council. Staff are present to answer any technical questions that may arise as a result of the public's input.

Pam Macintosh, Planner, provided an overview of the application noting that it is for the rezoning of two properties located on Village Line Avenue from R-2C to R-2, to be able to have a semi-detached or duplex units constructed on each lot. Highlights of the presentation included site photos and area description; existing uses; current zoning and future land use maps; that existing policies in the Municipal Planning Strategy (MPS) support this proposal with relevant site development criteria being satisfied; and, similar successful rezoning requests. Staff recommends that this rezoning request be approved.

Brief discussion was held regarding proper notification to area residents, the difference between rural high density and rural low density/single family, and requirements for development permits.

Mr. Dana MacCoul was in attendance to speak for the application. He indicated the intent is to build a duplex or semi-detached unit. It would be consistent with what is currently there now and at this point, is unsure of the timelines.

Councillor Taggart, Chair of the Planning Advisory Committee (PAC), presented the report from the PAC meeting held on December 12, 2018 and advised that the PAC recommended that Council approve this application.

Mr. Simonds advised that two pieces of correspondence have been received regarding this application. The first was from Chris and Amanda Billard who are opposed to the rezoning. The second was from Mitchell Bell, Clerk with the Village of Bible Hill, who indicated they do not have concerns with this application. Upon the request of Councillor MacKenzie, the CAO read the correspondence from Chris and Amanda Billard into the record.

There were no members of the public in attendance to address Council concerning the proposed amendments.

Moved by Councillor Taggart  
Seconded by Councillor Gibbs

"That Council approves, by way of Second Reading, to rezone two vacant properties owned by Dana MacCoul, on Village Line Avenue in Bible Hill/Valley from Residential Double Dwelling Unit Conversion (R-C2), to Residential Double Dwelling Unit (R-2)."

Motion Carried Unanimously.

Mayor Blair advised that 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 advertising of same in the local newspaper.

With no further discussion on this matter, Mayor Blair declared the Public Hearing closed.

**Public Hearing –  
Development Agreement,  
Administrative Amendments  
to the Central Colchester  
Land Use By-law**

Mayor Blair called the Public Hearing to order respecting administrative amendments to the 2002 Central Colchester Land Use By-law, to schedule 3, Bible Hill/Valley Zoning Map and the Truro Heights/Lower Truro Zoning Map of the Land Use By-law respectively, to correctly zone the following:

- Lands owned by the Village of Bible Hill to Parkland as was originally intended when conveyed to them; and,
- Property owned by Peter Stokdijk on Truro Heights Road to acknowledge a long-established machine repair shop from residential to commercial.

The text for the proposed amendments and a related staff report were circulated to Council members and have been made available to the public.

Rob Simonds, CAO, advised that the guidelines of the Municipal Government Act regarding advertising of the Public Hearing have been followed.

Councillors were reminded 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 any concerns of area residents. Individual Councillors will have an opportunity to debate the merits of the amendments when the motion is presented to Council. Staff are present to answer any technical questions that may arise as a result of the public's input.

Pam Macintosh, Planner, provided an overview of the proposed amendments noting that they do not constitute any changes to Council's policy intent. Along with aerial views and site photos, Ms. Macintosh outlined the three amendments which are required to rectify mapping errors, as follows:

- 1) Village of Bible Hill lands (PID 20333670 and 20439352) by Pictou Road, Retson Drive and Village Line Avenue - currently zoned R-2C. Staff is recommending that these two properties be zoned P for Recreation/Open Space to reflect intended use.
- 2) Village of Bible Hill lands (PID 20064572) on the corner of Armstrong and Summit Avenues – two parcels of land were deeded to the Village several years ago as parkland. The smaller parcel is incorrectly zoned as R-2 Residential and requires a zoning change to Parkland.
- 3) Property owned by Peter Stokdijk (PID 20216727) on Truro Heights Road – property zoned R-2 Residential since 1988, however there has

been a machine repair shop there since as early as 1994. Staff are proposing a change to commercial zoning to acknowledge this long-standing business.

Speaking as a representative of the property owner, Mr. Matt Stokdijk indicated that they are interested in doing an expansion on the business and this amendment would be required in order to do so.

Councillor Taggart, Chair of the Planning Advisory Committee (PAC) presented the report from the PAC meeting held on December 12, 2018, at which time the three proposed amendments were debated. The PAC recommends that Council approve these amendments.

Mr. Simonds advised no written submissions were received relating to these amendments.

There were no members of the public in attendance to address Council concerning the proposed amendments.

Moved by Councillor Taggart  
Seconded by Councillor Gibbs

"That Council approves, by way of Second Reading, the amended Central Colchester Land Use By-law, as presented."

Motion Carried Unanimously.

Mayor Blair advised that Council's decision on these amendments is appealable to the Nova Scotia Utility and Review Board. Any appeal of Council's decision must be made within 14 days of advertising of same in the local newspaper.

With no further discussion on this matter, Mayor Blair declared the Public Hearing closed.

### **Approval of Agenda**

Moved by Councillor Boutilier  
Seconded by Councillor Parker

"That the agenda be approved with the following additions:

- Item # 13b, St. James Church of Great Village Preservation Society;
- Item # 17, Legal Matter in Closed Session; and,
- Item # 18, Negotiations in Closed Session."

Motion Carried Unanimously.

### **Approval of Minutes**

Moved by Councillor Cooper  
Seconded by Deputy Mayor Stewart

"That the minutes of the meeting held on January 31, 2019, be approved as presented."

Motion Carried Unanimously.

**Business Arising from  
Minutes**

There was no business arising from the meeting held on January 31, 2019.

**Presentations**

The CAO advised that in the Fall of 2018, Council directed staff to engage a consultant to address recent federal tax implications affecting Council remuneration and to carry out an overall compensation review noting that in 2016, by way of motion, Council waived having the review carried out at that time. Gerald Walsh Associates was the consultant hired to carry out the review. The final report resulted in Council having a number of questions and the consultant agreed to come before Council. Gerald Walsh and Jillian Gorbould were in attendance to present the results of the review.

The CAO advised that in the Fall of 2018, Council directed staff to engage a consultant to address recent federal tax implications affecting Council remuneration.

Mr. Walsh began his presentation with the results of the portion of the review dealing with the federal tax implications. A brief overview was provided including four options for consideration; a recap of average tax rates; and gross-up rates at 30%, 35%, and 40%. Mr. Walsh indicated that he is suggesting a marginal rate of 35% gross-up.

Ms. Jillian Gorbould presented the results of the market analysis for the compensation review which included survey information; considerations that may influence salary such as population, budget, level of services, Councillor's time and scope of responsibilities; and market value compensation information. Mr. Walsh noted that many factors were taken into consideration for this part of the review with population being one of the key factors.

Mr. Walsh indicated that the recommendation would be to maintain current salaries with a 35% gross-up to address the federal tax implications.

Considerable debate was held regarding the marginal gross-up with a number of Council members expressing concern with the recommended 35% gross-up. It was suggested that the other incomes were not factored in the analysis. Mr. Walsh noted that the recommendation was based on Council remuneration and trying to bring compensation to an equivalent net income level. Mayor Blair advised that only the Council remuneration portion of income should be taken into consideration.

Discussion was held on the results of the remuneration review. Again, concern was expressed regarding methodology used to determine recommended compensation including how levels of services were determined, comparatives used, whether geography was taken into consideration and why population was the primary basis of the results. Mr. Walsh indicated that all factors were taken into consideration however, population was the main driver.

Brief discussion was also held regarding benefits and pension and that some municipal units offer benefits and pensions to elected officials. It was suggested that offering at least health benefits should be considered.

Mr. Walsh indicated that it is difficult to set pay rates for yourselves. It is important that reviews be carried out prior to a new term of Council and compensation rates be set for the new/incoming Councils.

### **Standing Committee Reports and Recommendations**

### **Council Committee Report from Meeting Held on February 14, 2019**

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

#### **Council Proceedings and Committees Policy Amendments**

Moved by Deputy Mayor Stewart  
Seconded by Councillor Cooper

"That Council approves the Council Proceedings and Committees Policy, as amended."

Motion Carried Unanimously.

#### **Village of Tatamagouche – Request for Support, Sidewalk Design and Construction**

Moved by Deputy Mayor Stewart  
Seconded by Councillor Gregory

"That Council approves that Public Works complete the design work and provide engineering design services free of charge, with the Village covering topographic survey and construction costs and that this work be carried out for the 2019 construction season."

Motion Carried Unanimously.

#### **Solar Colchester PACE Policy**

Moved by Deputy Mayor Stewart  
Seconded by Councillor Gibbs

"That Council approves the adoption of the Solar Colchester PACE Policy, as amended."

Detailed discussion was held on having a fluctuating/variable interest rate versus a fixed rate with concern being expressed on having a variable rate.

*Motion Amended*

Moved by Councillor Boutilier  
Seconded by Councillor Masters

That the original motion be modified to indicate the interest rate be prime plus .75%.”

Motion Carried. (*Councillor Cooper opposed*)

The amended motion having carried, the original motion was voted on and carried.

### **Operating Costs, Flow Monitoring Stations – JFAC**

Moved by Deputy Mayor Stewart  
Seconded by Councillor Gibbs

“That Council approves that the Municipality enter into a three-year agreement for the funding of a flow monitoring station, at a cost of \$12,750 per year, to be funded via the major flood reserve.”

Motion Carried Unanimously.

### **FCM**

Moved by Deputy Mayor Stewart  
Seconded by Councillor Boutilier

“That Council approves the following resolution:

#### **FEDERATION OF CANADIAN MUNICIPALITIES ELECTION TO THE BOARD OF DIRECTORS**

**WHEREAS** the Federation of Canadian Municipalities (FCM) represents the interests of municipalities on policy and program matters that fall within federal jurisdiction;

**WHEREAS** FCM's Board of Directors is comprised of elected municipal officials from all regions and sizes of communities to form a broad base of support and provide FCM with the prestige required to carry the municipal message to the federal government; and

**WHEREAS** FCM's Annual Conference and Trade Show will take place from May 30 to June 2, 2019, during which time the Annual General Meeting will be held and followed by the election of FCM's Board of Directors;

**BE IT RESOLVED** that Council of the Municipality of the County of Colchester endorse Councillor Tom Taggart to stand for election on FCM's Board of Directors for the period starting in June 2019 and ending June 2020; and

**BE IT FURTHER RESOLVED** that Council assumes all costs associated with Councillor Tom Taggart attending FCM's Board of Directors meetings.”

Motion Carried Unanimously.

*Councillor Gibbs, Vice Chair of the Flood Advisory Committee, presented the report from meeting held on January 31, 2019.*

Moved by Councillor Gibbs  
Seconded by Councillor Boutilier

“That the Flood Advisory Committee recommends to Council that the Committee budget for the 2019/2020 budget year remain at \$100,000 and this be referred to budget deliberations.”

Motion Carried Unanimously.

**Planning Advisory Committee Report from Meeting Held on December 12, 2018**

*Councillor Taggart, Chair of the Planning Advisory Committee, presented the report from meeting held on December 12, 2018.*

Moved by Councillor Taggart  
Seconded by Councillor Pash

“That the Planning Advisory Committee report of the meeting held on December 12, 2018 be received.”

Motion Carried Unanimously.

**ACTION ITEMS**

**Second Reading – Solar Colchester PACE By-law**

Ms. Joanna Burris, Interim Development Officer, advised that Council first reviewed the Solar Colchester PACE By-law at the January Committee meeting. At that time, Council discussed amendments to the By-law prior to proceeding to First Reading, which was approved at the January Council meeting. A brief overview of the requested amendments, as incorporated into the By-law, was provided.

Moved by Councillor Cooper  
Seconded by Councillor Gregory

“That Council approves, by way of Second Reading, the Solar Colchester Property Assessed Clean Energy (PACE) By-law, as presented.”

Motion Carried Unanimously.

**NS Women That Hunt**

Councillor Stewart advised that a presentation was received at the Grant Presentations meeting for an economic development grant in the amount of \$5,000 from NS Women That Hunt. The event is taking place before the end of April when the budget will be approved and the request is being put forward for Council consideration.

Discussion was held regarding source of funds being from the 2018/19 or 2019/20 Community Event Grants budget, the number of years this



organization has received funding and the maximum number of years an organization can receive funding under the Community Event Grants Policy.

Moved by Deputy Mayor Stewart  
Seconded by Councillor Cooper

"That Council approves funding in the amount of \$5,000 for the NS Women that Hunt, with source of funds being 2018/19 Community Event Grants budget."

*Motion Amended*

Moved by Councillor Parker  
Seconded by Councillor Cooper

"That the motion be amended to stipulate source of funds being 2019/20 Community Event Grants budget."

Motion Carried. *(Councillor MacKenzie opposed)*

The amending motion having carried, the original motion was voted on and carried.

## **NSFM Spring Conference**

Deputy Mayor Stewart advised that the Planning Committee for hosting the NSFM Spring Conference with the Town of Truro is seeking an approved budget amount in order to proceed with planning and bookings. The Committee's proposed budget is \$10,000, cost shared between the Town and County.

Moved by Deputy Mayor Stewart  
Seconded by Councillor Gregory

"That Council approves the proposed budget for the NSFM Spring Conference, as presented."

Motion Carried Unanimously.

## **Correspondence - ACTION**

### **Julia Hay, Stewiacke Visitor Information Centre**

A letter to the CAO dated February 15, 2019 requesting additional funding for the Visitor Information Centre in Stewiacke.

Moved by Councillor Masters  
Seconded by Councillor Cooper

"That the letter from Julia Hay, Stewiacke Visitor Information Centre (VIC), requesting additional funding for the VIC in Stewiacke, be referred to budget deliberations."

Motion Carried Unanimously.

**Marianne Cullip, Owner,  
Fundy Gemstone  
Townhouses**

Letter and supporting documentation to Councillor Pash concerning a request for a pedestrian crosswalk near Onslow Rd./Hwy 2 and Tidal Bore Road.

Moved by Councillor Boutilier  
Seconded by Councillor Masters

“That the letter to Councillor Pash concerning a request for a pedestrian crosswalk near Onslow Rd./Hwy 2 and Tidal Bore Road be referred to staff.”

Motion Carried Unanimously.

**Correspondence -  
INFORMATION**

**Development Officer**

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

**INFORMATION ITEMS**

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

One application was received for the winter deadline of the Community Trail Funding Program. Total funding approved was \$1,604.00, 50% of the total project cost, for the Cobequid Eco-Trails Society. This amount will assist with regular maintenance of 16 km of the Gully Lake wilderness hiking trails including right-of-way maintenance and removing windfalls.

Brief discussion was held on whether this is a protected wildlife trail and if so, would the province be responsible for it. Mr. Craig Burgess, Recreation Manager, advised that he would look into this and advise accordingly.

**St. James Church of Great  
Village Preservation Society**

Councillor Taggart advised that the St. James Church of Great Village Preservation Society is receiving an Achievement Award from the Colchester Historical Society at their annual Heritage Night for their work on the preservation and heritage registration of the Elizabeth Bishop House in Great Village. The ceremony was taking place this evening.

**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.

**CLOSED SESSION**

Moved by Councillor Gregory  
Seconded by Councillor Pash

“That the meeting go into closed session at 10:13 pm.”

Motion Carried Unanimously.

Moved by Councillor Gibbs  
Seconded by Councillor Gregory

"That the meeting reconvene in open session at 11:35 pm."

Motion Carried Unanimously.

**Legal Matter – Miller Waste**

Moved by Councillor Pash  
Seconded by Councillor Gibbs

"That Council authorizes staff to execute the agreement with Miller Waste."

Motion Carried Unanimously.

**Negotiations – Rural Internet**

Moved by Councillor Masters  
Seconded by Councillor Taggart

"That Council authorizes that a letter be sent, jointly with the Municipality of Cumberland, to Develop Nova Scotia, requesting an application deadline extension for the DNS RFSQ Number: DNSINS0119."

AND

"That Council directs staff to investigate and draft an agreement to facilitate and formalize a collaborative relationship with Cumberland County on internet improvements."

Motion Carried Unanimously.

**ADJOURNMENT**

Moved by Councillor Gibbs  
Seconded by Councillor Gregory

"That the meeting adjourn at 11:40 pm."

Motion Carried Unanimously.

Tracey Veno  
Recording Secretary