

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, May 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
 Dennis James, Municipal Solicitor (for item no. 2 only)
 Tracey Veno, Recording Secretary
 Devin Trefry, Research, Policy and Community Engagement Officer
 Mark Austin, Economic Development Officer
 Paul Smith, Senior Planner

Public Hearing – Central Colchester Land Use By-law Amendments Phil & Brenda Leil

Mayor Blair called the Public Hearing to order respecting amendments to the 2002 Central Colchester Land Use By-law to Schedule 3, Truro Heights/Lower Truro Zoning Map of the Land Use By-law to rezone lands owned by Phil and Brenda Leil on Truro Heights Road. This request is to rezone 10.5 acres of land, from General Commercial, C-1 and Residential, R-2 to Highway Commercial, C-2 and R-2. The existing lots would be reconfigured, resulting in two lots.

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 amendments and any concerns of Colchester County 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.

Paul Smith, Senior Planner, provided an overview of the application which involves the rezoning of lands from General Commercial, C-1 and Residential, R-2 to Highway Commercial, C-2 and R-2. There are five lots, being configured into two lots. If the application is successful, the property would be utilized for commercial use with the construction of an 19,000 sq ft (approximate) building with frontage and access for the business off Parkway Drive and the entrance to be used by staff off Truro Heights Road. Components of the presentation included aerial and site photos; proposed floor plans of the building; engineering details on grading, servicing and plans to address drainage issues; and plans for tree buffering and landscaping. Additionally, the proponent is in discussions with neighbouring property owners to address any concerns they may have. Staff noted that the application is complete and properly before Council and recommend that Council approve this rezoning request.

Concerns addressed by Council included the Municipality taking measures to ensure the staff entrance remain as intended, maintenance and appearance of building site, having sufficient buffering for the existing residential properties as well as down the south side; and, assurances that proper drainage measures are carried out.

Mr. Barry Mitchell was in attendance to speak for the application. He indicated that this will be a maintenance and centralized dispatch facility with close to 50 employees. The majority of the truck traffic will be on Parkway Drive. They intend to plant fast growing trees to create sufficient buffering as well as six to six and one-half feet fencing. The property will be transformed to a very clean, attractive, professional site, will provide a good tax base, and be a nice addition to the industrial park.

Councillor Taggart, Chair of the Planning Advisory Committee (PAC), presented the report from the PAC meeting held on April 1, 2019 and advised that after consideration of citizen concerns and clarifications made by the applicants, the PAC recommended that Council approve this application.

Mr. Simonds advised that no written submissions have been received concerning this application.

Ms. Mary Works of 623 Truro Heights Road was in attendance to address Council concerning the proposed amendments. Ms. Works lives in the house right beside the Leil's and indicated that ditching had been removed resulting in inadequate drainage that was causing extensive damage to her property including swampy conditions, loss of trees, bad soil and flooding. She indicated that her children are sick and expressed safety concerns relative to trees falling, possibly causing injury or even death. Ms. Works wants answers as to who is responsible for this damage and who will fix the problem.

Responding to Mayor Blair's request to respond to any of Ms. Works concerns, Mr. Mitchell indicated that these were the same questions that were asked to PAC. The drainage issues are the responsibility of Nova Scotia Transportation and Infrastructure Renewal. Soil testing has not been done but water tests were completed and met requirements. He indicated that a culvert could be redirected to help alleviate drainage and that they are willing to work with property owners.

Further discussion was held on the drainage issue. Mr. Smith advised that any improvements in the TIR right-of-way are their responsibilities and should be taken up directly with TIR.

Moved by Councillor Taggart
Seconded by Councillor Pash

"That Council approves, by way of Second Reading, to rezone a total of five properties owned by the Leil's on Truro Heights Road in Truro Heights to C-2, Highway Commercial and R-2, Residential, as presented."

Motion Carried. *(Councillors Cooper and Parker opposed)*

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.

Moved by Councillor Masters
Seconded by Councillor Boutilier

"That a letter be written to Nova Scotia Transportation and Infrastructure Renewal requesting that the issue of flooding and related damages at 623 Truro Heights Road due to inadequate road drainage system be addressed and that Council receive a response back on this matter."

Motion Carried Unanimously.

Appointment of Municipal Solicitor

Moved by Councillor Cavanaugh
Seconded by Councillor Cooper

"That Council waives policy and appoints Patterson Law as the Municipality's Solicitor for fiscal year 2019/20."

Motion Carried Unanimously.

Approval of Agenda

Moved by Councillor Gregory
Seconded by Councillor Cooper

"That the agenda be approved with the following amendments:

- Move Item No. 15 up on the agenda to be dealt with prior to Item No. 8;

- Delete Item No. 14;
- Add three Property Matters, 19 b, c, and d, in Closed Session.”

Motion Carried Unanimously.

Approval of Minutes

Moved by Councillor Boutilier
Seconded by Councillor MacKenzie

“That the minutes of the meetings held on April 25, May 2 and 22, 2019, be approved as presented.”

Motion Carried Unanimously.

Business Arising from Minutes

There was no business arising from the minutes of the meetings held on April 25, May 2 and 22, 2019.

Standing Committee Reports and Recommendations

Council Committee Report from Meeting Held on May 16, 2019

Deputy Mayor Stewart, Chair, presented the report from the meeting held on May 16, 2019:

PCAP Application 2019

Moved by Deputy Mayor Stewart
Seconded by Councillor Gregory

“That Council supports staff’s 2019 application to the PCAP Program for the Inflow and Infiltration project for the Brookfield Sewer System, valued at \$78,215.”

Motion Carried Unanimously.

FRIP Application 2019

Moved by Deputy Mayor Stewart
Seconded by Councillor Gibbs

“That Council supports that the County Flood Advisory Committee’s 2019 application to the FRIP program for the work along Franklin Property on the North River, valued at \$78,215; and,

That Council supports that the Joint Flood Advisory Committee’s 2019 application to the FRIP Program for the Salt Marsh Pre-Design, Waterline Removal and Lepper Brook Cleanup, valued at \$114,715.”

Motion Carried Unanimously.

4-H Nova Scotia – Pro Show

Councillor Masters declared a conflict of interest and removed himself from the table.

Moved by Deputy Mayor Stewart

Seconded by Councillor Cavanaugh

“That Council approves funding in the amount of \$10,000 to 4-H Nova Scotia for the 2019 Pro Show, with source of funds being Community Event Grants.”

Motion Carried Unanimously.

At this point, Councillor Masters returned to the table.

Truro – North River - C2C 4-H Exchange

Moved by Deputy Mayor Stewart

Seconded by Councillor Boutilier

“That Council approves funding to 4-H Nova Scotia in the amount of \$2,500 for the C2C 4-H Exchange taking place July 4-12, 2019, with source of funds being Community Events Grants.”

Motion Carried Unanimously.

People First Nova Scotia – “Homes in Our Community” 30th Annual Provincial Conference

Moved by Deputy Mayor Stewart

Seconded by Councillor Gibbs

“That Council approves funding to People First Nova Scotia in the amount of \$1,000 for the “Homes in Our Community” 30th Annual Provincial Conference being held May 24-26, 2019, with source of funds being Community Events Grants.”

Motion Carried Unanimously.

Phase 1B - Fundy Discovery Site

Moved by Deputy Mayor Stewart

Seconded by Councillor Gregory

“That Council approves the proposed Fundy Discovery Site construction and capital planning programs for the 2019-20 fiscal year and forward \$487,000 (less the 2018-19 capital budget surplus) to the capital budget.

AND

That Council not approve the allocation of a portion of funds in the operating budget be used for the Fundy Discovery Site Interpretive Centre.

AND

That Council approves that any surplus funds from the Parks and Trails Funding Programs be allocated to the Fundy Discovery Site Project.”

Motion Carried Unanimously.

Truro Flying Club/Debert Flight Centre - Snowbirds

Moved by Deputy Mayor Stewart
Seconded by Councillor Masters

“That Council approves funding to the Truro Flying Club/Debert Flight Centre in the amount of \$15,000 for the Snowbirds event to be held in June 2019, with source of funds being Community Events Grants; and,

That any profits made over \$5,000 be split 50-50 between the Municipality of Colchester and the Truro Flying Club.”

Motion Carried Unanimously.

Council Remuneration

Moved by Deputy Mayor Stewart
Seconded by Councillor Masters

“That Council approves that the Council Remuneration be adjusted based on the marginal tax rate of 43.5% as presented by the Director of Corporate Services on May 16, 2019, bringing the net compensation to the same level as prior to the 2019 Federal tax change; and,

That this adjustment be retroactive to January 1, 2019.”

Motion Carried Unanimously.

Moved by Deputy Mayor Stewart
Seconded by Councillor Cooper

“That Council approves that base remuneration levels for Council be increased to:

\$36,316 for Councillor positions;
\$43,394 for Deputy Mayor position;
\$61,651 for the Mayor position; and,

That it be noted that this puts Colchester County Council on par with Kings County Council with the notable exception that this does not include the extra benefits they receive.”

Motion Carried (*Mayor Blair, Deputy Mayor Stewart, Councillors Gregory and Taggart opposed*).

Moved by Deputy Mayor Stewart
Seconded by Councillor Gibbs

“That Council approves that the annual increase for members of Council be an equal dollar value increment for each position based on the average increase of the three Council positions using Consumer Price Index; and,

This increase be effective April 1, 2019 and, on each anniversary, thereafter.”

Motion Carried Unanimously.

Moved by Deputy Mayor Stewart
Seconded by Councillor Cooper

“That Council approves that the salary adjustments bringing Colchester County Council on par with Kings County Council be effective April 1, 2019.”

Motion Carried. *(Councillor Taggart opposed).*

Council Chamber Security

Moved by Deputy Mayor Stewart
Seconded by Councillor Gregory

“That Council approves establishing a barrier separating the public gallery from the Council and staff and it become practice that during Committee and Council meetings that access beyond the established barrier be by invitation only.”

Motion Carried Unanimously.

Colchester Food Bank – An Evening of Hope Not Hunger

Moved by Deputy Mayor Stewart
Seconded by Councillor Gibbs

“That Council approves that the Municipality purchase a table at the Colchester Food Bank’s Evening of Hope Not Hunger event being held on June 6, 2019.”

Motion Carried Unanimously.

Executive Committee – Minutes of Meetings Held on April 25 and May 16, 2019

Moved by Councillor Gibbs
Seconded by Councillor Boutilier

“That Council accepts the minutes of the Executive Committee meetings held on April 25 and May 16, 2019, as presented.”

Motion Carried Unanimously.

Nominating Committee Report from Meeting Held on May 17, 2019

Moved by Deputy Mayor Stewart
Seconded by Councillor Boutilier

“That Council approves that appointments to the various Committees remain status quo for the balance of 2016-2020 term of Council.”

Motion Carried. (*Councillor Cavanaugh, Cooper and Masters opposed*).

Audit Committee – Minutes of Meeting held on May 17, 2019

Brief discussion was held regarding the difficulties in filling the vacancy on the Audit Committee. The recent applicant’s designation had lapsed and was too cost prohibitive to renew for a volunteer position.

Moved by Deputy Mayor Masters
Seconded by Councillor Gregory

“That Council approves that the wording of the Council Proceedings and Committees Policy relating to requirements of the citizen representative on the Audit Committee be reviewed with suggested amendments being brought back to Council for consideration.”

Motion Carried Unanimously.

It was noted that the recent applicant should be invited to reapply when and if the Policy is amended.

Flood Advisory Committee – Minutes of Meeting Held on May 14, 2019

Moved by Councillor Cavanaugh
Seconded by Councillor Boutilier

“That the minutes of the Flood Advisory Committee meeting of May 14, 2019 be received.”

Motion Carried Unanimously.

ACTION ITEMS

Asbestos Dump Site, Middle Stewiacke

Mayor Blair advised that a number of Councillors attended a community meeting in Middle Stewiacke to hear concerns of area residents about a new asbestos dump site being established in the community. Since that meeting, area residents have sent a letter requesting support of Council in requesting a delay in the issuing of the permit by Nova Scotia Environment. There is a short window of opportunity to submit concerns, with a deadline date of June 15, 2019.

Discussion was held on the possibility of establishing a by-law which would control where asbestos and hazardous materials could be disposed of; existing regulations for hazardous materials; concerns and provisions

in provincial legislation relative to the transportation of dangerous goods; and, site closure bonds.

Moved by Deputy Mayor Stewart
Seconded by Councillor Boutilier

“That staff be instructed to look into the legalities of enacting a by-law which would control the disposal of asbestos.”

Motion Carried Unanimously.

Moved by Councillor Cooper
Seconded by Councillor Boutilier

“That a letter be written to Nova Scotia Environment requesting that the issuance of permits for the Asbestos Dump Site in Middle Stewiacke be held in abeyance until such time as new regulations are in place.”

Motion Carried Unanimously.

Brief discussion was held regarding monitoring and reporting requirements for Construction and Demolition and Hazardous Materials sites. It was noted that this would be a responsibility of Nova Scotia Environment, however, Scott Fraser, Interim Director of Solid Waste, indicated that a request could be made for this information.

Moved by Councillor Cooper
Seconded by Councillor Taggart

“That staff request reports on Construction and Demolition and Hazardous Materials site from Nova Scotia Environment.”

Motion Carried Unanimously.

Council requested that the reports include the number of times the sites have been inspected in the last year.

**Request for Letter of Support
– Balamore Farm Ltd.**

Councillor Taggart indicated that he has had a request from Balamore Farm Ltd., in Great Village, for letters of support for their funding applications to the federal government for projects they are undertaking. Draft copies of the support letters were circulated to Council.

Moved by Councillor Taggart
Seconded by Councillor Masters

“That Council approves writing letters of support for Balamore Farm Ltd. for their funding applications.”

Motion Carried Unanimously.

Area Rates Approval 2019-20

Scott Fraser, Director of Corporate Services, provided a brief overview of this item noting that annually, Council reviews and approves Area Rates

for the upcoming fiscal year. There is only one change for 2019/20, that being an increase in the area rate for Tatamagouche Fire.

Councillor Masters inquired as to when the Active Transportation (AT) Area Rate was implemented all over the County as when it was originally discussed, he thought it was intended for Debert and Tatamagouche. Mr. Fraser indicated that he would look into this and report back.

Moved by Deputy Mayor Stewart
Seconded by Councillor Gregory

“That Council approves the 2019/20 Area Rate Budgets, as presented.”

Motion Carried Unanimously.

**Authority to Award –
Highway 311 Sidewalk
Tender**

Moved by Councillor Cavanaugh
Seconded by Councillor Masters

“That Council authorizes Council Committee, at their meeting on June 13, 2019, to award the tender for construction of the sidewalk on Highway 311 in North River.”

Motion Carried. *(Councillor Taggart opposed).*

**First Reading – Council
Remuneration By-law**

Referring to the series of motions previously approved by Council, Mr. Fraser provided a summary of the changes as directed through those motions, to the Council Remuneration By-law. Under the requirements of the Municipal Government Act, adoption and/or amendments to by-laws require two readings before adoption. This First Reading is to announce Council’s intention to consider the amendments and there will be opportunity to debate the merits of the By-law as well as hear any concerns of the public at Second Reading.

Moved by Councillor Cooper
Seconded by Councillor Parker

“That Council approves, by way of First Reading, amendments to the Remuneration and Expenses for Council and Appointed Committee Members By-law, as presented.

Motion Carried Unanimously.

**Five Islands Lighthouse Park
Memorandum of
Understanding with Cliffs of
Fundy Geopark Society**

Devin Trefry, Research, Policy and Community Engagement Officer, introduced this item indicating that the Five Islands Lighthouse Park has been selected as one of the geosites to be promoted as part of the Cliffs of Fundy Geopark. A Memorandum of Understanding is required as a formality of the evaluation process endorsing involvement.

Moved by Councillor Boutilier
Seconded by Councillor Gregory

“That Council authorizes the CAO to sign the Memorandum of Understanding with the Cliffs of Fundy Geopark Society to enable the Five

Islands Lighthouse Park to become an official geosite promoted within the Geopark.”

Motion Carried Unanimously.

Live Streaming of Council Meetings

Deputy Mayor Stewart indicated that prior to the recent letter to the editor in the Truro News, he had also been contacted by a number of constituents about the live streaming of Council meetings. Key points noted relative to live streaming included:

- it would provide for more transparency;
- federal and provincial levels of government offer this and with municipal government being closest to the people, it should be offered as well;
- increased youth engagement;
- as many as 20 municipal units across the province already provide the service;
- rationale of recorded motions and matter of public record; and,
- considering major investment in broadband as an essential service, provides ability to live stream.

Discussion was held regarding many areas of the County not having the livestreaming capabilities and that this should not move forward until such time that all areas have services in place to accommodate. Other concerns with live streaming were more formal meeting process and limited debates. This Council already provides transparency and accountability, and the gallery is always open to the public. Responding to a query on whether the other municipalities providing live streaming being rural or urban, Deputy Mayor Stewart indicated that it is a combination of both.

Moved by Deputy Mayor Stewart

Seconded by Councillor Boutilier

“That staff investigate moving forward with the live streaming of Council meetings.”

Motion Carried. *(Councillors Masters, Cooper, Gibbs, Pash and Cavanaugh opposed).*

Correspondence - ACTION

Matt Redmond, Yearbook Committee Chair, Rotary Club of Truro

An email dated May 13, 2019 regarding placing an ad in the Rotary Club Yearbook.

Moved by Councillor Taggart

Seconded by Councillor Boutilier

“That Council approves placing a one-third page in the Rotary Club Yearbook for 2019-20.”

Motion Carried Unanimously.

**Correspondence -
INFORMATION**

Development Officer

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

INFORMATION ITEMS

**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 Masters

“That the meeting go into closed session at 9:23 pm.”

Motion Carried Unanimously.

At this point, Councillor Boutilier left the meeting due to illness.

Moved by Councillor Gregory
Seconded by Councillor Pash

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

Motion Carried Unanimously.

**Opportunities Assessment –
Energy Savings RECC**

Moved by Councillor Masters
Seconded by Councillor Pash

“That Council approves signing a Letter of Intent with Honeywell for development of an energy savings project at the RECC.”

Motion Carried Unanimously.

**Offer to Purchase 107
Ventura Drive, Debert
Business Park**

Moved by Councillor Gregory
Seconded by Councillor Cooper

“That Council authorizes staff to offer the property at 107 Ventura Drive, to Global Construction, with the new restrictive covenants, at the price of \$15,000.”

Motion Carried Unanimously.

Offer to Purchase 6 Ventura Drive, Debert Business Park

Moved by Councillor Gibbs
Seconded by Councillor Gregory

“That Council authorizes staff to offer the property to the Debert Hospitality Centre, with restrictive covenants, at the price of \$75,000, as per the terms presented in Closed Session.”

Motion Carried. (*Deputy Mayor Stewart, Councillors Masters, Pash and Cavanaugh opposed.*)

Environmental & Education Officer’s Position

Moved by Councillor Cavanaugh
Seconded by Councillor Parker

“That Council approves the job description and salary adjustments for the period beginning April 1, 2019, for the Environmental Education Officer position.”

Motion Carried Unanimously.

Waste Management Officer Position

Moved by Councillor Gregory
Seconded by Councillor Cooper

“That Council approves that the position of Waste Management Officer be reclassified to that of Waste Compliance Officer; and,

That the salary for the incumbent be adjusted from Step 7 of Range 4 to Step 7 of Range 5 effective April 1, 2019; and,

That the above noted title change be reflected in an updated organizational structure and the duties be reflected in the job description.”

Motion Carried Unanimously.

Non-Union Employee Annual Salary Increase

Moved by Councillor Cavanaugh
Seconded by Councillor Pash

“That Council approves the non-union salary increase for 2019/20 at 2.25%.”

Motion Carried Unanimously.

ADJOURNMENT

Moved by Councillor Gregory
Seconded by Councillor Cavanaugh

“That the meeting adjourn at 11:23 pm.”

Motion Carried Unanimously.

Tracey Venio
Recording Secretary