

May 15, 2014

**COUNCIL COMMITTEE**

The Regular Session of Council Committee of the Municipality of the County of Colchester was held in the Courthouse, Truro, Nova Scotia on Thursday, May 15, 2014 at 7:00 p.m.

**Roll Call**

The roll was called with the following Councillors in attendance:

Mayor Bob Taylor	
Councillor Christine Blair	District #1
Deputy Mayor Bill Masters, Chair	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

**Approval of Agenda**

Councillor MacKenzie left the meeting briefly.

Moved by Councillor MacInnes  
Seconded by Councillor Cavanaugh

“That the agenda for May 15, 2014 be approved with the following additions:

- add Item #15b: Ivany Report Workshop
- add Item #15c: Community Park Funding Program
- add Item #16b: Rail Lines, New Brunswick
- add Item #16c: Chamber Dinner, May 22<sup>nd</sup>
- add Item #16d: UNSM Spring Conference
- add Item #18(3): Closed Session Legal Advice .”

Motion Carried Unanimously.

**Approval of Minutes**

Moved by Councillor Blair  
Seconded by Councillor Cooper

“That the minutes of the meetings held on March 18 and April 10, 2014 be approved as circulated.”

Motion Carried Unanimously.

**Business Arising from Minutes**

There was no business arising from the minutes of the meetings held on March 18 and April 10, 2014.

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**Presentations****Truro Police Chief Dave MacNeil - Taxi By-law**

Chief MacNeil appeared before Council at the request of the Joint Taxi By-law Committee to talk about a Joint Taxi By-law. He advised that the Town's Taxi By-law has been around for 25-30 years. The key purpose of the By-law is to help protect the public as well as for regulatory purposes.

Under the Town By-law, there is stringent criteria for obtaining a Taxi license including the metre must be calibrated, the vehicle must be clean and functional, and the driver must have a clean driving record with a few minor exceptions. Problems can arise when an applicant is refused by the Town for not meeting their criteria but can start offering the service in the County where there is no by-law in place to regulate. For the safety of the citizens and to help protect the legitimate taxi owners, there needs to be a more level playing field.

Chief MacNeil advised that he does not anticipate more work or the need for more staff resources if his department looks after the administration of the Joint By-law. There may be a need for some discussion between the Municipal Solicitors and some minor changes to the By-law.

Mr. Dennis James advised that there have been some extensive draft amendments to the By-law and there may be some issues around enforcement.

Moved by Councillor Blair  
Seconded by Councillor Taggart

"That the presentation from the Truro Police Chief Dave MacNeil on the Taxi By-law be received.

Motion Carried Unanimously.

Councillor Blair advised that the next meeting of the Taxi By-law Committee is scheduled for May 20<sup>th</sup>.

At this point in the meeting, Councillor MacKenzie returned to the table.

**ACTION ITEMS****Nova Scotia Music Week - Request for Funding**

Mr. Craig Burgess, Recreation Manager, provided a brief overview of the Economic Development Grants budget for 2014-15. The request from Nova Scotia Music Week is \$20,000 and if Council should approve the full amount requested, it will deplete the remainder of funds in the budget for this year. Council had previously approved funding for the Truro Centurions for \$4,500 and Mr. Burgess indicated that he is aware of at

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least two or three additional requests that will be coming forward in the near future.

Discussion was held regarding the event being hosted in this region every third year and the economic spin offs for the area. Concerns were expressed about the importance of groups receiving funding being required to report back to Council. Mr. Burgess advised that there is a post grant report that organizations are required to complete.

Moved by Mayor Taylor  
Seconded by Councillor Gibbs

“That Council Committee recommends to Council that funding in the amount of \$20,000 be approved for Nova Scotia Music Week, with source of funds being Economic Development Grants.”

Motion Carried Unanimously.

**LaFarge - Request  
for Letter of Support**

At the request of Mayor Taylor, Council agreed to move Item #14 up on the agenda to accommodate members of the audience in attendance for this item.

Mr. Scarth MacDonnell, Plant Manager of the LaFarge Cement Plant in Brookfield, came forward to speak on this agenda item. He indicated that LaFarge is requesting a letter of support for the use of treated flow-back water from the hydraulic fracturing process in the cement kilns of LaFarge. The flow-back water, currently stored at Atlantic Industrial Services in Debert, is now being treated by the process of Reverse Osmosis.

Mr. MacDonnell indicated that LaFarge is promoting an open and transparent process by doing public presentations. As well, all of the provincial and federal regulations are being met and LaFarge is now seeking endorsement of Council.

Discussion was held with the following comments and concerns being raised:

- assurance that all flow-back water goes through the reverse osmosis process;
- proper monitoring by Nova Scotia Environment;
- the process of putting the flow-back water through the cement kilns is a better option than dumping in the Bay of Fundy;
- the issue of fracking wastewater being the problem of Nova Scotia Environment and not that of the Municipality;
- LaFarge already has the approval to proceed with this so why is a

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- letter of support needed from the Municipality;
- commending two local companies showing due diligence in finding a solution to the problem with disposal of the flow-back water;
  - suggestion that Municipal Solicitor should provide input with wording of the letter, should it be approved.

In response to some of the concerns expressed by Council members, Mr. MacDonnell indicated that the every truck load of flow-back water will be tested prior to acceptance at the plant and all results of the testing will be posted on their website. Nova Scotia Environment will be visiting the plant for monitoring purposes. LaFarge feels that it is important to partner with the Municipality and this is why support of the Council is being sought.

Moved by Mayor Taylor  
Seconded by Councillor MacInnes

“That Council Committee approves providing a letter of support to LaFarge Eastern Canada, as requested in the communication from the Plant Manager of the company.”

Motion Carried. *(Councillors MacKenzie and Gregory opposed).*

**CNTA - Request for  
Funding, Destination  
Assessment Project**

Moved by Councillor Cavanaugh  
Seconded by Councillor Cooper

“That Council Committee recommends to Council that funding in the amount of \$500 be approved for the Central Nova Tourist Association for the Roger Brooks Destination Assessment for Truro/Colchester/East Hants, with source of funds being Grants to Non-Profit Organizations as an unbudgeted expense.”

Motion Carried Unanimously.

**Award of  
Construction  
Contract - Mingo’s  
Corner Sidewalk**

At its April 29, 2014 meeting, Council gave authority to May Council Committee to award the tender for Mingo’s Corner Sidewalk.

Ms. Michelle Newell, Director of Public Works, advised that the work for the project includes the sidewalk construction, sewer upgrades for Board Landing Road development, and sewer repairs west of Board Landing Road. The lowest tender was submitted by Mid Valley Construction and was deemed to be complete. Staff recommendation is that the tender be awarded to Mid Valley Construction.

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Moved by Councillor MacInnes  
Seconded by Councillor Cavanaugh

“That Council approves the award of the Mingo’s Corner Sidewalk Construction to Mid Valley Construction for a contract amount of \$659,980, excluding HST, and that an internal construction contingency of \$50,000 be carried to be spent only on authority of the Director of Public Works.”

Motion Carried Unanimously.

**Sewer Hook Ups to  
Homes on Granville  
Drive**

The Director of Public Works indicated that this item relates to private homes and the sewer project on Granville Drive. There are 25 existing homes on Granville Drive, 19 of which have direct connection into the old sewer lines and 6 having their own septic system. Staff is seeking Council direction on the scope of work to be carried out within private properties on Granville Drive as part of the Granville Drive Sewer project.

Moved by Councillor Cavanaugh  
Seconded by Councillor Gregory

“That Council Committee recommends to Council that the Municipality provide sewer service laterals to the property line of residents on Granville Drive as per standard practice and that residents be responsible for all expenses within their property boundaries.”

Motion Carried Unanimously.

**Area Rates and  
Budgets 2014/15**

Mr. Scott Fraser, Director of Corporate Services, provided a brief overview of the changes in area rates for 2014/15.

Moved by Mayor Taylor  
Seconded by Councillor Blair

“That Council Committee recommends to Council that the 2014-15 Area Rate Budgets be approved as presented.”

Motion Carried Unanimously.

**Debert Fire Brigade -  
Request for Letter of  
Comfort**

Moved by Councillor MacInnes  
Seconded by Councillor Taggart

“That Council Committee recommends to Council that the Municipality of Colchester provide a “letter of comfort” in support of a loan of \$190,000 for the Debert Fire Brigade for the purchase of a fire truck fabrication; and,

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In the event that this is not satisfactory to the lending institution, that the Municipality provide a loan guarantee for this amount.”

Motion Carried Unanimously.

**Sounding of Train Whistles**

Due to complaints received from a resident in the Onslow area, Council had requested staff to investigate the procedure required to eliminate the sounding of train whistles at level crossings.

The Director of Corporate Services advised that staff findings indicate this is mainly a matter of safety. The Municipality would be taking on a lot of responsibility if proceeding with eliminating the sounding of train whistles at level crossings.

Moved by Councillor MacInnes  
Seconded by Councillor Blair

“That Council Committee recommends to Council that no further action be taken on this matter.”

Motion Carried Unanimously.

**Council Strategic Planning and Priority Setting Workshop - Tentative Dates**

Moved by Councillor MacInnes  
Seconded by Mayor Taylor

“That Council Committee recommends to Council that a strategic planning and priority setting workshop session be held on Saturday, September 6, 2014.”

**Municipal Awareness Week**

Mayor Taylor provided Council with a brief overview on Municipal Awareness Week indicating that municipalities are partnering with the UNSM to better educate students on Municipal Government. He is looking to meet with MLA’s and the Minister of Education regarding presentations to schools. Other suggestions on ways to better educate on municipal awareness included inviting students to a session of Council or the possibility of taking a Council session to the school.

**Ivany Report Workshop**

Mayor Taylor advised that since he is a UNSM Board Member, he has a spot reserved for the upcoming Ivany Report Workshop. This will free up one seat for other Council members who expressed interest in attending the workshop. It was determined by draw that Councillor Blair would attend the workshop and Councillor Gibbs and MacInnes, would be placed on the wait list.

**Community Park Funding Program**

Concerns were expressed regarding the Community Park Funding Program Information Item that is included in the Council package for this evening’s meeting, specifically, that the County should not be funding parks in the

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amount of \$40,000 in the Town of Truro.

It was suggested that the current wording in the policy stipulates “Colchester County” but should actually be “Municipality of Colchester”. Concerns were expressed that it should not be for staff to decide on funding parks outside the Municipality of Colchester.

Moved by Councillor Cooper  
Seconded by Councillor Gibbs

“That staff review the Municipal Funding for Community Parks Policy to modify the wording of parks outside the Municipality of Colchester boundaries and bring back to Council for consideration.”

Motion Carried Unanimously.

## **INFORMATION ITEMS**

### **Community Park Funding Program - Winter 2014**

Three applications were received and two were approved under the Community Park Funding Program for the February 28, 2014 deadline. The Londonderry Community Council received \$23,588 and École acadienne de Truro received \$40,000 for a total approved amount of \$63,588.

### **Rail Lines, New Brunswick**

Mayor Taylor provided a brief update on a recent press release on federal funding for New Brunswick rail repairs. Support from the Atlantic Mayors Congress and the Federation of Canadian Municipalities helped in moving this forward.

### **Chamber Dinner - May 22, 2014**

Mayor Taylor advised that Tom Stanfield will be honoured at the Chamber Dinner being held on May 22, 2014 and asked if any members of Council were interested in attending the dinner. Tickets are \$50 each or a table can be booked for \$500. Six Council members expressed interest in attending the dinner and staff was instructed to book a table for the event.

### **UNSM Spring Conference**

For those not in attendance at the UNSM Spring Conference, Mayor Taylor provided a brief report noting the following key items:

- the new 211 system;
- great support from the Municipal Affairs staff;
- Truro and Colchester being model units for regional cooperation; and,
- financial state of towns in Nova Scotia noting that the Town of Stewiacke is in good shape due in part to the aid from the Town of Truro and Municipality of Colchester.

### **Director’s Report**

A report from the Director of Solid Waste was circulated in the package

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for this evening's meeting.

At this point in the meeting, it was decided that two of the items in closed session could be dealt with in open session and were brought to be handled accordingly.

**Award of RFP -  
Maple Leaf School  
Property**

At its April 29, 2014 meeting, Council gave authority to May Council Committee to award the Request for Proposals (RFP) for the Maple Leaf School Property.

Mr. Scott Fraser, Director of Corporate Services, indicated that three bids were received in response to the recent RFP for the Maple Leaf School Property:

- Meech Holdings Limited \$55,000 for a multi-unit residential
- Benchmark Developments Ltd \$52,500 for a duplex
- Ellery Deuville \$30,000 for an Early Childhood Development Centre.

An evaluation prepared by the Municipal Planning Department, as well as a financial analysis, was provided on each of the proposals, as attached to the Action Item. Mr. Fraser indicated that the recommendation to proceed with the proposal from Meech Holdings Limited was based on revenue, however, there may be other issues for consideration such as community use.

Discussion was held regarding the need in the community for child care services. Further discussion was held regarding rezoning for the proposals.

Moved by Councillor Gibbs  
Seconded by Councillor MacKenzie

“That Council accepts the Ellery Deuville proposal for a Early Childhood Development Centre with the understanding that it does not permit zoning amendment.”

**Motion Defeated.**

*(Mayor Taylor, Councillors Blair, Stewart, Cooper, Cavanaugh and MacInnes opposed)*

Moved by Councillor Cooper  
Seconded by Councillor Stewart

“That Council approves to proceed with agreement of sale of the Former Maple Leaf School property to Meech Holdings Limited; and,

That the Mayor and CAO be authorized to sign said agreement on behalf of the Municipality of Colchester.”

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Motion Carried. *(Councillors MacKenzie, Gibbs, and Gregory opposed)*

**Waste To Energy -  
Feasibility Study**

Mr. Rick Bruno and Mr. Carlo Ciliberti, Lockheed Martin

Mr. Bruno and Mr. Ciliberti provided a brief report on the results of the feasibility study including a background of the study scope and the analysis process which included the following:

- Existing thermal and electrical consumption at the Municipality of Colchester and the Rath Eastlink Community Centre;
- Feedstock / solid waste analysis;
- Financial and economic viability from both capital and operational perspectives;
- Ensuring all environmental and regulatory requirements are met; and,
- Utility interface distribution connection options including COMFIT and Enhanced Net Metering.

Moved by Councillor Blair  
Seconded by Councillor Gregory

“That Council Committee recommends to Council to accept the report on the feasibility study as presented by Mr. Bruno and Mr. Ciliberti.”

Motion Carried Unanimously.

**Closed Session**

Moved by Councillor Gibbs  
Seconded by Councillor Cooper

“That the meeting go into closed session at 11:00 p.m.”

Motion Carried Unanimously.

Moved by Councillor Cavanaugh  
Seconded by Councillor Gregory

“That the meeting reconvene in open session at 12:15 a.m.”

Motion Carried Unanimously.

**Waste to Energy -  
Feasibility Study**

Moved by Councillor Cavanaugh  
Seconded by Councillor MacInnes

“That Council Committee recommends to Council to receive the feasibility study and direct staff to initiate discussion with Nova Scotia Department of Environment, Department of Energy, Nova Scotia Power and other relevant agencies to assess the approval requirements and options of electric energy distribution and marketing in respect to the

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waste to energy study.”

Motion Carried Unanimously.

It was agreed that a team of two Council members and two staff members would visit other facilities and report back to Council. The two staff members would be Mr. Ramesh Ummat, CAO, and Mr. Wayne Wamboldt, Director of Solid Waste. As the area Councillor, it was decided that Councillor Cavanaugh would attend, and Councillor Taggart, as determined by draw would be the second Councillor to attend and Councillor MacInnes as the alternate.

**Adjournment**

Moved by Councillor Gibbs  
Seconded by Councillor Gregory

“That the meeting adjourn at 12:25 am.”

Motion Carried Unanimously.

Tracey Venno  
Recording Secretary