

June 12, 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, June 12, 2014 at 7:00 p.m.

**Roll Call**

The roll was called with the following Councillors in attendance:

Mayor Bob Taylor	
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 ( <i>arrived at 7:14 pm</i> )
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 Christine Blair	District #1
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**Moment of Silence**

Council observed a moment of silence for Chief Lawrence Paul who passed away on May 28, 2014.

Council also observed a moment of silence for the three RCMP Officers who lost their lives in the line of duty in a shooting in Moncton, New Brunswick on June 4, 2014.

It was noted that the flags at the Municipal Building were flown at half mast.

**Approval of Agenda**

Moved by Councillor Gibbs  
Seconded by Councillor Cooper

“That the agenda for June 12, 2014 be approved with the following additions:

- add under Item #5: Presentation - Claudia LeClerc;
- add Item #17b: Licensing of Lower Harmony/Greenfield Wind Turbines;
- add Item #17c: Community Economic Development Initiative (CEDI)
- add under Item #19: Closed Session - Property Matter.”

Motion Carried Unanimously.

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**Approval of Minutes**

Moved by Councillor MacInnes  
Seconded by Councillor Parker

“That the minutes of the meeting held on May 15, 2014 be approved as circulated.”

Motion Carried Unanimously.

**Business Arising  
from Minutes**

There was no business arising from the minutes of the meeting held on May 15, 2014.

**Presentations**

**Claudia LeClerc**

Beginning her presentation, Ms. LeClerc advised that she is a resident of Lower Harmony and a citizen representative on the Community Monitoring Committee for the Greenfield wind turbine project. She thanked Council for the opportunity to speak this evening to address concerns regarding the license for the Greenfield wind turbine project.

Ms. LeClerc indicated that the concerns were specific to Sections 7 and 9.4 of the Wind Turbine By-law. She stated that the developer has not fulfilled the requirements of the By-law and requested Council to direct the developer to provide the information as required under the By-law prior to any licenses being issued.

A written copy of Ms. LeClerc’s presentation was provided to Council with a copy on file in the Clerk’s (Administration) Office.

Moved by Councillor Gibbs  
Seconded by Councillor Gregory

“That the presentation from Ms. Claudia LeClerc on the license for the wind turbine project in Greenfield, be received.

Motion Carried Unanimously.

**ACTION ITEMS**

**Economic  
Development Grant  
Budget Review**

Mr. Ramesh Ummat, CAO, advised Council that the amount approved during the budget process for Economic Development Grants has been depleted and, that the actual amounts already approved may exceed budget by \$4,500 should the Truro Swim Club meet the criteria and receive funding as previously approved. With requests that staff are currently aware of, an additional estimated amount of \$14,000 would be required to cover the \$4,500 shortfall with an addition \$9,500 to cover off future requests. Staff are seeking direction on handling future Economic

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Development Grant requests. Staff noted that any additional amounts considered and approved by Council would be over budget and approved as an unbudgeted expense.

Council members expressed concerns with committing to a specific amount and limiting them from considering requests that could potentially exceed that amount.

Moved by Mayor Taylor  
Seconded by Councillor MacInnes

“That Council Committee recommends to Council that future requests in 2014-15 for funding Economic Development grants be considered, based on merit on a case by case basis, and that source of funds for any approved funding requests be Economic Development Grants as an unbudgeted expense.”

Motion Carried Unanimously.

**Request for Funding  
- 2014 4H Provincial  
Show**

Moved by Councillor Taggart  
Seconded by Councillor Cooper

“That Council Committee recommends to Council that funding in the amount of \$1,000 for the 2014 4-H Provincial Show be approved with funds being Economic Development Grants as an unbudgeted expense.”

Motion Carried Unanimously.

**Request for Funding  
- Truro Theatre  
Society**

Mr. Craig Burgess, Recreation Manager, advised that this request meets the criteria under Economic Development Grants but noted that if approved, it would be the third approved request for this group. Mr. Burgess also noted that the same request was made to the Town of Truro and was approved.

Moved by Mayor Taylor  
Seconded by Councillor Gibbs

“That Council Committee recommends to Council that funding in the amount of \$2,500 be approved for the Truro Theatre Society, with source of funds being Economic Development Grants as an unbudgeted expense.”

Motion Carried. *(Councillor Taggart opposed)*

It was suggested that given the success of the annual event put on by the Truro Theatre Society, it potentially could stand alone financially and not

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require additional funding from external sources if a small admittance fee were charged for the event.

**Request for Funding  
- Maggie's Place**

Mr. Burgess stated that as indicated in the presentation at the May Council meeting, that Maggie's Place is requesting funding in the amount of \$35,000. A similar request was made to the Town of Truro but a decision has not been reached as yet.

Moved by Councillor Cavanaugh  
Seconded by Councillor MacKenzie

"That Council Committee recommends to Council that capital funding in the amount of \$35,000 be approved for Maggie's Place, with source of funds being an unbudgeted expense from general operations."

Motion Carried Unanimously.

**Request for Funding  
- Colchester Branch  
No. 26 Legion**

Moved by Councillor Stewart  
Seconded by Councillor Gregory

"That Council Committee recommends to Council that funding in the amount of \$500 to the Colchester Branch No. 026 Legion for Cenotaph restoration work be approved, with source of funds being general operations as an unbudgeted expense."

Motion Carried Unanimously.

**Council Proceedings  
Policy**

Referring to the Council Proceeding Policy as attached to this Action Item, the CAO indicated that the Policy has been updated to reflect various changes as requested and adopted by Council since April 2013. All of the changes have been reviewed by the Municipal Solicitor to ensure conformance to the Municipal Government Act.

Moved by Councillor MacInnes  
Seconded by Cavanaugh

"That Council Committee recommends to Council the approval of the amendments to the Council Proceedings and Committees Policy as presented in the Action Item dated June 12, 2014."

Motion Carried. *(Councillor Taggart opposed)*

**Request for Sidewalk  
Continuation on  
Plains Road, Debert**

Mr. Crawford Macpherson, Director of Community Development, advised that the Community Health Board for West Colchester has requested an extension of the existing sidewalk on Plains Road. The requested sidewalk is included in the shorter term projects in the Municipality's

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Active Transportation Strategy.

Brief discussion was held regarding changes in the Debert area, including the addition of the Shannex in Debert, and the increased need for the sidewalk along Plains Road.

Moved by Councillor MacInnes  
Seconded by Mayor Taylor

“That Council Committee recommends to Council that the letter from Along the Shore Community Health Board for the continuation of a sidewalk on Plains Road in Debert be referred to Council’s Five Year Capital Budget process.”

Motion Carried Unanimously.

**Planning Document  
Review (as part of  
Granville Drive  
Sewer Project)**

Mr. Macpherson advised with the approval of the Granville sewer project, there are potential opportunities for further development in the area. Currently it is zoned Rural General which is pretty general and open. The Municipality’s Development Officer has received a number of inquires concerning development once the sewer project is complete, some of which may not be in the best interest of the area residents. Staff are recommending a review of the land use policies by the Planning Advisory Committee for this area.

A question was raised concerning development applications prior to possible changes to the Land Use By-law and it was confirmed that any applications would have to be approved as per the existing By-law.

Moved by Councillor Cavanaugh  
Seconded by Councillor Gibbs

“That Council Committee recommends to Council that the Planning Advisory Committee review the land use policies for the portion of Upper Onslow impacted by the Granville sewer project and conduct public meetings to determine whether new planning policy is required.”

Motion Carried Unanimously.

**Hire Local  
Resolution**

Moved by Mayor Taylor  
Seconded by Councillor Parker

“That Council Committee recommends to Council that the resolution on Hiring Local Skilled Trades People, as presented in the Action Item dated June 12, 2014, be forwarded to the Union of Nova Scotia Municipalities for consideration at the fall conference.”

Motion Carried Unanimously.

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**Dog Pound Lease Agreement**

Moved by Councillor Parker  
Seconded by Councillor MacInnes

“That Council Committee recommends to Council that the Municipality enter into a lease agreement with the landlord for the dog pound and that the Mayor and CAO be authorized to sign said agreement on behalf of the Municipality.”

Motion Carried Unanimously.

**Equipment Pre Purchase - Biosolids Handling Facility Upgrades**

Ms. Michelle Newell, Director of Public Works, indicated that this item relates to upgrades to the Biosolids Handling Facility, specifically the centrifuge equipment. The Biosolids upgrade project is intended as a phased project with the first centrifuge being installed this year and the second centrifuge within the next five years.

A public request for quotations was posted on County and Provincial websites. Five quotes were received for the centrifuge equipment. Noxon North America was not only the lowest price but had the shortest delivery time as well.

Moved by Councillor MacInnes  
Seconded by Councillor Cavanaugh

“That Council Committee recommends to Council the approval to purchase the centrifuge equipment from Noxon North America Inc., at a price of \$289,654 plus taxes.”

Motion Carried Unanimously.

**Wind Turbine By-law - Sound Monitoring Compliance Policy**

Mr. Paul Smith, Senior Planner, provided a brief overview to Council on the Sound Monitoring Compliance Policy indicating that when changes to the Wind Turbine By-law were adopted last fall, it was the wishes of Council to have a method of sound monitoring in place to ensure noise requirements of the By-law are being met. At the time, there was discussion regarding the Municipality purchasing a handheld sound monitoring device to help determine whether the sound levels of the By-law were being exceeded.

Staff have carried out an extensive review of sound compliance measures and have met with a sound expert, Dr. John Walker of Stantec, who has conducted sound transmission studies for environmental assessments and other purposes. The handheld devices cannot isolate noise levels generated by wind turbines and, as such, these devices would provide misleading results.

Concerns were expressed about the commitment to the residents to have the handheld sound monitoring devices in place to ensure By-law

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compliance.

Discussion was held about the feasibility of purchasing equipment that cannot monitor the sound levels accurately. The issue of enforceability was also discussed and the need for realistic and reliable information in order to properly enforce the sound requirements of the By-law.

Mr. Smith indicated that the proposed Sound Monitoring Compliance Policy would require the developer to complete a “post construction” sound transmission analysis where results would be compared to the pre-construction study. Some points of discussion regarding the proposed Sound Monitoring Compliance Policy included:

- expense of the study being borne by the developer and not the Municipality
- changing the wording in Section 3.3 from “may” to “shall”;
- need for an appeal process;
- study to be completed by a qualified or accredited professional as approved by the County;
- the policy is strictly a sound policy (no other matters considered such as ice shedding, flicker);
- changing Section 1, Paragraph 2 to include standards prescribed by the ISO 9613-2 Acoustics prescribed standards and Ontario Ministry of Environment Noise Guidelines for Windfarms;
- frequency of study being once initially and then if conditions change to warrant another study.

It was agreed that the amendments to the policy as presented should include:

1. Changing Section 1, Paragraph 2 to reflect the study shall be in accordance with the ISO Acoustics standards and Ontario Ministry of Environment Noise Guidelines for Windfarms;
2. Also in Section 1, Paragraph 2, include that the study shall be conducted by a qualified and/or accredited professional sound consultant approved by the Municipality;
3. Change the “may” require wording in Section 3.3 from to “shall” require.

Moved by Councillor Stewart  
Seconded by Mayor Taylor

“That Council Committee recommends to Council the approval of the Sound Monitoring Policy, as amended, for wind turbine developments which is intended to ensure By-law standards are not being exceeded, and a complaint resolution process is available to individuals who contend the By-law standards are not being followed .”

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

**Licensing of Lower  
Harmony/Greenfield  
Wind Turbines**

A concern was raised about whether the developer of the Lower Harmony/Greenfield Wind Turbine project has met the criteria of the By-law. The concerns were specific to the developer providing a site map of the turbines. The Director of Community Development will look into whether the developer has complied with the By-law requirements prior to any license being issued.

**Community  
Economic  
Development  
Initiative (CEDI)**

Councillor MacInnes indicated that he attended an interesting workshop at the FCM Conference on Community Economic Development Initiative (CEDI). The initiative involves building a friendship accord with neighbouring First Nations communities with the aim to improve economic prosperity through joint economic development planning.

Moved by Councillor MacInnes  
Seconded by Mayor Taylor

“That staff be directed to investigate the possibilities of moving forward with a Community Economic Development Initiative (CEDI) with Millbrook First Nations.”

Motion Carried Unanimously.

**INFORMATION  
ITEMS**

**Director’s Report**

A report from the Director of Corporate Services was circulated in the package for this evening’s meeting.

**Closed Session**

Moved by Councillor Gregory  
Seconded by Councillor Gibbs

“That the meeting go into closed session at 9:45 p.m.”

Motion Carried Unanimously.

Moved by Councillor Gibbs  
Seconded by Councillor Gregory

“That the meeting reconvene in open session at 10:05 p.m.”

Motion Carried Unanimously.

**Purchase and Sale  
Agreement - Lands of**

Moved by Deputy Mayor Masters  
Seconded by Councillor Cavanaugh

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**Terry Weatherbee  
for Farnham Road  
Extension**

“That Council Committee recommends to Council that the Mayor and CAO be authorized to sign a purchase and sale agreement for the purchase of land from Terry and Katherine Weatherbee, being a portion of 248 Vimy Road, PID # 20069043, in Bible Hill, with source of funds being the Bible Hill Master Plan Reserve.”

Motion Carried Unanimously.

**Adjournment**

Moved by Councillor Gregory  
Seconded by Councillor Cavanaugh

“That the meeting adjourn at 10:06 pm.”

Motion Carried Unanimously.

Tracey Veno  
Recording Secretary