

April 29, 2014

## MUNICIPAL COUNCIL

The Regular Session of the Municipal Council of the Municipality of the County of Colchester was held in the Courthouse, Truro, N.S. on Thursday, April 29, 2014 at 7:00 p.m.

### Roll Call

The roll was called with the following Councillors in attendance:

Mayor Bob Taylor, Chair	
Councillor Christine Blair	District #1
Deputy Mayor Bill Masters	District #2
Councillor Geoff Stewart	District #3
Councillor Mike Cooper	District #4
Councillor Lloyd Gibbs	District #5
Councillor Ron Cavanaugh	District #8
Councillor Doug MacInnes	District #9
Councillor Tom Taggart	District #10
Councillor Wade Parker	District #11

### Regrets:

Councillor Karen MacKenzie	District #6
Councillor Michael Gregory	District #7

### Variance Hearing - Truro Agromart Ltd.

Mayor Taylor called the public hearing to order respecting a variance granted by the Municipal Development Officer, Colin Forsyth. The variance application was made by Truro Agromart Ltd. for a property located on Highway #2, Upper Onslow. Residents have appealed the decision, so Council becomes the decision making body to either uphold or overturn the decision of the Development Officer.

Mr. Ramesh Ummat, Chief Administrative Officer, advised that the guidelines of the Municipal Government Act regarding advertising of the public hearing had been followed.

Mayor Taylor reminded Councillors that only those Councillors present throughout the public hearing can vote on the variance when it is eventually considered by Council. This public hearing is Council's opportunity to hear the variance decision and concerns of residents so notified.

Mr. Colin Forsyth, Development Officer, provided a brief overview of the variance and included an aerial photo of the property and surroundings. Mr. Forsyth indicated that the application for the variance is to enable the applicant to replace the existing fertilizer storage/handling building in a new location on the property and remove the existing building once the new one is constructed so as to avoid interruption in operations. The variance request is to site

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the building 18 feet from the side property line as opposed to the By-law requirement of 49.2 feet. Due to the existing size and available space on the lot, there are not a lot of options on the property. The reasons for granting the variance are the By-law permits existing industrial uses to continue and expand; the applicant is restricted to the limits of their existing property; and, the variance should not significantly increase the impact on adjacent properties. Mr. Forsyth advised that letters were sent to five area residents regarding the variance which resulted in two letters of appeal and one visit to the office.

Mr. Nicholas Juurlink, Truro Agromart - Applicant

Mr. Juurlink advised that the proposed new facility is cleaner and more efficient, with reduced noise and dust. There are no other additional plans to build on the property. They would like to keep the existing facility operational during construction of the new facility as they cannot afford to shut down operations. The facility employees 35 people. Throughout the process, Mr. Juurlink stated that they have been very open with the area residents and no concerns were brought directly to Truro Agromart.

Mr. Garry Atkins - Appellant

Mr. Atkins indicated that his key concerns with regards to the variance are:

- Life safety and health;
- Well contamination;
- Setback extent;
- Noise;
- Decreased property values.

Mr. Art Hill - Appellant

Mr. Hill stated that his concerns were the same as those iterated by Mr. Atkins. Another area of concern is how the process for the variance notification is handled, specifically timing issues related to receipt of letter versus date of letter issuance.

Some questions and concerns raised by Councillors included: measures taken for noise abatement; types of fertilizer being used; plans for further expansion; well contamination; and communication with area residents.

Addressing these areas of concerns, Mr. Juurlink advised it is the same type of fertilizer being used in the old and new facility; everything will be contained inside the new building which should

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help to reduce noise; 90% of the yard will be paved which will help to reduce dust; regarding health and safety concerns, Truro Agromart works closely with Nova Scotia Environment meeting all requirements; and, the company is very open to discussions with neighbours but there has been no direct contact from anyone expressing concerns or complaints.

Moved by Councillor Cooper  
Seconded by Councillor Stewart

“That Council approves that the decision of the Development Officer be upheld and the variance be granted.”

Motion Carried. *(Councillor Cavanaugh opposed)*

As there was no further business on this matter, Mayor Taylor declared the public hearing closed.

Moved by Councillor Cooper  
Seconded by Councillor Gibbs

“That staff review the process for the variance notification and report back to Council.”

Motion Carried Unanimously.

### **Approval of Agenda**

Moved by Deputy Mayor Masters  
Seconded by Councillor Cavanaugh

“That the agenda for April 29, 2014, be approved with the following additions:

- add Item #11b: Alan Baird - International Award Recipient
- add Item #11c: Hilden Interchange
- add Item #11d: Garbage Cans on Beaches
- add Item #13b: UNSM Spring Conference
- add Item #13c: Burris Drive Crosswalk
- add Item #13d: Guest Drive
- add Item # 15(2): Closed Session - Negotiations.”

Motion Carried Unanimously.

### **Approval of Minutes**

Moved by Deputy Mayor Masters  
Seconded by Councillor Parker

“That the minutes of the meeting held on March 27, 2014, be approved as circulated.”

Motion Carried Unanimously.

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**Business Arising  
from Minutes**

There was no business arising from the minutes of the meeting held on March 27, 2014.

**Presentations**

**Mr. Simon d'entremont, Deputy Minister, NS Economic and Rural Development and Mr. Michael Johnson, Executive Director, Regional Planning and Development - Regional Enterprise Networks**

The Deputy Minister thanked Council for the opportunity to present this evening on the topic of Regional Enterprise Networks (REN).

Key points of the presentation were:

- a brief background on REN's;
- Ivany Report suggests that the REN is a good model with opportunity to work and grow together;
- greater focus on community and business economic development;
- the vision and mandate of REN's;
- governance;
- core funding;
- reasons municipalities should join a REN including regional cooperation, strength in working together, matched funding, business focus, and access to information;
- current status of RENs across the province.

Members of Council stressed the importance of immigration and expressed concern that immigration is not addressed in the presentation. Mr. d'entremont and Mr. Johnson both indicated that immigration is clearly front and centre for the province. Also on the topic of immigration, further concerns were mentioned with regard to paperwork process and lack of support and aid for immigrants. Mr. Johnson advised that he would send information for the provincial immigration office along to the County office to be forwarded to Council.

Discussion was held on the REN governance, specifically regarding no government or elected officials on the Board. The presentation showed that the Board would be competency based with business backgrounds. Council members indicated that this is also an area of concern and that many Council members are competent business people. Mr. d'entremont advised that the Liaison and Oversight Committee is comprised of provincial and municipal representatives. As well, it is possible that the point of no elected officials on the Board can be negotiated.

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Moved by Councillor Taggart  
Seconded by Deputy Mayor Masters

“That the presentation from Mr. Simon d’entremont and Mr. Michael Johnson on Regional Enterprise Networks be received.”

Motion Carried Unanimously.

Moved by Deputy Mayor Masters  
Seconded by Councillor Cavanaugh

“That the Regional Enterprise Networks be referred to Council Committee for discussion.”

Motion Carried Unanimously.

**Mr. Scott Long, Nova Scotia Music Week**

Mr. Long gave a brief overview on Music Nova Scotia stating that they work to foster, develop and promote the music industry, and advance careers of industry professionals in the region.

The Nova Scotia Music Week festival is being held in the Truro/Colchester area November 6-9, 2014. It is a public music festival and music industry conference with 5000 music fans, 1000 industry delegates, 100 artists, and 10 different venues. Artist revenue generated was in excess of \$450,000 and direct spend in the host community of over \$900,000. Music Nova Scotia is exploring a planned three year rotation for the festival with the possibility of bringing it back to Truro/Colchester every third year.

Moved by Councillor Cavanaugh  
Seconded by Councillor Gibbs

“That the presentation from Mr. Scott Long regarding Nova Scotia Music Week be received..”

Motion Carried Unanimously.

During budget deliberations, Council referred this request for funding to a future Council Committee meeting after a presentation was made by the organization.

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**Truro Centurions  
Swim Club - Request  
for Funding**

Moved by Deputy Mayor Masters  
Seconded by Councillor Cooper

“That Council approves funding the Provincial Swim events to be hosted at the Rath Eastlink Community Centre by Truro Centurions Swim Club to a maximum amount of \$4,500 for the three Provincial swim events subject to the following:

The amount released be limited to \$1,500 per provincial swim event subject to funding to a maximum of three provincial swim events, and a maximum total funding amount of \$4,500; and

That the events must be held at the Rath Eastlink Community Centre.”

Motion Carried.

*(Councillors Taggart and MacInnes  
opposed)*

**High School  
Scholarship  
Program**

Moved by Deputy Mayor Masters  
Seconded by Councillor Gibbs

“That Council approves to continue to provide five scholarships of \$1,000 each (totalling \$5,000) to students graduating from the identified high schools using the previously approved selection criteria; and,

That three additional scholarships of \$1,000 each (totalling \$3,000) be awarded to graduating students pursuing post-secondary training in a recognized trade school; and,

That if the area Councillor desires, that he/she be part of the selection committee of the school.”

Motion Carried Unanimously.

**RRFB Processing  
Centre Agreement  
Amendment**

Moved by Deputy Mayor Masters  
Seconded by Councillor Gibbs

“That Council approves the Processing Centre Agreement Amendment with the Resource Recovery Fund Board of Nova Scotia; as presented; and

That the Mayor and CAO sign the said Agreement on behalf of the Municipality of Colchester.”

Motion Carried Unanimously.

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**ACTION ITEMS**

**Juno Beach,  
Canada's D-Day  
Tribute Campaign -  
Funding Request**

Moved by Councillor Blair  
Seconded by Councillor Cavanaugh

“That Council approves to sponsor the Juno Beach Centre D-Day campaign for a marker for the soldier from Colchester in the amount of \$500, source of funds being general operations.”

Motion Carried Unanimously.

**RFP Maple Leaf  
School - Authority  
for Council  
Committee to  
Approve**

Moved by Deputy Mayor Masters  
Seconded by Councillor Gibbs

“That Council authorizes Council Committee to make a decision on the Request for Proposals for the sale of the Maple Leaf School at its meeting on May 15, 2014.”

Motion Carried Unanimously.

**Award of Mingo's  
Corner Sidewalk -  
Authority for May  
Council Committee  
to Approve**

Moved by Councillor MacInnes  
Seconded by Councillor Cavanaugh

“That Council authorizes Council Committee to make a decision on the award of the construction tender for the Mingo's Corner Sidewalk project at its meeting on May 15, 2014.”

Motion Carried Unanimously.

**Joint Flood Advisory  
Committee (JFAC)-  
Expenditures**

Moved by Councillor Cavanaugh  
Seconded by Deputy Mayor Masters

“That Council authorizes specialist consulting fees of \$700 per month for Joint Flood Advisory Committee (JFAC) projects to be cost shared equally between the Town and the County, retroactive to April 1, 2014 for the fiscal year 2014-15 and source of funds being the Major Flood Reserve; and,

That Council authorizes the expenditure of 10% of capital project costs, to be paid to the Specialist Consultant, where the consultant provides direct support, with total costs to be shared equally between the County and the Town, and source of funds being the Major Flood Reserve; and,

That Council authorizes the JFAC to make application for provincial funding for four projects, namely:

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1. Salmon River Training, Bank Stabilization and Channel Improvements, Total Budget \$200,000;
2. North River Training, Bank Stabilization and Channel Improvements, Total Budget \$150,000;
3. Park Street Drainage Improvements, \$25,000;
4. Dyke Stabilization, Salmon River at Tim's Soccer Field, \$15,000;

for a potential County commitment of \$97,500, and source of funds being the Major Flood Reserve.”

Motion Carried Unanimously.

**Alan Baird -  
International Award  
Recipient**

Alan Baird of Upper Onslow recently received the M.Z. “Andy” Gump Distinguished Service Award for 2014, a prestigious international award.

Moved by Councillor Cavanaugh  
Seconded by Councillor MacInnes

“That a letter of congratulations be sent to Mr. Alan Baird in recognition of receiving the M.Z. “Andy” Gump Distinguished Service Award for 2014.”

Motion Carried Unanimously.

**Hilden Interchange**

Concerns were expressed regarding discussion at the Mayor's Breakfast meeting on the Hilden Interchange that the County was not privy to. Staff was directed to inquire as to whether additional meetings have taken place regarding this matter and report back to Council.

**Garbage Receptacles  
on Beaches**

The issue of garbage receptacles on beaches was mentioned at Council last fall with intent of bringing the item forward prior to the next beach season.

Councillor Taggart stated that beaches are an asset in the County with a large number of people utilizing them but there is also a great deal of garbage on the beaches. The County should, as a trial, place garbage receptacles, with proper signage, in a half dozen locations along the shore to remedy the problem.

Concerns regarding misuse of the garbage receptacles was discussed. It was suggested that the receptacles be monitored periodically and if abused, then the receptacles be removed.

The CAO advised that should Council wish to proceed with this, logistics would have to be worked out.

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Moved by Councillor Taggart  
Seconded by Councillor MacInnes

“That Council approves placing waste receptacles along the shores in West Colchester in six locations with locations being determined with input from the area Councillor.”

Motion Carried Unanimously.

Staff were directed to check with the province regarding the Highway Clean up Program and report back to Council.

### Correspondence

#### ACTION

**Menna MacIsaac,  
CEO, Heart and  
Stroke Foundation,  
Nova Scotia**

A letter dated April 8, 2014 to the Mayor requesting support by way of proclamation or resolution regarding the first Saturday in June as National Health and Fitness Day.

Moved by Councillor Cavanaugh  
Seconded by Councillor MacInnes

“That the first Saturday in June be proclaimed as National Health and Fitness Day .”

Motion Carried Unanimously.

**Randy Barnhill,  
Treasurer, and  
Wade Jennings,  
Chief, Debert Fire  
Brigade**

A letter to the Mayor and Council requesting a letter of comfort for the purchase of a new equipment utility truck.

Moved by Councillor MacInnes  
Seconded by Councillor Taggart

“That the request for a letter of comfort for the purchase of a new equipment utility truck for the Debert Fire Brigade be referred to Council Committee.”

Motion Carried Unanimously.

**Blair Carter, Board  
Member, Maggies  
Place**

A letter addressed to Craig Burgess, Recreation Manager, requesting funding assistance for renovations of the new location of Maggies Place.

Moved by Councillor MacInnes  
Seconded by Deputy Mayor Masters

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“That the letter from Blair Carter, Maggies Place requesting funding assistance for renovations of the new location of Maggies Place be referred to Council Committee.”

Motion Carried Unanimously.

**Betty MacDonald,  
Executive Director,  
UNSM**

A letter dated April 24, 2014 regarding attendees for the Ivany Report Workshop being held in Truro on May 23, 2014.

Two seats at the workshop are being reserved for each municipal unit with a waiting list of others delegates that may be interested. Councillors Blair, MacInnes and Gibbs expressed interest in being placed on the waiting list should additional seats become available.

**Jordan LeBlanc,  
Curator  
/Administrator  
Colchester  
Historeum**

An email dated April 5, 2014 requesting a letter of support for a funding application through ACOA, Innovative Communities Fund.

Moved by Deputy Mayor Masters  
Seconded by Councillor Parker

“That a letter of support be written to the Colchester Historeum for their funding application through ACOA, Innovative Communities Fund.”

Motion Carried Unanimously.

**David DeWolfe,  
Producer, Dutch  
Mason Blues  
Festival**

A letter to the Mayor and Council requesting funding for the 10<sup>th</sup> anniversary of the Dutch Mason Blues Festival.

Discussion was held regarding this request for funding with key comments including: the festival has good economic spin off; the organization must provide financial statements and budgets; and the possibility of in-kind contribution. Also, members of Council expressed concerns about the organization’s outstanding payables from past festivals.

Moved by Councillor Gibbs  
Seconded by Councillor Taggart

“That the request for funding for the 10<sup>th</sup> anniversary of the Dutch Mason Blues Festival be denied.”

Motion Carried.

*(Councillors Blair, Stewart, Parker  
and MacInnes opposed)*

INFORMATION

**Building Inspector**

A copy of the Building Permit Statistics received from the **Building**

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**Inspector** for the month of March 2014. Council agreed to receive this report for information purposes.

**Development Officer**

A copy of the Development Activity Report received from the **Development Officer** for the month of March 2014. Council agreed to receive this report for information purposes.

**INFORMATION  
ITEMS**

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**Administration  
Services / Research  
Coordinator**

Internal and external advertising for this position took place in December 2013 and January 2014. A total of 68 applications were received with five applicants being short listed for interviews. Two of the applicants declined and three were interviewed. The Interview Committee included Ramesh Ummat, CAO, Kelly Gratto-McCarthy, Human Resources Specialist, and Sheila Arsenault, Executive Assistant.

After completion and interviews and reference checks, an offer was made to Mr. Stephen Scannell and he commenced duties on April 22, 2014.

**UNSM Spring  
Conference**

Councillors were reminded of the UNSM Spring Conference in May and were asked to contact the Tracey Veno if interested in attending the conference for registration purposes.

**Burriss Drive  
Crosswalk**

Concerns were expressed about recent discussions with Nova Scotia Transportation and Infrastructure Renewal regarding a crosswalk at College Road and Burriss Drive and the criteria warranting a crosswalk. Additional concerns were expressed about the comments made that pedestrians are safer without a crosswalk than at an under utilized or unwarranted one.

Moved by Councillor Parker  
Seconded by Councillor Cavanaugh

“That a letter be written to Nova Scotia Transportation and Infrastructure Renewal and copied to the MLA, expressing concerns about the criteria warranting a crosswalk.”

Motion Carried Unanimously.

**Guest Drive**

An update on the condition of properties on Guest Drive was provided. A number of complaints regarding the state of some of the properties have been received. The Dangerous and Unightly Committee has recently dealt with a number of the complaints and the properties are getting cleaned up.

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**Reports from  
Councillors Appointed  
to Outside  
Boards/Agencies**

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Copies of reports from Councillors were circulated in the package or placed on table for this evening's meeting.

**Closed Session**

Moved by Councillor MacInnes  
Seconded by Councillor Cavanaugh

"That the meeting go into closed session at 11:25 p.m."

Motion Carried Unanimously.

Moved by Deputy Mayor Masters  
Seconded by Councillor Cavanaugh

"That the meeting reconvene in open session at 11:42 p.m."

Motion Carried Unanimously.

**Materials Recovery  
Facility Collective  
Agreement**

Moved by Deputy Mayor Masters  
Seconded by Councillor Cavanaugh

"That Council approves the collective agreement negotiated for CUPE Local #4106, commencing July 1, 2013, and that the Mayor and CAO be authorized to sign the Agreement on behalf of the Municipality of Colchester."

Motion Carried Unanimously.

**Adjournment**

Moved by Councillor Cavanaugh  
Seconded by Councillor MacInnes

"That the meeting be adjourned at 11:45 p.m."

Motion Carried Unanimously.

Tracey Venio  
Recording Secretary