

## 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, August 25, 2016.

### 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 Karen MacKenzie	District 6
Councillor Michael Gregory	District 7
Councillor Ron Cavanaugh	District 8
Councillor Doug MacInnes	District 9 (arrived at 7:50)
Councillor Tom Taggart	District 10
Councillor Wade Parker	District 11

### Also Present

Mr. Rob Simonds, Chief Administrative Officer  
 Mr. Crawford Macpherson, Director of Community Development  
 Mr. Wayne Wamboldt, Director of Solid Waste  
 Mr. Scott Fraser, Director of Corporate Services  
 Ms. Pam Macintosh, Planner (item # 2)  
 Mr. Mannie Withrow, Manager of Inspection Services (item # 7)  
 Mr. Dennis James, Municipal Solicitor (up to completion of item # 7)  
 Ms. Tracey Veno, Executive Assistant/Recording Secretary

### Public Hearing – Amendment to the Central Colchester MPS and LUB

Mayor Taylor called the Public Hearing to order respecting amendments to the 2002 Central Colchester Municipal Planning Strategy (MPS) and Land Use By-law (LUB) which would ultimately permit the rezoning of a property currently zoned general commercial to residential or institutional to explicitly allow such uses, dependent on specific criteria. If successful, the applicant's property at 1066 Highway 2, Hilden, would become zoned R-2 Residential. The text for the proposed amendments and a related staff report have been circulated to Council members and have been made available to the public.

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

Mayor Taylor reminded Council that only those present throughout the Public Hearing can vote on the amendments when

they are eventually considered by Council. The 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 at this Hearing to answer any technical questions that may arise as a result of the public's input.

Ms. Pam Macintosh, Planner, provided a brief overview of the Planner's Report. The property owners have requested a rezoning so that the property can be sold. It has been on the market for three years but they have had difficulties selling. This is mainly due to banking institution rules creating problems for potential buyers by not allowing residential mortgages for existing homes within commercial zones. Staff are recommending an addition to the commercial policy of the Strategy to permit the rezoning of a commercial property to allow a residential or institutional use based on specific needs/criteria.

Councillor Taggart provided a brief report from the Planning Advisory Committee (PAC) indicating that the PAC met on June 27, 2016 to discuss the proposed amendments to the MPS and LUB, as presented by staff. The PAC unanimously recommended in favour of this request and that it proceed to a Public Hearing with County Council.

Mr. Simonds advised that no written submissions were received concerning the proposed amendments.

Responding to Mayor Taylor's request for members of the public wishing to address Council regarding the proposed amendment, Ms. Kay Delaney, a neighbouring property owner, asked if it was possible to get her property rezoned. Ms. Macintosh advised that it would have to go through a similar process as the request currently being discussed.

With no further discussion on the matter, Councillor Taggart, Chair of the PAC placed the following motion on the floor:

Moved by Councillor Taggart  
Seconded by Councillor MacInnes

"That Council approves at Second Reading, the amended Central Colchester Municipal Planning Strategy and Land Use By-law, as presented; and,

Contingent on these amendments being approved, the property located at 1066 Highway 2, Hilden, be rezoned to residential R-2.”

Motion Carried Unanimously.

Mayor Taylor advised that Council’s decision on the adoption of the MPS and LUB amendments may require approval of the Minister of Municipal Affairs but are not appealable to the Nova Scotia Utility and Review Board. Upon written notice from Municipal Affairs, the amendments come into effect once notice is published in the newspaper. While Council’s decision on the policy amendments is not appealable, the decision to rezone 1066 Highway 2, Hilden, from commercial to residential R-2, is appealable within 14 days of notice of approval.

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

**Approval of Agenda**

Moved by Deputy Mayor Masters  
Seconded by Councillor Parker

“That the agenda be approved with the following amendments:

- Add Item 7b, Update on Meeting with the Minister of Environment on the Spray Program;
- Move Correspondence Item # 14(3) to immediately follow Item # 7b, becoming Item # 7c;
- Add Item # 15a, Not Since Moses Run; and,
- Add Item # 15b, Fundy Gateway/Palliser Project.”

Motion Carried Unanimously.

**Approval of Minutes**

Moved by Councillor Parker  
Seconded by Councillor Blair

“That the minutes from the meeting held on June 30, 2016, be approved as presented.”

Motion Carried Unanimously.

**Business Arising from Minutes**

Referring to page 37, correspondence from Stanley Reid regarding funding for a new wharf in Barrachois, Mayor Taylor advised that the letter of support was sent however, the group was also looking for funding. They are currently waiting to hear back on provincial and federal funding and may come back to Council for funding consideration.

**STANDING COMMITTEE  
REPORTS AND  
RECOMMENDATIONS**

**Council Committee Report from meeting held on August 10, 2016**

*Deputy Mayor Masters presented the report from the Council Committee meeting held on August 10, 2016:*

**Non-Profit Insurance Policy**

Moved by Deputy Mayor Masters  
Seconded by Councillor Taggart

“That Council approves the amendments to the Municipal Funding for Insurance for Not-for-Profits Policy be approved as presented.”

Motion Carried Unanimously.

**School Crosswalk – College Road at Burris Drive**

Moved by Deputy Mayor Masters  
Seconded by Councillor Parker

“That Council approves the installation of a school crosswalk on College Road at Burris Drive, subject to provincial approval, at a construction cost of \$7,500 and an operations cost of \$5,200 per year, to be funded by the Active Transportation Rate; and,

That Council directs staff to bring forward recommended changes to the Crosswalk Installation and Supervision Policies at a future meeting; and,

That all existing and future crosswalks, including Valley, be covered under the Active Transportation Rate.”

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

**Five Year Capital Budget**

Moved by Deputy Mayor Masters  
Seconded by Councillor Stewart

“That Council approves the 2016-17 Capital Budget as amended.”

Motion Carried Unanimously.

### **Strategic Priorities Workshop**

Moved by Deputy Mayor Masters  
Seconded by Councillor Gibbs

“That Council approves that Dr. Gord McIntosh of the LGL Institute be engaged to deliver a Strategic Priorities Workshop and a half day workshop on Governance on January 18<sup>th</sup> and 19<sup>th</sup>, 2017 inclusive.”

Motion Carried Unanimously.

### **North River Ball Field**

Moved by Deputy Mayor Masters  
Seconded by Councillor Cavanaugh

“That Council approves a land swap with the neighbouring property, owned by Jeff Fancy, which would include moving the fence to the side of the driveway and changing the property line.”

Motion Carried Unanimously.

### **Demolition of Salmon River School**

Moved by Deputy Mayor Masters  
Seconded by Councillor Gibbs

“That Council approves that the bid of R.L. Harvey Service Station Ltd. be accepted for the immediate demolition of the former Salmon River School.”

Motion Carried.  
*(Councillor Taggart opposed)*

### **Executive and Audit Committee – Minutes of Meetings held on June 9 and 30, 2016**

There was no business arising from the minutes of the meetings held on June 9 and 30, 2016. Council received the minutes for information purposes.

### **ACTION ITEMS**

#### **Second Reading – Chapter 14, Livestock Control By-law**

Mr. Rob Simonds, CAO, advised that since First Reading, the Municipality has received two pieces of correspondence from the Nova Scotia Federation of Agriculture (NSFA) and the Clifton

District Federation of Agriculture (CDFA), both expressing concern with the By-law. The Province is currently reviewing existing legislation and the NSFA and CDFA are requesting that the By-law be held in abeyance until the Province's review of the legislation is completed. It was noted that should Council agree to do this, the Municipality would be unable to handle situations effectively, should the need arise.

Mr. Mannie Withrow, Manager of Inspection Services and By-law Enforcement, advised that the NSFA, in referring to the By-law, have indicated that they would like to be part of the process. Mr. Dennis James, Municipal Solicitor, indicated that even with the changes to the existing legislation, it does not allow the Municipality to effectively deal with issues and indicated that the By-law is still necessary. It was also noted that should the changes to the existing legislation enable the Municipality to handle situations effectively, Council could rescind the By-law.

Discussion was held on establishing a Standing Committee that would hear appeals of orders pertaining to the Livestock Control By-law. Also, a question was raised regarding the definition of livestock as poultry and birds were not listed in the definition. The Municipal Solicitor advised that definition does not exclude poultry and birds. Referring to the possibility of dealing with poultry under this By-law, Mr. Withrow indicated that staffing may become an issue.

Moved by Deputy Mayor Masters  
Seconded by Councillor Blair

"That Council approves, by way of Second Reading, Chapter 14 – Livestock Control By-law, with the following amendment:

- Inclusion of a representative from the Nova Scotia Federation of Agriculture in the definition of 'Committee', section 2.1.c."

Motion Carried.  
*(Councillor Cavanaugh opposed)*

Moved by Deputy Mayor Masters  
Seconded by Councillor Blair

"That Terms of Reference for the Standing Committee of the Livestock Control By-law be brought forward for consideration and that September Council Committee be given authority to approve."

Motion Carried.

*(Councillor Cavanaugh opposed)*

**Update on Meeting with the Minister of Environment on the Spray Program**

Mayor Taylor advised that he was approached by MLA Lenore Zann to attend a meeting with the Minister of Environment on Glyphosate Spraying. Concern was expressed at that meeting about not receiving proper notice of the spraying. They were advised that no permits had been issued yet.

Mayor Taylor also advised that he had a meeting with Northern Pulp who are interested in making a presentation to Council, possibly on September 6<sup>th</sup>. Council expressed an interest in hearing from the forest industry on this issue.

**Correspondence from Mr. Bob MacLean, Chair of the Mattatall Lake Stewardship Association**

An email to Colchester County Councillors requesting Council representation on a Stakeholders Group for Mattatall Lake.

Mr. Bob MacLean was in attendance at the meeting and indicated to Council that Nova Scotia Environment suggested that a "Stakeholders" Group be formed to engage Nova Scotia Environment in discussions regarding remedial work required to address the problems with Mattatall Lake. They also indicated that County Council should be approached for input as well. The Stakeholders Group plans to have an initial meeting in September and is requesting to have a representative from Council at the meeting.

Moved by Councillor Parker  
Seconded by Councillor Gregory

"That the request to have a representative participate in the Mattatall Lake Stakeholders Group be referred to staff."

Motion Carried Unanimously.

Councillor Parker raised concerns regarding the issue of clear cutting and the adverse effects it has on lakes. He would like to see better regulations in place as to the proximity of clear cutting around lakes. Mr. Crawford Macpherson advised that the Municipality has no control or ability to control clear cutting.

**Gravel Pad Construction, Debert Airport – Award of Tender**

Moved by Councillor MacInnes  
Seconded by Councillor Cavanaugh

"That Council authorizes the award of the tender for the Gravel Pad, Debert Airport, to Dexter Construction for a contract amount of \$149,300 excluding taxes; and

That an internal project contingency of \$10,000 be carried, to be spent only on authority of the Director of Public Works.”

Motion Carried Unanimously.

**Nova Scotia Federation of  
Agriculture – Agriculture  
Working Group**

Mr. Crawford Macpherson, Director of Community Development, advised that subsequent to a presentation to Council made by the Nova Scotia Federation of Agriculture (NSFA), a meeting was held with the Executive Director and Associate Director of the NSFA. The meeting also included the CEO of Perennia. The purpose of the meeting was to discuss common interests related to agriculture and to determine the objectives and the composition of a working group/Committee.

Moved by Councillor Taggart  
Seconded by Councillor MacInnes

“That Council approves the Terms of Reference as presented and appoints a Councillor to the Committee as part of the Council appointments, post election.”

Motion Carried Unanimously.

Mayor Taylor suggested that a representative from the Business and Economic Development Advisory Committee be part of this Committee.

**Flood Advisory Committee  
Promotional Video  
Funding**

Mr. Rob Simonds, CAO, advised that the County Flood Advisory Committee (FAC) recently passed a motion requesting that Council fund the creation of a promotional video relating to flood work. The estimated cost of the video is \$3,000 plus HST. The FAC has a budget of \$150,000, however, the full amount has been committed to projects for this fiscal year. As such, should Council approve a promotional video, source of funds would have to be identified.

Councillor Cavanaugh indicated that with the September 30<sup>th</sup> deadline for completion of projects approaching and delays in getting necessary approvals to proceed with the work, the FAC may be in a position to fund the promotional video.

Moved by Councillor Cavanaugh  
Seconded by Deputy Mayor Masters

“That Council approves proceeding with a promotional video relating to flood work at a cost of \$3,000 plus HST.”

Motion Carried Unanimously.

**Robie Street Sidewalk  
Construction – Authority  
for September Committee  
to Award**

Moved by Councillor Cooper  
Seconded by Deputy Mayor Masters

“That Council authorizes September Council Committee, at its meeting on September 15, 2016, to award the tender for the construction of the sidewalk along Robie Street from Truro Heights Road to the Highway 102 roundabout.”

Motion Carried Unanimously.

**Lockheed Martin  
Gasification Plant Tour –  
Authority for September  
Committee to Approve**

Moved by Councillor MacInnes  
Seconded by Councillor Blair

“That Council authorizes Council Committee at its meeting on September 15, 2016, to make a final decision regarding the trip to visit the Lockheed Martin Gasification Plant in Owego, NY.”

Motion Carried Unanimously.

Mr. Wayne Wamboldt, Director of Solid Waste, advised that it may be beneficial to wait to the new year for the trip to Owego, NY as the plant may be processing municipal waste beginning in January.

**County Beaches**

Referring to beaches in Colchester County, Councillor Taggart advised that these are one of the County’s greatest assets. He indicated that he would like to have the matter referred to staff for review including waste receptacles on beaches, public access points, and taking ownership of beaches.

Moved by Councillor Taggart  
Seconded by Councillor MacKenzie

“That staff carry out a review of beaches and bring back a plan to Council for discussion prior to Spring 2017.”

Motion Carried Unanimously.

**Correspondence - ACTION**

**Julie Young on behalf of  
Catherine Tully,  
Information and Privacy  
Commissioner for Nova  
Scotia**

An email addressed to Scott Fraser regarding a proclamation for Right to Know Week in Nova Scotia.

Moved by Councillor Cavanaugh  
Seconded by Councillor MacInnes

“That Council proclaims September 26<sup>th</sup> to October 2<sup>nd</sup> as Right to Know Week in Nova Scotia.”

Motion Carried Unanimously.

**Steve Mazur, President of  
the Great Village  
Community Association  
(2015)**

A letter to Councillor Taggart requesting the County investigate the feasibility of extending a sewer line along Trunk 2 Highway and along Station Road in Great Village.

Moved by Councillor Taggart  
Seconded by Councillor MacInnes

“That the letter requesting the County investigate the feasibility of extending a sewer line along Trunk 2 Highway and along Station Road be referred to staff.”

Motion Carried Unanimously.

**James Finnie, President,  
The Scots**

*Councillor Blair declared a conflict of interest and removed herself from the table.*

An email from Mr. James Finnie requesting a letter from the Municipality agreeing to allow ‘Colchester’ in the name of the tartan that will be developed for the Highland Games Gathering in September 2017.

Moved by Councillor Cavanaugh  
Seconded by Councillor Gibbs

“That Council agrees to allow ‘Colchester’ in the name of the tartan that will be developed for the Highland Games Gathering in September 2017.”

Motion Carried Unanimously.

*At this point, Councillor Blair returned to the table.*

**Lyndia Wellwood,  
Advertising and Design  
Consultant, Hub Now**

An email dated August 17, 2016 regarding placing a celebratory ad in a commemorative booklet for the grand opening of the new Truro Library and Civic Square.

Moved by Councillor Cooper  
Seconded by Councillor Gibbs

“That the email dated August 17, 2016 regarding placing a celebratory ad in a commemorative booklet for the grand opening

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of the new Truro Library and Civic Square, be received for information purposes.”

Motion Carried Unanimously.

**Patrick C. Copeland,  
Treasurer, Creamery  
Square**

A letter to Councillor Gregory requesting consideration of a reduction of two Tatamagouche Water Utility invoices.

Councillor Gregory reported that he had previously discussed this matter with the Director of Public Works. There was a problem with the main shut off valve resulting in two substantially higher than normal water bills. The Creamery Square Association is now requesting a reduction for these bills.

Discussion was held and it was suggested that this should be referred to the Tatamagouche Water Utility Committee.

**Correspondence -  
INFORMATION**

**Building Inspector**

A copy of the Building Permit Statistics received from the Building Inspector for the months of June and July 2016. Council agreed to receive the reports for information purposes.

**Development Officer**

A copy of the Development Activity Report received from the Development Officer for the months of June and July 2016. Council agreed to receive the reports for information purposes.

**Clark Sommerville, FCM  
President**

A letter to the Mayor and Council welcoming the Municipality as a member of the Partners for Climate Protection (PCP) Program. Council agreed to receive the letter for information purposes.

**INFORMATION ITEMS**

**Not Since Moses**

Councillor Taggart advised that the recently held Not Since Moses Run in Five Islands was a huge success. The group was very appreciative of the funding they received from the County. Additionally, Councillor Blair commented on the large number of volunteers, of all ages, for this event.

**Fundy Gateway/Palliser  
Project**

Councillor Stewart indicated that due to a conflict with the previous date of September 7<sup>th</sup> for the Joint and Public meetings for the Fundy Gateway/Palliser Project, an alternative date has been set for September 13<sup>th</sup>. A Joint Council meeting will take place at 3 pm at the Town Council Chambers and the public meeting will be held at the RECC at 7 pm.

**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.

**Recess**

Moved by Councillor Gregory  
Seconded by Councillor Gibbs

“That the meeting go into closed session at 10:17 pm.”

Motion Carried Unanimously.

Moved by Councillor Gregory  
Seconded by Councillor Cavanaugh

“That the meeting reconvene in open session at 10:35 pm.”

Motion Carried Unanimously.

**Modified Position, Job  
Title and Pay Range –  
Administrative Services  
and Research Coordinator**

Moved by Deputy Mayor Masters  
Seconded by Councillor Cooper

“That Council approves that the position of Administrative Services and Research Coordinator be changed to Research, Policy and Community Engagement Officer and that the position be shifted from Range 6 to Range 8 on the Salary Scales; and,

That staff be authorized to open competition for this position in accordance with the Municipality’s Personnel Policies.”

Motion Carried Unanimously.

**Processing Contract –  
East Hants**

Moved by Councillor Gregory  
Seconded by Councillor Blair

“That Council approves that the Municipality of Colchester enter into the agreement with the Municipality of East Hants and that the Mayor and CAO be authorized to sign the recycling/processing contract on behalf of the Municipality at a time when the commencement date of the contract has been finalized to provide processing of their recyclable material at the Colchester Materials Recovery Facility.”

Motion Carried Unanimously.

**ADJOURNMENT**

Moved by Councillor Gibbs  
Seconded by Councillor Gregory

“That the meeting adjourn at 10:37 pm.”

Motion Carried Unanimously.

Tracey Veno  
Recording Secretary