

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 Wednesday, March 28, 2018.

Roll Call

The roll was called with the following Councillors in attendance:

Mayor Christine Blair, Chair	
Councillor Eric Boutilier	District 1
Councillor 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

Deputy Mayor Bill Masters	District 2
Councillor Karen MacKenzie	District 6

Staff Present

Rob Simonds, Chief Administrative Officer
 Crawford Macpherson, Director of Community Development
 Michelle Newell, Director of Public Works
 Scott Fraser, Director of Corporate Services
 Mark Austin, Economic Development Officer
 Tracey Venno, Recording Secretary
 Pam Macintosh, Planner (for agenda item #2)

Announcement

Mayor Blair advised Council that Mr. Maurice Rees is being inducted into the Atlantic Journalism Hall of Fame on April 28, 2018 in Halifax.

Public Hearing – Tatamagouche Municipal Planning Strategy/Land Use By-law Amendments

Mayor Blair called the Public Hearing to order respecting amendments to the 2001 Village of Tatamagouche Municipal Planning Strategy (MPS) and Land Use By-law (LUB). These amendments would apply to Schedule #2, the Future Land Use Map of the MPS and to Schedule #3, the Zoning Map of the LUB for a change in designation of a property from Institutional to Village Residential. These amendments would allow for the conversion of a former church into a single unit dwelling. 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 Public Hearing process have been followed.

Mayor Blair reminded Councillors that only those Councillors present throughout the Public Hearing process can vote on the amendments when eventually considered by Council. The Public Hearing is Council's opportunity to hear about the application 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.

Ms. Pam Macintosh, Planner, provided a brief overview of the proposed MPS/LUB amendments indicating that the applicant would like to change the property from institutional to residential to convert a former church into a single unit dwelling. Highlights of the presentation included land use and zoning maps, site and floor plans, and site photographs. The property has both municipal sewer and water; has ample parking; fronts on a provincially owned highway; is adaptable to create another unit; and being residentially zoned, offers flexibility for future uses. The Nova Scotia Department of Transportation and Infrastructure Renewal does not have any concerns as it relates to access. Staff concludes that there are no real land use impacts and recommends proceeding with the amendment as requested.

Councillor Gregory provided the report from the Tatamagouche Planning Advisory Committee meeting of February 20, 2018.

Mr. Simonds advised that one written submission has been received from Mr. Jeff Williams, in support of the application.

The applicant was not in attendance for the Public Hearing and there were no members of the public in attendance to speak on the application.

Discussion was held on potential implications of converting from institutional to residential. Ms. Macintosh indicated that there is a provision in the LUB which allows for the property to be reverted to commercial for future use.

With no further discussion on the matter, as Chair of the Tatamagouche Planning Advisory Committee, Councillor Gregory put the following motion on the floor:

Moved by Councillor Gregory
Seconded by Councillor Cooper

“That Council approves at Second Reading, the amended Village of Tatamagouche Municipal Planning Strategy and Land Use By-law, as presented.”

Motion Carried Unanimously.

Mayor Blair indicated that Council's decision on the MPS/LUB amendments may require approval of the Minister of Municipal Affairs but it is not appealable to the Nova Scotia Utility and Review Board. Upon approval from Municipal Affairs, the amendments come into effect once notice is published in the newspaper.

With no further business on this matter, Mayor Blair declared the Public Hearing closed.

Approval of Agenda

Moved by Councillor Gregory
Seconded by Councillor Gibbs

“That the agenda for March 28, 2018 be approved with the following additions:

- Item #11b, High Speed Internet;
- Item #11c, FCM Funding;
- Item #16, Legal Matter in Closed Session.”

Motion Carried Unanimously.

Approval of Minutes

Moved by Councillor Cooper
Seconded by Councillor Gregory

“That the minutes of the meeting held on February 22, 2018 be approved as presented.”

Motion Carried Unanimously.

Business Arising from Minutes

There was no business arising from the minutes of the meeting held on February 22, 2018.

Standing Committee Reports and Recommendations

Council Committee Report from Meeting Held on March 8, 2018

Councillor Cooper, Alternate Chair, presented the report from the Council Committee meeting held on March 8, 2018:

Debert Archaeological Program 2018 and Funding Request

Moved by Councillor Cooper
Seconded by Councillor Gibbs

“That Council approves the archaeological program for 2018 with the testing of:

- 1) 18 acres north of Tim Hortons (block 2);
- 2) 2 lots on Dakota Drive; and,

That the cost of the work to be recorded as a deferred expense until the land is sold; and,

That the Mayor be authorized to write the Federal and Provincial governments to seek funding.”

Motion Carried Unanimously.

Property Tax Write-Offs

Moved by Councillor Cooper
Seconded by Councillor Parker

“That Council approves that the property taxes and interest totaling \$10,497.36, as presented, be written off.”

Motion Carried.
(Councillor Parker opposed)

Expense Policy for Members of Council and CAO

Moved by Councillor Cooper
Seconded by Councillor Boutilier

“That Council approves the Expense Policy for Members of Council and CAO, as amended.”

Motion Carried Unanimously.

Council Proceedings and Committees Policy

Clarification was sought on the Sewer Use Appeals Committee being struck from the Policy. Mr. Rob Simonds, CAO, advised that the Committee is still in place and is covered in the Policy under section 20(c).

Moved by Councillor Cooper
Seconded by Councillor Gregory

“That Council approves the Council Proceedings and Committees Policy as amended.”

Motion Carried Unanimously

Hospitality Policy

Moved by Councillor Cooper
Seconded by Councillor Parker

“That Council approves the Hospitality Policy as presented.”

Motion Carried Unanimously

Personnel Policy 5.05 – Reimbursement for Business and Training Expenses

Moved by Councillor Cooper
Seconded by Councillor Boutilier

“That Council approves that existing Policy 5.05 – Reimbursement for Business and Training Expenses be repealed; and,

That the Policy 5.05 – Reimbursement for Business and Training Expenses be approved as amended.”

Motion Carried Unanimously.

Executive and Audit Committee Minutes of February 27, 2018 Meeting

Moved by Councillor Taggart
Seconded by Councillor Pash

“That the minutes of the Executive and Audit Committee meeting of February 27, 2018, be approved as presented.”

Motion Carried Unanimously

ACTION ITEMS

Tender Award – Spruce Drive Sidewalk Replacement

Ms. Michelle Newell, Director of Public Works, provided a brief overview of this item indicating that the sidewalk on Spruce Drive is an old asphalt sidewalk which was taken over from the province in 1995 as part of the service exchange agreement. This sidewalk received one of the lowest condition ratings during staff’s review. It was included in the capital budget for 2017-18 and again in 2018-19, at an approved amount of \$225,000.

The tender for the Spruce Drive Sidewalk Reconstruction received nine bids for the project. Northern Contracting Ltd. was the lowest bid, was deemed complete, and came in under budget.

A question was raised regarding staff’s familiarity with this company. Ms. Newell advised that the Municipality of Colchester has not used them before, however, staff have confirmed that Cape Breton Regional Municipality has used Northern Contracting Ltd. and have advised that they do excellent work.

Moved by Councillor Gibbs
Seconded by Councillor Cavanaugh

“That Council approves the award of the tender for the reconstruction of Spruce Drive sidewalk to Northern Contracting for a total contract amount of \$194,275 excluding HST, and that an internal contingency of \$20,000 be approved, to be spent only on authority of the Director of Public Works.”

Motion Carried Unanimously.

Award of Tender Pleasant Valley Sidewalk – Authority to Approve

Moved by Councillor Stewart
Second by Councillor Gibbs

“That Council authorizes April Council Committee to award the tender for the re-construction of the sidewalk on Highway 289/Pleasant Valley Road in Brookfield.”

Motion Carried Unanimously.

First Reading – Amendment to the Central Colchester Land Use By-law

Moved by Councillor Boutilier
Seconded by Councillor Parker

“That Council approves at First Reading, the amended Central Colchester Land Use By-law, as presented, for purposes of forwarding this document to a Public Hearing reserving consideration of the amendment until Second Reading following the Public Hearing.”

Motion Carried Unanimously.

Mortgage Listing Charges to Banking Institutions

Mr. Scott Fraser, Director of Corporate Services, introduced this item advising that 65% of municipalities currently charge mortgage listing fees to banking institutions. Of those not currently charging this fee, many have indicated that they intend to start doing so. At a rate of \$15 per listing, this could generate annual revenue of approximately \$64,500 for the Municipality. If Council should approve implementing this charge, the amount will be incorporated into the budget.

Discussion was held on the cost associated with reconciling the records from the bank. Mr. Fraser indicated that an analysis would be required to determine the cost, however, it was suggested that it would be in the range of \$15 per listing.

Some members of Council expressed concern with implementing this charge to banking institutions as the charges will get downloaded to customers.

Moved by Councillor Gregory
Seconded by Councillor Cooper

“That Council approves the adoption of a \$15 mortgage listing fee, per listing, being charged to banking institutions beginning fiscal 2018/19.”

Motion Carried.
(Councillors Gibbs and Taggart opposed)

New Fisheries Regulations

Councillor Taggart indicated that discussion was held at the recent FCM Rural Caucus in Laval, Quebec, on the proposed changes to the Navigation Protection Act and Federal Fisheries Act. Many municipalities have faced/are facing challenges with regards to regulations under these Acts including permit and letter of credit requirements. Marc LeBlanc, Policy Advisor and Government Relations, will be participating in discussions on this and is requesting written information on the challenges faced by municipalities.

Moved by Councillor Parker
Seconded by Councillor Cavanaugh

“That a letter be written to FCM, under the Mayor’s signature, outlining the challenges the Flood Advisory Committee has faced with respect to flood mitigation and regulations under the Navigation Protection Act and Fisheries Act.”

Motion Carried Unanimously.

High Speed Internet

Referring to the recent announcement from the Provincial Government regarding funding for rural internet, Councillor Cooper indicated it would be good to receive a staff update on this issue. Councillor Taggart advised that he learned through recent discussions at the FCM Board meeting in Laval, Quebec, that the only municipalities experiencing success regarding the Rural Broadband Initiative are those that became actively engaged in accessing the federal funding.

Moved by Councillor Cooper
Seconded by Councillor Gregory

“That a staff update/overview on the Rural Broadband Initiative be provided at the April Council Committee meeting.”

Motion Carried Unanimously.

FCM Funding

Councillor Taggart advised Council of a very controversial discussion at the FCM Board meeting in Laval, Quebec, regarding the FCM’s Proposed Election Readiness Campaign, and that municipalities will be asked to contribute. Requests of municipalities will be over two years and amounts will be based on population; with Colchester’s estimated cost being \$900 per year. Additionally, there will be an increase in membership dues in 2019. FCM is projecting a deficit in 2019 of \$562,000. Measures such as the Election Readiness Campaign and increased dues will help to cover the deficit and establish an election reserve.

Correspondence - ACTION

Wanda Power, National Representative, CUPE

A letter to the CAO regarding the commencement of bargaining to renew the Collective Agreement, CUPE 4106.

Moved by Councillor Stewart
Seconded by Councillor Boutilier

“That the letter from Wanda Power, National CUPE Representative, regarding the commencement of bargaining to renew the Collective Agreement be referred to staff.”

Motion Carried Unanimously.

Dr. Donald Julien

A letter to the CAO from Dr. Donald Julien concerning an invitation to join the Debert Cultural Centre Steering Committee.

Council agreed that the CAO appoint an appropriate staff member to serve on the Debert Cultural Centre Steering Committee.

Cindy Johnson, Pipe Major, Colchester Legion Pipes and Drums

A letter to Mayor Blair and County Council requesting funding assistance for travel to the Netherlands for the 75th Anniversary of the Celebration of the Liberation of the Netherlands.

Moved by Councillor Cooper
Seconded by Councillor Stewart

“That the letter from Cindy Johnson requesting funding assistance for travel to the Netherlands for the 75th Anniversary of the Celebration of the Liberation of the Netherlands be referred to budget deliberations.”

Motion Carried Unanimously.

Susan Henderson, Executive Director, Canadian Mental Health Association

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

A letter to the Mayor and Council requesting a change in the schedule of the Municipalities funding contribution to the Canadian Mental Health Association.

Moved by Councillor Stewart
Seconded by Councillor Boutilier

“That the letter from Susan Henderson, Executive Director, Canadian Mental Health Association, be referred to staff to investigate the budgetary and contractual implications of the request to change the schedule of the Municipality’s funding contribution to the Canadian Mental Health Association.”

Motion Carried Unanimously.

It was agreed that staff report back to Council within 60 days on this matter.

At this point, Councillor Taggart returned to the table.

Village Commission, Village of Tatamagouche

A letter to the CAO requesting Council consideration in a Partnership in Tatamagouche Main Street Revitalization Project.

“That the letter from the Tatamagouche Village Commission concerning the Partnership in Tatamagouche Main Street Revitalization Project be referred to staff.”

Motion Carried Unanimously.

**Kendra MacKinnon,
Executive Director,
Colchester Sexual Assault
Centre**

A letter to the Mayor and Council requesting that April be proclaimed Sexual Assault Awareness Month.

Moved by Councillor Cavanaugh
Seconded by Councillor Boutilier

“That Council proclaims April as Sexual Assault Awareness Month.”

Motion Carried Unanimously.

**Julie Hay, Stewiacke Visitor
Information Centre**

A letter to the CAO requesting additional funding for the Stewiacke Visitor Information Centre.

Moved by Councillor Cooper
Seconded by Councillor Gregory

“That the letter from Julie Hay requesting additional funding for the Stewiacke Visitor Information Centre be referred to budget deliberations.”

Motion Carried Unanimously.

**Johnathan and Ivan Stewart,
1427 Hwy 2, Hilden**

A letter requesting a rezoning change on the property at 1427 Highway 2, Hilden.

Moved by Councillor Stewart
Seconded by Councillor Boutilier

“That the letter from Johnathan and Ivan Stewart requesting a rezoning change on the property at 1427 Highway 2, Hilden be referred to the Planning Advisory Committee.

Motion Carried Unanimously.

Correspondence - INFORMATION

Development Officer	A copy of the Development Activity report received from the Development Officer for the month of February 2018. 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 February 2018. Council agreed to receive the report for information purposes.
Strategic Priorities Report	A copy of the Strategic Priorities Report. Council agreed to receive the report for information purposes.
UNSM Board Report	A copy of the UNSM Board Report dated March 2, 2018. Council agreed to receive the report for information purposes.

INFORMATION ITEMS

Insurance for Not-for-Profit Organizations – Grant Applications	<p>This item provides an overview of the applications for the Not-for-Profit Insurance Funding Policy winter application deadline.</p> <p>The County received 28 applications totalling \$13,268.96 for the February 23rd deadline. This, along with the 25 applications received in the fall totalling \$9,653, brings the total to \$22,921.96. The total budget for 2017/18 is \$24,000.</p> <p>With only one application intake date, the next deadline is scheduled for October 2018. Staff have been informing all non-profits regarding the one application intake date and have not received negative feedback on this.</p>
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 Cavanaugh

“That the meeting go into closed session at 8:22 pm.”

Motion Carried Unanimously.

Moved by Councillor Cavanaugh
Seconded by Councillor Gregory

“That the meeting reconvene in open session at 9:22 pm.”

Motion Carried Unanimously.

Negotiations – Inter-Municipal Agreement

Moved by Councillor Gregory
Seconded by Councillor Pash

“That Council receives the letter from the Town of Truro concerning the Inter-Municipal Agreement dated March 29, 2000 for information purposes.”

Motion Carried Unanimously.

ADJOURNMENT

Moved by Councillor Gregory
Seconded by Councillor Cavanaugh

“That the meeting adjourn at 9:25 pm.”

Motion Carried Unanimously.

Tracey Veno
Recording Secretary