

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, June 28, 2018.

Roll Call

The roll was called with the following Councillors in attendance:

Mayor Christine Blair, Chair	
Councillor Eric Boutilier	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 Bob Pash	District 9
Councillor Tom Taggart	District 10
Councillor Wade Parker	District 11

Regrets

Councillor Michael Gregory	District 7
Councillor Ron Cavanaugh	District 8

Staff Present

Rob Simonds, Chief Administrative Officer (CAO)
 Michelle Newell, Director of Public Works
 Crawford Macpherson, Director of Community Development
 Wayne Wamboldt, Director of Solid Waste
 Scott Fraser, Director of Corporate Services
 Mark Austin, Economic Development Officer
 Dennis James, Municipal Solicitor
 Tracey Veno, Recording Secretary
 Paul Smith, Senior Planner (for agenda item #7)
 Pam Macintosh, Planner (for agenda item #7)

Special Presentation

Mayor Blair and Councillor Gibbs presented Mr. Wayne Smith with a certificate in recognition of his recent donation to the Rath Eastlink Community Centre in honour of the Humboldt Broncos.

Approval of Agenda

Moved by Deputy Mayor Masters
 Seconded by Councillor Stewart

“That the agenda be approved with the following amendments:

- Change Item # 8 to Authority for August Committee to approve Second Reading of Amendments to Chapter 33 – Solid Waste By-law;
- Add Item # 11b, Municipal Physical Activity Leadership Program;
- Add Item # 11c, Marketing Levy;
- Add Item # 19, Negotiations in Closed Session; and,
- Add Item # 20, Legal Matter in Closed Session.”

Motion Carried Unanimously.

Approval of Minutes

Moved by Councillor Cooper
 Seconded by Councillor Parker

“That the minutes of the meetings held on May 30 and June 14, 2018 be approved as presented.”

Motion Carried Unanimously.

**Business Arising from
Minutes**

There was no business arising from the minutes of the meetings held on May 30 and June 14, 2018.

**Standing Committee Reports
and Recommendations**

Council Committee Report from Meeting Held on June 14, 2018

Deputy Mayor Masters, Chair, presented the report from the Council Committee meeting held on June 14, 2018:

Purchase of Colchester Nova Scotia Tartan Kilt

Moved by Deputy Mayor Masters
Seconded by Councillor Boutilier

“That Council approves the purchase of a Colchester Nova Scotia Tartan Kilt to be displayed in the Courthouse, at a cost of up to \$2,500.”

Motion Carried Unanimously.

Wood Heat Presentation from North Nova Forestry Co-operative

Moved by Deputy Mayor Masters
Seconded by Councillor Pash

“That Council approves that staff be directed to:

Explore the possibility of becoming a member of the North Nova Forestry Co-operative to improve forest management of municipally owned lands; and,

Explore the potential for commercial scale, wood heating systems for municipal buildings, including the feasibility of a wood fired, district heating system at the Debert Business Park; and,

Report findings back to Council for further direction.”

Motion Carried Unanimously.

PWC Feasibility Study

Moved by Deputy Mayor Masters
Seconded by Councillor Cooper

“That Council approves the endorsement of the proposal from PWC to conduct a study of baseline services and develop Key Performance Indicators used to measure effectiveness and efficiency of current operations.”

motion amended.

Moved by Deputy Mayor Masters
Seconded by Councillor Boutilier

“That the endorsement of the proposal from PWC be contingent upon confirmation from FCM regarding funding.”

Motion Carried Unanimously.

The motion to amend having carried, the main motion, as presented, was voted on and carried unanimously.

Canadian Mental Health Association – Colchester-East Hants Branch

Deputy Mayor Masters and Councillor Taggart declared a conflict of interest and removed themselves from the table.

Moved by Councillor Cooper
Seconded by Councillor Gibbs

“That Council approves that the \$100,000 funding for the Canadian Mental Health Association, Colchester-East Hants Branch, be disbursed with \$50,000 in year one (2018-19) and \$10,000 per year for the next five years, with the final year being 2023-24; and,

That source of funds be the Special Operating Reserve, and that these funds be paid back to the reserve; and,

That the Mayor and CAO be authorized to sign the agreement.”

Motion Carried Unanimously.

At this point, Deputy Mayor Masters and Councillor Taggart returned to the table.

ACTION ITEMS

First Reading – Amendments to the Central Colchester Land Use By-law, Applicant: Little Moe’s K9 Academy, Bible Hill

Ms. Pam Macintosh, was in attendance to speak on this issue indicating that this request is for an amendment to the Central Colchester Land Use By-law (LUB) which would remove the condition of Section 10.3.7(i) which requires accessory kennels and commercial boarding to be located outside a Municipal Sewer District.

At a Planning Advisory Committee (PAC) meeting held on June 21, 2018, staff presented their report and recommended that Council not proceed with this amendment. Staff determined that Little Moe’s K9 Academy is not compliant with the current Land Use By-law, which prompted the request for this amendment.

Ms. Macintosh noted that the Municipal Government Act requires two readings and the First Reading is essentially to advance to Second Reading. The recommendation from the Planning Advisory Committee is to not approve First Reading; and, direct staff to review the existing By-law and make recommendations in regards to provisions relating to the

location and operation of accessory kennels and commercial boarding in Central Colchester.

Council queried whether this review would allow for a resolution to this issue. Ms. Macintosh indicated that it would allow for staff to look at other options such as a possible development agreement.

Discussion was held with concern expressed about the reference to 'sewer serviced areas' and that even in areas zoned rural general, this should not be determined by municipal sewer district, rather permitted with proper setbacks.

Other points of discussion included noise; the Village of Bible Hill being opposed to the requested amendment; no change being required to the Land Use By-law in 2013 as applicant's proposal indicated they were working within the parameters of the existing By-law; and, allowable boarding for training for out of town clients.

Mayor Blair advised that since the PAC meeting, additional correspondence has been received from Mr. Adam Harris, Legal Counsel for Little Moe's K9 Academy and Mr. Harris is requesting to address Council this evening. The Municipal Solicitor indicated that typically, public input is received during the Public Hearing at Second Reading however, if First Reading does not pass, there would be no opportunity for additional public input. Allowing this request would be discretionary of Council.

Some members of Council voiced concern with permitting this as it is against policy and procedure. Additionally, it was stated that if there was no new information to report, allowing Mr. Harris to speak should not be permitted.

Moved by Deputy Mayor Masters
Seconded by Councillor Pash

"That Council allow the request from Legal Counsel representing Little Moe's K9 Academy, to speak on this matter, for a maximum of 10 minutes."

Motion Carried.
(opposed by Councillors Stewart, Cooper, Taggart and Parker)

Mr. Harris addressed Council on behalf of Little Moe's K9 Academy. He urged Council to advance this to Second Reading to provide opportunity for public input. He stressed that denying this would be a loss of valuable opportunity to receive public input which would be beneficial to both Council and staff.

Moved by Councillor Taggart
Seconded by Councillor Pash

"That Council not approve First Reading to an amendment to the Central Colchester Land Use By-law to remove the condition of Section 10.3.7 (i) requiring accessory kennels and commercial boarding to be located outside a Municipal Sewer District; and,

That Council further request that staff review and make recommendations in regards to provisions relating to the location and operation of the same in Central Colchester.”

Motion Carried.
(*opposed by Councillor MacKenzie*)

The Municipal Solicitor indicated that this decision is appealable to the Nova Scotia Utility and Review Board, within 14 days of Notice in the local newspaper.

**Second Reading –
Amendments to Chapter 33,
Solid Waste By-law**

During Approval of Agenda earlier this evening, Council agreed to change this item to Authority for August Committee to Approve the Second Reading of Amendments to Chapter 33 – Solid Waste By-law.

Moved by Deputy Mayor Masters
Seconded by Councillor Boutilier

“That Council authorizes Council Committee, at its meeting on August 9, 2018, to approve Second Reading of Amendments to Chapter 33 – Solid Waste By-law.”

Motion Carried Unanimously.

**Award of Tender – Village
Line Sidewalk**

Ms. Michelle Newell, Director of Public Works, provided a brief overview of this item indicating that Council’s approved budget included the construction of a new sidewalk along Village Line Avenue from Pictou Road to College Road. The tender was advertised on the Provincial and County websites and a total of 7 bids were received by the tender closing. This project is being cost shared with the Village of Bible Hill.

Moved by Councillor Parker
Seconded by Councillor Boutilier

“That Council approves the award of the tender for the construction of the Village Line Avenue Sidewalk to Atlantic Road Construction for a total contract amount of \$557,895 excluding HST;

and,

That an internal contingency of \$60,000 be approved, to be spent only on authority of the Director of Public Works.”

Motion Carried Unanimously.

**Award of Tender – ½ Ton
Truck, Wastewater
Treatment**

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

Ms. Newell provided a brief summary of this item advising that staff issued a public tender for the purchase of a half-ton truck for Wastewater Treatment. A total of five bids were received with Bruce Leasing being the lowest bid at \$23,968 and this bid was deemed to be complete.

Discussion was held on the specifications in the tender with regards to service and warranty work with concern being expressed about potential costs should the vehicle have to be taken to the Valley for necessary maintenance. Ms. Newell advised that this was not specified in the documents. Council inquired about what their options are regarding awarding the tender. The Municipal Solicitor advised that he would need to review the tender document before advising on this.

Moved by Councillor Boutilier
Seconded by Deputy Mayor Masters

“That Council authorizes Council Committee, at their meeting on August 9, 2018, to award the tender for the ½ ton truck for Wastewater Treatment.”

Motion Carried Unanimously.

At this point, Councillor Parker returned to the table.

2017/18 Audited Financial Statements – Authority to Award

Mr. Scott Fraser, Director of Corporate Services, advised that staff is seeking authority for August Committee to receive and approve the 2017/18 audited financial statements.

Moved by Councillor Stewart
Seconded by Councillor Gibbs

“That Council authorizes Council Committee, at their meeting on August 9, 2018, to receive and approve the 2017/18 Audited Financial Statements.”

Motion Carried Unanimously.

Municipal Physical Activity Leadership Program

Mr. Rob Simonds, advised that this item relates to a renewal of a Memorandum of Understanding with the Province for the Municipal Physical Activity Leadership (MPAL) Program.

Mr. Crawford MacPherson, Director of Community Development, added that the province provides \$25,000 annually to local municipalities to promote physical activity and for Colchester, this covers the Afterschool Program Coordinator position. The initial agreement was for five years and was signed by the Director of Community Development. The renewal agreement will be done annually and requires the signature of the Mayor.

Moved by Councillor Boutilier
Seconded by Councillor Pash

“That the Mayor be authorized to execute the renewal agreement with the Province for the Municipal Physical Activity Leadership (MPAL) Program.”

Motion Carried Unanimously.

Marketing Levy

Councillor Boutilier raised the issue of a marketing levy which was discussed by Council about one year ago. He indicated that another local government did not seem to be in agreement with the implementation of a marketing levy however, he feels that this should be moving forward.

The CAO advised that the marketing levy conversation is still on-going and is moving forward in the right direction. An item should be before Council on this matter in August.

Correspondence - ACTION

Carl Chisholm, Co-Chair of the 2018 National Special Olympic Summer Games

An email dated June 4, 2018, to Mayor Blair regarding donations in support of the 2018 National Special Olympic Summer Games.

Moved by Councillor Stewart
Seconded by Councillor Parker

“That the email from Carl Chisholm dated June 4, 2018, to Mayor Blair regarding donations in support of the 2018 National Special Olympic Summer Games, be received for information purposes.”

Motion Carried Unanimously.

Lech Krzywonos, Chair, Yearbook Committee, Rotary Club of Truro

An email dated June 7, 2018 regarding a Council ad in the 2019 Rotary Yearbook.

Moved by Deputy Mayor Masters
Seconded by Councillor Boutilier

“That Council approves placing a 1/3 page ad in the 2019 Rotary Yearbook.”

Motion Carried Unanimously.

H.B. Steeves, Director of Operational Services

A letter dated June 15, 2018 from H.B. Steeves, Director of Operational Services, Chignecto- Central Regional Centre for Education concerning a surplus property; the former Tatamagouche Elementary School.

Moved by Councillor Taggart
Seconded by Councillor Gibbs

“That staff investigate the condition of the Tatamagouche Elementary School and report back to Council for decision prior to the September 28, 2018 deadline.”

Motion Carried Unanimously.

Correspondence - INFORMATION

Development Officer

A copy of the Development Activity report received from the Development Officer for the month of May 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 May 2018. Council agreed to receive the report for information purposes.

Strategic Priorities Report	A copy of the Strategic Priorities Report. Discussion was held on the format and frequency of this report. Council agreed that supporting documentation be included with the report and that it would be more beneficial to have the report on a quarterly basis. The CAO reminded Council that a Strategic Priorities Review session is being scheduled for September, date to be determined.
NSFM Board Report	A copy of the NSFM Board Report dated June 8, 2018. Council agreed to receive the report for information purposes.
Mayor Karen Mattatall, Town of Shelburne	A letter from Mayor Karen Mattatall dated June 18, 2018, to all municipal units regarding the Rural Nova Scotia Health Crisis Working Group. Council agreed that a letter be sent to Mayor Mattatall advising that this is an important issue recognized by both Council and staff, and that Colchester is actively pursuing a Working Committee with neighbouring municipalities to deal with this issue.

INFORMATION ITEMS

Community Trail Funding Program – Summer 2018 Applications	<p>Under the Community Trail Funding Program, four applications were received for the Summer 2018 deadline.</p> <p>The total amount requested was \$75,785, broken down as follows: the Kenomee Trail Society requested \$27,901 for improvements at Thomas' Cove Trails in Economy; the Chiganois Elementary School Parent Teacher Group requested \$9,000 for the construction of a 460 m accessible, crusher dust trail; the Bass River Heritage Society requested \$11,550 for development of the Bass River Logger and Woodworkers Memorial Trail; and, the Tatamagouche Area Trails Association requested \$27,334 for upgrades to the Short Line Trail.</p> <p>Staff has approved the amounts as requested, pending confirmation of other funding.</p>
Village of Bible Hill	<p>Councillor Parker noted the following for Council information:</p> <ul style="list-style-type: none"> • Nova Scotia Transportation and Infrastructure Renewal has allowed for lights down the pole at the crosswalk located at Johnson Avenue and Guest Drive, in addition to the overhead lights. He would like to see this on County crosswalks as well. • The Village of Bible Hill applied to have a couple of the small speed signs placed in locations in the Village but Nova Scotia Transportation and Infrastructure Renewal (TIR) denied their request. This was brought up at the Police Advisory Board meeting where the RCMP advised their disappointment in the decision of TIR as having the small speed signs provides an opportunity to receive data. • The Town's waterline coming in to Bible Hill is in need of repair. During the recent fire at Dalhousie Agricultural Campus, this was a major issue as the hydrants could not be used and the aerial trucks ran out of water. Tankers were hauling water in and due to the emergency situation, were travelling at high rates of speed. The tentative date for the repairs is September or October, however,

given the importance of the issue, Councillor Parker indicated that he would like to see this date pushed ahead to August.

Brief discussion was held on requiring permission from TIR for the placement of the small speed signs. Council agreed that this be added to the list for discussion at the next TIR Quarterly Meeting. Further discussion was held on the Bible Hill waterline.

Moved by Councillor Boutilier
Seconded by Deputy Mayor Masters

“That a letter be written to the Town of Truro’s Water Utility requesting the necessary repairs to the connection to the Bible Hill waterline be carried out sooner than September or October and that a response to the letter be requested.”

Motion Carried Unanimously.

**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 Gibbs
Seconded by Councillor Parker

“That the meeting go into closed session at 9:35 pm.”

Motion Carried Unanimously.

Moved by Councillor Gibbs
Seconded by Councillor Cooper

“That the meeting reconvene in open session at 10:12 pm.”

Motion Carried Unanimously.

**Millbrook First Nation
Boundary Issue**

Moved by Councillor Parker
Seconded by Councillor Taggart

“That Council approves the Memorandum of Understanding as presented, and authorizes the Mayor and CAO to execute the agreement.”

Motion Carried Unanimously.

RECC

Moved by Councillor Stewart
Seconded by Councillor Boutilier

“That Council approves writing a letter of support on the presentation received, in confidence, from the Rath Eastlink Community Centre.”

**Extension of Residential
Curbside Waste Collection**

Moved by Deputy Mayor Masters
Seconded by Councillor Pash

“That Council authorizes a further extension of the current waste collection contract with Miller Waste to extend the expiry of the contract to October 31, 2018; and,

That the cost of the two month extension of the collection contract would be \$307,613 plus applicable HST.”

Motion Carried Unanimously.

ADJOURNMENT

Moved by Councillor Parker
Seconded by Councillor Gibbs

“That the meeting adjourn at 10:14 pm.”

Motion Carried Unanimously.

Tracey Veno
Recording Secretary