

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, September 27, 2018.

Roll Call

The roll was called with the following Councillors in attendance:

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|------------------------------|-------------|
| 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 Karen MacKenzie | District 6 |
| Councillor Michael Gregory | District 7 |
| Councillor Ron Cavanaugh | District 8 |
| Councillor Bob Pash | District 9 |
| Councillor Tom Taggart | District 10 |

Regrets

| | |
|------------------------|-------------|
| Councillor Lloyd Gibbs | District 5 |
| Councillor Wade Parker | District 11 |

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
 Dennis James, Municipal Solicitor
 Tracey Veno, Recording Secretary
 Devin Trefry, Research, Policy & Comm. Engagement Officer

Approval of Agenda

Moved by Deputy Mayor Masters
 Seconded by Councillor Gregory

“That the agenda be approved with the following additions:
 - Two Legal Matters, in Closed Session.”

Motion Carried Unanimously.

Approval of Minutes

Moved by Councillor Cavanaugh
 Seconded by Councillor Cooper

“That the minutes of the meeting held on August 30, 2018 be approved as presented.”

Motion Carried Unanimously.

Business Arising from Minutes

Referring to motions on page 2018/19-36 to write letters regarding Force Tidal Energy Turbine, the Great Village Post Office, and Truro-Millbrook Wind Turbines, Councillor Cooper asked if there have been responses to the letters. It was noted that a telephone message was received on the Force Tidal Energy Turbine and staff will be following up on this.

**Standing Committee Reports
and Recommendations**

Council Committee Report from Meeting Held on September 13, 2018

Deputy Mayor Masters, Chair, presented the report from the Council Committee meeting held on September 13, 2018:

Surplus Property – Former Tatamagouche Elementary School

Moved by Deputy Mayor Masters
Seconded by Councillor Gregory

“That Council approves that the offer to have the surplus Tatamagouche Elementary School property reconveyed to the Municipality be declined and that the Chignecto Central Regional Centre for Education be advised accordingly.”

Motion Carried Unanimously.

Big Brothers Big Sisters of Colchester Tax Exemption Request

Moved by Deputy Mayor Masters
Seconded by Councillor Cavanaugh

“That Council approves that Big Brothers Big Sisters of Colchester be added to the Tax Exemption By-law Property List, for the property located at 309 Highway # 311, North River (property #04184106), for fiscal year 2019/20 and beyond.”

Motion Carried Unanimously.

Tatamagouche Water Utility – Three-Year Operating Budget

Moved by Deputy Mayor Masters
Seconded by Councillor Gregory

“That the three-year Tatamagouche Water Utility operating budget (2018/19, 2019/20, and 2020/21) be approved as presented.”

Motion Carried Unanimously.

Debert Water Utility – Three-Year Operating Budget

Moved by Deputy Mayor Masters
Seconded by Councillor Gregory

“That the three-year Debert Water Utility operating budget (2018/19, 2019/20, and 2020/21) be approved as presented.”

Motion Carried Unanimously.

Tender Award – Hidden Valley Drive Re-paving

Moved by Deputy Mayor Masters
Seconded by Councillor Pash

“That Council approves that the tender for the re-paving of the full length of Hidden Valley Drive, be awarded to Will-Kare Paving & Contracting, in the amount of \$135,000 excluding HST; and,

That an internal contingency of \$13,000 be approved, to be spent only on authority of the Director of Public Works.”

Motion Carried Unanimously.

Cannabis Adhoc Committee

Moved by Deputy Mayor Masters
Seconded by Councillor MacKenzie

“That Council approves that a Cannabis Adhoc Committee be established and that this Committee be comprised of two members of Council and staff as appointed by the CAO.”

Motion Carried Unanimously.

License for Cobequid Trail Connector to Cobequid Bay Lookoff, Lower Truro

Moved by Deputy Mayor Masters
Seconded by Councillor Cavanaugh

“That Council approves the License of a portion of Donna Yuill’s property adjacent to Highway 236 and the Cobequid Trail Lookoff trailhead for the purpose of constructing a connector trail on existing dyke; and,

That the Mayor and CAO be authorized to complete the terms of the License, as presented.”

Motion Carried Unanimously.

Nominating Committee Report from Meeting Held on September 24, 2018

Moved by Deputy Mayor Masters
Seconded by Councillor Gregory

“That Council appoints Councillors Gregory and Taggart to serve on the Rural Broadband Working Committee; Mayor Blair and Deputy Mayor Masters to serve on the Physician Recruitment Working Committee; and Councillors Stewart and Cooper to serve on the Cannabis Adhoc Committee.”

Motion Carried Unanimously.

ACTION ITEMS

Debert Incubator Mall Roof

Ms. Michelle Newell, Director of Public Works, provided a brief overview of this item noting that staff issued a tender for the replacement of the Incubator Mall Roof in Debert with all bids submitted being over the budgeted amount of \$250,000. Subsequent to the tender closing, staff approached the low bidder, PMC Roofing, and developed an alternative approach, resulting in a new bid of \$264,000.

Additionally, Ms. Newell noted that the Water Utility building in Debert also requires repairs to the roof. Following the submission of tenders for the Incubator Mall roof, staff approached PMC Roofing for possible costs for repairs to the Water Utility building roof. The estimate is \$52,235 excluding HST. Unlike the Debert Incubator Mall Roof, the repairs to the Water Utility roof are not budgeted.

Discussion was held regarding awarding a project without issuing a tender. Mr. Dennis James indicated that this would be permitted according to the County's Purchasing and Tendering Policy. Ms. Newell suggested that staff could proceed with acquiring two additional quotes for the project and Council could approve staff awarding the project up to the maximum amount of \$52,235, excluding HST.

Moved by Deputy Mayor Masters
Seconded by Councillor Gregory

"That Council approves the award of the tender for the Debert Incubator Mall roof replacement to PMC Roofing for a total contract value of \$264,556 excluding HST; and,

That staff proceed with acquiring two additional quotes for the completion of the Water Utility building roof, with authority for staff to award up to a maximum of \$52,235, excluding HST."

Motion Carried Unanimously.

Council inquired about source of funds for the projects. Ms. Newell indicated that the Debert Sale of Houses fund would be the source for the Incubator Mall. Mr. Scott Fraser, Director of Corporate Services advised that it would be the same for the Water Utility building.

Council Remuneration

Councillor Cooper advised that this item relates to the upcoming tax changes implemented by the federal government that will discontinue the one third tax exemption for municipal elected officials. Council had discussed this on a couple of occasions however, it was held in abeyance pending feedback from NSFM as well as waiting to see how other municipal units are dealing with this issue. Councillor Stewart, as NSFM President, indicated that NSFM cannot dictate how municipalities handle this however, it was noted that they are recommending consistency among municipalities. With the effective date of the tax changes being 2019, Councillor Cooper indicated that a decision on this matter has become somewhat time sensitive. It was suggested that an independent consultant be hired to undertake a review of the one third tax implications and, since it has been over five years since a review of Council remuneration has been done, this should also be included in the scope of the study.

Referring to NSFM's suggestions on consistency among municipalities, the CAO advised that feedback from three municipal units has been received and, there appears to be no consistency on how the tax implications are being addressed.

Brief discussion was held on concerns of what are considered allowable expenses according to the Canada Revenue Agency. Discussion was

also held on elected officials being treated differently than others paid by the Municipality, specifically relating to pensions and benefits. Mr. Dennis James, Municipal Solicitor indicated this could be amended by reclarification in the by-law.

Mr. Fraser noted that a request for quotes could be issued and felt a review could be carried out in a timely manner. Council could grant authority to Council Committee to award the contract to help expedite the process. On the issue of benefits for members of Council, the Municipal Government Act allows for this by policy of Council.

Moved by Councillor Cooper
Seconded by Deputy Mayor Masters

“That an independent consultant be hired to conduct a full review of the levels of compensation for municipal elected officials of the Municipality of Colchester, and that this review take into account the loss of income associated with discontinuing the tax exemption for one third of the remuneration being implemented by the federal government; and,

That the report be completed by the end of 2018; and,

That Council Committee be granted authority to award the contract at their meeting on October 11th.”

Motion Carried Unanimously.

Correspondence - ACTION

Municipality of Barrington

Copy of a letter from the Municipality of Barrington to all municipalities concerning offshore oil and gas exploration.

Councillor Cooper requested that this item be added to the agenda noting that on the premise of recent discussions on gold mines, fracking, etc., he feels that development is being held back due to the lack of leadership/stewardship from the provincial level of government. He suggested that a letter be written to the Premier stressing the need for stronger level of oversight and control of resource industries with respect to environmental legislation.

Moved by Councillor Pash
Seconded by Councillor Taggart

“That the letter from the Municipality of Barrington be received for information.”

Motion **DEFEATED**. (*Councillors Gregory, Cavanaugh, Stewart, Cooper and MacKenzie opposed*)

Moved by Councillor Cooper
Seconded by Councillor Gregory

“That a letter be written to the Premier indicating support for plans to advance the Province as it relates to resource industries however, from

an environmental perspective, better monitoring, oversight and control is required.”

Motion Carried Unanimously.

Colchester East Hants Hospice

A letter from the Colchester East Hants Hospice requesting a donation of \$1,000.

Moved by Councillor MacKenzie
Seconded by Councillor Boutilier

“That a grant in the amount of \$1,000 be provided to the Colchester East Hants Hospice for the purposes of general operations.”

Motion DEFEATED. (*Mayor Blair, Deputy Mayor Masters, Councillors Boutilier, Stewart, Cooper, Gregory, Cavanaugh, Pash, and Taggart opposed*)

Discussion was held on this request being improperly before Council and that an application under the Grants to Non-Profits Policy is required for proper consideration. It was agreed that staff respond to the letter from the Colchester East Hants Hospice advising them of the grant process.

Pam Macintosh, Planner

A memo from Pam Macintosh, Municipal Planner, concerning a request for the Lower Economy Hall to be de-registered as a Municipal Heritage Property.

Moved by Councillor Taggart
Seconded by Councillor Cavanaugh

“That the request for the Lower Economy Hall to be de-registered as a Municipal Heritage Property be referred to the Planning Advisory Committee.”

Motion Carried Unanimously.

At this point in the meeting, Councillors Boutilier and Taggart left the meeting.

**Correspondence -
INFORMATION**

Development Officer

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

INFORMATION ITEMS

**Comparative Research on
Local Preference:
Purchasing and Tendering**

This item results from a previous directive of Council to have staff investigate the Municipality’s two percent local preference margin as it relates comparatively to other municipal units.

**for Goods, Services and
Construction Projects Policy**

The report provided a summary of local preference allowances in other legislation such as the Public Procurement Act and the Atlantic Procurement Agreement as well as a comparative analysis of other municipal units such as Halifax Regional Municipality, Kings County, East Hants, Yarmouth, Wolfville, Truro and the Cape Breton Regional Municipality. The full staff report was provided in the Council package circulated for this evening's meeting.

Brief discussion was held on the percentage margin allowance. Mr. James indicated that the Atlantic Procurement Act allows for five percent. It was noted that if Council desired, the allowable margin in the Purchasing and Tendering for Goods, Services and Construction Projects Policy could be amended to up to five percent.

**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 evening's meeting.

CLOSED SESSION

Moved by Councillor Gregory
Seconded by Councillor Cavanaugh

"That the meeting go into closed session at 8:35 pm."

Motion Carried Unanimously.

Moved by Councillor Gregory
Seconded by Councillor Pash

"That the meeting reconvene in open session at 9:34 pm."

Motion Carried Unanimously.

CBCL Agreement

Moved by Deputy Mayor Masters
Seconded by Councillor Stewart

"That Council authorizes the Mayor and CAO to sign the CBCL agreement and approves that the Municipality cost share with the Town of Truro additional costs for the professional liability insurance."

Motion Carried Unanimously.

**Residential Curbside Waste
Collection Contract**

Moved by Councillor Cavanaugh
Seconded by Councillor Gregory

"That Council approves the Curbside Collection of Residential Waste, Recycling and Organics Agreement; and,

That the Mayor and CAO be authorized to sign the agreement on behalf of the Municipality of Colchester."

Motion Carried Unanimously.

**MOU in Relation to 36
Jennifer Drive**

Moved by Councillor Stewart
Seconded by Councillor Pash

“That the Mayor and CAO be authorized to sign the agreement in relation to 36 Jennifer Drive, as recommended by the CAO and Municipal Solicitor.”

Motion Carried Unanimously.

ADJOURNMENT

Moved by Councillor Cavanaugh
Seconded by Councillor Gregory

“That the meeting adjourn at 9:38 pm.”

Motion Carried Unanimously.

Tracey Veno
Recording Secretary