

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, April 25, 2019.

Roll Call

The roll was called with the following Councillors in attendance:

Mayor Christine Blair, Chair	
Councillor Eric Boutilier	District 1
Councillor Bill Masters	District 2
Deputy Mayor 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 Bob Pash	District 9
Councillor Tom Taggart	District 10
Councillor Wade Parker	District 11

Staff Present

Rob Simonds, Chief Administrative Officer (CAO)
 Michelle Newell, Director of Public Works
 Scott Fraser, Director of Corporate Services
 Crawford Macpherson, Director of Community Development
 Tracey Veno, Recording Secretary
 Devin Trefry, Research, Policy and Community Engagement Officer
 Mark Austin, Economic Development Officer
 Paul Smith, Senior Planner (item 6)

Approval of Agenda

Moved by Councillor Gregory
 Seconded by Councillor Cooper

“That the agenda be approved with the following amendments:

- Moved the Property Matter in Closed Session to Open Session;
- Add one Property Matter in Closed Session;
- Add one Legal Matter in Closed Session.”

Motion Carried Unanimously.

Approval of Minutes

Moved by Councillor Boutilier
 Seconded by Councillor MacKenzie

“That the minutes of the meeting held on March 28, 2019 be approved as presented; and,

That the minutes of the meeting held on April 11, 2019, be approved with amendments that would include listing the specific changes for consideration in the motion on page 2.”

Motion Carried Unanimously.

Business Arising from Minutes

Referring to the minutes of March 28, 2019, Councillor Gregory requested an update on the status of the letter concerning the community field in Tatamagouche. The CAO advised that the Municipal Solicitor is reviewing and an update would be requested.

Standing Committee Reports and Recommendations

Council Committee Report from Meeting Held on April 11, 2019

Deputy Mayor Stewart, Chair, presented the report from the meeting held on April 11, 2019:

Archaeology Program for 2019

Moved by Deputy Mayor Stewart
Seconded by Councillor Masters

“That Council approves that the archaeological program for 2019 concentrate on testing for the MacElmon roundabout, the gunite water tower lot and any work required by Public Works as part of the decommissioning of STP 2.”

AND

“That Council approves that the Municipal Solicitor write a letter to Kelman Heritage if no progress is made regarding finalizing necessary reports within 30 days.”

Motion Amended

Moved by Councillor Masters
Seconded by Councillor Boutilier

“That the letter to Kelman Heritage be prepared ASAP.”

Motion Carried Unanimously.

The motion to amend having carried, the original motion was voted on and carried.

Community Engagement Strategy

Moved by Deputy Mayor Stewart
Seconded by Councillor Masters

“That Council adopts the Community Engagement Strategy as presented.”

Motion Carried Unanimously.

Mowing of Ditch – Highway 289, Brookfield

Moved by Deputy Mayor Stewart
Seconded by Councillor Cooper

“That Council approves that staff continue trimming the grassed ditches along the sidewalk on Highway 289 in Brookfield twice per year.”

Motion Carried Unanimously.

Shoulder of the Road Pilot Project

Moved by Deputy Mayor Stewart
Seconded by Councillor Taggart

“That Council approves that the Mayor write a letter to the Nova Scotia Department of Transportation and Infrastructure Renewal in support of the Colchester Five Islands ATV Club’s request to have a section of the highway in Five Islands included in the three year Off-Highway Vehicle Pilot Project.”

Motion Carried Unanimously.

Council Committee Report from Meeting Held on April 15 & 17, 2019

Deputy Mayor Stewart, Chair, presented the report from meeting held on April 15 & 17, 2019:

Recreation Services

Moved by Deputy Mayor Stewart
Seconded by Councillor Cooper

“That staff be directed to investigate a program for transporting groups from rural areas to various recreational activities and functions throughout the County; and,

That Council approves that a reserve be established for the municipally owned parks.”

Motion Carried Unanimously.

On the motion for transporting groups from rural areas to various recreational activities and functions throughout the County, concern was expressed on this being quite difficult and onerous to accomplish. The CAO indicated that staff will come back with details on what is currently being done, how it can be enhanced and will be seeking feedback and directive from Council.

Building Inspection

Moved by Deputy Mayor Stewart
Seconded by Councillor Gregory

“That staff be directed to review fee schedules for Building and Fire Inspections.”

Motion Carried Unanimously.

Policing

Moved by Deputy Mayor Stewart
Seconded by Councillor Gibbs

“That an invitation be extended to the Truro Police Service to make a presentation to Council on providing policing services to Colchester County; and,

AND

That Council approves writing a letter to the Department of Justice within 14 days requesting further details as it relates to staffing of the district offices inclusive of names and/or regimental numbers of all authorized positions as well as the status of each position; and,

AND

That based on the policing review of Cumberland County, Council give consideration to carrying out its own review for Colchester County.”

Motion Carried Unanimously.

Executive Committee – Minutes of Meetings Held on February 11, March 6, and April 11, 2019

Council agreed to receive the above noted minutes for information.

Planning Advisory Committee – Report from Meeting Held on April 1, 2019.

Councillor Taggart, Chair of the PAC, presented the report from meeting held on April 1, 2019. Council agreed to receive the report for information.

Nominating Committee Report from Meeting Held on March 25 & April 11, 2019

Moved by Councillor Boutilier
Seconded by Councillor Cavanaugh

“That Council approves that Jessica Colley be appointed to the Audit Committee for the balance of the 2016-20 term of Council, subject to Ms. Colley’s CMA Nova Scotia membership renewal.”

Motion Carried Unanimously.

Flood Advisory Committee – Minutes of Meeting Held on April 2, 2019

Brief discussion was held on status of payment from property owners and regulation of derelict vehicles.

Moved by Councillor Boutilier
Seconded by Councillor Cavanaugh

“That the minutes of the Flood Advisory Committee meeting of April 2, 2019 be received.”

Motion Carried Unanimously.

ACTION ITEMS

First Reading – Amendments to the Central Colchester Land Use By-law, Applicant: Phil & Brenda Leil

Paul Smith, Senior Planner, advised First Reading is essentially to announce Council’s intention to consider adopting amendments to the By-law. Council will have opportunity to hear about and debate the amendments at the Public Hearing/Second Reading.

Moved by Councillor Masters
Seconded by Councillor Taggart

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

Motion Carried Unanimously.

Annual Budget Review

At the April 17th Budget Meeting, Council agreed to reconsider the grant request from the Grace Jollymore Joyce Arts Centre (GJJAC) pending additional information being presented at this evening’s meeting.

Councillor Gregory provided a summary of the additional information including GJJAC being one of the partners of the Creamery Square Association; shared costs amongst the partners; current monies owing by GJJAC; annual operating costs for power and utilities; fundraising efforts; and the need for a full-time operations manager. A copy of the reported information was distributed for this evenings meeting.

Discussion was held regarding additional approved funding being used towards the hiring of a manager for the facility. Concern was expressed with how the GJJAC would pay for a full time manager and whether the Centre could be sustainable. Additionally, clarification was sought on whether this additional funding, if approved, would be for one year.

Moved by Councillor Gregory
Seconded by Councillor Masters

“That Council provide an additional \$10,000 to the Grace Jollymore Joyce Arts Centre.”

Motion Carried. *(Deputy Mayor Stewart and Councillor Boutilier opposed)*

Moved by Councillor Taggart
Seconded by Councillor Pash

“That the \$10,000 be used towards the manager position and that the funding be for one year.”

Motion Carried Unanimously.

Referring to the overall budget, clarification was sought on whether the budget line item for policing was reduced. The Director of Corporate Services advised that it has been reduced with the reduced funds being held in reserve.

Discussion relating to the budget included concerns of the one-half cent increase being much higher for District 7 due to an increase in the fire area rate, the school enhancement charge, and the increase in property valuations; with the operating surplus, the one-half cent should come from the reserve; CPI being 2.9%; closure of a large business affecting taxpayers; Colchester tax rates being one of the lowest in the province; approximate impact of \$5.00 per \$100 of assessment; and one-half cent equating to the increased budget approved for Economic Development, and given the closure of the business, there is need to focus on economic development to attract/keep jobs here. Additionally, concern was expressed about a number of grants being provided outside policy which impacted the budget.

Moved by Councillor Parker
Seconded by Councillor Masters

“That the 2019-20 Operating Budget be approved with the additions and deletions as set out at the Council Committee meetings held on April 8, 15, and 17, 2019, with the residential tax rate being increased \$0.005 (one half cent) at \$0.885, and the commercial tax rate being held at \$2.28; and,

That the following Tax Resolution be approved, as presented:

TAX RATE RESOLUTION

WHEREAS the Municipal Council of the County of Colchester is required to levy rates which it deems sufficient to raise the sum required to defray the expenditure of the Municipality of the County of Colchester for the current twelve-month fiscal period;

RESOLVED that pursuant to **Section 72 of the Municipal Government Act**, the Municipal Council of the Municipality of the County of Colchester estimates that sums amounting to **\$25,075,278** are required for the lawful purpose of the Municipality for the year ending **March 31, 2020**, after crediting the probable revenue from all sources other than rates for the abatement and losses which occur in the collection of the taxes for the said year which may not be collected or collectible;

FURTHER RESOLVED that the said Council authorize the levying and collection of a rate of **eighty-eight and one half cents (\$0.885)** on each \$100.00 of the assessed value of the residential and resource property assessed in the **2019** Assessment Roll;

FURTHER RESOLVED that the said Council authorize the levying and collection of a rate of **two dollars twenty-eight cents (\$2.28)** on each \$100.00 on the assessed value of Commercial Property assessed in the **2019** Assessment Roll;

FURTHER RESOLVED that pursuant to **Section 78 of the Municipal Government Act** in lieu of all rates and taxes of the Municipality, an owner of forest property to which the said section applies shall pay tax equal to twenty-five (25) cents per acre on holdings of 50,000 or less and forty (40) cents per acre on holdings greater than 50,000 acres and where an area, village or commission rate is levied for fire protection, the owner shall pay an additional tax of one (1) cent per acre;

FURTHER RESOLVED that the said Council hereby requires payment of said rates to be made to the Tax Collector or Treasurer of the said Municipality on or before the 31st day of August, **2019**;

FURTHER RESOLVED that said Council hereby imposes an additional percentage charge of 15% per annum on all rates and taxes remaining unpaid after the 31st day of August, 2019.”

Motion Carried. *(Deputy Mayor Stewart, Councillors Gregory, Gibbs, and Cooper opposed)*

Code of Conduct

Mayor Blair indicated that a Code of Conduct was discussed a year and half ago. At that time, it was decided that proceeding with a Code of Conduct would be held in abeyance until such time as the NSFM completed a model template. Given that a Code of Conduct is an MGA requirement, Mayor Blair requested that this be put back on the table for discussion.

Moved by Councillor Masters
Seconded by Councillor Gibbs

“That Code of Conduct be referred back to staff.”

Motion Carried Unanimously.

The CAO advised that NSFM Policy Advisor, Will Brooke, has developed a template which has been forwarded to the Department of Municipal Affairs. Staff will approach Mr. Brooke to request a copy of the model template and report back within 60 days.

Drain from Teakwood/ College Road

Councillor Parker raised the issue of drainage on Teakwood indicating there have been a lot of miscommunications and misinformation. It was understood that the work was to be done this year however, the Director of Public Works indicated it is the study that will be carried out this year. The issue continues to get worse and needs attention now. Ms. Newell,

Director of Public Works, indicated that the project is included in the capital budget and it not only includes the drainage issue on Teakwood but the overall area. If it is the wishes of Council, this work could potentially be done this summer depending on the scope of work.

Moved by Councillor Parker
Seconded by Councillor Boutilier

“That the drainage work on Teakwood be completed this year.”

Motion Carried Unanimously.

Ms. Newell indicated that the project will be reviewed and information on the smaller project versus the larger project will be brought back to Council.

Correspondence - ACTION

Deping Chian

A letter to Mayor Blair dated April 2, 2019 requesting that May 13th be proclaimed Falun Dafa Day.

Moved by Councillor Gregory
Seconded by Councillor Cavanaugh

“That the request to proclaim May 13th as Falun Dafa Day be received for information.”

Motion Carried Unanimously.

Blain Henshaw, Director of Nova Scotia Country Music Hall of Fame

A letter to Mayor Blair dated April 5, 2019 requesting the Municipality become a Gold or Silver sponsor of the Nova Scotia Country Music Hall of Fame.

Moved by Deputy Mayor Stewart
Seconded by Councillor Gregory

“That the request for the Municipality to become a Gold or Silver sponsor of the Nova Scotia Country Music Hall of Fame be received for information and a response be sent accordingly.”

Motion Carried Unanimously.

Autism Nova Scotia

A 2019 sponsorship package for the 10th Annual Walk the Walk for Autism Event.

Moved by Councillor Cooper
Seconded by Councillor Gregory

“That the 2019 sponsorship package for the 10th Annual Walk the Walk for Autism Event be received for information and a response be sent accordingly.”

Motion Carried Unanimously.

**Donna Lugar, NS
Representative Canadian
Lyme Disease Foundation**

A letter dated April 1, 2019 requesting that May be proclaimed Lyme Disease Awareness Month.

Moved by Councillor Cooper
Seconded by Councillor Boutilier

“That Council proclaim May as Lyme Disease Awareness Month.”

Motion Carried Unanimously.

Indigenous Services Canada

Referring to a letter received from Indigenous Services Canada, Councillor Taggart stressed the importance and urgency of receiving legal advice on the matter. The properties being referred to in the letter are prime development lands in Colchester County and this could have a potentially devastating financial impact for the County.

Discussion was held regarding similar issues in 2004 and again in 2007; economic development implications; ownership of referred lands; and Council’s overall concerns and lack of support for the request.

Moved by Councillor Taggart
Seconded by Councillor Cavanaugh

“That the letter from Indigenous Services Canada be referred immediately to the Municipal Solicitor, with a request that a full report with the intent of looking after the interest of Colchester County, be brought back to Council in two weeks.”

Motion Carried Unanimously.

**Correspondence -
INFORMATION**

Development Officer

A copy of the Development Activity report received from the Development Officer for the month of March 2019. 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 March 2019. Council agreed to receive the report for information purposes.

**Tatamagouche Fire
Department**

A copy of a letter from the Tatamagouche Fire Department about an increase in the fire area rate to \$0.095 per \$100 of assessment. Council agreed to receive the letter for information purposes.

INFORMATION ITEMS

**Request for Crosswalk,
Onslow**

A request for a crosswalk in Onslow on Highway 2/4 at the Tidal Bore Road was received at the February 28, 2019 Council meeting and was referred to staff for investigation. As Highway 2/4 is provincially owned and any sidewalk installation would require approval by the province, the

request for the crosswalk was forwarded to the local office of Nova Scotia Transportation and Infrastructure Renewal (NSTIR) for consideration. A response from NSTIR was received on April 5, 2019 indicating that the crosswalk was not warranted and will not be permitted at this location. A copy of the correspondence received from NSTIR was circulated with the package for tonight's meeting.

Nova Scotia Quality of Life Survey

This item relates to a Nova Scotia Quality of Life Initiative being led by Engage Nova Scotia, along with support of the Nova Scotia Community College, and a location leadership team. Staff noted that a Nova Scotia Quality of Life Survey will be mailed out to a number of households throughout the province as well as being available online and is encouraging Council members and citizens to take the time to complete the survey.

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 Gibbs

"That the meeting go into closed session at 10:20 pm."

Motion Carried Unanimously.

Moved by Councillor Gibbs
Seconded by Councillor Pash

"That the meeting reconvene in open session at 10:50 pm."

Motion Carried Unanimously.

Lafarge Proposal

Moved by Councillor Masters
Seconded by Councillor Pash

"That County Council not proceed with the proposal from Lafarge Ltd. as discussed in-camera and that staff communicate Council's decision accordingly."

Motion Carried Unanimously.

Department of Justice

Moved by Councillor Boutilier
Seconded by Councillor Taggart

"That Council authorizes the Mayor and CAO, in consultation with the Municipal Solicitor and Director of Corporate Services, to sign a letter of agreement relating to lease hold improvements on the 2nd Floor of the Municipal Building."

Motion Carried Unanimously.

ADJOURNMENT

Moved by Councillor Gregory

Seconded by Councillor Cavanaugh

“That the meeting adjourn at 10:56 pm.”

Motion Carried Unanimously.

Tracey Veno
Recording Secretary