

**COMMITTEE OF THE WHOLE MEETING**

**DECEMBER 1, 2008**

Location: Council Chambers, Municipal Office

Deputy Warden Johnson called the meeting to order at 7:00 p.m.

Items Added to the Agenda

Deputy Warden Johnson indicated that Councillor Marchand wished to add a tax exemption for the Louisdale Lions Club; and the CAO wished to add “In-Camera” discussions regarding the November 13<sup>th</sup> Council motion and Clifford’s report, as requested, on fireworks/Yacht Club and Christmas office closure.

Deputy Warden Johnson requested and received unanimous consent to add a short synopsis of Bill Clinton’s speech that she attended.

Councillor McNamara requested and received unanimous consent to add the workers program being offered by the Richmond County Literacy Network.

Moved by Councillor MacNeil, seconded by Councillor Boucher that the items added be accepted as presented. Motion carried (unanimous).

Review of Minutes: November 24, 2008

Moved by Councillor David, seconded by Councillor Boucher that the minutes of November 24, 2008 be adopted as presented. Motion carried.

Staff Reports:

(a) Municipal Engineer re:

(i) Curbside Solid Waste Collection Services 2009-2011

Mr. McLean indicated that his department had completed a comprehensive tendering process for a three year contract effective January 1, 2009 for solid waste curbside collection in three zones of Richmond, and indicated that the following bids were received:

<u>Zone</u>	<u>Contractor</u>	<u>Annual Price for Regular Collection</u>	<u>Estimated Annual Price for Heavy Collection</u>	<u>Total Estimated Annual Price</u>
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1 (Isle Madame)	Rene Levandier	\$66,400	\$30,000	\$96,400
	Michael C. Landry	\$81,360	\$26,000	\$107,360
2 (West of Canal)	Garry Burke	\$75,823	\$27,000	\$102,823
3 (East of Canal)	Tommy Bona	\$86,900	\$56,500	\$143,400

In response to questions, Mr. McLean noted the following:

- 1 ton cube vans are used in Zones 1 & 2;
- equipment used in Zone 3 is approximately 10 years old or older;
- shadow bids are based on new equipment, and are meant to give a sense of what the cost would be;
- the onus is on the contractors to have reliable equipment and backup equipment to ensure that waste is picked up;
- approximately 140 to 145 tonnes of heavy garbage was collected last year.

The following points were brought forth during discussion:

- Warden Boudreau noted that he will advise contractors that Municipal Council will review alternate methods, if bids continue to be high;
- Councillor McNamara noted the service was truly commendable in her area

Moved by Councillor McNamara, seconded by Councillor David that the Committee accept the recommendation of the Director of Public Works and recommend to Council that the following solid waste curbside collection contracts be awarded as follows:

<u>Zone</u>	<u>Contractor</u>	<u>Annual Price for Regular Collection</u>	<u>Estimated Annual Price for Heavy Collection</u>	<u>Total Estimated Annual Price</u>
1 (Isle Madame)	Rene Levandier	\$66,400	\$30,000	\$96,400
2 (West of Canal)	Garry Burke	\$75,823	\$27,000	\$102,823
3 (East of Canal)	Tommy Bona	\$86,900	\$56,500	\$143,400

(ii) Trucking of Solid Waste to Guysborough & Sydport by Richmond County Truckers Association

Mr. McLean indicated the following:

- The Public Works Department has been negotiating with the Richmond County Truckers Association (RCTA) with respect to their rates for hauling of municipal solid waste trailers to

Guysborough and Sydport;

- the rates have never been adjusted since they were initially negotiated;
- truckers are called upon to transport, unload and return the trailer, on an “as needed” basis;
- the current arrangement is mutually beneficial, and the RCTA members have the benefit of sharing the work across their membership;
- The RCTA expressed a desire to increase the fixed fees for hauling in view of increases in consumer price index, as well as increases in the average prices of fuel since the rates were originally negotiated;
- the approximate number of trailer loads per year to Guysborough and Sydport is 80 and 55 respectively;
- the total budget for 2008/09 for trucking costs to Guysborough and Sydport is \$30,000 and \$25,000 respectively for a total annual cost of \$55,000;

Moved by Councillor MacNeil, seconded by Councillor Beaton that the Committee accept the recommendation of the Director of Public Works and recommend to Council that the new rates proposed by the Richmond County Truckers Association be accepted; that being \$440 plus taxes per round trip to haul to Green Island Recycling, Sydport; and \$350.00 plus taxes per round trip to haul to 2<sup>nd</sup> Generation Landfill, Guysborough; with the rates being effective April 1, 2008. Motion carried.

(iii) Curbside Solid Waste Inspection re:

(1) Solid Waste By-Law Enforcement Activity

Mr. McLean indicated that work by municipal staff to enforce the requirements of the Solid Waste Management By-Law are ongoing, and provided some statistics on the work carried out during the past six months.

The following points were brought forth during discussion:

- there was concern that solid waste may not be disposed at a proper disposal location, after verbal warnings are given by By-Law Enforcement Officer;
- there are concerns regarding oil in motors, that may seep through the ground into well water;
- there should be a follow-up done regarding derelict vehicles, to ensure they are being disposed properly.

(2) Curbside Inspection

Mr. McLean briefed the Committee on work that has been carried out to date by the Backyard Composting/Recycling Assistant.

(iv) Richmond Water and Wastewater Systems Evaluation

Mr. McLean noted the following:

- the work by CBCL to conduct the Richmond Water and Wastewater Systems Evaluation Study is essentially complete;
- the core objectives of the study was to determine what upgrades to existing wastewater and water systems are required to keep pace with current and/or emerging regulations; and determine the capacity for and possible locations of extensions to existing wastewater and water systems to meet with anticipated growth and development in serviced areas;
- the study is intended to be an input to an overall strategy for deciding what water or wastewater projects should get support from the Municipality;
- arrangements are being made to have the Consultant provide a detailed presentation of the conclusions and recommendations of this report at the January 26, 2009 Committee of the Whole Meeting.

(b) CFO (Industrial Mall roof/water rate hearings/etc.)

(i) Industrial Mall Roof

Mr. MacDonald reported the following:

- more problems are being experienced with the roof at the Industrial Mall;
- the Municipality has expended significant sums of money over the past several years to stop the water from coming in, and he felt the only option left is to replace the roof, but unsure what problems would be encountered when replacing the roof;
- the building is 30 years old;
- the September 29, 2006 report from the consulting engineers indicated that the cost to replace the roof with a peak roof would be approximately \$113,000, and \$190,000 for all repairs;
- he has contacted the party that had expressed an interest in purchasing the Industrial Mall, but they are not willing to purchase the property at this time;
- The current tenants of the building are the Public Works Department (one bay); Mingh Luong who has two bays and the MLA, who is a tenant of the office portion;
- The MLA has sent in a letter of complaint today, regarding the air quality in the office portion of the building;
- The Department of Labour has recently issued an Order for a space at La Picasse, that is owned by the Municipality, and therefore our Occupational Health and Safety Committee will have to be advised of the complaint from the MLA (because we also own this space).

The CAO noted the following:

- the incubator mall concept came about when the Industrial Commission was in place, and the assets were turned over to the Municipality when the Industrial Commission was disbanded, and the Municipality decided to continue with a rent structure;
- he noted the Municipality tried to sell the building, but was unsuccessful; and the only two remaining options would be to carry out extensive repairs and adjust the rent structure to support that expense; or demolish the building;

The following points were brought forth in discussion:

- the building is 30 years old, and the mould problem should be investigated before spending money on a new roof;
- the industrial mall building has never been a great asset for the Municipality, and it was felt that the Municipality should not spend any more money on the building;
- comments circulating around the county from the last tenant were not good;
- it was felt that air quality testing take place prior to making a decision to demolish, because of public funds that were expended in the building;
- the Municipality should also have an environmental assessment carried out for oil contamination;
- it was felt that perhaps the Municipality could place an ad requesting if anyone is interested in taking over the building, prior to demolishing the building.

Moved by Councillor Martell, seconded by Councillor Boucher that staff be requested to provide a report that will provide additional information on the possibility of requiring an environmental evaluation prior to conveyance (and an estimate of costs), and additional information on the estimated costs of demolition/value of property, etc. Motion carried.

(ii) Utility and Review Board Hearings

Mr. MacDonald advised the Committee that the Chairman of the Nova Scotia Utility and Review Board held two hearings on October 29, 2008; with the purpose of the first hearing being the application of the Municipality for adjusted water rates and regulations. The second hearing was convened to consider a complaint from Brian Marchand regarding a meter size.

Both hearings have been adjourned, with further information to be provided, and a decision pending.

(iii) Borrowing Resolution, Grand River Volunteer Fire Department

Mr. MacDonald indicated a request had been received from the Grand River Volunteer Fire Department for a loan in the amount of \$18,000 to purchase equipment, in order to bring their equipment up to standard.

Moved by Councillor David, seconded by Councillor Boucher that the Committee accept the recommendation of the Chief Financial Officer and recommend to Council that a borrowing resolution in the amount of \$18,000 be approved for the Grand River Volunteer Fire Department. Motion carried.

(c) CAO/CFO (budget/financial statements, previously delivered as “hard copy”, capital budget)

(i) Budget/Financial Statements

The CAO noted the following:

- the Committee members had been previously provided with a copy of the budget for the current year, and a copy of all the financial statements for the year ending March 31, 2008 and he briefly

summarized the statements;

- Richmond has one of the lowest tax rates in the Province;
- most of our taxes come from our commercial tax base;
- approximately half of the budget is for education, RCMP costs, jails, assessors and solid waste;
- the Municipality had a surplus of \$19,000 last year;
- most Councillors in the last Council felt tax rates should increase;

The following questions were posed:

- Councillor Boucher questioned the interest in development of the Richmond/Port Hawkesbury Joint Park;
- Warden Boudreau requested an explanation regarding transfer to own funds, conditional transfers, general administration and other general administration, and the cost to the District Planning Commission (he noted there were no planners or inspectors in place for a significant time last year);
- Councillor David questioned how funds collected for water rates and sewer rates are disbursed, once collected;
- Councillor Martell questioned the dividend to owner item, and the budget for maintenance;
- Councillor Marchand questioned the fire protection owed by the hospital and the depreciation expense;

The CAO suggested that Councillors contact him or Mr. MacDonald, if they have any further questions regarding the budget or financial statements.

#### (ii) Capital Budget

The CAO noted the following:

- he indicated the Province requires that a capital budget be submitted annually, and a capital budget is required for the current year;
- he recommended that Council carry out a comprehensive plan for capital projects, in the winter/spring of 2009, with the CBCL report, ICSP work, etc., with this capital priority budget being for the year ending March 31, 2010.

The following points were brought forth during discussion:

- Councillor Martell noted that perhaps the Committee should wait until after the CBCL report is received, however the CFO noted that the reporting requirements for the gas tax funds need a capital budget in place;

Moved by Councillor Martell, seconded by Councillor Boucher that the Committee recommend to Council to establish the list of capital priorities, for the year ending March 31, 2009, as follows:

Priority #1	-	Evanston Sewage Treat Plant Upgrade	-	\$2,225,000
Priority #2	-	Arichat Sewage Pumping Station Upgrades	-	\$750,000

Motion carried.

(d) CAO/Warden re: Personnel Issue

Deputy Warden Johnson indicated this item will be discussed “In-Camera”

Referred from Previous Meeting: Area Advisory Committee Terms of Reference

Councillor McNamara suggested that the Area Advisory Committee Terms of Reference be referred back to the Planning Advisory Committee, in order for Mr. Bain to review the document with the new Committee members.

Moved by Councillor McNamara, seconded by Warden Boudreau that the Area Advisory Committee Terms of Reference be referred back to the Planning Advisory Committee, in order to have Mr. Bain review the document with the new Planning Advisory Committee Members. Motion carried.

Correspondence:

(a) Department of Transportation re: Surplus Properties (2)

Warden Boudreau declared a conflict of interest indicating that the adjoining property owner on the Arichat property is his cousin, and he left his seat during voting and discussion on this item.

Moved by Councillor Beaton, seconded by Councillor Sampson that the correspondence from the Department of Transportation and Infrastructure Renewal regarding the surplus land on Old Shore Road in Martinique and the surplus lands on Highway 320 in Arichat be tabled, in order to provide the Councillors for those districts an opportunity to approach community groups/property owners to determine if there is an interest in acquiring these lands. Motion carried.

(b) CAO re: Land Request

The CAO noted the following:

- the Municipality provided a conditional right-of-way in 1991 for forestry purposes, to Allison and Irene Lewis, that had a number of conditions, that called for termination of the right-of-way on breach of any of the conditions;
- the conditions included that the right-of-way must be maintained to the Department of Transportation Class “D” standards at all times, and that it would be only used for forestry purposes (the consideration was \$500);
- this type of request is not covered under our existing policy, a decision is required by Council, and the only authority is to convey the assets at fair market value, whereby an appraisal would be required;
- if Municipal Council decides to convey a general right-of-way, then it should include that is being conveyed for fair market value, with the provision that the grantees will pay the costs associated

with preparing the legal documents, including obtaining a description for the right-of-way.

Moved by Councillor Sampson that the Committee recommend to Council that a general right-of-way be conveyed to the heirs of Allison and Irene Lewis. Councillor Sampson withdrew his motion, to allow Warden Boudreau to speak.

Warden Boudreau indicated that the situation was ongoing since September, 2007, and the property owners had a potential sale for the property, with the option for sale ending at the end of December, 2008.

Moved by Councillor Sampson, seconded by Councillor MacNeil that the Committee recommend to Council that a general right-of-way be conveyed to the heirs of Allison and Irene Lewis, for fair market value, and further moved that the conveyance be conditional on the grantees paying the costs associated with preparing the legal documents, including obtaining a description for the right-of-way (if necessary). Motion carried.

(c) Knights of Columbus re: Request for Tax Exemption

Moved by Councillor David, seconded by Councillor Martell that the Committee recommend to Council that notice be given to amend By-Law #56, Tax Exemption By-Law, to include the parcel of land in St. Peter's owned by the Knights of Columbus, on which a monument was erected in memory of Lawrence Kavanaugh (Account # 9630147). Motion carried.

(d) Shannon Diggdon re: Grant Request

Moved by Councillor Boucher, seconded by Warden Boudreau that the Committee recommend to Council that the grant application from the River Bourgeois Community Services Society, for their Cenotaph Restoration Project, be approved in the amount of \$6,727.32, with funds to be taken from the Municipal District \$17,000 Fund for District #7. Motion carried.

(e) Petit De Grat Beautification Society re: Former Petit De Grat Post Office

Moved by Warden Boudreau, seconded by Councillor McNamara that the Committee recommend to Council that the vacated premises of the former Petit De Grat Post Office/Canada Post property be placed on the list of unsightly premises; and further moved that correspondence be sent to Canada Post advising them of Council's decision. Motion carried.

(f) Various re: Department of Labour Order, Branch Library

The CAO indicated he had provided the correspondence, for information purposes. He noted that he requested that the Department of Labour extend the time limit to carry out the air quality testing to January 9, 2009, because the company that carries out most of this work is extremely busy, and the work schedule will fall into the Christmas season.

(g) River Bourgeois Community Services Society re: Grant Request

For information purposes.

(h) Fourchu Development Association re: Surplus Lands

Moved by Warden Boudreau, seconded by Councillor MacNeil that the Committee recommend to Council that correspondence be sent to the Department of Transportation and Infrastructure Renewal advising them that Council is not interested because the Fourchu Development Association have indicated that they are not interested in acquiring the surplus lands on Fourchu Highway. Motion carried.

List of Cheques Issued: September and October, 2008

The CAO suggested that Councillors contact either himself or Stewart MacDonald at anytime, if they have any questions about any cheques that are listed.

Moved by Councillor Sampson, seconded by Councillor McNamara that the list of cheques issued for the month of September, 2008 (\$699,721.43) and October, 2008 (\$1,381,076.90) be accepted as presented. Motion carried.

Items Added to the Agenda

(1) Councillor Marchand re: Tax Exemption for Louisdale Lions Club

Moved by Councillor Marchand, seconded by Councillor Boucher that the Committee recommend to Council that notice be given to amend By-Law #56, Tax Exemption By-Law, to include the property of the Louisdale Lions Club (account #2168286). Motion carried.

(2) CAO re:

- (i) "In-Camera" discussions:
  - (a) The November 13<sup>th</sup> Council motion (request direction)
  - (b) Clifford's report, as requested, on fireworks/Yacht Club (information)

To be discussed "In-Camera".

- (ii) Christmas Office Closure/January 2nd

Moved by Councillor Sampson, seconded by Councillor Beaton that the CAO authorize the closure of the Municipal Office in Arichat from noon, December 24, 2008 to January 1, 2009 inclusive, with the office reopening for regular hours on January 2, 2009. Motion carried.

(3) Deputy Warden Johnson re: Report on Bill Clinton's Speech

Deputy Warden Johnson reported on Bill Clinton's speech she attended in Moncton.

(4) Councillor McNamara re: Richmond County Literacy Network Programs

Councillor McNamara briefed the Committee on two programs currently being sponsored by the Richmond County Literacy Network; with seats having to be filled within a week, and she urged Municipal Councillors to advise any individuals in their districts they may be aware of that require training or wished to return to school, and have them call the Literacy Office.

Fifteen Minute Question Period

Mr. Don Pottie thanked Municipal Council for supporting the application of the River Bourgeois Community Services Society for their Cenotaph Restoration Project.

Moved by Councillor Beaton, seconded by Councillor Sampson that the meeting move to “In-Camera” session at 9:10 p.m. Motion carried.

Deputy Warden Johnson reconvened the regular meeting at 10:10 p.m.

Moved by Councillor Sampson, seconded by Councillor Martell that the meeting be adjourned. Motion carried.

There being no further business, Deputy Warden Johnson adjourned the meeting at 10:10 p.m.