

# COUNCIL ADVISORY COMMITTEE

## November 24, 2008 – 5:30 p.m.

### PRESENT

Mayor David Corkum, Deputy Mayor Bernie Cooper, Councilor Mark Pearl, Councilor Bill Boyd, Councilor Nola Folker-Hill, Councilor Tony Bentley, Councilor Eric Bolland, CAO Keith Robicheau, Solicitor Peter Muttart, Town Clerk Carol Harnes.

Director Debra Crowell, Director Greg Kehoe, Director Bev Gentlemen, Director Mark Phillips

CAO Keith Robicheau reported that all Council members were present.

### NOTE

*“Points from Discussion” below show various comments made by individual councilors during debate. They do not necessarily represent the opinion of the group, nor do they always reflect accurate information.*

### PRESENTATION

#### **Torgny Vigerstad – Environmental Solutions**

Dr. Vigerstad pointed out the areas of contamination on the former Irving Property, noting that the bulk storage tanks have been leaking for a long time and that contamination has affected the soil and water throughout the area.

#### Points from Presentation

- The “Irving Oil Property” is Town-owned land that had been leased to Irving Oil.
- This company has a history of cleaning their property only to its borders and then expecting surrounding property owners to clean any leached product.
- Some of the best chemists in the Maritimes have confirmed (in this case) that the contamination on surrounding properties is “identical” to that contamination on the Irving property.
- The Town does not accept the methods proposed by Irving for clean-up, their questionable standards and their expectations of the Town in sharing this burden.
- The Engineers for the Town felt that if the soil was removed down to 8 feet, this should be acceptable in most cases, although some areas show the contamination has accumulated very deeply in the ground.
- A part of this oil has been detected under a small part of the newly constructed dyke and another area is under the road.

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- The Town does not own the contamination, as it was put on the property by Irving and is considered a “trespass”.
- The Town may wish to consider a number of options to remediate this property and then litigate to recover the costs from Irving Oil.

**IN CAMERA**

**Land Negotiation and Litigation - Irving Property**

As the discussion was proceeding towards litigation issues, it was moved by Councilor Mark Pearl and seconded by Deputy Mayor Bernie Cooper

**that the regular meeting of CAC adjourn to go In Camera at 5:55 p.m.**

**MOTION CARRIED**

**CAC MEETING  
RESUMES**

It was moved by Councilor Bill Boyd and seconded by Councilor Mark Pearl

**that the In Camera meeting adjourn and the regular meeting of CAC resumes at 6:40 p.m.**

**MOTION CARRIED**

**APPROVAL OF  
AGENDA**

It was moved by Councilor Nola Folker-Hill and seconded by Deputy Mayor Bernie Cooper

**that the Agenda be approved**  
*5(f) Crow’s Nest Golf Course*  
*5(g) Submission Time Lines*  
*7 (b) Council Meetings – May and November 2009*

**MOTION CARRIED**

**APPROVAL OF  
MINUTES**

It was moved by Councilor Nola Folker-Hill and seconded by Councilor Eric Bolland

**that the Minutes of October 27, 2008 be approved as circulated.**

**MOTION CARRIED**

**BUSINESS ARISING  
FROM MINUTES**

**(a) Balsor Subdivision – Status Report (verbal)**

Engineer Greg Kehoe reported that work is continuing on the construction of the water service to this subdivision, however, some unexpected delays are creating problems with some of the residents. He noted that although the Water Commission is working diligently to

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have the water turned on by December 24<sup>th</sup>, some of the fire hydrants and equipment is not ready.

He recommended that the transmission and water service lines be turned on and the fire fighting equipment be added later. Some further details must be worked out with the County and an Agreement must be developed to accept the system as it is. Under the circumstances, the signing of the Agreement has also been postponed.

*(Note: It was felt that this discussion should be brought forward at the Water Commission meeting so the County representative can report back to County Council about the delays.)*

**(b) Information content in “Points from Discussion”**

It was noted from previous minutes, that both sides of debate are not always equally reflected in the minutes and that some comments made by meeting participants are more speculative than accurate. As a result, this part of the minutes can be confusing to those trying to understand the rationale of the decision (motion) of Council.

A discussion took place regarding the elimination of the “Points from Discussion”, however, the general consensus was that this part of the record was important and should remain. It was agreed, however, that staff attempt to balance the points from discussion and that Council take care to ensure that the comments made are not misleading.

*(Note: It was felt that in each set of minutes, the “Points from Discussion” should indicate that these are comments by individuals only and not representative of the group, nor do the comments always reflect accurate information.)*

**(c) Site Selection – Kings Transit Authority (update)**

CAO Robicheau felt that this item should be discussed “In Camera” later in the evening.

**(d) Policy (Time Lines for Agenda Information)**

The impact that late reports and agenda items have on the effective decision-making process by Council members was again discussed. At a previous meeting, Town Clerk Carol Harmes agreed to contact other municipalities regarding their handling of late information and reported that she received feedback from 9 units. She gave a verbal report on some of these practices and agreed to have a draft policy for discussion at the next meeting of CAC.

**(e) Recommendation from CAC to Council – Procedure (tabled to November 15<sup>th</sup> strategy session)**

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Although this issue was intended to be part of the Strategy Session on November 15<sup>th</sup>, time did not allow for discussion.

It was therefore, moved by Councilor Nola Folker-Hill and seconded by Councilor Tony Bentley

**that the procedure for the presentation of CAC recommendations to Council be referred for further discussion at the next Strategy Session, with any changes proposed being made to the next Council Advisory Committee meeting.**

**MOTION CARRIED**

**(f) Crow's Nest Golf Course**

Councilor Nola Folker-Hill asked if the status of the sale of this property has changed, to which Director Gentleman answered that the sale is pending the approval of the rezoning of the property.

**FINANCE**

**(a) Projections**

Director Crowell noted that the Town is currently reporting a deficit of \$118,500. She added that overall, actual revenue is projected to be over budget \$11,000, however, expenditures are also projected over budget \$129,500. Also, she noted that the Town's operating fund is currently reporting a year-end deficit of \$118,500.

She reviewed each of the accounts and answered questions, following this, it was moved by Councilor Nola Folker-Hill and seconded by Deputy Mayor Bernie Cooper

**that the projections from the Director of Finance be received.**

**MOTION CARRIED**

Points from Discussion

- The \$800,000 identified as *Sales of Services* is not a guaranty every year, and loss of this revenue could create some financial hardships for the Town.
- Some small savings will be seen with lower gas prices.

**NEW BUSINESS**

**(a) Covington Request**

A letter from Robert Woodworth asked that the Town consider sale of a small strip of land identified as lot PID 55442149. As this item involved land negotiations, it was also moved to the In Camera agenda for later in the evening.

**(b) Council Meetings – May and November 2009**

Councilor Bill Boyd noted that the May Council meeting conflicts

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with the UNSM spring workshop and that the November 11<sup>th</sup> Council meeting is on Remembrance Day. As dates for Council meetings are confirmed early in the new year, he suggested that these be rescheduled as soon as possible

Therefore, it was moved Councilor Bill Boyd and seconded by Deputy Mayor Bernie Cooper

***Recommendation to Council***

**that a recommendation be made to Town Council that the May 13<sup>th</sup> Council meeting be postponed until May 20<sup>th</sup> and that the November 11<sup>th</sup> meeting be postponed to November 18.**

**MOTION CARRIED**

**CORRESPONDENCE** none

**ADJOURNMENT**

It was moved by Councilor Nola Folker-Hill and seconded by Councilor Bill Boyd

**that the meeting adjourn to go in camera at 7:35 p.m.**

**MOTION CARRIED**

**IN CAMERA**

Land Negotiations

- Covington Properties
- KCA (New School)
- KTA Sites
- Family & Children's Services Land – Lions' Club

**CAC MEETING RESUMES**

It was moved by Councilor Bill Boyd and seconded by Councilor Nola Folker-Hill

**that the In Camera meeting adjourn at 9:45 p.m. and the CAC meeting resumes**

**MOTION CARRIED**

**ADJOURNMENT**

There being no further business to discuss, the Council Advisory Committee meeting adjourned at 9:45 p.m.