

APPROVED – NOVEMBER 26, 2007

COUNCIL ADVISORY COMMITTEE

October 29th, 2007 – 5:30 p.m.

PRESENT

Mayor David Corkum, Deputy Mayor Larry Honey, Councilor Dennis Kehoe, Councilor Nola Folker-Hill, Councilor Bernie Cooper, Councilor Mark Pearl, Councilor Eric Bolland, CAO Bill Boyd, Solicitor Peter Muttart, Town Clerk Carol Harnes.

Director Debra Crowell, Director Hal Henderson, Director Bev Gentlemen, Consulting Engineer Doug Seamone, Police Chief Mark Mander

CAO Bill Boyd reported that all Council members were present.

PRESENTATION

(a) Colleen O’Flaherty – People Worx – Employer of Choice Program

This presentation involved a pilot program called Employer of Choice. Ms. O’Flaherty explained that this is a Pilot Initiative which dealt with attracting and retaining employees. She added that the labour shortfall will be 1 million people by 2020 and this is as a result of several factors, outward migration, a diverse work force, and reduced population. She added that there is a lack of basic skills and the need for training in soft skills, with diversity in mind, as each of the age-related segments in the workforce, minority groups and immigrants require different training and motivation.

This program focuses on dispelling myths about certain fields of employment and tries to connect employers with employees. 10 companies are being solicited to participate in an Employer of Choice campaign. This project is used in Europe and about 20 companies are using this model. Some are known as Investors in People (IIP). A similar program is active in Manitoba. An information package was distributed and the Town was urged to become an Employer of Choice.

She added that Phase 1 – research has been completed and now this information is being shared with companies and municipalities. Phase 2 will involve 10 companies which will go through the process and become Employers of Choice. Applications are being received to qualify for an Employer of Choice and further, funding is required to continue with this program. Proportionately, Kentville is being requested to pay \$600.

APPROVAL OF

It was moved by Councilor Mark Pearl and seconded by Councilor

APPROVED – NOVEMBER 26, 2007

AGENDA

Nola Folker-Hill

**that the Agenda be approved with the addition of
7(j) People Worx
8 (b) Scott Brison
8 (c) Ian Maxwell – October 5th**

MOTION CARRIED

**APPROVAL OF
MINUTES**

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

**that the Minutes of September 24th, 2007 be approved as
circulated.**

MOTION CARRIED

**BUSINESS ARISING
FROM MINUTES**

(a) Sewer Bylaw

Director Henderson stated that First Reading of this bylaw was held on April 11th and on May 9th, it was agreed that more time would be allowed before Second Reading. Since then, a report from consultant, Richard C. Landine, was received, which dealt with the loading and capacity of the regional treatment plant in New Minas. Apple Valley Foods, Sarsfield Foods and Eastern Protein Foods were the industries most affected by the updated requirements of the proposed Sewer Bylaw. Fat, oil and grease were the main effluent which created problems and necessitated upgrades to the regional sewer system. The Town of Kentville's BOD load has increased significantly over the last few years.

It had been identified in the 1980s that effluent from the industrial park and the Research Station should not exceed the strength of domestic sewer. These companies far exceed those levels and therefore, the 3 companies from the Industrial Park contribute over 22% of the town loading and some spills further exceed that capacity. Unless a biological treatment plant is built in the Industrial Park, these industries will be unable to meet the proposed limits.

The report from Hiltz and Seamone (in response to the report from Richard C. Landine) and it was suggested that DAF treatment system could reduce the effluent substantially. Pretreatment is necessary

Therefore, were 2 options for consideration at this time:

- (1) Proceed with 2nd Reading of the Sewer Bylaw and insist that these 3 industries conform to the domestic levels.
- (2) Legislate a bylaw that would allow pretreatment that can be met by the industries and would not affect the Town's capacity.

APPROVED – NOVEMBER 26, 2007

Director Henderson felt that Option 2 might be the best course of action, however, an aeration chamber, somewhere along the transmission system to reduce the Town's load on the Regional Treatment Plant; however, the location of this aeration system would require further testing.

This would mean that the 3 industries would install flow meters, composite samplers and would be responsible for the maintenance and testing. Statistics were presented on the suggested allowable limits. the anticipated reductions

Mr. Henderson suggested that the Town proceed with the Sewer Bylaw, with the schedules to be changed without having to amend the bylaw. Reasonable limits will have to be set for Eastern Protein, Sarsfield and Apple Valley in order that they can comply and remain in business, whereas, any new company will have to adhere to the higher standards.

In New Minas both the ACA plant and Hostess/Frito Lay have similar problems, although their treatment processes are different.

It was agreed that a further meeting be arranged to find a compromise between what the Town is advocating in the Sewer Bylaw and what the industries are proposing, as an alternative.

(Note: It was hoped that this could be discussed at the following meeting of CAC, if possible.)

(b) Swimming Pool Bylaw

Last month at CAC, it was noted that the currently existing bylaw, Chapter 38, Swimming Pool Bylaw, as approved by Council in 1979, may not be up-to-date and relevant. Therefore, a draft bylaw (Chapter # 75) was created following research with other municipalities, and this proposed bylaw was then forwarded to the Planning Department and the Town's solicitor for comments.

Some feedback from council suggested a few small changes would allow for further clarification.

Although, it was moved by Deputy Mayor Honey Councilor to change the definition of a Swimming Pool as having a depth of 18 inches instead of 24 inches, the amendment was not seconded.

Following further discussion, it was moved by Councilor Dennis Kehoe and seconded by Councilor Eric Bolland

APPROVED – NOVEMBER 26, 2007

***Recommendation to
Council***

**that a recommendation be made to Town Council that
First Reading be given to Chapter 75 – Swimming Pool
Bylaw.**

MOTION CARRIED

**(c) Lot – Gladys Porter Drive (legal opinion prior to
appraisal)**

At the last meeting of CAC, it was felt that a legal opinion should be given, as to whether or not limitations had been placed on this property when it had been given to the Town for parkland.

Solicitor Muttart reported that the Kentville Memorial Park Association obtained the park property in 1921 and a portion of this was gifted to the Kentville Hospital Association. This included all of the land from the road up (including this triangular piece now identified as surplus). This land belonging at one time to the BFM Hospital has been returned to the Town, and it appears that the land is not encumbered in any way.

(d) Acker Education Credit

It was noted that at a recent meeting of Council, that the recommendation from CAC was invalid, as it related to the provision of a credit for \$1,174.46 to Landmark East on behalf of Mr. Acker's daughter. However, it was later learned that the child was not enrolled in Landmark East, but at Kings Edgehill. Verification of this new information was sought from the Acker family, and a confidential comprehensive report on their daughter's educational needs was provided.

Points from Discussion

- Many avenues exist regarding financial assistance to students needing special educational requirements. Some of these grants exceed \$6,000.
- Perhaps Mr. Acker could be asked if other options have been explored.
- As this medical information has been sent to Council to be dealt with during a public meeting, the report is now a public document.
- As this child has not attended KCA, then the Town has not paid funds towards her educational costs. Therefore, these funds should be sent to Landmark East or Kings Edgehill, or whatever school could provide the education.
- The Town is mandated to collect the money for the

APPROVED – NOVEMBER 26, 2007

- Department of Education and the Town is not in the business of education.
- The Town does not pay funds for this student at the present time.
 - These funds are for a special needs child, whose parents have gone through the process of providing private information to Council so that their request for financial support could be supported. This will not cost the Town anything.
 - This funding could potentially continue until the student has finished her education.
 - The interpretation of this medical report may not be based on knowledge, as Council is not trained in this type of expertise.
 - The Town should create a policy on how these situations are handled, as there may be many other students eligible, and the Town must be consistent.
 - Eligibility should be based on special needs, and Council, as laypersons are not able to interpret such reports.
 - As payment is based on enrollment figures, the Town is in a unique position to be flexible with this type of request.
 - “Special Needs” can be identified as different things for different people. (i.e. some child may want to attend the Royal Military College)

It was moved by Councilor Dennis Kehoe and seconded by Councilor Eric Bolland

that, due to the fact that the special needs of this child are not being met in the public school system, that the Town provides a credit of \$1,174.46 to David Acker for registration costs for his daughter to attend Kings Edgehill.

MOTION DEFEATED

(Note: There will not be a recommendation to Council to either defeat or approve this request)

(e) Democracy 250

This initiative celebrates 250 years of representative government in Nova Scotia and democracy in Canada. The Town of Kentville is being asked to plan an event in 2008, relating to this occasion. The initiative is dedicated to bringing national and provincial recognition to Nova Scotia having been the birthplace of representative government in Canada, with the first sitting of a democratically elected legislature in Canada, being October 2, 1758. As part of the information presented, Bill No. 199 received Royal Assent on April

APPROVED – NOVEMBER 26, 2007

13, 2007 is an act that celebrates the 250th anniversary of democracy in NS and copies of press releases and other information in support of this project.

Points from Discussion

- Municipalities are not as democratically represented as the province
- There are no funds to create events.
- A letter of support for the project may be in order.

It was moved by Councilor Mark Pearl and seconded by Deputy Mayor Larry Honey

that the letter be received.

MOTION CARRIED

FINANCE

(a) Projections

Director Crowell stated that the projections to the year ended March 31, 2008, indicate that the Town could realize a deficit of \$7,800. She elaborated on various aspects of the Town's Operating Fund, pointing out that the overall actual revenue was under budget by \$8,800, while expenditures may be under-budget by \$1,000.

She reviewed various aspects of this report, pointing out that a \$5,000 increase in tax is anticipated this year and a windfall of \$4600 from the province in support of the EMO project – White Juan.

It was moved by Councilor Dennis Kehoe and seconded by Councilor Bernie Cooper

that the report by the Director of Finance regarding projections be received.

MOTION CARRIED

(b) External Audit Services

Director Crowell reported that the term for external audit services expires on March 31, 2007 and written invitations to submit proposals for the next three years were forwarded to eligible firms, who are registered with SNSMR. A response was received from Grant Thornton LLP and from Kent and Duffett, and these were opened publicly on October 3, 2007.

Director Crowell recommended the appointment of the incumbent, based on their qualifications and auditing experience, their audit staff resources, staff continuity, the audit approach, knowledge of PSAS, their ability to conduct the audit in a computer environment and their

APPROVED – NOVEMBER 26, 2007

fees.

Therefore, it was moved by Deputy Mayor Larry Honey and seconded by Councilor Bernie Cooper

Recommendation to Council

that a recommendation be made to Town Council that Grant Thornton LLP be retained for external auditing services for the year ended March 31, 2008 for the fee of \$14,900, plus HST and further, that they be retained for the external auditing services for the fiscal years ended March 31, 2009 and March 31, 2010, for the fees of \$15,900 and \$16,900 respectively, plus HST, contingent on Council's satisfaction with performance and fees (among other things.)

MOTION CARRIED

Points from Discussion

- Draft Financial Statements will be available 2 weeks prior to the Audit Committee Meeting to allow better preparation.
- No explanation was given from Kent and Duffett as to why they were not interested in tendering.
- The audit fees have increased and these represent both the Town and Water Commission.
- The first year involved extra work as a result PSAB conversion, following which the next year was a regular year.
- The firm is a professional firm and their fees have increased.

NEW BUSINESS

(a) Recommendation Re: Subdivision Bylaw Amendments

Director Gentleman reiterated that a report for the Planning Advisory Committee was prepared by Director Henderson, in which he recommended several amendments to the current Subdivision Bylaws and Regulations. Changes in the type of material and products available for construction and Public Works require additions and alternative products to suit the acceptable practice being carried out. He felt that for continuity and consistency in the document, that those amendments proposed should be considered at this time.

Therefore, it was moved by Councilor Dennis Kehoe and seconded by Councilor Mark Pearl

Recommendation to Council

that a recommendation be made to Council to give First Reading, and notice of intent, to amend the provisions of the Municipal Service Standards and Specifications of the Subdivision Bylaw, on November 14, 2007, and further that a Public Hearing be scheduled for December 12th, 2007 at 7:00 p.m.

APPROVED – NOVEMBER 26, 2007

MOTION CARRIED

Director Gentleman added that various road classifications were also addressed at a recent meeting of Planning Advisory Committee, and the issue of sidewalk construction on arterial roads was noted. Acadia Drive has been identified as an arterial road, and in accordance with the present Subdivision Bylaw, a sidewalk should be installed on one side of the street.

Points from Discussion

- The road was left wide enough to accommodate a sidewalk in the future, when Acadia Drive becomes an arterial road to the cross-town collector road.
- Some day Acadia Drive will be a very busy street and at that point in time, sidewalks will have to be installed.
- At this point in time, the street is wide enough for pedestrians to walk safely.
- To install a sidewalk on the presently existing Acadia Drive, some problems would be made for existing homeowners.
- Installation of sidewalks should have been the responsibility of the developer and this had not been done at the time of development.
- It would be unfair to charge a betterment charge to homeowners and this should be removed from the report.
- The extended development would affect only 2 or 3 houses and would be very expensive.
- The new sidewalk would start and stop in the middle of Acadia Drive, serving no apparent purpose at this point in time.

It was moved by Councilor Nola Folker-Hill and seconded by Councilor Dennis Kehoe.

Recommendation to Council

that a recommendation be made to Town Council that First Reading, and the notice of intent to amend, be given on November 14, 2007 to amendments to provisions of the Municipal Service Standards and Specifications of the Subdivision Bylaw, and that a Public Hearing be set for December 12, 2007 at 7:00 p.m.

MOTION CARRIED

(b) Recommendation Re: Carbon Off-Setting Credit

A report from the Chairman of the Environmental Advisory Committee, Councilor Eric Bolland, outline the concept of purchasing

APPROVED – NOVEMBER 26, 2007

carbon off-setting credits, when council and staff members travel by air on town business. A calculator could be used to tabulate the amount of carbon generated and the cost to off-set this use would be used to plant trees, which in turn would help balance the air quality.

Therefore, it was moved by Councilor Eric Bolland and seconded by Councilor Dennis Kehoe

***Recommendation to
Council***

**that a recommendation be made to Council that a policy be created to ensure that each time the Mayor or a member of Town Council or Town Staff travel by air (as part of their Town duties) that the Town purchase carbon neutral credits through Zerofootprint or a similar provider, to help fight climate change, deforestation, biodiversity loss and watershed degradation,
and further,
that if possible, another means of transportation be arranged.**

MOTION CARRIED

Points from Discussion

- It might be a better idea to develop a policy, which would commit the town to contributing to a fund which would be orchestrated for Kentville's tree planting use.
- Kentville lies below a very busy flight path and the impact of this, affect our area.
- Climate change is a global issue and this project is to be part of a global solution.
- Trees should be planted in Nova Scotia and our communities must ensure that they are sustainable.
- Although this represents only a small amount of money each year, it does mean that Kentville tax dollars are being sent to other parts of the country.

(c) Kings Partnership Steering Committee

CAO Boyd brought Council up to date on some of the priorities undertaken by KPSC. Some information has been ongoing regarding the Fire Study through Councilor Kehoe and the Recreation Study is under going its final draft, which will be brought to the KPSC very soon.

Along with these two studies, the County is insisting that the educational costs be reviewed, particularly as Kentville is the only municipal unit in the province that pays educational costs on the students attending school and not on the uniform assessment formula.

APPROVED – NOVEMBER 26, 2007

With this approach, some members of KPSC felt that every formula (Kings Transit, Valley Waste, etc.) should be brought to the table for review. That would be a mammoth task and resembles Fair and Equitable Funding.

Mayor Corkum asked that the county representatives at the last meeting try to convince their councils that this may be very detrimental to the KPSC as an organization and further, it could cost the units unforeseen dollars.

(d) Citizen Appointments

A report from the Town Clerk outlined the procedure undertaken in recruiting applicants for those vacancies on the various committees, commissions and boards for the Town of Kentville. Council reviewed this report and made a recommendation.

Therefore, it was moved by Deputy Mayor Larry Honey and seconded by Councilor Dennis Kehoe

*Recommendation to
Council*

that a recommendation be made to Town Council that, subject to the approval of the applicants, the following vacancies be filled as follows:

Parks and Recreation Advisory Committee (1 position) – appoint Fred Cumby

Kentville Water Commission (1 position) – to seek an applicant

Kentville Board of Police Commissioners (2 positions) – appoint Rob Suffron and seek another applicant

MOTION CARRIED

(Note: It might be a good idea to approach existing organizations and groups for recruits)

(f) Council Appointments

As appointments of Council members to the various committees, commissions, boards and agencies for the Town, are also made during the fall of each year, members of CAC reviewed the present committee structure. The Mayor stated that he was very pleased with the present appointments and chair people and suggested that the committees remain as they are again this year. It was noted, however, that additional appointees (as alternates) should be made to some of the agency appointments.

Therefore, it was moved by Councilor Kehoe and seconded by

APPROVED – NOVEMBER 26, 2007

Councilor Eric Bolland

***Recommendation to
Council***

that a recommendation be made to Town Council that the presently serving council members serving on the committees, commissions, boards and agencies, remain, however, that the following individuals be added as alternates as indicated below:

Annapolis Valley Regional Library – Councilor Bernie Cooper (alternate)

Kings Community Economic Development – Councilor Nola Folker-Hill (alternate)

Kings Transit Authority - Councilor Bernie Cooper (alternate)

Kings Regional Sewer Committee – Councilor Mark Pearl (alternate)

Parking Committee – Councilor Larry Honey (alternate)

MOTION CARRIED

(g) Deputy Mayor Appointment

It was further noted that the appointment of the Deputy Mayor is an annual appointment and should also be made at this time. Therefore, nominations were called from the floor.

Councilor Dennis Kehoe nominated Deputy Mayor Larry Honey, who agreed to let his name stand.

Councilor Eric Bolland nominated Councilor Mark Pearl, who agreed to let his name stand

Councilor Bernie Cooper nominated Councilor Nola Folker-Hill, who agreed to let her name stand.

An election by secret ballot was held, following which, Councilor Mark Pearl was declared the winner.

Therefore, it was moved by Councilor Eric Bolland and seconded by Councilor Bernie Cooper

***Recommendation to
Council***

that a recommendation be made to Council that Councilor Mark Pearl be appointed as the Deputy Mayor for the upcoming year, and that the ballots be destroyed.

MOTION CARRIED

(h) Strategy Session

CAO Boyd stated that an in-house strategy session is needed and he suggested that Friday night, November 30 and Saturday morning,

APPROVED – NOVEMBER 26, 2007

December 1st as being possible dates. He added that any agenda items should be sent to the administrative office.

(h) Conflict of Interest

CAO Boyd introduced this Act which has come to the Town through UNSM and wished to have some council input as feedback was required right away.

Points from Discussion

- Clarification has been needed on the issue of Conflict of Interest and this document provides that guidance.
- These are only recommendations for changes in the legislation.
- The definition for conflict will be expanded beyond pecuniary interest, and this may make the process more confusing and limiting.
- Individuals have to accept the responsibility of declaring such a conflict and each should be aware of the embarrassment they would bring to themselves and Council, should they neglect that responsibility.
- If there is doubt on whether or not there is a conflict, then the individual who is in doubt, would not be able to take part until an expert opinion is given on the matter.

It was moved by Councilor Dennis Kehoe and seconded by Councilor Nola Folker-Hill

***Recommendation to
Council***

that a recommendation be made to Council that those amendments proposed to the Municipal Conflict of Interest Act be recommended, with the addition that the Town's Solicitor be able to determine if a conflict of interest exists.

MOTION CARRIED

(i) Geo-caching

Councilor Nola Folker-Hill reported that she received a letter regarding the use of a town-owned park for geo-caching and expressed concern that this activity was taking place late at night and was in the backyard of some residents of Bonavista Estates. Security for the neighbourhood was questioned, as this geo-caching event was posted on the internet, and some participants were actually in the park at 2:00 a.m. with flashlights. The solicitor should be asked if this is an appropriate use of this parkland and his opinion should be sent to the Parks and Recreation Advisory Committee.

Points from Discussion

- If the parks are closed at 10 p.m. this would eliminate

APPROVED – NOVEMBER 26, 2007

that type of activity.

- Some individuals use the parks after 10 p.m. for walking dogs, snow-shoeing, and other activities.
- Geo-caching might be a good use of our parks, although some limitations near residential areas must be enforced.
- The park at Bonavista has been designed for the use of the residents, not for individuals from other places.

(j) Employer of Choice

A presentation held earlier in the evening discussed the impact that existing and future labour shortages will have on all communities. The Pilot project being promoted as a tool to help deal with the labour issue, requires funding from all municipal units in order to continue with future phases of its work plan, and has request \$600 from the Town of Kentville.

Points from Discussion

- If the cheque is written to Kings CED, then the Town should support the project
- The Town is in a deficit position at this point.
- These are unbudgeted funds.
- The direct measurable benefit to citizens is questionable.
- Some answers may be in the handout booklets.
- Kings CED does not have this item in their budget.

It was moved by Deputy Mayor Larry Honey and seconded by Councilor Eric Bolland

that a recommendation be made to Council to support the People Worx – Employer of Choice project for \$600 and that the cheque be payable to Kings Community Economic Development Agency.

MOTION DEFEATED

CORRESPONDENCE

(a) Alice Goodwin – SPCA

CAO Boyd reported that the new SPCA has opened in Waterville and this organization is requesting financial support from the municipal units. Ms. Goodwin stated that the County of Kings has made a contribution and hoped that the Town would do so, as well.

Therefore, it was moved by Councilor Bernie Cooper and seconded by Councilor Nola Folker-Hill

Recommendation to Council

that a recommendation be made to Council to make a donation of \$300 to the SPCA and to consider this again

APPROVED – NOVEMBER 26, 2007

during next year's budget deliberations.

MOTION CARRIED

Points from Discussion

- Council should not take tax money and respond financially on their behalf.
- The SPCA does provide service to the Town, as they assist with feral cats and dogs picked up by the animal control officer.

(b) Scott Brison

CAO Boyd reported that the Town was copied a letter from Scott Brison to Dr. Kevin Ogilvie who is a member of the Independent Panel of Experts appointed by the President of the Treasury Board. It appears that this committee is mandated to identify five labs from across Canada which could be transferred to an academic institution or to the private sector. Mr. Brison is urging this committee to involve all stakeholders in public meetings, should the Kentville Research Centre be considered for transfer.

It was moved by Councilor Dennis Kehoe and seconded by Councilor Bernie Cooper

***Recommendation to
Council***

that a recommendation be made to Council that a letter be sent to Scott Brison, thanking him for the update on this matter.

MOTION CARRIED

(c) Ian Maxwell

A letter sent to Council from Mr. Maxwell identified a number of issues for which he has been unfairly treated. He has asked Council to examine the inconsistent treatment of developers during the construction of their subdivisions.

It was moved by Deputy Mayor Larry Honey and seconded by Councilor Eric Bolland

that this letter be received.

MOTION CARRIED

ADJOURNMENT

The meeting adjourned at 9:35 p.m.

APPROVED – NOVEMBER 26, 2007
