

# COUNCIL ADVISORY COMMITTEE

## September 24<sup>th</sup>, 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 Harmes.

Director Debra Crowell, Director Bev Gentleman and Police Chief Mark Mander.

CAO Bill Boyd reported that all Council members were present.

### PRESENTATION

#### (a) **Jim Morton – District Manager – Addiction Services AVH and Carolyn Davison – Re: Methadone**

This presentation to Council was based on Methadone Maintenance Treatment Programs, the procedure involved and the impact on a community. Mr. Morton and Mrs. Davison made the following points:

- Methadone was developed during WWII as a substitute for morphine.
- Methadone is a drug that is prescribed for drug substitution and for the treatment of pain.
- Long term use can cause addiction and over-dosing is very dangerous.
- Illicit drug use costs the province \$212 m per year.
- Both the number of physicians writing prescriptions for this drug and the number of patients taking it have increased substantially. (30% - 48% since 2005)
- The treatment program has many aspects (i.e. medical care, counseling, support service groups, etc.)
- There are 3 treatment programs (Capital Health, Direction 180 in Halifax and in Cape Breton). Prescriptions are available at drug stores throughout the province.
- A physician is available in Wolfville who dispenses prescriptions.
- Physician Guidelines for prescribing methadone do not exist in this province at this time.
- Concerns for over-prescription or inappropriate prescription of methadone can be directed to the College of Physicians (attention: Prescription Monitoring Program)
- Doses are financially supplied through Social Assistance, a Health Care program, or personally. They are made available in very short supply or consumed on site at the drug store.

APPROVED – OCTOBER 29, 2007

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- Drug use and related crime should be reduced with the availability of a treatment program, as it is meant to legally substitute for opioids.
- Patients will travel to a community to fill their prescription, but most often they do not move permanently.
- Alcohol and cannabis is more widely used and causes more harm in a community.

**(b) Tools for Life Conference – Age Friendly Cities and Communities (October 26<sup>th</sup> – Horton High School)**

*(Note: This meeting was rescheduled for October 10<sup>th</sup> at 7:00 p.m.)*

**APPROVAL OF AGENDA**

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

**that the Agenda be approved with the addition of:  
10. In Camera – Land Negotiations**

**MOTION CARRIED**

**APPROVAL OF MINUTES**

It was moved by Deputy Mayor Larry Honey and seconded by Councilor Bernie Cooper

**that the Minutes of August 27, 2007 be approved as circulated.**

**MOTION CARRIED**

**BUSINESS ARISING FROM MINUTES**

**(a) Sewer Bylaw**

Some months ago, Director Hal Henderson was asked to consider amendments to the proposed Sewer Bylaw, following its First Reading and a Public Meeting to hear concerns. He has proposed some changes which refer to concentration loads, surcharges and implementation. As some of the users of the system who would be most affected, have hired a consulting firm to deal with some of these issues, the implementation process for this bylaw is being held up at the present time.

Points from Discussion

- Those 3 industries identified, wish to present some information to Council regarding amendments to the bylaw and this might be available at the October meeting of CAC.
- The Town of Kentville's draft bylaw is being used as a model.
- Consistency between the various bylaws is important and therefore, additional time may be required.
- The County is in the position to move forward with the First Reading of their bylaw very soon.

APPROVED – OCTOBER 29, 2007

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- The county also has other systems outside of the regional system.

**(b) Swimming Pool Bylaw**

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. CAO Boyd stated that this is presently being reviewed and a report and draft bylaw will be made available in the future.

**(c) Heritage Policy**

At a previous meeting of Council, a discussion took place regarding a Policy Statement CP-12 in Chapter 1, Section 3 – Heritage Preservation of the Municipal Planning Strategy. This policy states that *“IT SHALL BE THE INTENTION OF TOWN COUNCIL to establish a program of identification of heritage properties. The Planning Department, in conjunction with the Kings Historical Society, and other heritage groups shall identify properties which have significance to the Town’s heritage.”*

Director Gentleman has been asked to conduct some research with other municipalities on policies or bylaws which might be in effect, and with Kings Historical Society to determine what designations may have been made in Kentville. Although she was able to establish that a number of dwellings were over 100 years old, she felt that the Town must establish some specific criteria to identify a site or property as having historical and heritage value. However, as a first step, it was agreed that potential properties should be catalogued.

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

***Recommendation to  
Town Council***

**that a recommendation be made to Council that the Town supports the identification of heritage properties which are significant to the Town.**

**MOTION CARRIED**

Points from Discussion

- Some Heritage Advisory Committees are being formed with volunteers.
- From information gathered, a bylaw could be written.
- A municipal council can designate properties as heritage (based on specific criteria). The information would be registered at the Registry of Deeds, however, there would be little financial incentive to the homeowner to do this.
- In any bylaw or policy, Council must decide if identification of a heritage property will be voluntary or mandatory to the property owner.

APPROVED – OCTOBER 29, 2007

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- A designated heritage property can be de-registered, as well.
- Under a municipal heritage bylaw, renovations to such a property would need to be approved by Town Council.

**(d) KCA School**

**(i) Update on Enhancements**

CAO Boyd stated that the location of the school must be determined prior to deciding which enhancements might be required.

**(ii) Update of Site Selection**

The School Board will make an official announcement on October 4<sup>th</sup> and the three locations selected by the committee will be made public. The ultimate decision will be that of the Department of Education

However, in a subsequent discussion, it was noted that a committee will be struck by the Annapolis Valley Regional School Board, for the purpose of identifying possible future uses for the presently existing Kings County Academy, and further, that two members should be appointed to represent the Town on this committee.

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

***Recommendation to  
Town Council***

**that Councilor Nola Folker-Hill and Director Mark Phillips be appointed to serve on the committee which will make recommendations for the future use of the existing KCA buildings.**

**MOTION CARRIED**

**(e) Outdoor Fire Bylaw**

At the last meeting of Council Advisory Committee members directed staff to research other communities and prepare a draft bylaw on outdoor fires. This report and the draft bylaw were submitted for review.

Points from Discussion

- The current bylaw (Chapter 22) is out-of-date with many of its aspects now addressed under Building Codes/Inspections and through insurance policies.
- Although outdoor fires are presently allowed in our current bylaw, the Fire Department has suggested that permits not be given.
- This draft bylaw would prohibit the burning of yard waste.
- Those individuals who presently burn leaves and yard waste

APPROVED – OCTOBER 29, 2007

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will find it necessary to either take them to Valley Waste for disposal, have them picked up (once a year) or compost.

- A large scale district heating operation would probably not involve the use of wood like the Wood Doctor.
- A first offence could be addressed with an SOT.
- First, second and third offences could be charged (dollar value) relating to the number of the offences that person committed.

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

***Recommendation to  
Town Council***

**that a recommendation be made to Town Council that  
First Reading be given to the Outdoor Fire Bylaw.**

**MOTION CARRIED**

**(f) Committee Minutes on Town's Website**

CAO Boyd gave an update on this matter, stating that beginning this fall, all minutes of meetings will be posted on the website and where possible, those minutes from January 2007 onward will also be added. Some reorganization of this information may also be needed to make it more user-friendly.

**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 \$21,600. She elaborated on various aspects of the Town's Operating Fund, pointing out that the overall actual revenue may be under-budget by \$54,000, while expenditures may be under-budget by \$32,400.

Points from Discussion

- The assessment roll is tabled at December.
- The KEED property is not expected to be completed by December but a partial tax will be received.
- The building should be completed by 2009 and full taxes should be received from that point onward.

**(b) Insurance Claims**

Director Crowell stated that currently there is an outstanding insurance claim for Public Works and another for a sewer back up. A new claim has been received involving a vehicle hitting a manhole and damages to U/G electrical entrance for the KWC. There is also a claim open for Public Works (vehicle backed into a car) and a bodily injury claim with Recreation. She added that the Town tries to self-insure when this is feasible.

**( c ) Utility Account Write-Offs**

A report was received from the Director of Finance in which she stated that utility bills (sewer portion) in the amount of \$461.96 have remained uncollected although efforts have been made to recover these funds, in accordance with the Town's policy.

Therefore, it was moved by Councilor Bernie Cooper and seconded by Councilor Mark Pearl

*Recommendation to  
Town Council*

**that a recommendation be made to Town Council that utility accounts (sewer) in the amount of \$461.96, be written off.**

**MOTION CARRIED**

Points from Discussion

- The water and sewer charges should be connected to the property, as a lien.
- The Town is subsidizing property owners by writing off these charges.
- Most of these write-offs are outstanding by tenants.
- Staff should contact UNSM regarding this.
- The deposit for hook-ups is \$50 and should be increased to cover some of these costs.
- UARB would have to be contacted regarding the Water Commission charges.
- A report should be brought to Council regarding this issue.
- Because of a quarterly billing procedure, these outstanding accounts often remain unpaid for awhile.

**NEW BUSINESS**

**(a) Lot – Gladys Porter Drive**

A report was prepared by CAO Boyd regarding the history of this piece of land, in which he pointed out that the property has never been appraised. There is a prospective buyer for the former Roscoe property and this piece of land should be linked to that other property and sold as a package.

Points from Discussion

- The participark (including this small triangular piece of land) was given to the Town for parkland.
- The roadway to the hospital divided the property and therefore, this small piece has been identified as surplus land.
- The asking price of property does not always equate to the appraisal price.
- If this property was given to the Town "in trust" as part of the park land, then this property should not be sold.

APPROVED – OCTOBER 29, 2007

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- The solicitor agreed to check into the option of the Town having the right-of-first refusal to buy the property and to how the deed was worded as it relates to resale.

Therefore, it was moved by Councilor Dennis Kehoe and seconded by Councilor Bernie Cooper

*Recommendation to  
Town Council*

**that a recommendation be made to Council, that following a legal opinion on the deed of this property, this lot be appraised.**

**MOTION CARRIED**

**(b) Education Credit – Acker**

CAO Boyd reported that David Acker asked for an education credit in the amount of \$1,174.46 for his daughter who attends Landmark East.

Points from Discussion

- The Town is assessed on the number of students in the school system and pays accordingly.
- Funds are allocated in the budget, based on the previous year's figure.
- This procedure (where each application is reviewed by the Town) gives the Town more control and discretion.
- The previous donation was made because of financial hardship imposed on the resident. However in the end, neither the public school system nor Landmark East could accommodate the special needs required by that child.
- Mr. Acker should be asked to come to Council to explain his own case.
- The Department of Education pays institutions like Evergreen and Landmark East for the education of those students registered,
- A grant from the Town of Kentville for this education is a double payment.

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

*Recommendation to  
Town Council*

**that a recommendation be made to Town Council that the Town provides a credit of \$1,174.46 to David Acker, on behalf of his child, for registration costs for Landmark East, due to the fact that the special needs of his child are not being met in the public school system.**

**MOTION CARRIED**

**( c ) Pesticide Management Resolution**

A copy of a Resolution regarding the management of pesticides presented by the Town of Wolfville, will be submitted at the Fall Conference of UNSM. This resolution will urge the Province of Nova Scotia to allow other municipalities (in addition to HRM) to adopt Pesticide Bylaws to manage or ban the use of non-essential pesticides on lands within their boundaries, but exclusive to land that is zoned for agriculture or forestry. Wolfville is urging the Town of Kentville to support this initiative so legislation can be changed.

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

*Recommendation to  
Town Council*

**that a recommendation be made to Town Council that Kentville supports, in principle, the Resolution to the Union of Nova Scotia Municipalities which will allow other municipal units to adopt a Pesticide Bylaw.**

**MOTION CARRIED**

Points from Discussion

- Parts of this Resolution are not very clear.
- Our own proposed pesticide bylaw brought to Council some years ago, would not apply to the Research Station, and this government operation is the largest contributor of pesticides in our Town.
- Municipalities have the authority to regulate, but not to ban pesticides.
- The Act says that regulation can be done by a bylaw, and this would require the posting of notices, the development of a registry, etc.
- Any bylaw would not prohibit the use of pesticides that would apply to agriculture or forestry operations.

**(d)Open Ditches**

The issue of open ditches was brought to this meeting as a result of a recent public meeting during which a comment was made to residents that the Town should eliminate open ditches. Clarification of the Town's responsibility and intentions was being sought at this time.

Points from Discussion

- Water run-off is a problem in this area, because the Town did not insist that the proper infrastructure be installed by the developer, and therefore it was never done.
- A few years ago, the Town attempted to install this



APPROVED – OCTOBER 29, 2007

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infrastructure and had a capital program for the work.  
However, when the residents realized that there would be a betterment charge for curbing and that their assessments may increase, they chose not to pursue the matter.

- This issue should be referred to Transportation Services.

**CORRESPONDENCE** (a) none

**ADJOURNMENT** The meeting adjourned at 8:10 p.m.

**IN CAMERA** Land negotiations