

APPROVED February 26, 2007

COUNCIL ADVISORY COMMITTEE

January 29, 2007

PRESENT

Mayor David Corkum, Deputy Mayor Larry Honey, Councilor Dennis Kehoe, Councilor Bernie Cooper, Councilor Nola Folker-Hill, Councilor Bernie Cooper, Councilor Mark Pearl, Councilor Eric Bolland, CAO Boyd, Solicitor Peter Muttart, Recording Secretary Pamela Sansom. (Minutes prepared by Carol Harmes)

CAO Bill Boyd reported that all Council members were present.

APPROVAL OF THE AGENDA

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

**that the Agenda be approved with the addition of
6(e) HRM Tax Bills**

MOTION CARRIED

APPROVAL OF THE MINUTES

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

**that the Minutes of November 27, 2006 be approved with
no errors or omissions.**

MOTION CARRIED

PRESENTATIONS

(a) **Delphi MRC (Jeffrey Ward and Jamie Copeland)**
(Note: Due to a malfunctioning microphone, much of the audio recording was not available for transcription.)

It was noted that about a year ago, the third lane of travel on Cornwallis Street was removed (to be used for parking) and an analysis was done some months latter. As there appeared to some further traffic problems relating to certain aspects of this change, Delphi MRC was asked to prepare another report on the matter. This analysis was based on a comparison of the original three lanes of travel to the present pattern, and a report (attached) was prepared. A video was also shown indicating how traffic was merging and traveling along this street.

Five recommendations were made:

- The left lane be marked to permit both through and left moving traffic.
- Truck turning radius issues at Cornwallis and Main need to be addressed through turning templates and preferred design vehicles.

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- The left-turn lane at liquor store should be lengthened.
- Cornwallis Street parking should favour long term parking to reduce conflicts.
- Consider designating a loading zone on the west side of Cornwallis Street.

It was moved by Councilor Dennis Kehoe and seconded by Councilor Mark Pearl

that the Parking Committee and Transportation Services Committee be asked to review the report from Delphi MRC and to make a recommendation to Council Advisory Committee.

MOTION CARRIED

**BUSINESS ARISING
FROM THE
MINUTES**

(a) Centre Square Gazebo

CAO Boyd reported that last Fall a motion was made to remove the gazebo in Centre Square, and then later tabled until the February Council meeting, to allow staff to prepare a report. In this report, (attached) Mr. Boyd reiterated the history of the construction and use of this structure, and identified some of the inappropriate activities taking place during the summer months. He pointed out that it would cost approximately \$30,000 to remove this structure, the existing pavers and then to repave the area. He added that the loss of use of this structure and 10 mature trees would be detrimental to the Town, and would not justify whatever was recovered for parking spaces. He recommended that Council defeat the motion to remove the gazebo and urged the continued use of police officers, the installation of surveillance equipment and the possible installation of ornamental fencing around the structure.

It was moved by Councilor Dennis Kehoe and seconded by Councilor Mark Pearl

that the tabled motion be returned to the floor.

MOTION CARRIED

Points from Discussion

- With the installation of cameras and fencing, extra patrols by police officers may not be required.
- There should be no need to increase the money in the police budget to provide for an officer for Centre Square, as one of the existing 16 members should be fulfilling that role.
- The cameras have been ordered and it would seem reasonable to allow this device to prove its value.

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- Fencing the gazebo would seem to serve no functional purpose.

(Note: When this motion is removed from the table at the next Council meeting, a recommendation could be considered at that time.)

(b) Unsightly Premises

Staff had been asked to review the issue of unsightly premises, to record those properties which might be considered unsightly, to research other municipalities for similar cases and to make whatever recommendations needed for council consideration. Although much of this work has been done, no recommendations are being made at this time. He added that unsightly premises could be addressed by either a policy or bylaw, but an individual must be hired to monitor it. (There has also been the need identified for a safety officer and EMO Manager and these bylaw enforcement functions could also be incorporated into a new position. More will follow on that idea).

Points from Discussion

- Staff should try to determine what problems and costs have been incurred by the county in addressing unsightly premises.
- The obvious unsightly premises in our area should be addressed immediately, and perhaps the use of good public relations with the offending homeowner would be fruitful.
- The long term plan can be put into place for future cases.

(c) Valley Fibre Network

(Note: Due to a malfunctioning microphone, much of the audio recording was not available for transcription.)

CAO Boyd introduced the Town's IT staff, Jason Bethune, who had been asked to comment on the impact that the Valley Fibre Network would have on the Town. A copy of his power point presentation is attached to these minutes and the following points were reiterated: Services such as websites and mail could be provided in house. This would enhance or allow for economic development initiatives, security cameras, the GIS online, streaming web camera, video fees, shared services with the Police Station, expansion of existing services (i.e. virtual town hall) and VPN services to staff. In summary, he recognized that some questions were still unanswered.

Points from Discussion

- The municipalities, as partners, would be responsible for 1/3 of the operating costs and this would be broken down into the formula relating to uniform assessments and population.
- It is necessary to identify the benefits of this service to the

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- general public who are financing it through their tax dollars.
- The Town must establish if there will be a surcharge to join the network later, along with the other financial implications.
- The CAO will seek information regarding the partnership arrangement and relevant costs for joining the network. Jason can seek out the technical information.
- It is important to determine what is involved with Phase I and Phase II of this project.

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

that Jason Bethune be asked to attend the Valley Fibre Network meetings to gather further information for Council.

MOTION CARRIED

(d) Regional Sewer Options

(Note: Due to a malfunctioning microphone, much of the audio recording was not available for transcription.)

CAO Boyd stated that Council wanted more information on this issue and therefore, the Town's Consulting Engineers were asked to prepare a report. Although copies had been previously distributed, Hal Henderson was asked to present the highlights.

He noted that the Town could construct a treatment plant which would accept sewage from Kentville and Coldbrook, with the Town owning and operating the transmission lines, or purchasing use of the lines from the County. The facility could be designed to handle flow at 2,000,000 IGPD and BODs at 4900 lb/day, if a bylaw is implemented requiring that industrial and institutional users pre-treat their waste streams to meet effluent requirements for BOD, suspended solids of 200 mg/l and grease limitations.

The plant could be constructed on the dyke lands (east end of Kentville) and would treat waste water to meet proposed 2009 regulations, at an estimate cost of \$4,795,000. Further, total annual costs would total \$311,000 and capital recovery at 7% over 20 year would show an annual cost of \$763,600, with annual cost allocations at \$76,400 to Coldbrook and \$687,200 to Kentville.

In final analysis, the estimated annual cost off RSTP following proposed renovations would be \$1,200,000 and if the Town constructs its own STP estimated costs would be \$687,200.

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Solicitor Muttart added that in reviewing the agreement that the Town has for the Regional Sewer, it would appear that the agreement does not identify a term or end, perhaps because the agreement dealt with capital costs which were amortized over 20 years. Then the committee realized that the facility was not meeting the needs of the partners and further capital costs were incurred and again these were amortized over the period of time. It appeared further that partners remained in the agreement until such time as they decided to extricate themselves.

Solicitor Muttart indicated that there was an understanding that should a partner “get out” of the agreement, that this partner would still be obligated to continue to pay that portion amortized over the period of time.

It appears that the Town would have no financial obligation for these amortized capital costs at this point in time, nor until the plant is upgraded and incurs additional costs by the partners.

Points from Discussion

- The Town must be careful not to jeopardize its good working rapport through partnership arrangements.
- Perhaps the funding formula should be reviewed.
- The \$4.8 million (estimated capital cost) cannot be funded through the Green Municipal Fund as the county owns the facility and has already used their funds from this source for other projects.
- Perhaps funds from the Gas Tax rebate could be considered.
- Deputy Mayor Honey (Kentville’s representative on the Kings Regional Sewer Committee) felt that there is a need for more communication between the technical people on this project and the politicians.
- A presentation should be made to each Council prior to making the financial commitment and an audit should be conducted.
- Environmental and Operational Audits have been discussed, but a Financial Audit should be conducted prior to setting the budget.
- A new plant would have a life expectancy of about 20 years depending upon technology.

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

that this report be forwarded to the Transportation Services for review and recommendation.

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MOTION CARRIED

(e) Parkland/Green Space/Open Space – Opinion

At a previous meeting, discussion took place regarding the definition of these phrases and the solicitor was asked to comment. Solicitor Muttart responded that according to the MPS and MGA, each of these phrases relates to each other and in some instances could be interchangeable.

Points from Discussion

- It is important to have some consistency in language within our own municipality and with other municipal units.
- Perhaps the Planning Advisory Committee and the Parks and Recreation Advisory Committee should also have input.
- The intent of having a legal opinion was to clarify the definitions of these phrases, not to identify the order of “the rules we live by.”
- In order to amend documents like the Recreation Master Plan or the Municipal Planning Strategy, a process of about 2 years would be required and this would involve a budget, public input sessions, etc.
- Essentially these three phrases are interchangeable.

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

that a recommendation be made to Town Council that direction be given to the Planning Advisory Committee to review these terms.

MOTION DEFEATED

(f) Public Participation at Council Meetings

CAO Boyd reported that since the passage of Policy Statement 40 – Public Presentations to Council, in November of 2006, Council felt that further discussion should be undertaken on this document.

Points from Discussion

- There should be clarification as to when a presentation would be made to Council or CAC. There should be a note in the policy to provide this guidance.
- There should be an opportunity for the public to ask questions or make comments following the Council meeting.
- This public input session could be limited to a total of 10 minutes only and should follow adjournment.

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- This policy may also apply to the committee level, especially as it relates to the repetition of the same information.
- According to the solicitor, a committee has the option to decide whether or not an issue is permitted on its agenda.
- The various municipal units permit public input in different ways on their agenda – some have question periods prior to the business conducted, some have comment periods following adjournment, while others incorporate the public input as part of the meeting.

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

Recommendation to Council

that a recommendation be made to Town Council that Policy Statement – G40 Public Presentations to Council, be revised to include a note at the end of the policy (relating to Item 3), which would provide guidance for the Mayor and CAO in deciding whether presentations be permitted at Council Advisory Committee meetings or Council meetings,

and further

that Item # 10 be added to provide for a 10 minute Comment Period at the end of the regular Town Council meetings prior to adjournment, to allow the public to have input.

MOTION CARRIED

(g) Canadian Federation of Students NS

CAO Boyd reported that this group was seeking Council support to boost federal funding, lower tuition fees and implement a national system for grants. This would involve the Town's support of the National Day of Action on February 7th and could include writing letters, passing motions and recognizing February 7th.

Points from Discussion

- As the Town does not financially support post secondary education, it is not in a position to support this request.
- A letter should be sent to this group indicating Council's non-involvement with this protest.

(h) Women in Local Government Scholarship

CAO Boyd reported that a request has been received to help fund this project, and that at the present time both the County of Kings and the Town of Wolfville have supported the initiative with \$500 each.

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Council decided that there was no action to be taken at this time.

(i) Helen Harper Request

CAO Boyd stated that this citizen has written to Council asking that the Town become involved in acknowledging the soldiers from our area who are being sent to Afghanistan.

Points from Discussion

- Perhaps we should advise Aldershot and the Legion that we are prepared to participate in any celebrations or acknowledgements being made for our troops, either with their departure or return.
- Ms. Harper should be advised that we do work closely with Aldershot and the Legion.

FINANCE

(a) Projections

(Note: Due to a malfunctioning microphone, much of the audio recording was not available for transcription.)

In the attached report from the Director of Finance, it was noted that the Town could realize a deficit of \$116,100 compared to the proposed deficit of \$71,000 last month. A large and ongoing costly issue has been the investigation into the homicide in December. She added that Actual Revenue is expected to be over budget by \$76,100, and Expenditures are anticipated over budgeted at \$192,200, while the Town Operating Fund is currently reporting a year-end deficit of \$116,100. She elaborated on various aspects of these projections and answered questions as they related to this information.

Points from Discussion

- A fire inspector has been hired to address issues of “due diligence” and these costs are being shared with the County.
- Council should tap the “Critical Incident Reserve” to help offset some costs relating to the homicide.
- Work to the bridge was unexpected, and therefore unbudgeted, and the Town may be able to pay the Province from funds in next year’s budget.
- The Town has an Agreement with the Province and although it hasn’t had the chance to budget it, the Town was expecting the work to be done.

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

that the projections, as presented by the Director of

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Finance, be received.

MOTION CARRIED

(b) Investment Committee Quarterly Report

(Note: Due to a malfunctioning microphone, much of the audio recording was not available for transcription.)

Finance Director Crowell presented the attached report and noted that the committee would like to amend Policy Statement G-26 to allow maximum investments in financial sector stocks to be increased from 8% to 15%. She further reported that during an Investment Advisory Committee, the Committee reviewed the Investment Criteria contained in Appendix A (attached) regarding the maximums allowed for Industry Groups, and felt that the Sub-Industry Group – Diversified Banks should be increased from 8% to 15%. The Committee’s rationale was:

- A history of increasing dividends
- Performed as well or outperformed the TSX in bull markets
- Provided better protection for capital
- Low risk profiles with excellent dividend yields – the “five big banks”
- Greater ease to buy/sell around different dividend dates because of their trading volumes, thereby allowing for increased dividend income/greater return for the account

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

Recommendation to Council

that a recommendation be made to Town Council that the Town of Kentville Investment Policy – Appendix A – Investment Guidelines (attached) be amended as follows:

The maximum for Sub-Industry Group Diversified Banks be increased from 8% to 15% of the total portfolio;

AND further

That the amendment be forwarded to the Minister of Service Nova Scotia and Municipal Relations for approval.

MOTION CARRIED

(Note: Director Crowell indicated that any change to the policy would have to be approved by the Province and following some debate, she was asked to verify this.)

She also noted that the committee has lost a very valuable founding

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member of the committee (Ross Watkins) and this has also left a vacancy on the committee. Due to the unique nature of the Town's Special Perpetual Investment fund, positions are filled by invitation, as certain expertise is sought. The Committee reviewed and discussed a number of possible replacements and felt that Bev Thorburn would be a suitable replacement. Mr. Thorburn is a retired stock broker with over 25 years experience in the investment business, and is also a former Town Councilor who served for two terms of office.

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

***Recommendation to
Council***

that a recommendation be made to Town Council that it appoints Bev Thorburn as the new member of the Investment Committee, effective immediately.

MOTION CARRIED

(c) Utility Account Write-Offs

(Note: Due to a malfunctioning microphone, much of the audio recording was not available for transcription.)

Director of Finance Debra Crowell presented a report from the Town's collection officer recommending that utility write-offs (sewer portion) for \$835.51 be approved.

She noted that the Town's collection policies indicate that uncollectible accounts are written off after internal collections have failed and the outside collection agency has actively pursued collection on the Town's behalf for a one-year period. Likelihood of funds being received has diminished, however, any funds that are collected after write-off will be recorded as income.

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

***Recommendation to
Council***

that a recommendation be made to Town Council to approve the attached list of utility account write-offs (sewer portion) for \$835.51

MOTION CARRIED

(d) Withdrawal – Equipment Reserve Public Works

(Note: Due to a malfunctioning microphone, much of the audio recording was not available for transcription.)

Director Crowell reported that the 2006-2007 Capital Budget, ratified

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on May 10, 2006 allows for the purchase of equipment for transportation purposes and that for this fiscal year, the project requires funding as follows:

Transportation Equipment (budget) \$100,000 (actual)
\$147,154.81.

This purchase was for a sidewalk machine and attachments, along with the buy-out of a backhoe lease. These transactions resulted in an over run of \$47,154.81.

Therefore, it was moved by Deputy Mayor Larry Honey and seconded by Councilor Nola Folker-Hill

Recommendation to Council

that a recommendation be made to Town Council that the attached resolution be approved for the withdrawal of \$147,154.81 from the Town of Kentville Equipment Reserve to fund the purchase of transportation equipment in the 2006-2007.

MOTION CARRIED

(Note: It was understood that in the future, these types of cost over runs would be presented to Council prior to making the purchase.)

(e) Withdrawal – Landfill Closure 2006-07

(Note: Due to a malfunctioning microphone, much of the audio recording was not available for transcription.)

Director Crowell reported that the 2006-2007 Operating Budget includes a withdrawal of \$44,400 from the Landfill Closure Reserve with a current balance of \$45,963.19.

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

Recommendation to Council

that a recommendation be made to Town Council that the attached resolution be approved for withdrawal of \$44,400 from the Town's Landfill Closure Reserve, as outlined in the 2006-2007 Operating Budget.

MOTION CARRIED

(f) Interest Charge for Outstanding Accounts

(Note: Due to a malfunctioning microphone, much of the audio recording was not available for transcription.)

Director Crowell reported that Council passed a *Policy Statement Respecting Application of Interest Charges on Outstanding Accounts*

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in 2002. The Town's current rate of interest on outstanding accounts is 2% per month (26.8% per annum), which is on the higher end of percentages charged by other municipalities, but is very effective in ensuring that accounts are paid when due.

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

**Recommendation to
Council**

that a recommendation be made to Town Council that the interest rate on outstanding accounts remains at 2% per month (26.8% per annum)

MOTION CARRIED

(g) Insurance Claims 2006-2007

(Note: Due to a malfunctioning microphone, much of the audio recording was not available for transcription.)

Director Crowell reported that this year the Town's insurance company is forwarding outstanding claim information on a quarterly basis. She pointed out that \$11,409 has been paid by the Town while \$60,541 has been paid by the insurers. Outstanding claims involve 2 bodily injury claims and a vehicle accident.

(Note: The report would be more useful if more detail was provided.)

(h) Regional Meeting – Re: Capping Assessments

(Note: Due to a malfunctioning microphone, much of the audio recording was not available for transcription.)

Director Crowell was asked to report on the meeting she attended recently regarding new legislation to be enacted by the Province. This capping of assessments (within the boundaries of CPI) will affect market value and ultimately create numerous problems for both citizens and the municipal unit. She felt that it was clear that the Valley municipalities were not in favour of this capping.

She gave examples of the inequities that could occur in tax assessments, should neighbours owning homes of equal value, both receiving the same services, receive vastly different tax bills, because one property was capped at CPI and the other was not.

She added that municipalities should manage their own finances; that there remained many unanswered questions as to the implementation, effectiveness and future costs of this program; and the Town should object to Provincial interference in this matter.

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NEW BUSINESS

(a) Proposed Terms of Agreement – Kings Para Transit

CAO Boyd reported on a proposed Terms of Agreement prepared by the CAOs of Kings County. He stated that the intention of this Agreement is to eventually provide an umbrella for transportation assistance, under Kings Transit. Reporting and distribution of funds from the units was also identified, and it was noted that this Agreement does not commit the Town to financial obligation, other than through Kings Transit, as each unit will address their contribution during their own budgetary process.

Kings Transit representative, Councilor Mark Pearl, advised that the Authority will review this agreement at a special strategy session in February.

Points from Discussion

- It would seem likely that the Province would provide transportation to anyone living in this area, who needs medical treatment in Halifax, and has no alternate means of transportation.
- The KPT does not fall under the mandate of municipal government.
- Kings Para Transit receives Provincial funding on a per capita basis (70%), and this does not seem to be identified in the Agreement. Perhaps in the future, Kings Transit may be left with the financial obligation to provide the service, if the province withdraws its support.
- There is no mention of any revenue (i.e. membership) in this Agreement.
- It has been proposed that Kings Para Transit would pick up their riders, take them to the nearest assessable bus stop for Kings Transit and then return for them later.
- Social Assistance provides funds for those needing transportation to the city, although all users of this service would not be recipients of social assistance.
- Joining Kings Transit creates some logistical problems with office space and so on.
- The existing equipment of KPT is not adequate and there may be costs in joining the two services.

(Note: Community Services or the Health Department should be contacted to determine how the province would allocate funding to provide transportation from the Valley to Halifax, if no alternate transportation is available.)

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It was moved by Councilor Dennis Kehoe and seconded by Deputy Mayor Larry Honey

that this issue be tabled until the next meeting of CAC to allow staff to determine if the Province would provide transportation for those patients in the Valley needing medical care in the city, and to further determine if the Province will continue to provide 70% funding should Kings Transit and Kings Para Transit unit.

MOTION CARRIED

(b) REMO Appointments – Meeting February 8, 2007

CAO Boyd reminded Council that the first REMO meeting is scheduled for February 8th and according to the Municipal Agreement, the Mayor/Warden of each unit and another councilor must attend.

It was moved by Councilor Dennis Kehoe and seconded by Councilor Mark Pearl

Recommendation to Council

that a recommendation be made to Town Council that Councilor Bernie Cooper be appointed as the Council representative on the REMO Committee.

MOTION CARRIED

(c) Request – Mayor Anna Allen

CAO Boyd reported that a letter from Mayor Allen of Windsor asked if Kentville's portion contributed to the bid for the 2011 Winter Games, could be kept in a reserve to be used by the Sport Tourism Committee, for the purpose of promoting additional economic events for the Valley region. Kentville's share would be \$2,100.

He added that there are many groups which could be brought to the Valley and that an excellent data base has been created.

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

Recommendation to Council

that a recommendation be made to Town Council that the \$2,100 surplus, which had been dedicated by the Town towards the 2011 Canada Winter Games bid, be placed in a reserve to be used by the Sport Tourism Committee.

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CAO Boyd (who sits on this committee) added that information on a business plan, accountability issues, committee structure, the role of Community Economic Development, etc. will be brought to Council when this is prepared; however, if these funds are not allocated prior to March 31, 2007, then they must be returned.

(d) NSLC

CAO Boyd reported that there appears to be no intention at this time for the Province to move the liquor store, although they will not sign a long-term lease with the Cornwallis Inn.

It was noted that our MLA Mark Parent is supportive of the NSLC remaining in Kentville.

(e) HRM Tax Bills

Councilor Mark Pearl noted that he had recently viewed a copy of a tax bill from HRM and noted that there was a detailed breakdown, along with the mandatory Provincial contribution, and asked if the Director of Finance could prepare a sample bill, indicating similar information.

This would provide information to tax payers as to where their dollars are spent.

CORRESPONDENCE

(a) Valley African Heritage

CAO Boyd presented a letter in which the Town was asked if it would buy a table at a fund-raising event being held at the Old Orchard Inn on February 17th. It was agreed that a table for 10 would be purchased.

IN CAMERA

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

that the meeting be adjourned at 10:05 to go "In Camera" to discuss a personnel issue.

MOTION CARRIED

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

that the regular meeting of Councilor Advisory Committee resume at 10:30 p.m.

MOTION CARRIED

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ADJOURNMENT

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

that the meeting of CAC adjourn at 10:32 p.m.

MOTION CARRIED