

APPROVED - March 11, 2009

KENTVILLE TOWN COUNCIL

MINUTES

February 11, 2009

PRESENT

Mayor David Corkum, Deputy Mayor Bernie Cooper, Councilor Bill Boyd, Councilor Tony Bentley, Councilor Nola Folker-Hill, CAO Keith Robicheau, Town Solicitor Peter Muttart and Town Clerk Carol Harmes.

Regrets - Councilor Mark Pearl and Councilor Eric Bolland

MEETING CALLED TO ORDER AND ROLL CALL

Mayor Corkum called the meeting to order at 7:00 p.m. and CAO Robicheau reported that all Council members were in attendance, except for Councilor Pearl and Councilor Bolland

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.

APPROVAL OF THE AGENDA

It was moved by Councilor Bill Boyd and seconded by Deputy Mayor Bernie Cooper

that the agenda be approved with the addition of :

7 (c) Warden Whalen – ACA

MOTION CARRIED

PRESENTATIONS

(a) Murray Salsman – Crime Stoppers

Mr. Salsman, the Vice Chairman of the Annapolis Valley Crime Stoppers gave a history of the Crime Stoppers organization and the success that this organization has had over the years. The involvement of citizens to bring forth information regarding crimes has lead to many arrests and convictions.

He added that a predetermined amount is set for tips, following which those individuals receiving a reward

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can do so anonymously.

Mr. Salsman asked if a sign could be put up somewhere in Town to encourage Crime Stopper participation in Kentville. This sign not only reminds people to be observant of criminal activity, but also contains a phone number to call in with tips.

He also asked if a member of Council could participate on the board for Crime Stoppers, as he felt that support from this level would be very valuable to the organization and may result in making the community a safer place. Currently, Kentville's Community Police Officer is a member of this organization.

It was moved by Deputy Mayor Bernie Cooper and seconded by Councilor Tony Bentley

that a sign advertising Crime Stoppers be erected in the Town of Kentville, subject to conformity to signage regulations and approval by the Planning Department.

MOTION CARRIED

(Note: Council members agreed to find a member to sit on the Board of Directors.)

APPROVAL OF THE MINUTES

(a) December 10, 2008

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

that the Minutes of January 14, 2009 be approved as circulated.

MOTION CARRIED

BUSINESS ARISING FROM THE MINUTES

None

REPORTS AND RECOMMENDATIONS

(a) Council Advisory Committee

(i) Tangible Capital Asset Policy

Councilor Bill Boyd reported that at a recent meeting of Council Advisory Committee, Director Crowell reported that in conformance with Section 3150 of the Public Sector Accounting Board Handbook, municipal governments must develop a Tangible Capital Asset Policy.

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He further noted that she reviewed the highlights of the draft policy (attached) and recommended its approval.

Therefore, it was moved by Councilor Bill Boyd and seconded by Councilor Nola Folker-Hill

that Town Council approves the Tangible Capital Asset Policy, which had been created to comply with Section 3150 of the PSAB requirements for accounting and reporting procedures.

MOTION CARRIED

(ii) Purchasing and Tendering Policy

Councilor Bill Boyd reported that at a recent meeting of Council Advisory Committee, Director Crowell reported that new legislation will become effective on July 1, 2009 (Atlantic Procurement Agreement) which will focus attention on strengthening regional cooperation in Atlantic Canada.

Subsequently, an amended draft policy (as attached) was presented to CAC for review, along with her recommendation for adoption.

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

that Town Council approves the amended Purchasing and Tendering Policy which complies with legislated requirements for the Town to include tendering guidelines, as cited in the Atlantic Procurement Agreement.

MOTION CARRIED

(iii) Sundry Account Write-Offs – February 2009

Councilor Bill Boyd reported that at a recent meeting of Council Advisory Committee, Director Crowell reported that both internal and external collection attempts have failed and it appears that the accounts noted in the attached report can not be collected.

Therefore, a recommendation has been made to write off those amounts owing.

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

that Town Council approves the write off of the attached listing of outstanding sundry receivables in the amount of \$5,196.17.

MOTION CARRIED

(iv) Temporary Borrowing Resolutions – River Street Extension

Councilor Bill Boyd reported that at a recent meeting of Council Advisory Committee, Director Crowell recommended that because the attached Temporary Borrowing Resolution has expired, it must be replaced with current authorization.

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

that Town Council authorizes TBR 06/07-01 for work done on River Street Extension in the amount for \$273,200.

MOTION CARRIED

(v) Withdrawal Capital Reserve (Sanitary Sewer, restricted) Sanitary Sewer Area Service Capital Funding – 2008-2009

Councilor Bill Boyd reported that at a recent meeting of Council Advisory Committee, Finance Director Crowell reported that the 2008-2009 Sanitary Sewer Area Service Capital budget requires a withdrawal from the Capital Reserve Fund – Sanitary Sewer, as a partial funding source.

She pointed out that the project on River Street was budgeted for \$20,000, although no funds were required. However, \$50,000 was budgeted for Elizabeth Avenue and \$30,000 was required for that project. She noted that following this proposed withdrawal, a balance of \$110,575 will remain in the fund.

Therefore, it was moved by Councilor Bill Boyd and

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seconded by Councilor Tony Bentley

that the attached resolution in the amount of \$30,000 be approved to withdraw funds from the Capital Reserve, Sanitary Sewer portion, to partially fund sanitary sewer capital construction during 2008-2009.

MOTION CARRIED

(vi) Valley Waste Resource Management – Surplus (\$51,000)

Councilor Bill Boyd reported that at a recent meeting of Council Advisory Committee, Director Crowell identified an unexpected revenue source of \$51,000, which resulted from accumulated surpluses by VWRM.

Upon discussion, it was noted that the Town's Operating Reserves need an injection of funds, and further, that the operating departments are expected to continue scrutiny of their respective budgets, so as to identify operational savings to mitigate the 2008/2009 projected deficit.

Therefore, it was moved by Councilor Bill Boyd and seconded by Councilor Tony Bentley

that the \$51,000 payment of surpluses from Valley Waste Resource Management be placed in the Town's Operating Reserve.

MOTION CARRIED

(vii) Smoking Ban on/in Outdoor Town Recreation Facilities

Councilor Bill Boyd reported that at a recent meeting of Council Advisory Committee, a discussion took place regarding smoking at outdoor recreational facilities owned by the Town of Kentville.

It was noted that although an existing policy addresses smoking in Town Buildings and Vehicles, its content is irrelevant and out-of-date, and subsequently, should be rescinded. CAC felt that in its place, a bylaw should be created to prohibit smoking in outdoor recreational facilities, as this will complement the existing Smoke

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Free Places Act (Bill 225).

Therefore, it was moved by Councilor Bill Boyd and seconded by Councilor Tony Bentley

that staff works with the Town's solicitor to create a bylaw to prohibit smoking in and on Town recreation facilities,

and further,

that the issue is presented to the Kings Partnership Steering Committee as a possible joint project

and

that consideration be given at a future date to extend the ban on smoking to include all Town of Kentville property.

MOTION CARRIED

Points from Discussion

- Surrounding communities have also experienced similar concerns about smoking and as some tournaments span several communities, consistency with non-smoking would seem appropriate.
- Perhaps the previous non-smoking bylaw could serve as a model for this new bylaw.

(viii) VWRM Budget Approval – 2009-2010

Councilor Bill Boyd reported that at a recent meeting of Council Advisory Committee, it was noted that this budget should be approved prior to the beginning of budget deliberations for the Town.

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

that approval be given to adopt the Operating and Capital Budget of the Valley Waste Resource Management Authority, which will include an increase of 2.78% from the previous year, to \$485,917.

MOTION CARRIED

(ix) Buy Local Resolution from CAW-TCA

Councilor Bill Boyd reported that at a recent meeting of Council Advisory Committee, a letter from this

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organization was read. The content stressed the importance of purchasing local products and services, and asked that the Town support their resolution to this effect, and to support using tax payers' money to create manufacturing jobs in Canada.

Following discussion, it was moved by Councilor Bill Boyd and seconded by Councilor Tony Bentley

that the letter from CAW/TCA be received and that this organization be notified that the Town has a purchasing policy which includes buying locally.

MOTION CARRIED

(x) Ross Creek Centre for the Arts

Councilor Bill Boyd reported that at a recent meeting of Council Advisory Committee, correspondence from this organization was read. A request was made for the opportunity to speak to Council regarding funding.

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

that Chris O'Neill be contacted to determine if their operation is non-profit or for profit, and if eligible, advise her that she may come to a Council Meeting for a 10 minute presentation, bringing the financial statements of this organization.

MOTION CARRIED

(b) Finance

(i) Director's Report

Finance Director Crowell reiterated some points in her report, stating that the department continues to be busy with water billings, capital project funding, prep work for the 2009-10 budget, the audit, and Requests for Proposals for the Town's general insurance.

In addition, she noted that overall revenue exceeds the average, based on the 84% benchmark. With reference to Schedule B attached, overall expenditures are also over the average, due in some regards to annual

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payments and bulk ordering of supplies. The Summary of Outstanding Taxes (Schedule C) notes that 96.2% of taxes had been collected by January 31st, which compares to 97.6% last year.

Referring to Schedule D, Sanitary Sewer Service, it was noted that with a benchmark of 75%, revenue is reporting under budget and expenditures are at 65.5% expended.

Schedules E and F relating to the Perpetual Investment Fund, show investments totalling \$13.5 million at costs and \$11,991,890 (market). The Statement of Reserves shows various aspects of this fund, however, Director Crowell pointed out that the combined total of income was \$325,141, plus \$117,524 interest and dividends. It was noted that the total income (net fees) at December 31st was \$418,732 (2008-2009 - \$510,000); capital gains at December 31 total \$168,020; and the fund's investment advisor anticipates that the interest/dividend income target will be exceeded. The continued volatility of the market affects the fund and it was down 4.4% (\$552,052) from March 31 to December 31, compared to the TSX, which dropped 32.7% during this time.

Following some questions, it was moved by Deputy Mayor Bernie Cooper and seconded by Councilor Tony Bentley

that the report from the Director of Finance be received.

MOTION CARRIED

(c) Planning and Development

(i) Director's Report

Director Gentleman reiterated several aspects of her report, noting that there was one permit in January with a total building value of \$500.00. However, she noted that Brennan Vogel started work as the ICSP Coordinator and staff has been working with him to develop a working plan outlining stake holders, time frames, etc. and a report is attached.

She added that Shannex and the Town have been working together to address the issue of a NS power

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easement over a section of the Kentville trail. She stated that this will not affect the future development of the trail. Lastly, she outlined a number of meetings she attended.

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

that the report from the Director of Planning and Development be received.

MOTION CARRIED

(Note: The ICSP coordinator is very well experienced in the field of sustainability and has become a resource to other communities which are doing similar plans.)

(ii) Committee Report

Councilor Nola Folker-Hill reported (on behalf of Chairman Mark Pearl), that the committee met on January 19th, at which Councilor Pearl was elected Chair and she was elected Vice Chair. The committee also welcomed Deanna Waholl as a participant.

Councilor Folker-Hill added that during the meeting, an interesting discussion took place regarding the need for downtown public washrooms. Lastly, she noted that the next meeting will be on March 23.

(d) Fire

(3) Chief's Report

Fire Chief Shawn Ripley submitted a report, in which he noted that there were 9 alarms in Town for the month of January, resulting in 162 kilometers traveled, and 12 alarms in the County for 730 kilometers travelled. In addition, there were 7 mutual aid calls with 988 kilometers traveled. As usual, these alarms ranged in scope from motor vehicle accidents and fires, to fire alarms sounding, medical assists and structure fires.

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

that the report from the Fire Chief be received.

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MOTION CARRIED

(i) Governance Committee Report

Councilor Bill Boyd reported that there have been a couple of meetings for this committee and he was pleased to report that he was elected as Chairman and Councilor Janet Newton as Vice Chair for this group.

Last evening a special budget meeting was held during which a second draft of the budget was reviewed. After much debate, a recommendation was agreed upon and this will come forward to the County and to the Town with an estimated 6.6% increase. Part of that recommendation would include a full time fire chief.

(e) Parks and Recreation

(i) Director's Report

Director Mark Phillips reported that the planning is well underway for the Kentville Home Show; the outdoor rink has been very well used; he has attended a number of meetings; and the Ipsos Reid Physical Activity Survey will help in the development of a Physical Activity Strategy by the Town's Active Living Coordinator. This survey will be done with a sample size of approximately 300 people. Lastly, he reported that the Kentville Community Development Committee held a strategy session on January 17th and this was very well done and productive.

CAO Robicheau added that Director Phillips had organized a meeting to address the readiness of the Town for EMO situations, especially as they relate to flooding and the dyke.

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

that the report from the Parks and Recreation Director be received.

MOTION CARRIED

(ii) Committee Report

Councilor Nola Folker-Hill reported that a meeting was held on January 15, at which there was a forecast that the department will be on budget.

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Further, she noted that there was a request for a dog park, however, it appears that such a facility has been established on Highway # 12.

(f) Police

(4) Chief's Report

Police Chief Mark Mander reported that some hockey players with KPS participated in a fund raising game against the Tim Horton's All Stars. He added that the Cops for Cancer program saw several members shave their heads also as a fund raising effort. Community initiatives like these have raised much needed funds in the community. He also noted that 51 hours of foot patrol have been carried out.

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

that the report from the Police Chief be received.

MOTION CARRIED

Board Report

Deputy Mayor Bernie Cooper reported that a Board meeting was held on January 29th; he attended an integrated police meeting in Truro regarding PANS; and that Chief Mander met with MacKay's Parking Meters from New Glasgow. More will follow at Parking Committee meetings on this.

(g) Transportation Services

(i) Director's Report

Director Greg Kehoe reported that Public Works staff has remained busy due to variable weather conditions, during which on one occasion, repairs to a break in a water main were carried out in the midst of a busy snow removal, salting and sanding schedule. He added that 77% (\$58,000) of the budget has already been spent on ice and snow removal, which is \$10,000 higher than last year.

He further noted that with the dyke project, work will be completed on the pumps and on the dyke in front of Great Valley Juices by next summer.

However, in the meantime, flooding situations are

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being monitored. The Town has the capability to construct a temporary dyke within hours, if required. Work continues on the expropriation of lands for the dyke and power easement. Lastly, he noted that Great Valley Juices has given permission to the Town to undertake some temporary measures to close that end of the dyke.

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

**that the report from the Director of
Transportation Services be received.**

MOTION CARRIED

(ii) Committee Report

Councilor Bill Boyd stated that staff is to be congratulated for putting plans in place to address any potential flooding.

He added that at the January 20th meeting of the Committee, some of the policies were reviewed (i.e. Ice and Snow Removal Policy) and a draft capital budget was approved for the Director of Finance. This capital budget provides a project list, which could be used in the event the federal stimulus project comes about. Lastly, he advised that a meeting with the regional sewer project is scheduled for tomorrow and there appears to be good cooperation with the partners.

(h) Water Commission

(i) Directors Report

Director Greg Kehoe reported that several more customers are enjoying the water service in the Balsor/Eaglecrest/Ward Subdivision, although work continues by the County regarding the fire hydrants. He noted that there have been 48 disconnects due to non-payment and some one-on-one contact has been made with these customers to assist them; the new KWC truck has been put in operation, and lastly, that a water leak at KCA during -26 degree weather conditions, meant water commission staff and public works staff worked late into the night to carry out repairs.

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

**that the report from the Director of the
Kentville Water Commission be received.**

MOTION CARRIED

(ii) Commission Report

Mayor David Corkum had nothing further to report.

**(i) Valley Waste Resource Management
Authority**

(i) Representative's Report

The Management Minute was reviewed and it was noted that presentations have been made to participating partners, for the 2009-2010 draft operating and capital budget. Some statistical information was presented regarding the recyclables, organics, etc.

It was further noted that an orientation session was held on January 21st and this was well attended. Tours will be arranged to several of the facilities for the representatives.

It was also noted that the VWRM Working Group continues to meet and has been reviewing some of the financial policies; that the electronic stewardship program is expanding to pick up household items; and lastly, that the next meeting will be on February 27th.

It was moved by Deputy Mayor Bernie Cooper and seconded by Councilor Bill Boyd

**that the report from the Valley Waste
Resource Management Authority
representative be received.**

MOTION CARRIED

**(j) Kings Community Economic
Development**

(i) Representative's Report

Jennifer Weisner advised Council that the winery and vineyard project has been launched and information

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has been circulated in a brochure and on the website. A funding announcement will be held on Monday regarding the UNESCO project (as attached), and a meeting should be held next week.

**(k) Kentville Community
Development Committee**

(i) Report

Mayor Corkum stated that there was nothing further to add, other than that there was a very successful strategy session recently. He noted that Councilor Bentley attended, and added that it was a great effort by everyone involved.

**(l) Kings Transit Authority
Representative's Report**

CAO Robicheau noted that although Councilor Mark Pearl is away on vacation, he has sent an email to remind all Council members to attend the joint meeting of Kings Transit and Kings Para Transit on February 12th

(m) Environmental Advisory Committee

Councilor Eric Bolland, although not present, had indicated that there was nothing to report from this committee. However, CAO Robicheau added that there will be an ICSP steering committee meeting this week and more should follow in a future report.

(n) Councilor's Report

Deputy Mayor Bernie Cooper reported that he attended all meetings.

Councilor Tony Bentley attended all meetings, the meeting with Minister Hurlburt and the rally on Sunday for ACA.

Councilor Eric Bolland not present

Councilor Mark Pearl not present

Councilor Nola Folker-Hill attended all meetings, the CUPE negotiations, the Strategy Session and the meeting with Minister Hurlburt.

Councilor Bill Boyd attended all meetings and wished to comment on the excellent work being done by the Public Works staff.

(o) Mayor's Report

Mayor David Corkum reiterated some points from his

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report, noting that he attended a number of meetings like Crime Stoppers, Victory over Violence, UNSM Board, Rotary, etc. He added that the UNSM Board meetings have dealt with issues relating to NS Power and the impact that their assessments have had on various municipalities. He added that the Town's Strategy Session was excellent and the CAO did a great job with the facilitation of the sessions. He did add that the solicitor should have been invited to some of the sessions.

He also attended Norm Dray's retirement, Frances Anderson's retirement, the Kings CED session, Black Heritage Month celebrations, the County meeting regarding ACA and Eastern Protein, and promotion for the new school and hospital. Also the meeting with the Minister was productive and the message about a new bridge was made loud and clear.

Lastly, he noted that a newspaper from the Klondyke did an article on the Pumpkin People.

(p) Chief Administrative Officer's Report

CAO Robicheau reiterated some items in his attached report, pointing out that Shannex has yet to schedule a meeting with Council; the Kings Partnership CAOs' group has been active; a full KPSC group meeting has been scheduled for March; a meeting has taken place with KTA regarding their budget; the NS Department of the Environment held a consultation service on the strategy for Valley Waste and this was well done. A target of 300 kilograms per person was set, however, this may not be realistic and attainable.

Some action has started on the bridge study and a meeting is scheduled for Friday, with work to start soon on the Terms of Reference. He has communicated with the Friends of the Library and passed along that concept of a joint meeting to discuss sites. He also met with the physician's recruitment group and noted that Kings CED is also involved in that initiative. He reviewed some aspects of the Perpetual Account and noted that negotiations with CUPE have continued and he wished to include an update on the In Camera agenda later in the evening.

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

that the CAO's Report be received.

MOTION CARRIED

CORRESPONDENCE

(a)1. Property Valuation Services

A letter received from Property Valuation Services Corporation noted that their current 2008-2009 budget is \$15.810 M, however the 2009/2010 core budget has increased by 1.3% or \$213K. It was further noted that communications continue with CRA (Canada Revenue Agency) for a partial HST re-imburement, however, a lack of a decision on this issue has constrained PVSC from developing a strategic plan as quickly as preferred and further in establishing reserves. The unrecoverable HST is estimated at \$420K, which is a 2.7% increase over the 2008-2009 budget.

It has been established that should CRA rule in favour of the HST, than adjustments may be in order for municipalities. However, in the interim the municipal funding required for the 09/10 budget is \$16.433M, which includes the 1.3% core budget increase and 2.7% HST allowance.

(a)2. Property Valuation Strategic Plan

The attached strategic plan identified the values, goals strategies and priorities of the Property Valuation Services Corporation.

Mayor Corkum added that the UNSM Board has discussed this issue and noted that property values are going down, but the valuations are rising, compared to two years ago.

(b) KCA French Immersion Program Support

A letter from KCA asked the Town of Kentville to support the financial commitment of needy students who wished to attend the Universite Sainte Anne for the French Immersion Program.

It was moved by Deputy Mayor Bernie Cooper and seconded by Councilor Tony Bentley

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that in future years, this request should be sent to the budget process for consideration.

MOTION CARRIED

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

that for this year, Town Council supports two students for their \$250 registration, that will allow them to attend the early French Immersion Program at Universite Sainte Anne.

MOTION CARRIED

(Note: KCA should be notified that the student should be a Kentville resident.)

(c) Warden Whalen – Re. ACA

The attached copy of a letter from Warden Whalen of the County of Kings to Mark Parent, Minister of Labour and Workforce Development and Minister Murray Scott shows support for the fair treatment and assistance (for the laid-off employees from ACA and Eastern Protein), from the provincial and federal level of government.

NEW BUSINESS

(a)CAW (ACA Worker's Support)

Mayor Corkum noted that Dean Tupper, a trustee for CAW (the union representing those ACA Coop workers who will be laid off in the near future) has been lobbying in the community for support in payment of vacation and severance pay for these workers. Although this group had been scheduled to present their concerns to Council earlier on this agenda, a last minute change prevented this.

Therefore, it was moved by Councilor Bill Boyd and seconded by Councilor Tony Bentley

that a letter be sent to Ministers Parent and Scott in support for fair treatment for CAW workers.

MOTION CARRIED

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PUBLIC COMMENT PERIOD

none

ADJOURNMENT

The meeting adjourned to go In Camera .

IN CAMERA

It was moved by Deputy Mayor Bernie Cooper and seconded by Councilor Tony Bentley

that the meeting adjourns at 8:55 p.m. to go “In Camera” to discuss the Agreement for KCA school and for an update on CUPE negotiations.

MOTION CARRIED

COUNCIL RESUMES

It was moved by Deputy Mayor Bernie Cooper and seconded by Councilor Bill Boyd

that the “In Camera” meeting adjourns and that the regular meeting of Council resumes at 9:15 p.m. and

MOTION CARRIED

It was moved by Councilor Bill Boyd and seconded by Deputy Mayor Bernie Cooper

that the Mayor be authorized to sign the offer from the Department of Education relating to the acquisition of the property for the new school.

MOTION CARRIED

ADJOURNMENT

It was moved by Councilor Bill Boyd

that the meeting adjourns at 9:20 p.m.