

APPROVED FEBRUARY 13, 2008

KENTVILLE TOWN COUNCIL

MINUTES

January 9, 2008

PRESENT

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

CALL TO ORDER AND ROLL CALL

CAO Boyd reported that all members of Council were present.

APPROVAL OF THE AGENDA

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

**that the agenda be approved with the addition of
8 (b) Webinars
11. IN CAMERA – Litigation and Negotiation**

MOTION CARRIED

PRESENTATIONS

(a) Valley Waste Resource Management – Brian VanRooyen

Mr. Van Rooyen (Policy Coordinator) and Grace Proszynska (Bylaw Manager) presented information to Council regarding the proposed amendments to the Valley Region Solid Waste Resource Management Bylaw. A written copy of the presentation (and proposed bylaw is attached.)

It was noted that the proposed amendments include a number of issues – one being to accommodate the substitution of green bags for clear bags for household garbage disposal. Mr. VanRooyen stated that there were a number of reasons to use clear bags, some of which are Provincial regulation, compliance inspection, public frustration and Council and authority direction. He elaborated on each of these issues.

He further noted that several disposal bans have come into place, and have been included in the amendments - two of which deal with electronic equipment and plastics 1-7.

APPROVED FEBRUARY 13, 2008

In response to public concern regarding privacy, he stated that a black, opaque privacy bag will provide relief to citizens who may have sensitive items for disposal. Although one privacy bag is permitted each collection day, provisions can be made to include additional opaque bags should circumstances in the household warrant this increase. He added that blue bags will be used for recyclables. He also confirmed that there will be a maximum of 8 bags of recyclables and a maximum of 4 bags of residential waste.

Following a discussion regarding some statistics on diversion rates, costs of implementation and revenue, Mr. Van Rooyen reiterated that these recommendations are proposed to become effective April 1, 2008. However, an educational program will come into affect and after July 1st, enforcement will be imposed.

In summary, he added that the inter-municipal agreement with Valley Waste Resource Authority directs each municipal unit to have its own bylaw and therefore, in this case, the currently existing bylaw should be repealed and the new bylaw approved.

Grace Proszynska added that the bylaw included the restriction of “stock piling” garbage bags on private property and that this inclusion will allow bylaw enforcement for unsightly premises when garbage is involved. She further added that there is a clause in the bylaw which allows Valley Waste the right to refuse to pick up garbage, should an area consistently have improperly sorted garbage or garbage that is potentially dangerous to the collectors.

CAO Boyd added that First Reading for the repeal of the current bylaw and the approval of this new bylaw has been included under “New Business” on this meeting’s agenda.

**APPROVAL OF THE
MINUTES**

(a) December 12, 2007

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

**that the Minutes of December 12, 2007 be
approved as circulated.**

MOTION CARRIED

BUSINESS ARISING FROM

(a) Education Agreement / Review of Inter-Municipal

APPROVED FEBRUARY 13, 2008

THE MINUTES

Agreements

A report dated December 29, 2007 outlined the situation which has taken place over the last few months regarding the County of Kings's intention to terminate its participation in the current education funding agreement. As a result of the financial impact that this will have on the other funding partners, the Kings County Mayors/Wardens group, and the Town of Hantsport, the municipal units have agreed to bring forward a common resolution for all 5 municipal Councils to consider. This resolution will call for the initiation of a study regarding services, municipal costs and revenue sharing on all agreements, programs and services, including education contributions.

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

that whereas the Municipality of the County of Kings is considering a motion from its Committee of the Whole to terminate the current education funding agreement, effective March 31, 2010, which is based on a per student funding structure and,

whereas any changes to the current education funding agreement will have significant fiscal budget implications for all five municipal units under this agreement, and

therefore, be it resolved that the Municipality of the County of Kings, the Towns of Berwick, Hantsport, Kentville and Wolfville, through the Kings Partnership Steering Committee, undertake a study that will encompass, but not necessarily be limited to the following:

Kings Transit, Valley Solid Waste, Kings CED. Education. Recreation, Libraries, Tourism, Roads, Policing, Water and Waste Water, Fire Services, Revenue Sharing, and further

that a KPSC Task force be comprised of the four Mayors, Warden and five CAOs and further that the KPSC be provided with a Terms of Reference calling for an RFP for their consideration.

APPROVED FEBRUARY 13, 2008

MOTION CARRIED

Points from Discussion

- The CAOs for the units will develop the Terms of Reference and this will be taken to the partnership committee.
- Council could be given an opportunity to have input, but ratification by each Council would be necessary.
- The study should focus on the financial aspects (user-pay system) and not best practices.
- all units must adopt this resolution in order for the issue to proceed further – it's all or nothing.

**REPORTS AND
RECOMMENDATIONS**

**(a) Council Advisory Committee
None**

**(a) Finance
(i) Director's Report**

A report from Director Debra Crowell stated that meters were read for the third quarter utility billing, capital projects are being funded, and that prep work is underway for the 2008-09 budget process and the 2008 audit.

She made reference to the attached schedules which pointed out that based on a 75% benchmark, overall revenue exceeds the average and overall expenditures are slightly below average. Further, the summary of outstanding taxes indicated that as of December 31, 2007, 97.2% of the current tax levy had been collected, with an outstanding amount of \$179,081. An in-depth report on these accounts was also provided.

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

that the report from the Director of Finance be received.

MOTION CARRIED

**(b) Planning and Development
(i) Director's Report**

Director Gentleman reported that only 1 permit was issued during December, for \$35,000, which brings the year total to \$9,396,036. She added that wellfield protection zones (Land Use Bylaw) are being reviewed to ensure that potential contamination from heavy equipment maintenance facilities is reduced. The ICSP Study is underway and a meeting was

APPROVED FEBRUARY 13, 2008

held with the steering committee and Jacques Whitford, with more information to follow. Copies of the amendments to the Subdivision bylaw, as approved recently by Council, have been sent to the province for approval. Staff has met with the Ombudsman regarding the Bonavista Park, a site plan from Mazda was received for their proposed expansion. Lastly, Director Gentleman added that her department is now represented on the Environmental Advisory Committee and will work with this group on the Integrated Community Sustainability Pan.

Therefore, it was moved by Councilor Nola Folker-Hill and seconded by Deputy Mayor Mark Pearl

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

MOTION CARRIED

Points from Discussion

- With the ICSP (Integrated Community Sustainability Plan) Jacques Whitford has been hired by the Province to prepare a template for use by each municipal unit, which in turn, can be used to prepare the individual ICSP plans.

(ii) Committee Report

Councilor Nola Folker-Hill reported that the next committee meeting will be on January 21st.

(c) Fire

(i) Chief's Report

Fire Chief Shawn Ripley reported that there were 14 alarms in the Town, with 252 km. travelled, to provide assistance with oil spills, propane smells, CO alarms, fires, assists and a MVA. In addition, there were 13 alarms for the County, with a distance travelled of 1024 km., to provide assistance for fires, 6 MVAs, medical assists, smell of smoke and an investigation. There was one Mutual Aid call for 60 km. travelled for a house fire.

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

that the attached report from the Fire Chief be received.

MOTION CARRIED

APPROVED FEBRUARY 13, 2008

(i) Governance Committee Report

Councilor Dennis Kehoe reported that there is an average of one fire alarm per day which is very busy for a volunteer department. He added that the committee has not met recently.

(e) Parks and Recreation

(i) Director's Report

A report from Director Mark Phillips indicated the arena is very busy with hockey tournaments, the figure skating carnival, playoffs and routine bookings. The Home Show is scheduled for the April 19th weekend; the winter outdoor activities have been busy and are being monitored for safety; and the indoor activities at KCA have been up and running. He added that the Christmas lighting was expanded this year; that Erin Mason is now working from the Town Hall; and a meeting is being scheduled regarding the future use of KCA. He also reported on some meetings which he attended in December.

It was moved by Deputy Mayor Mark Pearl and seconded by Councilor Bernie Cooper

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

MOTION CARRIED

(ii) Committee Report

Deputy Mayor Mark Pearl reported that the next committee meeting will be on January 17th.

It was noted that the Indoor Soccer Facility is very well used by the community and there has been discussion regarding an expansion to the building.

Mayor Corkum asked Deputy Mayor Pearl (Chairman of the Parks and Recreation Committee) to pass along the favourable comments about the Christmas lights in downtown this year, as he has received many compliments.

(f) Police

(ii) Chief's Report

Police Chief Mark Mander had no report this month.

APPROVED FEBRUARY 13, 2008

(iii) Board Report

Councilor Dennis Kehoe reported that a number of upsetting incidents have taken place over the holidays and investigation continues on these. He added that the next meeting will be on January 31st and that a meeting took place this morning regarding the PANS contract. Proposals had been previously exchanged and an official response to their proposal was addressed today.

(g) Transportation Services

(i) Director's Report

Director Henderson reported that the Public Works staff has been called out many times for snow removal with the early arrival of winter and the heavy snowfall to date.

With the Capital Projects, the design for the river dyke project is being prepared by Hiltz and Seamone; the Rural Municipal Infrastructure Project for School and Glenview Streets is being designed and priced; several dangerous trees have been removed from private property; and the Kinsman Club will pick up Xmas trees on January 5th for a donation to Cystic Fibrosis.

A free drop-off for Christmas trees is also available at the Waste Management Centre during the month.

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

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

MOTION CARRIED

(ii) Committee Report

Councilor Larry Honey reported that the budget presented by the Finance Director did not include the snow removal for the last two storms. However, he noted that there is a reserve in place for over-runs. He added that there had been a meeting the previous evening, but there was nothing further to report at this time.

(h) Water Commission

(i) Directors Report

Director Henderson reported that the Commission approved a 15% water rate increase (as approved by UARB) and that

APPROVED FEBRUARY 13, 2008

this additional revenue will offset some of the costs for testing, security and reporting to the Department of Environment and Labour. With the Balsor/Eaglecrest/Ward Avenue Water Service, he noted that a public meeting was held to update to residents who were asked to provide a firm financial commitment no later than January 10th. Fifty-one of the 127 residents must commit in order to allow this extension.

It was moved by Councilor Eric Bolland and seconded by Councilor Bernie Cooper

that the report from the Water Commission, be received.

MOTION CARRIED

(ii) Commission Report

Mayor David Corkum added that he was at McGee Lake today on appraisal business, and when speaking with a resident there, was pleased to learn that the resident is very aware of the regulations and restrictions of homeowners on that lake. McGee Lake is the backup water supply to the Town.

**(i) Valley Waste Resource Management Authority
(i) Representative's Report**

Deputy Mayor Mark Pearl reported that a meeting was held on December 19th; that Scotia Recycling's new building is well underway; the bylaw and policy changes for the implementation of clear bag residual waste collection, were presented earlier in this meeting; and, that an electronic disposal program will be put into place on February 1st. He added that the proposed increase in the Operating Budget would mean that Kentville would pay less than 1% additional, and under the Capital Budget proposed, an increase to Kentville would amount to \$12,148. Capital and surplus funds currently available are being discussed by the CAOs and the Management Team at Valley Waste. In finalization, Deputy Mayor Pearl added that there will be a joint council meeting in Kingston on January 30th at 7:00 p.m. to review the past year and discuss the 2008 budgets.

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

that the report from the Valley Waste

APPROVED FEBRUARY 13, 2008

Management Authority be received.

MOTION CARRIED

**(j) Kings Community Economic
Development**

(i) Representative's Report

Councilor Eric Bolland reported that this committee has not met.

**(k) Kentville Community
Development Committee**

(i) Report

Community Development Officer Erin Mason had no report this month.

(l) Kings Transit Authority

(i) Representative's Report

Deputy Mayor Mark Pearl reported that there was no report this month.

**(m) Environmental Advisory
Committee**

Councilor Eric Bolland reviewed a proposed resolution which would allow the Town to proceed with pursuing a grant for a program relating to green house gas reductions.

Therefore, it was moved by Councilor Eric Bolland and seconded by Deputy Mayor Mark Pearl

**that Town Council supports this Corporation
Capacity Building Grant application for an
energy use and greenhouse gas and air pollutant
emissions audit, and allocates financial resources
in the 2007-2008 operating budget for this
process.**

MOTION CARRIED

(Note: Although there is some money available in the 2007-2008 budget, it might be necessary to add further funds in the 2008-2009 budget. The availability of funding will be determined)

(n) Councilor's Report

Councilor Bernie Cooper reported that he attended all events, meetings, etc.

APPROVED FEBRUARY 13, 2008

Councilor Eric Bolland reported that he attended all events and meetings assigned.

Councilor Dennis Kehoe reported that he attended all meetings and enjoyed the break at Christmas.

Councilor Larry Honey stated that he had nothing further to report.

Councilor Nola Folker-Hill reported that she attended all scheduled meetings and events.

Deputy Mayor Mark Pearl stated that he had nothing further to report.

(o) Mayor's Report

As per the attached report, Mayor David Corkum attended the New Chester Police Unit which has been set up to deal with DUI, speeding and seatbelt use in the South West part of the province. He added that during this meeting, he discussed a new bridge for Kentville with Minister Scott, who in turn will come to Kentville in February. He added that he attended the Aldershot Levee and that one of the officials there, offered to come to Council to talk about Afghanistan. Also he spoke with the Camp Commander (Major Jamie Hunter) about the Ducks Unlimited project, and Major Hunter promised that he will approach the engineers from Bridgewater and Greenwood to help the Town build a bridge, as part of this project.

(o) Chief Administrative Officer's Report

CAO Boyd reported that things are proceeding on the Shannex property and a meeting is scheduled for next week. He added the two reports on the Recreation and Fire Studies of the KPSC are being examined, and that the recommendation regarding cost sharing has been addressed. Director Henderson has agreed to stay with the Town until Spring and the search continues for his replacement. The budget process has begun and the Director of Finance will present a report at the next meeting of CAC on issues addressed at the Strategy Session. He added that the Human Resource Manual will be presented to senior staff from all units next week, and lastly, that PANS negotiations have begun, and that CUPE has served notice that their contract expires in March.

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

that the report from the CAO be approved.

APPROVED FEBRUARY 13, 2008

MOTION CARRIED

CORRESPONDENCE

(a) Letter from Acadia Minor Hockey Association – Pee Wee AAA

(8:33 pm. - Councilor Bernie Cooper excused himself from the meeting due to a conflict of interest with this request.)

A letter to Town Council advised that this team plans to attend the Quebec PeeWee Hockey Tournament which involves 110 teams from countries around the world. Coach Derek Atwater stated that although a great deal of fundraising has already been done over the last many months, the team still has not reached its goal. Therefore, funding is being requested from Council.

It was moved by Deputy Mayor Mark Pearl and seconded by Councilor Eric Bolland

that a donation of \$500 be made towards the expenses of the Acadia Minor Hockey Association Pee Wee AAA team, to attend the Quebec PeeWee Hockey Tournament.

MOTION CARRIED

Points from Discussion

- Very few teams get the opportunity to qualify and to attend this tournament.
- The players are from Kentville and the surrounding area.
- This team is not connected to the University, but is the replacement organization from the former association.

(Councilor Bernie Cooper returned at 8:38 p.m.)

(b) Property Valuation Services Corporation

A letter from this organization indicated that property valuation will be identified under Work Area 1, and that Debi Karrel has been appointed as the Director of Client Services for the municipal units. The letter further stated that Ms. Karrel will contact the municipal offices over the next few weeks to discuss the distribution of the 2008 Assessment Roll.

NEW BUSINESS

(a) VWRM Bylaw Amendments

A presentation earlier in the evening outlined those

APPROVED FEBRUARY 13, 2008

amendments to the existing bylaw, which are required to incorporate the clear bag program, the legal and regulatory foundations of VWRM, illegal dumping, the Authority's power to make policy, management of commercial waste, waste inspection, management Centre operations and administrative penalties.

It was noted that uniformity in the acceptance of this bylaw by all municipal partners is important.

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

that First Reading be given to repeal the Town's current bylaw – Valley Region Solid Waste Resource Management Bylaw (Chapter 66) and adopt the draft bylaw, as attached.

MOTION CARRIED

However, upon further discussion, the solicitor noted that First and Second Reading of this bylaw would not be required. Therefore, the motion was withdrawn and upon further recommendation, two separate motions were made as follows:

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

that the current Valley Region Solid Waste-Resource Management Bylaw be repealed

MOTION CARRIED

It was further moved by Deputy Mayor Mark Pearl and seconded by Councilor Bernie Cooper

that the Valley Region Solid Waste-Resource Management Bylaw (attached) be adopted be adopted by Town Council.

MOTION CARRIED

Points from Discussion

- There appear to be no outstanding prosecutions under the current bylaw.
- A policy for implementation dates would apply and

APPROVED FEBRUARY 13, 2008

therefore, there should be a seamless transition from the current bylaw to the newly proposed bylaw.

- The solicitor for Valley Waste Resource Management Authority has reviewed this document and supports its content.
- The Town solicitor noted that First and Second Reading of this bylaw would not be required as the matter does not refer to a planning issue.

(Note: It was later learned that a First and Second Reading of this bylaw are required and therefore, the solicitor declared by e-mail that the original motion would be in order, which is as follows:)

It was moved by Deputy Mayor Mark Pearl and seconded by Councilor Bernie Cooper

that First Reading be given to repeal the Town's current bylaw – Valley Region Solid Waste Resource Management Bylaw (Chapter 66) and to adopt the draft bylaw, as attached.

MOTION CARRIED

(b) Webinars

Councilor Nola Folker-Hill asked if any staff plan to participate in online workshops for green funds. CAO Boyd responded that Director Phillips is involved in this program and will involve staff and Council members. More information will follow on this.

Councilor Bolland reported that he has directed information on to the Director of Planning regarding upcoming webinars on similar issues.

PUBLIC COMMENT PERIOD none

ADJOURNMENT Councilor Larry Honey moved that the meeting adjourn at 8:45 p.m. to go In Camera (re: litigation and negotiations)