

APPROVED – September 26, 2011

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# KENTVILLE TOWN COUNCIL

## MINUTES

### July 25, 2011

#### PRESENT

Mayor David Corkum, Deputy Mayor Bill Boyd, Councilor Mark Pearl, Councilor Bernie Cooper, Councilor Eric Bolland, Councilor Nola Folker-Hill, Councilor Tony Bentley, CAO Mark Phillips, Solicitor Peter Muttart, Recording Secretary Pat Gourley.

*(Note: Transcription of recorded minutes by Town Clerk Carol Harmes)*

#### MEETING CALLED TO ORDER AND ROLL CALL

Mayor David Corkum called the meeting to order at 7:00 p.m. and CAO Phillips reported that all Council members were in attendance except for Town Clerk Carol Harmes, whose role as Recording Secretary is being conducted by Pat Gourley.

#### APPROVAL OF THE AGENDA

It was moved by Deputy Mayor Bill Boyd and seconded by Councilor Tony Bentley

**that the agenda be approved with the addition of:**

*5(a) Update - Colliers Agreement*

**MOTION CARRIED**

#### 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.*

#### PRESENTATIONS

##### **(a) Ben Sivak (Kings County 2050)**

Mayor Corkum welcomed Ben Sivak and newly appointed County CAO, Bob Ashley.

Mr. Sivak made the following points from his presentation:

- This project lays the foundation for sustainability for the next generation.
- Climate change, aging populations and diminishing natural resources are

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- concerns affecting the whole world.
- The development and preservation of farm land needs to be addressed.
- Commercial development in New Minas will affect surrounding towns and areas.
- Infrastructure (roads, sidewalks, bridges, etc. ) must be maintained and expanded to meet future needs.
- Regional sewer treatment is another service which must be developed in a reasonable and affordable manner.
- Work with the Climate Adaptation Plan, Municipal Planning Strategies and Land Use Bylaws must be coordinated within the units.
- The sharing of knowledge, work and financial commitment exists for many projects.
- Many regionally supported programs already exist, however, there are other areas, and perhaps other partnerships.
- This “Kings County 2050” project could serve as a model throughout the province.

### Points from Discussion

- There is a danger that the Kings 2050 project will be over-whelmed with irrelevant projects.
- The 2050 project will build on existing committees and areas of collaboration, giving members a long term focus.
- Active transportation, education, water and conservation are just a few topics for future agendas.

### **(b) Chase Ross “Devil’s Half Acre” – CD**

CAO Mark Phillips introduced Chase Ross, who has recorded songs under the title of Devil’s Half Acre, and hopes to have these become part of the Town’s 125 anniversary.

As a Kentville resident, a solo artist and also a musician in a four-piece band, known also as the Devil’s Half Acre, he has produced CDs which are

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available here in Kentville. He added that each song represents some part of the Town's history and celebrates its progress. At this point, Mr. Ross is requesting funding for \$1100 which will allow him to have 1000 CDs printed and packaged, 100 posters printed and 30 t-shirts made to promote the music. He is also planning to do some concerts and will do one in Kentville when the album is ready.

He felt that this would promote Kentville as a supporter of arts and culture, as all funding will be advertised on both his website and on the album cover. His future plans are to submit the CD to ECMA and Music NS.

Mayor Corkum asked if Council would contact Mark Phillips as the Director of Recreation, to arrange for whatever financial contribution he deems appropriate.

**APPROVAL OF THE MINUTES**

**(a) June 27, 2011 – Audit Committee**

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

**that the Minutes of the June 27, 2011 Audit Committee Meeting be approved**

**MOTION CARRIED**

**(b) June 27, 2011**

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

**that the Minutes of the June 29, 2011 Special Meeting of Council be approved**

**MOTION CARRIED**

**(c) June 29, 2011 (Special Meeting of Council)**

It was moved by Councilor Tony Bentley and seconded by Deputy Mayor Bill Boyd

**that the minutes of June 29, 2011 be approved with the addition of Councilor Nola Folker-Hill to the attendance list.**

**MOTION CARRIED**

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**BUSINESS ARISING FROM THE  
MINUTES/OLD BUSINESS**

**(a) Update – Collier’s Agreement**

Director of Planning and Development, Beverly Gentleman reported that the agreements have been signed and that on-site signage and other marketing tools are being prepared. It will be an MLS listing.

**REPORTS AND  
RECOMMENDATIONS**

**(a) Council Advisory Committee**

**(i) TBR – Town Capital (\$1,229,700)**

Councilor Bernie Cooper reported that at the July 11, 2011 meeting of Council Advisory Committee, Finance Director Debra Crowell noted that the attached TBR relates to the Town’s 2011-2012 capital program and must be authorized by Council.

It was moved by Deputy Mayor Bill Boyd and seconded by Councilor Mark Pearl

**that the attached Temporary Borrowing  
Resolution be ratified, as follows:**

**TBR 11/12-02 – Various Purposes -  
\$1,229,700**

**MOTION CARRIED**

**(ii) TBR Water - \$1,207,000**

Councilor Bernie Cooper noted that at the July 11, 2011 meeting of Council Advisory Committee, Finance Director Debra Crowell noted that as part of the Spring debenture issue, the Town refinanced the debenture issuance for the well-field development for another 10 years. Although the re-financing was put in place on May 30, 2011, SNSMR had not issued a TBR, and the attached document must now be submitted for their records.

It was moved by Deputy Mayor Bill Boyd and seconded by Councilor Mark Pearl

**that the attached Temporary Borrowing  
Resolution be ratified, as follows:**

**TBR 11/12-01 – Refinancing (Water)  
- \$1,207,000**

**MOTION CARRIED**

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**(iii) Interest Charges on Outstanding Accounts.**

Councilor Bernie Cooper noted that at the July 11, 2011 meeting of Council Advisory Committee, Finance Director Debra Crowell reported that, as per the Town's policy regarding the interest charges on over-due accounts, the Town currently charges an interest rate of 2% per month (26.8% per annum). She added that although this rate must be approved every year, this particular percentage has been in effect since 2002, and has been very effective in prompting the payment of accounts in a timely manner. She further noted that the percentage is in keeping with other municipal units and large companies.

It was moved by Councilor Eric Bolland and seconded by Councilor Tony Bentley

**that the interest rate on outstanding accounts remains at 2% per month (26.8% per annum) for the year April 1, 2011 to March 31, 2012.**

**MOTION CARRIED**

**(iv) Non-owned Automobile Excess Coverage**

Councilor Bernie Cooper reported that at the July 11, 2011 meeting of Council Advisory Committee, Finance Director Debra Crowell reported that the Town's insurers require a Resolution of Council approving that the standard coverage provided by the Non-Owned Auto – SEF 96 be extended to those who operate a personal vehicle on the Town's behalf. This would provide coverage in excess of the limits on employees' own personal automobile insurance policy, and would apply to directors, councilors, employees and volunteers. The excess coverage would not attract an additional premium.

Therefore, it was moved by Deputy Mayor Bill Boyd and seconded by Councilor Eric Bolland

**that Council approves the attached resolution for Non-Owned Automobile Excess Coverage – SEF 96.**

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**MOTION CARRIED**

**(v) Reappointment of Auditor**

Councilor Bernie Cooper noted that at the July 11, 2011 meeting of Council Advisory Committee, Finance Director Debra Crowell reported that on November 29, 2010, Grant Thornton LLP was appointed as the Town's auditors for the year ending March 31, 2011, with the option of renewing this appointment in years ending 2012 and 2013, contingent upon Council's satisfaction. As there appears to be no concerns with this firm, she recommended reappointment.

Therefore, it was moved by Councilor Nola Folker-Hill and seconded by Councilor tony Bentley

**that the Town re-appoints the audit firm, Grant Thornton LLP for the year ended March 31, 2012, at the contracted fee for audit services of \$23,250, plus HST.**

**MOTION CARRIED**

**(vi) Chapter 36 – Curfew Bylaw (First Reading to Rescind)**

Councilor Bernie Cooper reported that at the July 11, 2011 meeting of Council Advisory Committee, Town Clerk Carol Harmes presented a copy of this document, along with a report recommending that it be rescinded, as it is out-of-date and unenforceable. She added that the Police Chief, Chairman of the Police Commission and the Town Solicitor all agree that it has no value and conflicts with the Charter of Rights.

Therefore, it was moved by Deputy Mayor Bill Boyd and seconded by Councilor Eric Bolland

**that First Reading be given to rescind Chapter 36 – Curfew Bylaw.**

**MOTION CARRIED**

**(vii) Chapter 17 – Elections and Enumeration Bylaw (First Reading to Rescind)**

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Councilor Bernie Cooper noted that at the July 11, 2011 meeting of Council Advisory Committee, Town Clerk Carol Harmes reported that this bylaw is being brought forward for Council's review, as much of its content no longer applies to current practices, and that the *Municipal Elections Act* now supersedes this document. She added that both the Town's Returning Officer and the Town's Solicitor concur.

Therefore, it was moved by Councilor Nola Folker – Hill and seconded by Councilor Tony Bentley

**that First Reading be given to rescind  
Chapter 17 – Elections and Enumerations  
Bylaw.**

**MOTION CARRIED**

**(viii) Town Land – Corner of Gladys Porter  
Drive and Park Street (Sale)**

Councilor Bernie Cooper noted that at the July 11, 2011 meeting of Council Advisory Committee, Director Bev Gentleman reported that following an offer, from a local developer, to purchase this piece of Town-owned land, she was directed by Council to arrange a property appraisal to establish its value.

She noted that considering the location of the storm water lines across the property, and the section required by the Town to straighten Gladys Porter Dr., there remains only a small portion that could be used for development. Therefore, the land has little value to abutting property owners or other interested parties, and the proposed purchase price appears reasonable.

Therefore, it was moved by Deputy Mayor Bill Boyd and seconded by Councilor Eric Bolland

**that the Town enter into a Purchase and  
Sale Agreement with Kent Fields Estates,  
for PID 55250328, as located on the corner  
of Gladys Porter Drive and Park Street, for  
the price of \$5,000, plus HST**

**MOTION CARRIED**

**(ix) Canada Day Celebrations**

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Councilor Bernie Cooper reported that at the July 11, 2011 meeting of Council Advisory Committee, the issue of the Canada Day Celebrations was discussed. Some concerns were expressed as to the number of special events that the Town hosts throughout the year and whether or not this particular event represents the best use of parks and recreation resources – both staff and financial.

Additional arguments to downsize or discontinue the Canada Day event, were that it conflicts with similar events, (making it difficult for Council members and Princess Kentville to support other municipal units) and further, that staff are not able to enjoy the holiday, as they are working.

In support of maintaining, and even expanding this event, it was felt that Canada Day Celebrations are generally well-attended; those who participate, enjoy the activities; and it not only celebrates the country's birthday, but also sets Kentville apart from other communities who have fewer events. Further, Canada Day gives Princess Kentville, Councilors, the Mayor and staff an opportunity to showcase the Town.

Therefore, it was moved by Councilor Eric Bolland and seconded by Deputy Mayor Bill Boyd

**that staff prepares an evaluation report on the Canada Day Celebrations, giving consideration to the comments previously made.**

**MOTION CARRIED**

**(x) Policy Statement G27 – Street Naming Policy (Amendments)**

Councilor Bernie Cooper reported that at the July 11, 2011 meeting of Council Advisory Committee, a revised copy of this policy was presented to Council for review. As part of this document, definitions were included to help with the identification of street types.

It was generally felt that the proposed amendments provide good guidelines, while allowing for flexibility, and further, that should Council want changes made in the future, these can be addressed at that time.

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

**that those amendments proposed in the attached Policy Statement G-27 Street Naming Policy, be approved.**

**MOTION CARRIED**

**(xi) Friends of the Library –County Support of Library Operating Expenses**

Councilor Bernie Cooper reported that at the July 11, 2011 meeting of Council Advisory Committee, CAO Mark Phillips read a letter from the Friends of the Library, in which members announced that they have decided to cease further work on the construction of a new library, until such time as the financial support for operation costs can be established.

Members of Council felt that the momentum on this project should be maintained, and as this library is a regional facility, it should be supported by both the Town and County. In this case, County Council has agreed to cost-share the capital costs, however, are not in full agreement in supporting Operating Costs.

Therefore, it was moved by Deputy Mayor Bill Boyd and seconded by Councilor Mark Pearl

**that a delegation of Town Council members arrange to be on the agenda of County Council to encourage them to financially support Operational Costs of the new Kentville Regional Library.**

**MOTION CARRIED**

**(xii) AIMS Report – UNSM Involvement**

Councilor Bernie Cooper noted that at the July 11, 2011 meeting of Council Advisory Committee, CAO Mark Phillips reported that the second annual AIMS Report has been distributed, and again this year, it contains inconsistent and questionable findings which are not supported by SNSMR, AMANS or UNSM. The report has resulted in some outcry by those

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municipalities that have been portrayed negatively. It was noted that although the board members of the Atlantic Institute of Market Studies are well-respected, credible people, who do good work in other areas, they appear to use outdated information when compiling statistics on municipalities.

Therefore, it was moved by Councilor Eric Bolland and seconded by Deputy Mayor Bill Boyd

**that Mayor Corkum carries the concerns of Town Council to UNSM regarding the second Annual AIMS Report and its grading system on municipal units.**

**MOTION CARRIED**

*(NOTE: Mayor Corkum reported that he has already asked to be put on the agenda for the next UNSM Board meeting and he will gladly present any additional comments which Council may have.)*

**(xiii) Policy Statement G57 – Committees of Council (amendments)**

Councilor Bernie Cooper reported that at the July 11, 2011 meeting of Council Advisory Committee, CAO Phillips brought forward Policy Statement G-57, the current policy that addresses the Committees of Council. From this, he noted that the Finance and Administration Committee, although identified as an Ad Hoc committee, has been activated and given a mandate several times recently. The current members on this committee feel that it should be a Standing Committee of Council, with members appointed on a yearly basis. Amendments were proposed and included in the attached document, with the understanding that this committee would review and recommend a revised mandate and structure, if necessary.

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

**that the Finance and Administration Committee be reinstated as a Standing Committee of Council.**

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**MOTION CARRIED**

**(a) Fire**

**(i) Chief's report**

A report from Fire Chief Shawn Ripley indicated that the Town had 8 alarms, with 186 kilometers travelled, the County had 10 alarms, with 625 kilometers traveled and there were no mutual aid calls. These calls ranged in scope from alarms sounding, MVAs, medical assists and spills.

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

**that the report from the Fire Chief be received.**

**MOTION CARRIED**

**(ii) Fire Governance Report**

Deputy Mayor Bill Boyd reported that the committee has not met, so there is nothing to report.

**(c) Valley Waste – Resource Management Authority**

Representative Mark Pearl noted that the Management Minute was not available again, due to staff vacations, however, reported that a meeting had been held last week during which a complaint from a Kentville resident about unsightly premises was addressed. In response, the VWRM's bylaw enforcement officer investigated and within 24 hours the property was cleaned up. The tenants at that property were also informed of the requirements and expectations of citizens regarding waste disposal.

Councilor Pearl advised that the RFP for the new office facilities was awarded to Roscoe Construction, as lowest bidder of 4 submissions. The building should be up and operational by March 2012 and will include many features for energy and cost savings.

It was moved by Councilor Mark Pearl and seconded by Councilor Tony Bentley

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

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**MOTION CARRIED**

**(d) Kings Regional Development Agency**

**(a) Representative's Report**

Jennifer Weisner reported that the board does not meet over the summer, so there is no written report. She added, however, that Kings RDA is working with the Valley Community Fibre Network on a revised business plan, which could involve funding from ACOA; work and encouraging feedback continues on the Research Triangle; the Kings Branding Strategy continues (Food as Culture); and work has resulted in the creation of a Municipal Industrial Committee, on which Lindsay Young represents the Town.

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

**that the Kings Regional Development Agency report be received.**

**MOTION CARRIED**

Points from Discussion

- VCFN has been getting some good press lately.
- The discrepancies with the audited statements from Kings RDA have been clarified and appear to have resulted from communication problems over new accounting rules.
- Kings RDA has operated during the last fiscal year at a break-even position.

**(e) Kentville Community Development Committee**

**(i) Report**

CAO Mark Phillips had nothing further to report.

**(f) Kings Transit Authority**

**(i) Representative's Report**

Councilor Mark Pearl advised that there is no report.

**(g) Environmental Advisory Committee**

**(i) Report**

Councilor Eric Bolland reported that the next meeting will be in September.

**(h) Councilors' Report**

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Councilor Tony Bentley reported that he attended all meetings and events, and noted that the Canada Day event did not appear as popular this year.

Councilor Nola Folker-Hill had nothing further to report.

Councilor Mark Pearl had nothing further to report.

Councilor Eric Bolland had nothing further to report.

Councilor Bernie Cooper reported that he attended all meetings.

Deputy Mayor Bill Boyd had nothing more to report.

**(i) Mayor's Report**

Mayor Corkum noted his report has been enclosed, however, reiterated that the Towns' Task Force on UNSM is operational, although 5 months later than anticipated. He expects a report by next spring, and hopes the terms of reference will be extended.

Research has been focussed on scenarios from other provinces like Manitoba and New Brunswick. The viability of towns (with both dwindling populations and increasing populations - inefficient due to their size) is being addressed in relation to amalgamation, annexation and regional sharing of services. A new ad hoc committee has been formed. Lastly, he added that Canada Day was enjoyed by those who attended.

**CORRESPONDENCE**

**(a) Kings Point-to-Point Transit Society  
(formerly Kings Para-Transit)**

CAO Phillips reported that a letter of thanks has been received from this organization, along with their financial statements. He added that the Town's financial contribution towards operational costs allows Kings Point-to-Point to remain viable.

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

**that the letter from Kings Point-to-Point  
Transit Society be received.**

**MOTION CARRIED**

**(b) EMO Nova Scotia**

A letter from this organization noted that the Town's self-evaluation was not received. This was partly due to the fact that the Town has been without a CAO for the past several months. CAO Phillips suggested that

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the REMO evaluation would serve all participants, although some points should be addressed by the individual towns. He added that Vern Fraser has left the EMO organization but will be replaced.

**(c) Valley Health Revitalization Campaign**

CAO Phillips reported that this letter thanks the Town for its financial contribution in the amount of \$17,700, and noted that work is well underway with the hospice and when completed, this facility will be much appreciated by the community.

**(d) Raymond MacCullum Re: Kent Fields Estates**

This Layton Street resident appreciates the 20 foot green space between the residents on Layton Street and this new development, but asked if the developer could fill in sparse areas with additional trees.

Points from Discussion

- This letter does not imply an appeal.
- Planting more trees could be part of the site development process.

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

**that the correspondence from Raymond MacCullum be received.**

**MOTION CARRIED**

**NEW BUSINESS**

**(a) none**

**PUBLIC COMMENTS**

**(a) none**

**ADJOURNMENT**

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

**that the meeting adjourns at 8:36 p.m.**

**MOTION CARRIED**