

APPROVED - APRIL 11, 2007

**KENTVILLE TOWN COUNCIL
MINUTES
March 14th, 2007**

PRESENT

Mayor David Corkum, Deputy Mayor Larry Honey, Councilor Bernie Cooper, Councilor Eric Bolland, Councilor Dennis Kehoe, Councilor Mark Pearl, Councilor Nola Folker-Hill, Acting CAO Debra Crowell, Town Solicitor Peter Muttart and Recording Secretary Carol Harmes.

**MEETING CALLED TO ORDER
AND ROLL CALL**

Mayor Corkum called the meeting to order and Acting CAO Crowell reported that all Council members were in attendance.

APPROVAL OF THE AGENDA

It was moved by Councilor Nola Folker-Hill and seconded by Deputy Mayor Larry Honey

that the agenda be approved with the addition of a Moment of Silence, next on the agenda.

MOTION CARRIED

MOMENT OF SILENCE

Those in attendance observed a Moment of Silence in memory of Deputy Warden Bert Greene from the County of Kings, who passed on recently.

PRESENTATIONS

(a) Anna-Marie Gallant-Ward – Green Streak Program

Councilor Eric Bolland introduced Ms. Gallant-Ward, giving a resume of her work with climate change issues. Following this, she outlined the Green Streak program, stating that it has been devised in support of the Anti-Idling program and involves those motorists who are taking part, to attach a magnetic green ribbon to their vehicle. She presented several of these for town-owned vehicles.

In addition, she mentioned the work for climate change being done on the Provincial and Federal level with anti-idling, recycling and buying locally. Although somewhat disappointed with Provincial and Federal commitments, she felt that some real changes could be made at the grass roots level, with municipal government.

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APPROVAL OF THE MINUTES

(a) February 14, 2007

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

that the Minutes of February 14, 2007 be approved with an amendment on page #1 from “Library Committee” to “Annapolis Valley Regional Library Board”, and an amendment on page 13 from “he will bring” to “he brought.”

MOTION CARRIED

BUSINESS ARISING FROM THE MINUTES

(a) Gazebo – Tabled Motion of October 11, 2006

It was noted that discussion took place at the August 2006 meeting of CAC and a motion was made to recommend to Council that the gazebo in Centre Square be removed. The motion was defeated. This item was placed again on the CAC agenda for September 2006, at which time the recommendation to Council to remove the gazebo was approved.

However, when this recommendation from CAC was presented at the October meeting of Council, the motion to remove the gazebo was tabled to the February meeting of Council, which would allow for the preparation of a report from staff. This report was reviewed at the January meeting of CAC.

However, the motion to remove the gazebo that had been tabled for the February meeting of Council, was overlooked on the agenda, and therefore, was included at this (the March 2007) meeting of Council.

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

that the motion be removed from the table.

MOTION CARRIED

After further discussion, the question was called regarding removing the gazebo

MOTION DEFEATED

Points from Discussion

- The gazebo is a nuisance and attracts loitering.
- Chairman of the Police Commission Kehoe stated that the cameras have been ordered, an additional police officer is available and these two initiatives, along with additional lighting, should have a positive impact on the problems in Centre Square.
- It would cost \$30,000 for removal of this structure and there would be a loss of trees. However, this \$30,000 will be easily spent on cameras, fencing, policing, etc.
- Loitering and human behaviour is the problem, not the gazebo.
- It is important to change the attitude of people not to remove structures in Town. People are afraid to enter Centre Square and the proposed changes should make a difference.

**REPORTS AND
RECOMMENDATIONS**

(Note: At this point in time, the audio recording of this meeting discontinued.)

(i) Sport/Tourism Committee Request (January CAC)

Councilor Nola Folker-Hill stated that at the January meeting of Council Advisory Committee, 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. The purpose of these funds would be for promoting 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 and will be used by this group. Further, he noted that the Committee will present a business plan to the units prior to expending any funds.

Therefore, it was moved by Councilor Nola Folker-Hill and seconded by Councilor Eric Bolland

that the \$2,100 surplus, which had been

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dedicated by the Town towards the 2011 Canada Winter Games bid, be placed in a reserve to be used by the Sport Tourism Committee.

MOTION CARRIED

(Note: It was felt that this should be a one-time-only contribution.)

(ii) REMO Council Appointment (January CAC)

Councilor Nola Folker-Hill stated that at the January meeting of Council Advisory Committee, CAO Boyd pointed out that the first REMO meeting will take place on February 8th, and according to the Municipal Agreement, the Mayor/Warden of each unit, along with another councilor must attend.

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

that Councilor Bernie Cooper be appointed as Kentville's council representative on the REMO Committee.

MOTION CARRIED

(iii) Appointment of Auditor - 2007

Councilor Nola Folker-Hill stated that at a recent meeting of Council Advisory Committee, Director Crowell reported that on July 14, 2004 Council ratified a motion to retain the services of Grant Thornton LLP for the year ending March 31, 2005, with the option for reappointment for the years ended 2006 and 2007, contingent on its satisfaction with their performance and fees, among other things. As there are no matters to the contrary, Director Crowell recommended reappointment.

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

that the audit firm, Grant Thornton LLP, be reappointed as the Town of Kentville's auditor for the year ended March 31, 2008.

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MOTION CARRIED

(iv) Appointment of Consulting Engineers-2007

(Note: Deputy Mayor Honey declared a conflict of interest at 7:35 p.m.)

Councilor Nola Folker-Hill stated that at a recent meeting of Council Advisory Committee, Director Hal Henderson reported that proposals for three-year services of a consultant engineer closed on March 18, 2005 and that Hiltz and Seamone Company Limited, a local company, had been engaged in that capacity, on the condition that they be reappointed in years 2006 and 2007, provided Council was satisfied with performance and fees, among other things.

As they are in mid-process of completing several long term projects for the Town and Water Commission, continuity is very important. Further, this firm has a good working relationship with contractors and with the Town itself, and therefore, Director Henderson recommended reappointment for another term.

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

that Council re-appoints Hiltz and Seamone Company Limited as the Town's Consulting Engineers, their fee being 10.75% plus HST of the actual cost of construction (excluding HST), for the third year of their three-year contract.

MOTION CARRIED

(v) Appointment of Insurance Carrier – 2007

(Deputy Mayor Larry Honey returned at 7:37 and assumed the chair, as Mayor Corkum declared a conflict of interest and left the room at 7:37 p/m.)

Councilor Nola Folker-Hill stated that at a recent meeting of Council Advisory Committee, Director Crowell reported that on March 9, 2005 Council ratified a motion to retain the services of Frank Cowan Company / Macdonald Chisholm Trask Insurance for the year ending March 31, 2006, with the option for reappointment for the years ended 2006 and 2007, contingent on its satisfaction with performance and fees, among other things. She reported that there have

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been no matters to the contrary and recommended reappointment.

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

that the firm, Frank Cowan/Macdonald Chisholm Trask be reappointed as the Town's insurance carriers for the year ended March 31, 2008 and that the premium of \$159,213 be approved.

MOTION CARRIED

(Mayor Corkum returned at 7:38 p.m.)

(vi) Lighting Upgrades – Centre Square 2007

(Councilor Dennis Kehoe declared a conflict of interest and left the room at 7:38 p.m.)

Councilor Nola Folker-Hill stated that at a recent meeting of Council Advisory Committee, CAO Boyd reported that upon a recommendation by the Parking Committee, the firm of Neill and Gunter was engaged to report and recommend improvement in the lighting of Centre Square. The attached report was reviewed.

Therefore, it was moved by Councilor Nola Folker-Hill and seconded by Councilor Eric Bolland

that two wall packs and six new 150 watt HPS bulbs be installed in Centre Square for a cost of approximately \$2,780, plus HST, thereby increasing the lighting intensity by 42%.

MOTION CARRIED

(Councilor Dennis Kehoe returned at 7:40 p.m.)

(vii) Environmental Advisory Committee – Status and Budget

Councilor Nola Folker-Hill stated that at a recent meeting of Council Advisory Committee, Councilor Eric Bolland asked that Council consider establishing the Environmental Advisory Committee as a stand alone committee, with its own budget. He stated that

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funding is required for a number of promotional and training items, as well as day-to-day operational expenses.

Although stand alone committees were generally not favoured by Council, CAC was prepared to make a recommendation regarding the status of this committee and its budget.

Therefore, it was moved by Councilor Nola Folker-Hill and seconded by Councilor Eric Bolland

that the Environmental Advisory Committee be established as an ad hoc committee of Council

And further,

that a \$10,000 Operating Budget be considered for this committee during budget deliberations.

MOTION CARRIED

(viii) KCDC – Recommendation for Committee Membership

Councilor Nola Folker-Hill stated that at a recent meeting of Council Advisory Committee, Erin Mason (Kentville's representative on Kings CED) made a recommendation regarding membership on the Kentville Community Development Committee. She pointed out that some members have retired, leaving vacancies; there has been an excellent interest in the committee from the business sector; and there is the need to have some diversity in the knowledge and expertise on the committee. She felt that some additional members should be included at this time.

Therefore, it was moved by Councilor Nola Folker-Hill and seconded by Councilor Dennis Kehoe

that the names Colette Beaton, Darlene Keeney, Betty-Ann Balcom and Donna Packer be added to the membership of this committee.

MOTION CARRIED

(ix) Parking Committee Recommendations from Delphi MRC Study

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Councilor Nola Folker-Hill stated that at a recent meeting of Council Advisory Committee, Hal Henderson noted that the Parking Committee met recently to review the Delphi-MRC report. During this time, safety concerns were expressed regarding two of Delphi's recommendations, thereby resulting in the lack of endorsement of these specific items. Additional items were also added which were expected to enhance the flow of traffic in the area.

Following a review of both the Delphi MRC and the Parking Committee's report, recommendations were made.

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

that the following issues identified by the Parking committee, be approved:

- **The left turn lane on Cornwallis / Webster Street should not be marked to permit through movements as this would be a safety hazard**
- **Truck turning radius issues at Cornwallis and Main Streets need to be addressed through templates and preferred design vehicle.**
- **The left turn lane at the liquor store should be lengthened.**
- **Cornwallis Street parking should remain on both sides of the street, but should be better enforced for the 2 hour parking.**
- **A designated loading zone should be installed on the west side of Cornwallis Street near Café Central.**
- **An additional parking space in front of Fred's Shore, nearest the cross walk should be eliminated**
- **A lighted pedestrian cross walk should be installed across the intersection of Cornwallis and Main Streets.**
- **The timing of the traffic lights at the Cornwallis and Belcher Street intersection should be readjusted for**

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better traffic flow.

MOTION CARRIED

Points from Discussion

- The traffic authority may make a recommendation on the left hand turning lane on Webster from Cornwallis Streets.
- All day parking on Cornwallis Street would defeat the purpose of adding more parking places downtown, as they would be used by staff.
- If fines for double parking are pending, then courier companies should be notified.
- The solicitor confirmed that double parking is against the law. If a loading zone is designated, delivery vehicles cannot be forced to use it, but they can be charged if they double park.
- He clarified the concept of a 15 minute loading permission, by saying that the intent of this was for the delivery/pick up vehicle to back up (perpendicular to the street) to allow for heavy items to be easily moved. Parallel parking is not allowed.

(x) Cash-in-Lieu – Tan Property

Councilor Nola Folker-Hill stated that at a recent meeting of Council Advisory Committee, Director Bev Gentleman reported that in accordance with the Town's Land Use Bylaw, Section 15-5, Council may accept cash-in-lieu of parking in a Commercial General (C-1) zone under certain conditions. She added that Mr. Tan is constructing three apartments at 374 Main Street and is required to provide 4 parking spaces due to a change of use in this property. However, this particular property does not have room for additional on-site parking, and as such, Mr. Tan is requesting that the Town accept cash as an alternative.

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

that based on the provisions of the MPS and LUB, that Council accepts the cash-in-lieu of parking in the amount of \$4,928 from Mr. Michael Tan, to satisfy this aspect of the Development Permit to construct 3

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**apartments in the property located at 374
Main Street, Kentville.**

MOTION CARRIED

Points from Discussion

- In the past, cash-in-lieu has been placed in a reserve to construct or pave parking lots.
- With no parking allocated to these residents, it is possible that they could park behind Gaspereau Printing in the Town-owned parking spots.
- These residents may be required to pay rent for the spaces.
- This cash-in-lieu arrangement creates another parking problem.
- The cash-in-lieu should be used to create more spaces.

(xi) Tax Billing Format Change – 2007

Councilor Nola Folker-Hill stated that at a recent meeting of Council Advisory Committee, Finance Director Crowell presented a sample tax bill that included a breakdown, as it related to the tax bill and the Provincial Mandatory percentages. This new format, as attached, would better show residents where their property tax dollars are spent.

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

that the Finance Department revise the information on the tax billing to coincide with the sample tax bill presented.

MOTION CARRIED

(xii) Tax Exemption – Section 69 – 2007-08

Councilor Nola Folker-Hill stated that at a recent meeting of Council Advisory Committee, Director Crowell reported that Council allows for a partial tax exemption, under certain circumstances, but must pass a resolution annually, based on set criteria.

Therefore, it was moved by Councilor Nola Folker-

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Hill and seconded by Councilor Eric Bolland

that Council approves the exemption from taxes for the period April 1, 2007 to March 31, 2008 (pursuant to Section 69 of the MGA) in the amount of \$200

and further

that the exemption be granted to persons whose total income from all sources (and including the income of all other persons in the same family residing in the same household as the applicant ratepayer) for the year 2006, is equal to or less than \$21,100. (An allowance paid pursuant to the War Veteran's Act – Canada – and the Pension Act – Canada – is excluded, as is a tax rebate provided by the Province.)

and further

that the property must be occupied by the applicant ratepayer

and further

that where a property is assessed to more than one person, any of whom is entitled to an exemption, may receive only the portion of the exemption equal to that person's share of the total assessment for the property, but where different interests are not separate, then to that portion determined by the treasurer, whose determination is final

and further

that no application for an exemption will be considered unless made on, or before the 31st of May 2007.

MOTION CARRIED

(xiii) Tax Account Write-Offs

Councilor Nola Folker-Hill stated that at a recent meeting of Council Advisory Committee, Director Crowell reported that a list of tax accounts that have been recommended by the Town's Collection Officer for write off, relate to business occupancy taxes on businesses now closed. As both accounts have been in the collection agency over one year, it appears unlikely that payment will be received.

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

that the attached list of unpaid business occupancy tax accounts, in the amount of \$610.76, be written off.

MOTION CARRIED

(xiv) Sundry Account Write-off – 2007

Councilor Nola Folker-Hill stated that at a recent meeting of Council Advisory Committee, Director Crowell reported that a sundry receivable account, in the amount of \$2,666.65, has been recommended by the Town's Collection Officer for write off. This amount relates to the 2003 flood and has been rejected for payment by both the Federal and Provincial auditors.

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

that the attached sundry receivable account, in the amount of \$2,666.65, be approved for write-off.

MOTION CARRIED

(xv) Withdrawal – Town Capital Reserve Overruns and Additions – 2007

Councilor Nola Folker-Hill stated that at a recent meeting of Council Advisory Committee, Director Crowell reported that final costs for various 2006/2007 capital projects ran over the projected costs as outlined in the 2006/07 Capital Budget. In addition, costs for Kentville Futures remediation continued and added to the infrastructure of the Town, and must be capitalized and funded, as outlined in her attached report.

Therefore, it was moved by Councilor Nola Folker-Hill and seconded by Councilor Dennis Kehoe

that Town Council approve the withdrawal of \$70,064.76 from the Town's Capital Reserve – General Allocation, to fund various project over runs and additions for 2006/07.

MOTION CARRIED

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(xvi) Withdrawal – Town Capital Reserve – Various – 2007

Councilor Nola Folker-Hill stated that at a recent meeting of Council Advisory Committee, Director Crowell reported that Council approved the 2006-2007 Capital Budget on May 10, 2006, and that part of the funding for construction included the requirement to withdraw money from the Capital Reserve, as per the attached report.

Therefore, it was moved by Councilor Nola Folker-Hill and seconded by Councilor Eric Bolland

that the attached resolution be approved for the withdrawal of \$322,443.70 from the Town's Capital Reserve to fund budgeted capital construction costs for 2006/07, as per the Town's Capital Budget.

MOTION CARRIED

(xvii) Withdrawal – Town Capital Reserve – Over-runs – Sanitary Sewer 2007

Councilor Nola Folker-Hill stated that at a recent meeting of Council Advisory Committee, Director Crowell reported that final costs for 2006-07 Sanitary Sewer Capital projects ran over the projected costs, as outlined in the 2006-2007 Sanitary Sewer Capital Budget, as per the attached report.

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

that the attached resolution be approved for a withdrawal of \$2,307.63 from the Town's Capital Reserve (Sanitary Sewer), to fund various project over runs for 2006-07.

MOTION CARRIED

(xviii) Withdrawal – Town Capital Reserve (Sanitary Sewer, restricted and Sanitary Sewer Area Service Capital Funding – 2006-07)

Councilor Nola Folker-Hill stated that at a recent meeting of Council Advisory Committee, Director

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Crowell reported that the 2006/07 Sanitary Sewer Area Service capital budget requires a withdrawal from the Town's Capital Reserve fund – Sanitary Sewer, as a partial funding source. Final costs for 2006/07 capital projects (Sanitary Sewer) are quantified and now the request for withdrawal from the Capital Reserve is being made. The specific projects are itemized in the attached report.

Therefore, it was moved by Councilor Nola Folker-Hill and seconded by Councilor Eric Bolland

that the attached resolution be approved for a withdrawal of \$164,168.15 from the Town's Capital Reserve, Sanitary Sewer portion, to partially fund sanitary sewer capital construction during 2006-07.

MOTION CARRIED

(xix) VWRM 2007-08 Operating and Capital Budget

Councilor Nola Folker-Hill stated that at a recent meeting of Council Advisory Committee, CAO Boyd noted that a copy of this budget was distributed to Council and was discussed in detail at a joint Council meeting on January 29th. He reviewed some highlights of the document and pointed out that Kentville could expect an increase in funding of 2.4%.

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

that the Budget as presented by VWRM be approved.

MOTION CARRIED

(xx) KVFD – Capital Budget (Area Rate – 2007)

Councilor Nola Folker-Hill stated that at a recent meeting of Council Advisory Committee, CAO Boyd noted that a copy of the report from the Fire Department outlined the area rate requirements for 2007-2008. In this, it was noted that the amount budgeted for 2007-2008 was \$388,900, which was an increase of \$24,500. The budget also includes a replacement of the rescue unit, which was 17 years old.

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

that the capital budget for the KVFD be approved at \$388,900 (for an area rate of 0.047%) .

Points from Discussion

- It would appear presumptuous for the Town to approve this budget, based on the proposed area rate, prior to the rate payers' meeting.
- Delay of approval at this time, will not adversely affect this process.

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

that this matter be tabled until the next meeting of Council.

MOTION CARRIED

(a) Finance

(i) Director's Report

Director Debra Crowell reported that as of February 28, 92% would be the benchmark for comparison of expenditures and revenue. She outlined the status of each account and stated that account variances will occur throughout the remainder of the year.

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

that the report prepared by the Finance Director be received.

MOTION CARRIED

(b) Planning and Development

(i) Director's Report

Director Gentleman reported that there were 6 permits issued during the month, with a building total of \$334,261, for a yearly total of \$696,061. She added that Council addressed the request for cash-in-lieu of

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parking earlier in the evening which is an important aspect of the development agreement with Michael Tan for the construction of 3 apartments. Work also continues with the conference committee for the NS Planning Directors in May, and guiding principles prepared by the KCDC for the CP lands were also addressed by Council. Ian Maxwell has been meeting with his surveyor regarding the requirements for subdivision approval, PAC members continue to identify some inconsistencies in the LUB and MPS and Basic EMO Training was undertaken recently at Acadia University.

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

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

MOTION CARRIED

(ii) Committee Report

Councilor Nola Folker-Hill reported that the committee will meet on April 2nd. Further, Mayor Corkum added that there has been a growth rate increase in Kings County, and that Kentville lead all other towns in the province. The stats indicate 5800 residents for the Town.

(c) Fire

(i) Chief's Report

Chief Ripley provided a statistical report for the month of February, (as attached) in which he broke-down the type and number of Town and County alarms, mutual aid and the total kilometres travelled

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

that the report from the Fire Chief be received.

MOTION CARRIED

(ii) Governance Committee Report

Councilor Dennis Kehoe reported that at a recent meeting, members reviewed the capital budget and

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recommended that it be sent to Council for review.

(e) Parks and Recreation

(i) Director's Report

A report from Director Mark Phillips outlined that the arena continues to be busy with a number of scheduled events, and that the energy assessment conducted by Second Source Power recommended alternate power solutions (i.e. solar and wind) and this will be discussed by Parks and Recreation Advisory and the Environmental Advisory Committee meeting. He added that the Home Show (April 20-22) is booked to capacity with a waiting list; that Friends of the Library meetings continue, with a recent meeting involving MLAs Mark Parent and David Morse. With the Ducks Unlimited project, work continues. In an effort to promote the "Take the Roof Off Winter" initiative, several classes from KCA will skate at the arena.

The concept of bringing a number of NHL teams to the Valley area for training is a project identified by the Sport Tourism Committee and work continues with budgets and logistical information. Director Phillips also added a list of meetings and events in which he recently took part. Included are those relating to the capital and operating budgets for his department. Lastly, he noted that an invoice for \$50,982.54 has been submitted to the County of Kings.

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

that the report from the Director of Parks and Recreation (attached) be received.

MOTION CARRIED

(ii) Committee Report

Councilor Mark Pearl noted that the funds of \$2100, recently approved for the Sport Tourism Committee, would go to the NHL training sessions. He added that in his absence from the next scheduled committee meeting, Councilor Folker-Hill has agreed to be chair, because Vice Chair Eric Bolland will also not be in attendance. As there is a possibility of not having a quorum, Councilor Pearl agreed to follow up on the

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possibility of postponing the meeting.

Other points made

Councilor Kehoe suggested the possibility of the Town purchasing extra power from green sources rather than to become involved in power production once again.

Mayor Corkum added that a letter from the AAA hockey team thanked the Town for its cooperation and help over the last many months.

(f) Police

(i) Chief's Report

Chief Mander reported that work has begun on the police budget and this has been approved by the Police Commission and now awaits approval by Council. He included statistical comparisons for the years 2001 to 2006 inclusive, in which an increase in crime has been shown for 2006. He added that 49 hours of foot patrol have been carried out for the month.

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

that the report from the Police Chief (attached) be received.

MOTION CARRIED

(ii) Board Report

Councilor Dennis Kehoe reported that budget deliberations are well underway. Mayor Corkum stated that some residents have suggested more foot patrols in the downtown to discourage loitering and that this request should be passed along to the Chairman of the Board.

(g) Transportation Services

(i) Director's Report

Director Henderson reported that with the arrival of winter, ice has continued to clog Mill Brook and salting and sanding snowy roads has become routine. He added that approximately \$130,000 of the \$215,000 snow and ice removal budget has been used and spring

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clean- up will begin shortly.

He added that work continues with the consultants to draft new sewer bylaws and these may be ready for CAC in March; the next meeting for the Regional Sewer Committee will be in March, and VWRM Spring Clean-up will be on Monday, April 16 or Tuesday, April 17th.

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

that the report prepared by the Director of Transportation Services (attached) be received.

MOTION CARRIED

(ii) Committee Report

Deputy Mayor Larry Honey reported that the committee has recently met and is reviewing the operating and capital budgets. With the Sewer Bylaw, there is some urgency with its completion, as this will encourage some of the industries in Town to “clean up their act.”

Points from Discussion

- Perhaps more education should be given to both homeowners and other commercial enterprises, regarding what should or should not be put into the sewers.
- Public awareness and relations is a low position priority on the agenda at this point in time.

(h) Water Commission

(i) Directors Report

Director Henderson reported that all capital projects for 2006/07 are nearly complete and the flow meter installations are expected to be completed in March. A tender for the purchase of meters has been awarded and also level meters have been ordered for the monitoring wells. Lastly, he reported that some testing for e coli at a residence in Kentville showed the water quality safe for consumption, and documentation of this has been sent to the Medical Officer of Health.

It was moved by Councilor Dennis Kehoe and

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seconded by Councilor Bernie Cooper

that the Director's Report (attached) be received.

MOTION CARRIED

(ii) Commission Report

Mayor David Corkum reported that there was a lengthy meeting last evening and that a new committee – Community Liaison Committee – was established to deal with wellfield issues. A member of the Dept. of Environment also serves on this committee.

(i) Valley Waste Resource Management Authority

(i) Representative's Report

Councilor Mark Pearl reported that a written report was provided (attached) and reiterated that work continues with the agreement with Scotia Recycling; the Purchasing and Tendering Policy is being amended; education continues with homeowners; Summary Offence Tickets are being considered for unsightly premises involving garbage; and that revenue for the month of January was \$739,902, with a current surplus showing at \$470,000.

It was moved by Councilor Mark Pearl and seconded by Councilor Nola Folker-Hill

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

MOTION CARRIED

(j) Kings Community Economic Development

(i) Representative's Report

Councilor Eric Bolland welcomed members from Kings CED in the audience and stated that a written report (attached) outlined the work being done by this agency. As this had been circulated prior to the meeting, he did not expound on the items within the report.

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

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that the report from the representative of the Kings Community Economic Development be received.

MOTION CARRIED

(k) Kentville Community Development Committee

(i) Report

Kentville Representative Erin Mason displayed the new banners which will be installed throughout the downtown sometime before Apple Blossom Festival. She added that the Business Showcase is shaping up to be a very successful event, with over 80 people signed up and over 20 businesses with booths. Service First Training will be held in April and advertising will begin tomorrow. Two sessions are planned and she will highlight those at the Showcase. The on-line Business Directory has been launched and more detail will be added on the Kentville site. She is also working on the Town's Newsletter and will be building a brand for Kentville. (No advertising will be included in the newsletter, as money is being provided for this.)

(l) Kings Transit Authority Representative's Report

Councilor Mark Pearl reported (as per attached report) on the January ridership (up 9% from last year) and also stated that revenue is up. He added that Ramsay Management Consultants has been appointed to oversee the operation of the authority, and that recruitment for a new general manager is underway.

He added that budgets are being considered in the amount of \$335,178 and that Kentville would pay 20% of this budget.

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

that the report from the representative of Kings Transit Authority be received.

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(m) Councilor's Report

Councilor Mark Pearl had nothing further to report. **Councilor Nola Folker-Hill** reported that she attended the African Heritage celebration and all meetings scheduled, along with the SAC meeting. At the SAC meeting it was mentioned by Jennie White that if a new school is built in Kentville, then the School Board offices may move back to town. She added that the playground equipment at KCA does not meet CSA standards and needs to be replaced.

Councilor Bernie Cooper attended all meetings.

Councilor Eric Bolland attended all meetings assigned, took part in the Battle of Wits and was part of a panel discussion at St. James Church on climate change.

Councilor Dennis Kehoe had nothing further to report.

Deputy Mayor Larry Honey attended all meetings and the meeting of UNSM on provincial capping of assessments. He read the resolutions passed at that meeting and expressed his concern with assessment capping. He added that it appears that 90% of property owners will be eligible for the cap and this could be devastating for low income families.

(n) Mayor's Report

Mayor David Corkum expounded on the attached report, pointing out that he had attended the African Heritage Celebrations, the Chamber of Commerce's AGM, the Lion's Charter Night, the MRI Opening at Valley Regional Hospital, the Grad Re-opening, as well as he has had meetings on Innovation Kings, the Maxwell land development, VWRM e-disposal, Crime Stoppers, KCDC, CP Land development, Water Commission and the Community Liaison Committee. He added that he has had some rehearsals and an interview on the fund-raising play for the Princess Kentville Bursary. Lastly, he mentioned that he attended the funeral of Bert Greene, who was Deputy Warden at the County of Kings and a much admired individual.

**(o) Chief Administrative
Officer's Report**

In his absence, CAO Bill Boyd submitted the attached

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report which outlines work being done on the CP and Irving property and meetings with the CAOs, Kings Partnership Steering Committee and budgets.

CORRESPONDENCE

(a) Evergreen Home for Special Care

Mayor Corkum pointed out that a letter was received from the Director of Recreation of Evergreen, in which he thanked staff of the Parks and Recreation Department and the Mayor for participating in the NS Recreation Professionals in Health Week.

(b) Town of Berwick

A note of thanks was received from the CAO of Berwick, for the presentation made by Erin Mason on the projects being undertaken by Kentville.

NEW BUSINESS

At this point, Councilor Mark Pearl asked to include two items under New Business to this agenda. A poll of council members allowed these late additions.

(1) VWRM – SOTs

Councilor Pearl reported that Valley Waste Resource Management staff wish to use SOTs (Summary Offence Tickets), as the issuance of these will allow those individuals and companies who repeatedly disregard appropriate recycling, to be fined to an extent that will be a deterrent. He noted that a bylaw would be required for each county and town and that Valley Waste will assist the units, if necessary. He added that presently the County of Annapolis uses SOTs successfully.

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

that the matter go to CAC in March

MOTION CARRIED

(2) Notice of Motion for Reconsideration Re: Cash-in-Lieu of Parking

The Town's solicitor reported that such a motion must be made at the same meeting as the resolution, and that it must be proposed by a person voting in favour of the motion.

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(Note: As Councilor Pearl had not voted in favour of the motion, he was unable to reintroduce the matter.)

PUBLIC COMMENT PERIOD

None presented

IN CAMERA

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

that the meeting adjourn to go In Camera to discuss Land Negotiations.

MOTION CARRIED

COUNCIL MEETING RESUMES

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

that the regular meeting of Town Council resumes at 10:00 p.m.

MOTION CARRIED

SHANNEX DEVELOPMENT PROPOSAL

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

that whereas Shannex RLC Limited (Shannex) has made an offer to the Town of Kentville to option certain lands of the Town;

And

whereas the lands in question are graphically depicted in Schedule "A", hereto attached

Now be it resolved

that the Town enter into a letter of intent to grant an option to Shannex to purchase the lands, such letter of intent to include the following terms and conditions, subject to the conclusion of satisfactory negotiations, respecting items not included below:

- 1. The development to be constructed by Shannex and its contractor shall be comprised of 3 simultaneously constructed units of the type and quality depicted in Shannex materials placed before the Town prior to the passage of this resolution. The**

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commercial component shall comprise approximately 40% of the land purchased and shall be constructed within 12 months of the residential component.

2. There will be a non-refundable option fee of \$30,000. The option fee shall be applied to the purchase price if the option is exercised - or forfeited if it is not.

3. The purchase price per acre shall be that previously established by the Town for property on the Kentville Futures site, plus applicable HST.

4. The option must be exercised upon the earlier of:

a. two days following the date upon which the Proposal of Shannex to the NS Provincial Government is accepted - in response to the Provincial Government's RFP, relating to 62 long term care beds, included in Nova Scotia's Continuing Care Strategy designated for the Kentville area; or

b. November 1, 2007. Provided that, if Shannex's Proposal in response to the RFP has been accepted and Shannex requires additional time beyond November, 2007 to conclude negotiations with the province, this date shall be extended by a maximum of 90 days in return for an increase in the non-refundable deposit of \$5,000 for each 30 day extension requested.

5. Once the option is exercised, an

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agreement of purchase and sale will be deemed to exist, incorporating the purchase price, the credit for the deposit, a confirmation that Shannex takes the property 'as is', subject to its right to first examine all environmental information in the possession of the Town and its right to conduct its own environmental inquiries to its satisfaction. Shannex shall indemnify the Town against any actions or claims that may arise related to the environmental condition of the property after the Closing Date; and

6. Incorporating the standard property transaction adjustment clauses, with a closing date to be within 30 days of the exercise of the option.

MOTION CARRIED

ADJOURNMENT

It was moved by Deputy Mayor Larry Honey that the meeting adjourn at 10:15 p.m.