

Approved by Council June 11, 2008

KENTVILLE TOWN COUNCIL

MINUTES

May 14, 2008

PRESENT

Mayor David Corkum, Deputy Mayor Mark Pearl, Councilor Dennis Kehoe, Councilor Bernie Cooper, Councilor Eric Bolland, Councilor Nola Folker-Hill, CAO Bill Boyd, Town Solicitor Peter Muttart and Recording Secretary Lindsay Young (Transcribed by Town Clerk, Carol Harmes)

CALL TO ORDER AND ROLL CALL

CAO Boyd reported that all members of Council were present, with the exception of Councilor Larry Honey

APPROVAL OF THE AGENDA

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

that the agenda be approved as circulated.

MOTION CARRIED

PRESENTATIONS

(a) Welcome Wagon

Local representatives from the Welcome Wagon stated that at the recent conference for the Atlantic Region, President Pat Newman reported that the Town of Kentville has won an award as an outstanding community. The criteria for qualification were outlined, congratulations were exchanged and the town was presented with a plaque.

(b) AVRSB Superintendent Dr. Norm Dray and Board Rep Jennie White

Superintendent Norm Dray reported that:

- Last June the Board approved a balanced budget of \$120 million, however, this year there will be some challenges. The Profile Sheet is still outstanding which delays the budget process.
- A new mission statement has been adopted – “Working Together for Students” and there has been good community support.
- Emergency Planning has been done with school lock downs and emergency services being addressed. The First 30 Minutes Handbook has proven to be very valuable.

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- A Facilities Review process has been undertaken and public meetings will begin soon.
- The NS School Boards Conference will be hosted at the Old Orchard Inn this year.
- With KCA School, the Department of Education is still considering the first proposal for the site selection.
- Smoking areas have been established off the school grounds and students must get permission to use this area.
- The AVRSB received a Gold Award for school busses.
- Enrolment has been decreasing with a projection of 15,000 students this fall. However, the number of Special Needs students has been on the rise.
- 5 year school population projections show that Kings County and Hants County have dropped less quickly than other counties, with a substantial loss in Annapolis County. Trend lines are used to create data.
- The demographics of student enrolment will mean that there will be fewer schools in the future.
- Representative Jennie White thanked the Town for its contribution towards the Science Fair.
- The efforts made at the school with the Anti-Idling Program, have been well received.

**APPROVAL OF THE
MINUTES**

(a) April 9, 2008

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

that the Minutes of April 9, 2008 be approved, as circulated.

MOTION CARRIED

**BUSINESS ARISING FROM
THE MINUTES**

none

**REPORTS AND
RECOMMENDATIONS**

(i) Council Remuneration

Councilor Nola Folker-Hill stated that at a recent meeting of Council Advisory Committee, CAO Boyd discussed a report he had prepared on a comparison of council remuneration with units in the area and other towns of similar size and workload. From this statistical information, he made a

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recommendation.

However, upon review, it was noted that these statistics may change, as current councils will terminate in October this year and many municipalities review stipends and council benefits at the end of their term of service.

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

that the report and recommendation prepared on Council Remuneration be considered at the May meeting of CAC and that any new statistics be included at that time.

MOTION CARRIED

(ii) LUB Amendments – First Reading – Development Agreement Exemptions

Councilor Nola Folker-Hill stated that at a recent meeting of Council Advisory Committee, Director Gentleman noted that as a result of recent controversy regarding the requirement of a development permit for the construction of trails and the installation of playground equipment, members of PAC have reviewed the current Land Use Bylaw and have recommended amendments to identify some exemptions.

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

**that First Reading be given for amendments to the Land Use Bylaw, thereby exempting certain uses from requiring a Development Permit, as identified in the attached report,
and further,
that a Public Hearing on this matter be scheduled for Monday, June 9th, 2008 at 7:00 p.m.**

MOTION CARRIED

(iii) LUB Amendments – First Reading – Front Yard Set Backs C1 Zone

Councilor Nola Folker-Hill stated that at a recent meeting of Council Advisory Committee, Director Bev Gentleman noted that the Planning Advisory Committee reviewed several areas of the Land Use Bylaw, to ensure consistency and compatibility. Following this, amendments were recommended that would allow for zero setback

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requirements in the C1 Zone.

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

that First Reading be given for amendments to the Land Use Bylaw, to provide for a zero front yard setback for all properties in the C-1 Commercial General Zone, as per the attached report,

and further,

that a Public Hearing on this matter be scheduled for Monday, June 9th, 2008 at 7:00 p.m.

MOTION CARRIED

(iv) Anti-Idling Bylaw

Councilor Nola Folker-Hill stated that at a recent meeting of Council Advisory Committee, both Councilor Eric Bolland and Bev Gentleman of the Environmental Advisory Committee, presented a draft copy of an Anti-Idling Bylaw for the Town of Kentville. Following discussion, it was noted that some areas of this draft bylaw should be revised to provide further clarity and ease of enforcement.

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

that direction be given to the Environmental Advisory Committee to work with the Town's Solicitor to amend areas of the proposed Anti-Idling Bylaw.

MOTION CARRIED

(v) CAC Meeting Date Changed

Councilor Nola Folker-Hill stated that at a recent meeting of Council Advisory Committee, CAO Boyd pointed out that although the June meeting of CAC has been scheduled for June 30th, there are five Mondays in that month and it may be more advantageous to reschedule the meeting for the previous week, June 23rd.

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

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that the June meeting of Council Advisory Committee be changed to June 23rd from the previously scheduled June 30th.

MOTION CARRIED

(vi) KPSC – Hantsport Inclusion

Councilor Nola Folker-Hill stated that at a recent meeting of Council Advisory Committee, CAO Boyd noted that a formal application has been received from the Town of Hantsport for full inclusion in the Kings Partnership Steering Committee. As an amendment would be required to the original agreement, to accommodate this, a resolution of each council would be needed.

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

that Council formally supports the full inclusion of the Town of Hantsport in the Kings Partnership Steering Committee and that the partnership agreement be amended to reflect this.

MOTION CARRIED

(vii) Assistant Returning Officer

Councilor Nola Folker-Hill stated that at a recent meeting of Council Advisory Committee, a letter of resignation from Assistant Returning Officer, Frances Anderson was received. Subsequently, a recommendation was proposed by Returning Officer Al Kingsbury.

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

**that the letter of resignation from Frances Anderson be accepted,
and further,
that Barbara Illsley-Jess be appointed as Assistant Returning Officer, following confirmation that the vacancy does not need to be advertised.**

MOTION CARRIED

(Note: CAO Boyd confirmed that the position was advertised internally and three individuals with the required experience

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indicated an interest. From these applications Chief Electoral Officer Kingsbury selected Mrs. Illsley-Jess.)

(viii) Mileage Rates

Councilor Nola Folker-Hill stated that at a recent meeting of Council Advisory Committee, a discussion took place regarding the inconsistencies among municipal units with mileage rates paid to council and staff for the use of their personal vehicles.

CAO Boyd stated that each spring the Provincial Government establishes mileage rates which reflect the costs of operating a vehicle. This year the rate is \$.4051 per kilometer.

However, it was also noted that some municipalities use the Federal Government mileage rate of \$.50 per kilometer, instead of the Provincial rate, and further, that different conditions apply to the application of this rate.

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

that an analysis be made on the mileage rates used by the various levels of government, and further that a review be conducted as to when and where these mileage rates would be applied.

MOTION CARRIED

(Note: General travelling in and outside the immediate area should be considered.)

(ix) AMA Conference Funding Request

Councilor Nola Folker-Hill stated that at a recent meeting of Council Advisory Committee, a letter was reviewed from J. Roy Brideau, President of the Association of Municipal Administrators. In this, he pointed out that the fall conference for AMA will be held in the Valley area this year, and therefore, each municipal unit in the area is being asked to make a financial donation towards the expenses of this event. He requested that the Town donate \$2,000 to offset some of the conference expenses.

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

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seconded by Councilor Dennis Kehoe

that the request for \$2,000 from the Association of Municipal Administrators, be considered during budget deliberations.

MOTION CARRIED

(x) Pesticide Bill #37 – Council Support

Councilor Nola Folker-Hill stated that at a recent meeting of Council Advisory Committee, letters were reviewed from the NDP Caucus and from the MLA of Pictou West, in which it was noted that all municipal units are being asked to support Bill 37, when it comes forward in the House for Second Reading. This provincial legislation would allow all municipal units to create a bylaw to control the use of non-essential pesticides on lands within their boundaries, exclusive to agriculture and forestry. To move this legislation forward, each unit was asked to contact Minister Muir.

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

that a letter be sent to Minister Jamie Muir supporting Second Reading of Bill 37, or that similar legislation be brought forward, to allow municipalities the authority to control the use of non-essential pesticides.

MOTION CARRIED

(a) Finance

(i) Director's Report

A report from Director Debra Crowell stated that the department has been busy with utility billing and interim tax billing, with the budget preparation and the year-end audit process. She introduced the new part-time paymaster, Laura Morrison.

With reference to the schedules, Director Crowell noted that the total tax outstanding as of April 30th was \$3,032.968 and supported these figures with a summary.

Therefore, it was moved by Councilor Dennis Kehoe and seconded by Councilor Bernie Cooper

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that the report from the Director of Finance be received.

MOTION CARRIED

(b) Planning and Development

(i) Director's Report

Director Gentleman reported that 9 permits were issued during April, for \$354,000, which brings the year total to \$1,812,12. She added that the department has been working with the Environmental Advisory Committee to help draft an Anti-Idling Bylaw and with Kings CED in partnership on the ICSP Study. A Public Meeting to present this document will be held on June 5th at 7:00 p.m. She added that meetings were held with a number of developers, special interest groups and individuals, along with council and other departments on the budget process.

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

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

MOTION CARRIED

(ii) Committee Report

Councilor Nola Folker-Hill stated that the committee has not met since April and that the Planning Conference starts this evening.

(c) Fire

(i) Chief's Report

Fire Chief Shawn Ripley submitted a report in which he noted that there were 11 town alarms for 178 kilometers travelled, ranging in scope from fires, gas spills, alarms sounding and a MVA. Eighteen alarms were answered in the county for 947 kilometers travelled, and 2 mutual aid calls for 252 kilometers were received.

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

that the report from the Fire Chief be received.

MOTION CARRIED

(Note: It was noted that there were several calls to fires

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within the town as a result of burning grass and leaves. This is in violation of the bylaw and enforcement must be carried out.)

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

that some newspaper articles be taken out to promote the Outdoor Fire Bylaw and its penalties.
MOTION CARRIED

(i) Governance Committee Report

Councilor Dennis Kehoe reported that there was a meeting on April 22nd and discussion continued on the budget. A recommendation was made to accept the budget and a great deal of discussion was undertaken on the issue of a paid Fire Chief position. It was agreed that this issue should be further discussed at the next meeting of CAC.

(e) Parks and Recreation

(i) Director's Report

A report from Director Phillips (attached) stated that rental rates at the arena will increase by \$5 per hour and that summer ice is now being booked. The Home Show was successful with over 100 booths and a good attendance; Kentville is hosting the District Track Meet in May for the NSSAF; Park clean-up continues, as does general beautification and pruning projects throughout the Town; preparations are well underway for the Kentville-hosted Apple Blossom events; and summer programs are being established. Director Phillips added a number of other projects he had been involved with along with a number of meetings and events.

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

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

MOTION CARRIED

(ii) Committee Report

Deputy Mayor Mark Pearl reiterated that the Home Show was an excellent event and the Facility Manager, Kevin Bennett should be congratulated for his hard work and

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innovation.

(f) Police

(ii) Chief's Report

Police Chief Mark Mander reported that members have received training on Use of Force and Tazers. He added that the use of Tazers has strictly conformed to the policy when these weapons were deployed. Non Smoking in Centre Square has been monitored and several individuals have been warned and then later charged. Lastly, he noted that the next Commission Meeting will be on May 22 and that the negotiating team for the Town will be meeting with the conciliator and PANS union on May 15th.

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

that the report from the Police Chief be received.

MOTION CARRIED

(iii) Board Report

Councilor Dennis Kehoe reported that the next meeting will be May 22nd.

(g) Transportation Services

(i) Director's Report

Director Henderson reported that the Public Works staff has been busy with street cleaning, lining, etc, along with other preparations for the Apple Blossom Festival. Work continues with the 2008-2009 capital works projects and with the relocation of the regional 12" forced sewer main. An agreement is being prepared for the Province, County and Town to conduct a study to determine the need and best location for a new bridge across the Cornwallis River. A meeting on May 29th for the Regional Sewer Committee will be for the approval of the 2008-2009 operating and capital budgets for the Regional Sewer service.

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

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

MOTION CARRIED

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(ii) Committee Report

Nothing further to report.

(h) Water Commission

(i) Directors Report

Director Henderson reported that the consultants continue to work on the water rate study report and this should be presented to the UARB by the end of the month. The \$2.7 million tender for the Balsor/Eagecrest extension should be completed by the middle of September and capital cost contributions for residents have been capped at \$9,000 per household. He also noted that no news has been received on the application for the Elizabeth Avenue water main renewal under the Building Canada Fund.

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

that the report from the Water Commission, be received.

MOTION CARRIED

(ii) Commission Report

Mayor David Corkum had nothing further to add at this time.

(i) Valley Waste Resource Management Authority

(i) Representative's Report

Deputy Mayor Mark Pearl reported that a meeting was held on April 23rd and a strategy session is planned for November. He added that the clear bag policy seems to be working well, although more education is being done. A Waste Resource Inspector has been hired to help with communications and enforcement. Leaves are being accepted at the sites at no charge until May 16th. Tim Horton's cups are being recycled and will not be accepted in the regular blue bags. Financially, the VWRM is examining increased benefits costs and the budget has been presented at the Town recently. It appears that there will be an operating surplus of about \$163,000 this year and full details have recently been presented to the municipal units.

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

that the report from the Valley Waste Resource

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Management Authority be received.

MOTION CARRIED

**(j) Kings Community Economic
Development**

(i) Representative's Report

Councilor Eric Bolland reiterated sections of the report from Executive Director Erin Beaudin, stating that Kings CED has entered its fourth year of the five year strategic plan and has begun the implementation of the 2008-2009 Business Plan. Mrs. Beaudin outlined the status of the various projects - Business Retention and Expansion, Kings CED AGM, Joint Council Session, NSARDA, Valley Community Fibre network, UNESCO designation for Grand Pre, Alternative Energy, Grand Pre and Area Community Association, Technology Committee Breakfast, Anti-Idling Day, Winery and Vineyard Attraction Project Update, Farm Markets and U Picks.

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

that the report from Kings CED be received.

MOTION CARRIED

Jennifer Weisner reminded everyone about the annual joint meeting on June 4th and also about the AGM on June 12th.

**(k) Kentville Community
Development Committee**

(i) Representative's Report

Community Development Officer Erin Mason reported that although the KCDC did not meet in April, she has been busy with planning summer events, such as the Farmer's Market and other events in Centre Square. Work continues on promotional material for the VIC, with the RFP for "rebranding" the Town, with the newsletter and with staffing of the VIC. A copy of her report is attached.

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

**that the report from the Community Development
Officer be received.**

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MOTION CARRIED

(l) Kings Transit Authority

(i) Representative's Report

Deputy Mayor Mark Pearl reported that the monthly meeting was held on April 22nd and that the Kentville to Wolfville and Greenwood route showed an increase of 6% this year, with ridership of 270,000. The accountants are reviewing the year-end financial information and the budget has been presented recently to the Town. The GPS is working well, training continues, the fuel tenders have been awarded and a run may be added to assist transportation for Michelin workers. Lastly, he noted that the board retreat will be on July 17 and 18th and the next meeting will be on May 20th. He added that Premier MacDonald was urging everyone to take the bus and this provincial initiative may further support impact the demand for this service.

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

that the report from Kings Transit Authority be received.

MOTION CARRIED

**(m) Environmental Advisory
Committee**

Councilor Eric Bolland reported that an Anti-Idling Bylaw is being drafted with the help of the Planning Department, along with input from the solicitor. Although a recommendation from PAC regarding amendments to the Land Use Bylaw to prohibit drive-thrus in Town was presented to CAC in April, the motion was defeated.

He mentioned changes to the Committee with the addition of Jean Hisner and Director Bev Gentleman. He stated that a downtown clean-up project as part of Clean Up Day was very successful.

Lastly, he added that advertising of some of these environmental projects will be done at this year's Apple Blossom Parade.

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

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that the report from the Environmental Advisory Committee be received.

MOTION CARRIED

(n) Councilor's Report

Councilor Bernie Cooper had nothing further to report.

Councilor Eric Bolland had nothing further to report.

Councilor Dennis Kehoe had nothing further to report.

Councilor Larry Honey was not present

Councilor Nola Folker-Hill reported that she attended both the Princess Kentville Tea and the Volunteer Dinner and both were great successes.

Deputy Mayor Mark Pearl had nothing further to report.

(o) Mayor's Report

As per the attached report, Mayor David Corkum reiterated some items, pointing out that he attended a number of meetings – KPSC, with Wolfville's Mayor Stead, Rotary, Budget, Ducks Unlimited, Employee Search Committees, CAC, EKCC, a meeting with Linda Parker. As well, there were a number of events such as Provincial Volunteer Awards, Princess Kentville Tea, the Irving Centre Tour, Proclamation Day of Mourning, Kentville Volunteer Recognition Night, Kingstec Occupational Health and Safety Week, Applesicious Launch and the Salvation Army Dinner.

He added that both the Volunteer Recognition Dinner and the Princess Kentville Tea were very well done and congratulations should go to Lindsay Young for her efforts.

(o) Chief Administrative Officer's Report

CAO Boyd reported that Shannex is prepared to break ground very soon; the Kings Riverside Court will see 45 units open in July and the remaining 16 units to be started soon; Phase 2 is being considered as well. KPSC's joint meeting was held on April 10th, PANS negotiations continue with a conciliator appointed and CUPE negotiations are scheduled for May and June. With the budget process, work continues and it is hoped that the approved budget and tax rate will be presented at the June Council meeting. Lastly, he added that work continues with the Department of Education regarding the site of the new school in Kentville.

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

that the report from the Chief Administrative Officer be received.

MOTION CARRIED

CORRESPONDENCE

(a) Letter of Resignation – Councilor Larry Honey

A letter of resignation from Town Council (attached) was received from Councilor Larry Honey in which he states that he will be pursuing a new employment position.

Therefore, it was moved by Councilor Dennis Kehoe and seconded by Councilor Bernie Cooper

that the letter of resignation be received from Councilor Larry Honey, with regrets.

MOTION CARRIED

(Note: It was noted that during Councilor Honey's 20 years of service to the Town, he has contributed a great deal to the progress of the Town and has been a conscientious councilor. Further, as he has resigned within 6 months of the next election, a by-election will not have to be held, which would incur costs to the Town. However, his resignation at this time will mean that Town Council will operate until October with only 5 Councilors and the Mayor)

(b) Thank You – Logan Zwicker

A letter from this student thanked the Town for helping him finance his trip to Ottawa for the Encounters with Canada program.

(c) Mark Parent - ACES program

A letter from MLA Mark Parent advised that the Department of Environment is reviewing concerns regarding the disposal of electronic equipment. It was suggested that a copy of the reply from Mark Parent be sent to Ross Maybe.

NEW BUSINESS

(a) Proclamation – Day of Mourning – Workplace Safety

A proclamation stating that April 28th, 2008 has been proclaimed a Day of Mourning for those who have lost their lives in the workplace, a day to remember the sacrifices

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made to earn a living, a day to renew approaches for tougher OHS standards and a day to dedicate ourselves to making the workplace safer.

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

that the proclamation be received.

MOTION CARRIED

PUBLIC COMMENTS

Kirk Starratt stated that he is aware of promotion of the Town's new Outdoor Fire Bylaw by Fire Chief Ripley, although it certainly would not hurt to remind the public once again.

He also requested a ten-minute presentation at the beginning of next Council's meeting.

School Representative Jennie White stated that she has been encouraging Kings Transit Authority to add a bus for Northeast Kings Educational Centre and for the citizens of Centreville, as transportation to these areas would be appreciated. She asked if Kings Transit would consider this request once again.

Joyce Palmeter asked if some type of dust control could be added to the end of West Main Street, as dust is affecting her family's enjoyment of their property and also the users of the walking trail. She also expressed an interest in knowing where the new school will be located. *(Mayor Corkum stated that the request for dust control will be taken to Transportation Services Committee by those councilors on the committee, and the issue about the location of the new school is still not known, as the Department of Education will decide that.)*

ADJOURNMENT

There being no further business to discuss at the regular meeting of Town Council, it was moved by Councilor Bernie Cooper and seconded by Councilor Eric Bolland

that the meeting adjourn at 8:40 p.m. to go "In Camera" to deal with land negotiations.

MOTION CARRIED

Council
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