

APPROVED – February 28, 2011

KENTVILLE TOWN COUNCIL

MINUTES

November 29, 2010

PRESENT

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

MOMENT OF SILENCE

A moment of silence was held in remembrance of former Town of Kentville employee, Bernice (Bea) McGee.

MEETING CALLED TO ORDER AND ROLL CALL

Mayor David Corkum called the meeting to order at 7:02 p.m. and CAO Robicheau reported that all Council members were in attendance.

APPROVAL OF THE AGENDA

It was moved by Deputy Mayor Bill Boyd and seconded by Councilor Eric Bolland

that the agenda be approved with the addition of:

8 (a) Discharge of Firearms Bylaw

8 (b) Advertising of Regular Council Meetings

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.

PRESENTATION

(a) Awards to Pumpkin People Winners

Mayor David Corkum noted that during the last Harvest Festival and Pumpkin People visit, several individuals and companies prepared excellent displays to help celebrate this event. He presented awards to the following:

- Most Artistic Residential Display (Andy and Barb Cress)
- Most Humorous Residential Display (Jim and Jane Thompson)

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- Most Original Residential Display (Faye DeWolfe)
- Most Artistic Display – Business (On-Line Support)
- Most Original Business Display(Kings Arms Pub)

(b) Ken Crichton – CBDC Hants / Kings

Ken Crichton of the Canadian Business Development Corporation gave an annual update on the programs and statistics. He noted those on the Board of Directors, advising that sadly a member Ernie Spencer, passed away recently, but has been replaced with a new member, Margaret Johnston.

In the summary of loans provided, he reported that with the CBDC loans, there were 3 loans in Kentville for funds disbursed in the amount of \$175,000; with the Seed Loans, Kentville saw 12 loans for a value of \$59,000; for the SIB Loans (Students In Business) , there were 5 in Kentville for \$20,000; and for the WIB (Women In Business) Loans, there was 1 in for \$535,000. He reported that the WIB program was restructured and may not be renewed in the future under this category. He further added that the loan account for the Technology Development Fund is constantly out of funds.

The Self Employment Development Program is offered for those on EI who wish to start their own business. There appears to be a lot of demand for these types of loans and there are over 50 individuals involved.

He added that as of March 2010, the excess revenue over expenditures shows a little under \$1 million and this is both good and bad. It shows \$400,000 which is a fee for service to deliver ACOA programs, however, with the success of CBDC, and Kings Hants, being a top performer in the 41 branches, money is being taken from this operation to fund the losses of other organizations that have not done well. If these funds are threatened, it might be in order to ask for a letter of support from the Town of Kentville, as this lost money will be taken from funds that would otherwise be available for loans.

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An ACOA representative is located in Kentville, and although he does deliver their programs, there are a number of other programs offered through CBDC, which would not be delivered without a CBDC office present. The budget this year was for \$1 million in loans and there are a number of loans as high as \$150,000, although the bulk of them are at a lower level.

He added that the statistics now report a separation between Kentville and New Minas applicants.

APPROVAL OF THE MINUTES

(a) October 25, 2010

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

that the minutes of October 25, 2010 be approved, as circulated.

MOTION CARRIED

(b) November 8, 2010 – Special Meeting

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

that the minutes of November 8, 2010 be approved as circulated.

MOTION CARRIED

BUSINESS ARISING FROM THE MINUTES/OLD BUSINESS

(a) Recommendation from Police Commission – Re: Appointment of Citizen Members to the Board

Chairman of the Board of Police Commissioners, Councilor Bernie Cooper, noted that a meeting was held on November 28th, at which time the applications for citizen vacancies on the board were discussed. He presented the Board's recommendation to Council.

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

that the vacancies on the Board of Police Commissioners be filled by citizen applicants, Norman Hadley and Cecil White, each for a 2-year term of service.

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MOTION CARRIED

**REPORTS AND
RECOMMENDATIONS**

Council Advisory Committee

(i) Audit Services Appointment

Councilor Eric Bolland noted that at a recent meeting of Council Advisory Committee, Director Debra Crowell advised that Council must appoint an independent auditor to review the Town's financial records, and therefore, in conformance with the Purchasing Policy, she has written to eligible local audit firms registered with SNSMR, (Grant Thornton, LLP and Kent and Duffett) asking them to submit applications. Further, Requests for Proposals were advertised in the local papers and a notice was placed on the Town's website. However, upon the closing date of October 20th, only one proposal was received - the incumbent Grant Thornton, LLP.

Director Crowell reviewed various aspects of Grant Thornton, LLP's current proposal and assured Council that Finance Department staff has enjoyed an excellent working relationship with this firm over the years and was prepared to recommend their appointment once again.

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

that Grant Thornton LLP, be retained for external auditing services for the year ended March 31, 2011 for the fee of \$22,250 plus HST, and further, that Grant Thornton LLP be retained for external auditing services for the fiscal years ended March 31, 2012 and 2013 for the fees of \$23,250 and \$24,250 respectively, plus HST, with reappointment contingent upon Council's satisfaction with performance and fees (among other things)

MOTION CARRIED

**(ii) Chapter 84 – Smoke-Free Places Bylaw
(First Reading to Adopt)**

Councilor Eric Bolland noted that at a recent meeting of Council Advisory Committee, a draft copy of the *Smoke-Free Places Bylaw, Chapter 84* was reviewed.

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Whereas the Town of Kentville is promoting a healthier environment in which to live, work and visit, and as smoking endangers the lives of those who smoke and those who are exposed to second-hand smoke, Council is endorsing the concept of a “smoke-free community.” Promotion, through notices and signage will help to convey this message and a bylaw prohibiting smoking in public places will be enacted.

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

that First Reading be given to adopt *Chapter 84 – Smoke-Free Public Places Bylaw.*

MOTION CARRIED

(iii) Parking Infraction Ticket Administrator Appointment

Councilor Eric Bolland noted that at a recent meeting of Council Advisory Committee, Police Chief Mander advised that a formal resolution must be made by Council to appoint Gideon Travis as the Parking Infraction Ticket Administrator.

To expedite the matter, the Town’s solicitor prepared a resolution, and therefore, it was moved by Councilor Bernie Cooper and seconded by Councilor Eric Bolland

that be it resolved that Gideon Travis be appointed as Parking-Infraction Ticket Administrator pursuant to the Summary Proceedings Act, commencing immediately and continuing until his retainer with the Town ceases.

MOTION CARRIED

(iv) Visitors’ Information Centre (Joint Partnership / Location)

Councilor Eric Bolland noted that at a recent meeting of Council Advisory Committee, a discussion took place regarding the current downtown location of the Visitors’ Information Centre, and the partnership arrangement with Destination Southwest Nova and the County of Kings. It was noted that the MOU states that

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the yearly review is scheduled for December, and therefore, in preparation for this, it is necessary to have Council's opinion as to whether or not the existing lease and arrangement should be continued.

Town staff recommended that the VIC remain at the present location for another year, as this extended trial period will allow for a better comparison of visitors' statistics, and further, will provide an opportunity to address some minor operational challenges, such as signage, parking and staffing.

Therefore, it was moved by Councilor Bernie Cooper and seconded by Councilor Tony Bentley

that the Town continues the partnership with Destination South West Nova and the County of Kings, and further, that the Visitors' Information Centre continues operating for another year from its current downtown location.

MOTION CARRIED

(v) Deputy Mayor Appointment (2010-2011)

Councilor Eric Bolland reported that at a recent meeting of Council Advisory Committee, it was noted that the position of deputy mayor will expire shortly for the term 2009-2010, and therefore, in accordance with the Town's *Policy Statement G19 – Appointment of Deputy Mayor*, the vacancy must be filled.

Following the nomination of two candidates, an election was held, during which Councilor Bill Boyd was declared the winner.

As this position must be ratified by Council, it was moved by Councilor Bernie Cooper and seconded by Councilor Mark Pearl

that Bill Boyd be appointed as Deputy Mayor for the term November 2010 to November 2011.

MOTION CARRIED

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(vi) **Race Relations and Anti-Discrimination Resolution**

Councilor Eric Bolland noted that at a recent meeting of Council Advisory Committee, Councilor Mark Pearl stated that last year Town Council debated its involvement in an initiative regarding race relations and anti-discrimination, known as the Canadian Coalition of Municipalities Against Racism and Discrimination. At the time, however, Council felt it was not in the position to move forward with such a project, as financial and human resources were not available, nor did there appear to be problems in the Town's operations relating to discriminatory behaviour. However, Councilor Pearl pointed out that since that initiative began, great strides have been made in bringing forward a public awareness of issues relating to discrimination, and this has been done at very little cost to the municipalities.

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

that, as per the resolution attached, the Town of Kentville joins the Coalition of Canadian Municipalities Against Racism and Discrimination, and in joining, endorses the Common Commitments, and agrees to develop or adapt its own unique Plan of Action accordingly.

MOTION CARRIED

Points from Discussion

- The County of Kings has been a leader of this initiative. The County of Kings, HRM and the Town of Truro were 3 of the first to join this coalition and Wolfville now intends to join.
- There appears to be a great deal of criteria relating to this commitment.
- Staff on the HR Review Committee has addressed, and where needed, updated those policies relating to these issues.
- It might be possible to enter a joint program with another municipality and share the resources.

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- Annual reporting should not require a great deal of work.
- The Report Card would simply identify some projects and indicate the work done on these.

(vii) Congratulations to AVRSB Member – Acker

Councilor Eric Bolland noted that at a recent meeting of Council Advisory Committee, it was reported that an election was held on November 6th to fill a vacancy on the Annapolis Valley Regional School Board and that District 5 now has a new representative.

Therefore, it was moved by Councilor Bernie Cooper and seconded by Councilor Tony Bentley

that Mayor Corkum writes a letter of congratulations to newly elected AVRSB member, Nancy Bigelow-Acker, and further, that he asks her to appear before Council on an annual basis, to provide an update from the Board.

MOTION CARRIED

(viii) Council Remuneration Policy – Amendments

Councilor Eric Bolland noted that at a recent meeting of Council Advisory Committee, CAO Robicheau reported that two policy statements currently address the issue of Council's remuneration – one regarding the allowance provided to elected officials and the other for general expenses, such as high speed internet and mileage charges for travel within the county. He suggested that blending these expenses together would eliminate much of the administration currently required, and would simplify the process as it relates to the taxable and non-taxable portions of Council's remuneration.

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

that CAO Robicheau prepares amendments to Council's remuneration policy.

MOTION CARRIED

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(ix) No Farms – No Food Request for Support

Councilor Eric Bolland noted that at a recent meeting of Council Advisory Committee, members reviewed the initial request from this organization, for the Town to formally voice its opposition to the County of Kings, against development on existing farm lands in Greenwich. A letter in response from the Mayor was also noted, along with the follow-up request for Council to engage in a full discussion on the issue.

Although all agreed that urban sprawl is not only taking farmland, but is also “choking out” small towns which compete with rural areas for development, Council felt that this particular matter relates to the planning and development processes of the County of Kings, and therefore, is beyond the legal jurisdiction of the Town.

Therefore, it was moved by Councilor Eric Bolland and seconded by Councilor Tony Bentley

that the No Farms – No Food organization be advised that Council stands behind its original response.

MOTION CARRIED

(x) Appointment to County of Kings Building Committee

Councilor Eric Bolland noted that at a recent Strategy Session /Workshop, a discussion took place regarding the request from the County of Kings, for an appointee from Town Council to sit on their Building Committee.

Therefore, it was moved by Councilor Bernie Cooper and seconded by Councilor Eric Bolland

that Deputy Mayor Bill Boyd be appointed to the County of Kings Building Committee

MOTION CARRIED

Points from Discussion

- The inclusion of the section of this motion that relates to termination of this appointment, serves no purpose and gives a negative slant to the commitment.

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

that the pre-amble to the motion be removed.

AMENDMENT CARRIED

(Note: Mayor Corkum called for the approval of the amendment on the original motion, and this amendment was approved.)

(xi) Friends of the Library – Appointment to Ad Hoc Committee

Councilor Eric Bolland noted that at a recent Strategy Session /Workshop, a discussion took place regarding a meeting between the Board Members of the Friends of the Library and the councilors from the County of Kings, at which time the County was asked to support the construction and operation of a new library facility.

County Council recommended that an ad hoc committee be struck to deal with this issue, with representatives from the County of Kings (Deputy Warden Janet Newton was appointed), Kentville Town Council, and Board members from both the Annapolis Valley Regional Library and the Friends of the Library. Both a member of Council and a staff representative was required for this committee.

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

that Councilor Tony Bentley and Director of Parks and Recreation, Mark Phillips be appointed to the Friends of the Library Ad Hoc Committee.

MOTION CARRIED

Points from Discussion

- The Town of Kentville has never demanded that the library be built in Kentville, although members of County Council have reported this in the newspaper.

(b)Fire

- (i) Chief's report**

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Fire Chief Shawn Ripley reported that there were 11 calls during October for a distance traveled of 168 kilometers in Town; 18 calls in the County for a distance of 1150 kilometers traveled and no mutual aid calls.

As always these responses ranged in scope from fires and smoke conditions, alarms sounding and training, to assists to the Kentville Police and with medical lifts.

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

that the Fire Chief's Report be received.

MOTION CARRIED

(ii) Fire Governance Report

Deputy Mayor Bill Boyd reported that a meeting was held last Wednesday with Gerald Walsh and Associates and members of the Town regarding the fire services review. The content of that review will be shared with the committee at the upcoming meeting.

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

that the Fire Governance Report be received.

MOTION CARRIED

(c) Valley Waste – Resource Management Authority

Councilor Pearl reported that the last meeting was held on November 17th, at which the \$300,000 surplus from 2009-2010 was discussed. He added that a policy regarding future surpluses or deficits will be brought to Council in the future for review. Work continues regarding the Working Group's recommendations for the capital replacement reserve policy, and the 2011-2012 Operating and Capital Budgets will be developed when this is complete. The draft budget will be discussed during a special meeting on December 8th, with a final budget available to the partners in December, as well.

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He added some statistics, noting that both recyclables and organic processing is on par with last year and residuals to Chester are down somewhat this year. Also he reminded everyone that leaves can now be delivered to the management centre year-around at no charge and this new service is as a result of requests by this Council.

In spite of the labour strike of Scotia Recycling employees, work continues as usual, however, the Police continue to monitor the situation. Solterre Design will provide architectural services for the new administration offices; the 2011 calendar is almost ready for distribution and continues to be a good educational tool.

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

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

MOTION CARRIED

**(d)Kings Regional Development Agency
(a) Representative's Report**

Jennifer Weisner reported that the mid-year review presentation in Halifax went well; there will be a board meeting this Wednesday; and a report will be sent out. An international pot luck dinner was held on November 20th involving 53 attendees, at which immigrants from the local area brought food. The event was a good opportunity to chat.

She added that there is a listing on facebook regarding the UNESCO designation of Grand Pre and this can be followed to its conclusion. The Joint Council meeting is scheduled for December 9th at 6:00 p.m. at the County of Kings.

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

that the verbal report from Kings RDA be accepted.

MOTION CARRIED

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Points from Discussion

- Stephen Kerr, the General Manager of Kings RDA has undertaken a transition program for those employees being laid off at Larsen's. His efforts will keep the employees involved and will help them with an exit plan. He deserves a "pat on the back" for his efforts.
- There are a number of projects taking place at Kings RDA and staff continues to be busy.

(e) Kentville Community Development Committee

(i) Report

Mayor David Corkum reported that there has been no meeting recently, however, noted that the Business Expo was an excellent event and everything went very well. Recreation staff should be congratulated for doing such an excellent job, with the inclusion of the Kingstec Business program being a great idea.

(f) Kings Transit Authority

(i) Representative's Report

Councilor Mark Pearl reported that the October financial information indicates that the year-to-date comparisons base expenses at 65%, although there is concern that the cost for bus repairs and maintenance is coming in at 75% at this time. However, he added that the consultants indicated that the numbers relating to fuel would reduce following the move to their new premises, and this is already being seen.

With the ridership for the month, it appears to be down by 1%, while the revenue for the month is down 2%. Councilor Pearl added that work continues on the pit installation, along with electrical work and the overhead door installation. Lastly, he noted that applications are being reviewed for a mechanic's position but it has been difficult to fill this position.

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

that the report from Kings Transit Authority be received.

MOTION CARRIED

Points from Discussion

- The renovations should be completed early in

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the new year on the New Minas location, and an official opening should take place shortly after.

- A 12 foot door is being installed.

(g) Environmental Advisory Committee

Councilor Eric Bolland reported that the committee met on November 25th; a Green Team event has been scheduled for December 4th (anti-idling and residential recycling); four goals were identified for the action plan at a recent strategy session, however, these must be further refined and priorities set; discussion took place regarding funding opportunities for paving the trail west of the new school; information was shared from an Energy Mapping seminar and specific items were identified as related to this project.

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

that the report on the Environmental Advisory Committee be received.

MOTION CARRIED

(h) Councilors' Report

Councilor Tony Bentley attended quite a few meetings, including the Friends of the Library, the Regional Library, and a meeting of County Council where the Friends of the Library did a presentation. He attended the Business Expo, the Remembrance Day service, and a meeting with the Hon. Scott Brison, at which the Mayor asked about the bridge in Kentville. Also, there was the strategy meeting, his first Water Commission meeting and the Torchlight parade.

Councilor Nola Folker-Hill attended all meetings, including the NS Association of Police Boards and has another meeting this Friday. She attended the Business Expo and has since heard from businesses around Town how impressive this event was. Lastly, she noted that she attended the Torchlight Parade, the Remembrance Day's service and the Recreation Conference.

Councilor Mark Pearl reported that there is a new initiative from the province on anti-idling and this will apply to busses. However, he added that there is already

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a policy in effect at Kings Transit Authority.

Councilor Eric Bolland reported that he attended a meeting of Wolfville Town Council regarding their Idling Control Bylaw; met with staff of the Dept. of Environment regarding an anti-idling education program for the province, and linked to that, the Dexter government will be imposing the Anti-idling Act as it relates to busses, to take affect on October 1.

He also Attended the Recreation Conference, met with the NKEC Environmental Club and attended the UNSM Sustainability Tour which was hosted by the UNSM and HRM, and included many visits to area sites. Lastly, he attended the Business Expo and worked the NS Power light exchange booth and collected lights.

Councilor Bernie Cooper attended all meetings, along with the Recreation Conference. However, he was not able to attend the Business Expo. *(Mayor Corkum thanked Councilor Cooper for making such a great effort to continue participating in meetings and events, in spite of recent back surgery.)*

Deputy Mayor Bill Boyd reported that he attended all meetings and special events. He felt the Business Expo was excellent and it was a great idea to have the students involved. He added that the Torchlight Parade should have been better attended by the local retailers. He attended his first Kings County Building Committee meeting and reported that this committee will be presenting to Council at the next CAC meeting.

(i) Mayor's Report

Mayor Corkum reported that his report is attached however, reiterated that he has been involved in a number of events such as Kings Riverside Court's 2nd anniversary celebration, the Eastern Kings Business Awards, the opening of the new Glooscap Curling Club (after renovations), Teas, pot luck dinners, Christmas parties, birthday celebrations and events for Remembrance Day. He also attended a funeral, and several meetings (a Town meeting with Hon. Scott Brison, meetings of KWC, Business Expo, Mayors Congress, a Strategy Session) and the Recreation

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Conference.

He added that at the UNSM Conference in Sydney, he was re-elected as the Chairman of the Towns Caucus. Associated with this commitment, he also attended the Mayors Congress in New Brunswick, at which resolutions were sent regarding the loss of the ferries. He added that the ferries are more cost-effective and cause less harm on the environment than highway traffic. He also pointed out that relations regarding sewer services are difficult and costly for some municipalities.

Points from Discussion

- Kentville is very fortunate to have such excellent facilities, programs and exceptional staff.
- A new bridge for Kentville does not appear on the list of projects, presented by Minister Estabrooks, for the NDP government's 5 year infrastructure plan.
- The Town and County have been lobbying for a new bridge for many years and this need has been demonstrated.
- A new bridge would also make a huge impact on the flooding situation of the Cornwallis River.
- Minister Estabrooks promised that he would do everything he could to include the bridge in this new budget.
- Perhaps the current budget could be changed or the new bridge be given priority for next year.
- This is the 4th Minister who has come to Kentville and agreed that the Town needed a new bridge.

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

that the Mayor writes a letter to Minister Estabrooks, with a copy to our local MLA, to question why the money for the Cornwallis River Bridge in Kentville was not included in the recently proposed budget.

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MOTION CARRIED

CORRESPONDENCE

(a) none

NEW BUSINESS

(a) Discharge of Firearms Bylaw

Councilor Eric Bolland reported that he had recently encountered a hunter, carrying a gun and dressed in hunters orange, who was hunting in the Industrial Park. The issue of hunting and firearm use in Lunenburg has been a big problem and he asked what bylaws protect Kentville citizens from hunters.

Points from Discussion

- This is a police issue and they should be called if firearms are discharged in Town.
- There is a Town bylaw, along with provincial and federal restrictions on discharging firearms in Town.
- A copy of the Peace and Good Order Bylaw will be circulated to Council.

(b) Advertising of Regular Council Meetings

Councilor Nola Folker-Hill stated that she understood that in accordance with the MGA, notices for regular Council meetings are not required to be advertised in the local paper. Solicitor Muttart added that although this is true, if the Town has a policy stating the dates, time and place of meetings, then meetings should be advertised by some means, not necessarily by newspaper ads. An exception would be that Council would need notice of a special meeting, although notice is not required to the public.

Points from Discussion

- Perhaps advertising Council meetings should be discussed at the next meeting of CAC or at the Strategy Session.
- The size of these ads should be smaller to reduce costs.
- Public advertising of meetings has been a decision of previous Councils, as an encouragement to have more public involvement.
- Lack of attendance to meetings by the public

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indicates that both Council and staff are doing a good job, as typically the public turns out only for problems they see taking place.

- Some notices must be a bit larger in order to capture attention.
- The Kentville Advertiser has been excellent in keeping the size of the meeting notices appropriate, and to incorporate all ads on one page for more impact.
- Costs of advertising should be provided to Council, covering the last 2 years, to determine if there has been a significant increase.

PUBLIC COMMENTS

none

ADJOURNMENT

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

that the meeting adjourns at 8:40 p.m.

MOTION CARRIED