

APPROVED OCTOBER 31, 2011

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# KENTVILLE TOWN COUNCIL

## MINUTES

### September 26, 2011

#### **PRESENT**

Mayor David Corkum, Deputy Mayor Bill Boyd, Councilor Mark Pearl, Councilor Bernie Cooper, Councilor Eric Bolland, Councilor Nola Folker-Hill, Councilor Tony Bentley, CAO Mark Phillips, Solicitor Peter Muttart (arrived at 7:21 p.m.) and Town Clerk Carol Harmes.

#### **MEETING CALLED TO ORDER AND ROLL CALL**

Mayor David Corkum called the meeting to order at 7:00 p.m. and CAO Phillips reported that all Council members were in attendance, along with the Recording Secretary however, the Town Solicitor appears to be “running late.”

#### **APPROVAL OF THE AGENDA**

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

**that the agenda be approved as circulated.**

#### **MOTION CARRIED**

#### **NOTE**

*“Points from Discussion” below show various comments made by individual councilors during debate. They do not necessarily represent the opinion of the group, nor do they always reflect accurate information.*

#### **PRESENTATIONS**

##### **(a) Ducks Unlimited**

Gren Jones, the National Director for Ducks Unlimited, presented a Conservation Service Award to the Town of Kentville. He stated that in August 2010 Miner’s Marsh was officially opened and this was a dream come true for many people. This project will contribute to the lifestyle of the community and will celebrate the relationship between Ducks Unlimited, the Town of Kentville, other organizations and individuals of the community.

It was noted that the preservation and restoration of wetlands is very important and that the Kentville

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wetlands site is one of very few which is accessible to the public. This facility is well used by the community and is a wonderful asset.

**(b) Kentville 125 Anniversary Gift - Ron and Sandra Lightburn**

Local artists Ron and Sandra Lightburn (authors of the locally acclaimed “Pumpkin People” book), presented a special painting to the Town of Kentville. They felt that it would be representative of the local culture and will recognize the 125 anniversary of the Town. An oil portrait of “Buster,” one of the famous pumpkin people, and the first character created in the development of the Pumpkin People book, was presented to the Town as an anniversary gift.

CAO Mark Phillips added that each year the Mayor attends a gathering of the Grade 3 students at KCA, where he reads the Pumpkin People book to the children. Mayor Corkum added that the Sobey’s Store in Halifax has asked for permission and is displaying Pumpkin People – the book – the characters and the history of this project. “Spike” has paid a visit to that store.

Councilor Bolland thanked the Lightburns for allowing the Shannex Harvest Pumpkin Mile to use the pumpkin people on their promotion.

**APPROVAL OF THE MINUTES**

**(a) July 19, 2011 (Special Meeting)**

It was moved by Councilor Nola Folker-Hill and seconded by Councilor Tony Bentley

**that the Minutes of July 19, 2011 be approved as circulated.**

**MOTION CARRIED**

**(b) July 25, 2011**

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

**that the Minutes of July 25, 2011 be approved as circulated.**

**MOTION CARRIED**

**(c) September 12, 2011 (Special Meeting)**

It was moved by Councilor Bernie Cooper and seconded by Councilor Tony Bentley

**that the minutes of September 12, 2011 be approved as circulated.**

**MOTION CARRIED**

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

**(a) Second Reading – *Chapter 17 – Elections and Enumerations Bylaw***

Town Clerk Carol Harmes noted that First Reading to rescind this bylaw was given at the July meeting of Council and that advertising of Second Reading was carried in the August 9<sup>th</sup> publication of the local newspaper. As no opposition was received, she recommended that the repealing process continue.

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

**that Second (Final) Reading be given to rescind *Chapter 17 – Elections and Enumerations Bylaw*.**

**MOTION CARRIED**

**(b) Second Reading – *Chapter 22 – Prevention of Fires Bylaw***

Town Clerk Carol Harmes noted that First Reading to rescind this bylaw was given at the May 30<sup>th</sup> meeting of Council and that advertising of Second Reading was carried in the August 9<sup>th</sup> publication of the local newspaper. As no opposition was received, she recommended that the repealing process continue.

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

**that Second (Final) Reading be given to rescind *Chapter 22 – Prevention of Fires Bylaw*.**

**MOTION CARRIED**

**(c) Second reading – *Chapter 36 – Curfew***

***Bylaw***

Town Clerk Carol Harmes noted that First Reading to rescind this bylaw was given at the July meeting of Council and that advertising of Second Reading was carried in the August 9<sup>th</sup> publication of the local newspaper. As no opposition was received, she recommended that the bylaw repealing process continue.

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

**that Second (Final) Reading be given to rescind *Chapter 36 – Curfew Bylaw*.**

**MOTION CARRIED**

**REPORTS AND  
RECOMMENDATIONS**

**(a) Council Advisory Committee**

**(i) Appointment of Parking Infraction  
Ticket Administrator (Tim Taylor)**

Deputy Mayor Bill Boyd noted that at the September 12, 2011 meeting of Council Advisory Committee, a recommendation was made by the Town Clerk, that in light of the recent retirement of Gideon Travis and hiring of Tim Taylor to this position, Council is required to approve a resolution as per the Summary Proceedings Act.

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

**that Tim Taylor 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**

**(ii) *Chapter 83 – Streets Bylaw (First Reading to Adopt)***

Deputy Mayor Bill Boyd noted that at the September 12, 2011 meeting of Council Advisory Committee, Town Clerk Carol Harmes reported that a review of *Chapter 10 – Streets Bylaw* indicated the need for many revisions, thereby necessitating the creation of a

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new document. This draft bylaw (*Chapter 83 – Streets Bylaw*) was reviewed by the Director of Planning, the Town’s Engineer and the Town Solicitor, following which their comments and recommendations were included. The document also noted that with the approval of *Chapter 83, Chapter 10* will be rescinded.

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

**that First Reading be given to adopt *Chapter 83 – Streets Bylaw*.**

**MOTION CARRIED**

**(iii) *Chapter 87 – Partial Tax Exemption Bylaw (First Reading to Adopt)***

Deputy Mayor Bill Boyd noted that at the September 12, 2011 meeting of Council Advisory Committee, Town Clerk Carol Harmes reported that with the review of *Chapter 39 – Tax Exemption Bylaw*, a number of revisions necessitated the creation of a new document, which would repeal the former one. Newly created *Chapter 87* has been reviewed by the Director of Finance and the Town’s Solicitor, who both approve of its content.

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

**that First Reading be given to approve *Chapter 87 – Partial Tax Exemption Bylaw*.**

**MOTION CARRIED**

**(iv) *Chapter 88 – Rezoning Application Fees Bylaw (First Reading to Adopt)***

Deputy Mayor Bill Boyd noted that at the September 12, 2011 meeting of Council Advisory Committee, the Town Clerk reported that this document replaces *Chapter 40* of the same name and revises the format and content. *Chapter 88* has been approved by both the Director of Planning and the Town’s Solicitor.

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

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**that First Reading be given to approve  
*Chapter 88 – Rezoning Application Fee  
Bylaw.***

**MOTION CARRIED**

**(v) *Chapter 28 – Underground Wiring Bylaw  
(First Reading to Rescind)***

Deputy Mayor Bill Boyd noted that at the September 12, 2011 meeting of Council Advisory Committee, Town Clerk Carol Harmes presented *Chapter 28 Underground Wiring Bylaw* to Council with the recommendation that it be repealed, as its content relates to practices that are no longer carried out by the Town. The Town's Engineer, the Director of Planning and the Town's Solicitor agree that it has no value and should be rescinded.

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

**that First Reading be given to rescind  
*Chapter 28 – Underground Wiring Bylaw.***

**MOTION CARRIED**

**(vi) *Chapter 43 – KBIDC Bylaw (First  
Reading to Rescind)***

Deputy Mayor Bill Boyd noted that at the September 12, 2011 meeting of Council Advisory Committee, the Town Clerk reported that as part of the review process of the Town's bylaws, it was noted that *Chapter 43* exists as a current document, even though with the implementation of the Municipal Government Act, such commissions were dissolved. The solicitor felt that in spite of this, the Town should undertake the process to officially rescind the document.

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

**that First Reading be given to rescind  
*Chapter 43 – Kentville Business Improvement  
Commission Bylaw.***

**MOTION CARRIED**

**(vii) *Chapter 44 – BID Rate Exemption Bylaw***

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**(First Reading to Rescind)**

Deputy Mayor Bill Boyd noted that at the September 12, 2011 meeting of Council Advisory Committee, Town Clerk Carol Harmes reported that *Chapter 44 – Business Improvement District Rate Bylaw*, should be rescinded, as it would have no relevance.

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

**that First Reading be given to repeal  
*Chapter 44 – Business Improvement District  
Rate Exemption Bylaw***

**MOTION CARRIED**

**(a) Fire**

**(i) Chief's report**

A report from Fire Chief Shawn Ripley indicated that during the month of July, the Town had 15 alarms, with 226 kilometers travelled, the County had 20 alarms, with 834 kilometers traveled and there were 2 mutual aid calls for a distance travelled of 480 kilometers. These calls ranged in scope from alarms sounding, MVAs, various types of fires, medical assists and investigations.

A second report, for the month of August, indicated that there were 11 alarms in Kentville for a total of 183 kilometers travelled, 23 in the County for 1016 kms traveled and 5 mutual aid calls for a distance travelled of 428 kms. These calls ranged from various types of fires, to investigations, motor vehicle accidents and alarms sounding.

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

**that both reports from the Fire Chief be received.**

**MOTION CARRIED**

**(ii) Fire Governance Report**

Deputy Mayor Bill Boyd reported that there was a meeting on August 30<sup>th</sup> and there were a number of issues discussed. One such item was the follow-up

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regarding the Walsh Report, and the review of the implementation of some of the policies. The ongoing work on the Alarms Bylaw continues, with some holdup regarding the County and the Police Department. Hopefully in the next couple of months there should be a draft bylaw to bring to Council.

Councilor Bernie Cooper added that a draft copy of the Police Alarms bylaw will also be presented to the Police Commission and this will be reviewed on September 29<sup>th</sup>.

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

**that the Fire Governance report be received.**

**MOTION CARRIED.**

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

Representative Mark Pearl noted that the Management Minute has been circulated and that this includes information on the budget in which it was noted that the Consolidated Audited Statements were presented. A surplus of \$92,787 was indicated. Work continues on a policy which will deal with the disbursement of operating surpluses and deficits. The process of securing debentures and bridge financing from the Municipal Finance Corporation and CIBC will begin again soon, as well.

The Minute also included updates with the Policy Review process, noting that along with other documents, amendments are being proposed for the Waste-Resource Management Bylaw.

With the beginning of construction by Roscoe Construction Limited, a review of the energy component of this structure indicates that it may achieve Gold LEED certification. A report on the energy and dollar savings was expanded upon, as was the opportunities to use recycled materials.

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



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

**MOTION CARRIED**

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

Mayor Corkum noted that Jennifer Weisner was unable to attend, however, Councilor Mark Pearl noted that a 6-hour strategy session was held on Saturday to map out the future. Members of the province and ACOA were on hand to present the guidelines for future development, which will focus on long term sustainable jobs. Kings RDA has refocused to align itself with 2 of its funders (the Provincial and Federal government).

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

**that the report from Kings RDA be received.**

**MOTION CARRIED**

**(f)Kings Transit Authority  
(i) Representative's Report**

Councilor Mark Pearl reported that the attached report from Kings Transit Authority indicates that this organization has received \$29,000 refunded from the Workers Compensation Board through a revision of the standard classification. This will be considered as unbudgeted revenue.

Further, with the audited financial statements, indications are that there will be a net deficit of \$173,000. A chart showing ridership was also included on the report, with most months indicating a decrease in these statistics. The new bus shelter (at Valley Regional Hospital) should be up and operational before winter.

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

**that the report from Kings Transit**

**Authority be received.**

**MOTION CARRIED**

Points from Discussion

- There is a net deficit of \$173,000 which has been carried forward from last year.
- The projected deficit (into 5 months) for this year indicates a surplus of \$65,000, however, this is a little skewed due to revenue.
- Bus repairs and maintenance costs will hopefully be reduced, because the Authority employees 2 mechanics.
- It is possible the year will end with a break-even situation, however, there are a number of variables that could affect this.

**(h) Councilors' Report**

Councilor Tony Bentley reported that he attended the Water Commission and two Library meetings, noting that the Regional Library offers a Summer Reading Program for Teens. He added that the Kentville Library leads the others with a successful program, having 559 participants with 428 finishing.

Councilor Nola Folker-Hill reported that she attended all meetings, including PANS, and the NS Police Board Conference in Bridgewater last week. She attended the Incredible Picnic and although there was not a big turnout, it was enjoyable.

Councilor Mark Pearl reported that there is a lot of positive feedback about Webster Court and this has been well done. He added that there is still a lot of heavy truck traffic on Gary Pearl Drive, as the signage does not seem to be observed. However, since addressing this issue, the traffic has been curtailed between 7 a.m. and 5 p.m. and he thanks staff for responding so quickly.

Councilor Eric Bolland reported that he attended a strategy session on the 2050 project, met with Councilor Mangle from the Town of Wolfville, attended the KCA Open House for parents, and attended a County Council meeting regarding fracking. He added that there was Student Advisory Committee meeting at KCA and has had many meetings with

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Nicole Lutz planning the one mile run/walk for October 23<sup>rd</sup>.

Councilor Bernie Cooper reported that he attended all meetings, the Police Convention in Bridgewater and a meeting at the County office.

Deputy Mayor Bill Boyd reported that he attended all functions required and enjoyed the summer break. He added that there have been lots of positive comments about special events and work being done around Town.

**(i) Mayor's Report**

Mayor Corkum noted his report has been enclosed, and that it relates to meetings and events he has attended since July. He reiterated several points:

- He attended 2 special birthdays for a 90 year old (Bill Hockey) and a 100 year old (Sid Davies).
- He participated in the Walking School Bus on the first day of school and was pleased to see the excitement of the students at the new school.
- He attended the Opening and Closing Ceremonies of the 55+ Games which were held in the Valley and noted that these were the most successful games held in Nova Scotia to date. He wanted to recognize Nicole Lutz on this committee and also Deputy Mayor Bill Boyd, who organized the hockey and finished with a gold medal in hockey.

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

**that the Mayor's Report be received.**

**MOTION CARRIED**

**CORRESPONDENCE**

**(a) Minister Rona Ambrose**

This correspondence is in acknowledgement to that letter sent from the Mayor expressing concerns regarding the disposal of the Federal Building on Main Street.

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**NEW BUSINESS**

**(a) none**

**PUBLIC COMMENTS**

**(a) none**

**ADJOURNMENT**

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

**that the meeting adjourns at 8:02 p.m.**

**MOTION CARRIED**