

APPROVED - November 5, 2012

KENTVILLE TOWN COUNCIL

MINUTES

September 24, 2012

PRESENT

Mayor David Corkum, Deputy Mayor Mark Pearl, Councilor Bill Boyd, Councilor Eric Bolland, Councilor Nola Folker-Hill, Councilor Bernie Cooper, Councilor Tony Bentley, CAO Mark Phillips, Solicitor Tom MacEwan 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 members of Council were present, along with the Town Solicitor, the Town Clerk and himself.

APPROVAL OF THE AGENDA

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

that the agenda be approved with the addition of:
11. In Camera meeting (land negotiations)

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) Madonna Spinazola

Madonna Spinazola introduced Emma Van Rooyen who is the Project Coordinator who is doing some research with the Housing First Project, and noted that there has been an indication of housing shortages for specific areas of the population. The affordable housing project has been created through a strategic task force, and several meetings have taken place. Its mandate is to create a publicly accessible database that outlines the existing housing resources and needs within Kings County, and to collaborate with existing housing organizations to create a new strategy to address the housing needs of all county residents.

A power-point presentation was delivered to Council and the following points were noted:

- Housing First is a not for profit, incorporated

APPROVED - November 5, 2012
organization.

- Funding has been provided through the County of Kings, but there is no provincial or federal money.
- A research project is being done in the community in order to address homelessness, homes that are in states of disrepair, and safe and affordable housing.
- A forum will be held at the end of the year to see what each organization is doing and how those gaps can be filled.
- Long term goals are to meet with the municipalities, builders, and families who are in need of affordable housing.
- Funding may exist to finance some of the construction costs, as the project fits into the ICSP principles, and the Kings 2050 project.
- There is an opportunity for Kings County to have the leading edge on this market.
- Requests are being made to municipalities, asking each for consideration of financial partnership during their 2013-2014 budget discussions. More specific funding amounts will be known prior to that time.
- If a home is built as an affordable housing project, and the property owners chose to sell it, a mortgage cap could be placed on the property, to allow the home to remain affordable to others.

**APPROVAL OF THE
MINUTES**

(a) July 30th, 2012

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

that the Minutes of July 30 , 2012 be approved as circulated.

MOTION CARRIED

(b) September 10, 2012 (Special Meeting)

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

that the Minutes of September 10, 2012 be approved as circulated.

MOTION CARRIED

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

(a) Marnie Parker Proposal (Joint Funding)

Mayor David Corkum reported that a recent email from Ms. Parker indicated that support has been given by Perry Rand

APPROVED - November 5, 2012

Transportation Group Limited and she is now working with that company on the tourism project.

(b) Old KCA Property – Purchase Proposal Update

At the last Council meeting, direction was given to contact the AVRSB advising that the Town would like to exercise its right of first refusal to acquire the old KCA property. In addition, the Town is also interested in acquiring the School Board property on Elizabeth Avenue, currently used as a maintenance garage and surplus green space, and would be interested in further discussion on this proposal.

CAO Phillips reported that with the original offer, indications are that the Board will be meeting sometime during the week of October 8th to review the Town's offer. At this time, expectations are that staff will be given direction to conclude the Agreement. In the meantime, work has begun on the preparation of an RFP on development options for this property, (which may include the additional, adjacent AVRSB site). Copies of this will be sent to Council prior to distribution.

In addition, inspections of the property have been carried out regarding operational and safety concerns and the reuse of contents has been addressed.

**REPORTS AND
RECOMMENDATIONS**

(a) Council Advisory Committee

**(1) Valley Waste Resource Management Authority
(Operating Surplus)**

Councilor Nola Folker-Hill reported that at the September 10, 2012 meeting of Council Advisory Committee, Director Debra Crowell presented the finance report, during which time, the status of the operating surplus of VWRM and the Town's portion of that surplus (approximately \$22,000) was discussed.

Following discussion, it was agreed that these funds would be accepted and allocated to the Town's General Operating Reserve Fund, earmarked for VWRM.

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

that those funds from Valley Waste-Resource Management's Operating Surplus be posted in their Reserve Account.

APPROVED - November 5, 2012

MOTION CARRIED

(2) TBR – Town Capital - \$997,100

Councilor Nola Folker-Hill reported that at the September 10, 2012 meeting of Council Advisory Committee, Director Debra Crowell noted that a temporary borrowing resolution has been received which relates to the Town's 2012-2013 Capital Program. She added that these funds will be drawn down as needed to fund various purchases.

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

that Council authorizes TBR12/13-01 Town Capital for Various Purposes, in the amount of \$997,100.

MOTION CARRIED

(3)TBR – KWC - \$300,000

Councilor Nola Folker-Hill reported that at the September 10, 2012 meeting of Council Advisory Committee, Director Debra Crowell reported that the capital budget approved on March 13, 2012 included funds for the replacement of the Belcher Street Water Reservoir. The Town had received Building Canada Fund approval in the amount of \$800,000, however, considering the 1/3 cost-sharing with the Province and Federal government, along with the UARB approval of the capital budget expenditures, the amount of this TBR is for \$300,000.

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

that Council authorizes TBR 12/13-02 for the Water Commission, in the amount of \$300,000.

MOTION CARRIED

(4) TBR – Land - \$370,000

Councilor Nola Folker-Hill reported that at the September 10, 2012 meeting of Council Advisory Committee, Director Debra Crowell reported that as a housekeeping matter, the attached TBR must be replaced with current documentation, so as to fund costs relating to the Kentville Futures Land.

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

that Council authorizes TBR 06/07-04 Land

APPROVED - November 5, 2012
(Kentville Futures) in the amount of \$370,000.

MOTION CARRIED

(5) Development Agreement – Rafuse Machine Shop
Councilor Nola Folker-Hill reported that at the September 10, 2012 meeting of Council Advisory Committee, Director Bev Gentleman reported that Sand and Sea Dive Shop entered into a Development Agreement to operate an office and equipment storage facility for their scuba diving business at the former Rafuse Machine Shop property.

The machine shop had operated as a non-conforming use for over 40 years, and after having set idle for some time, the property has reverted back to zoning of residential two-unit dwelling. However, residential development at this site is not likely, due to a number of existing factors, and as such, the owner has asked that consideration be given to amend the Municipal Planning Strategy to allow the property to be used as another non-conforming use, subject to a Development Agreement. Council has approved the application for the amendment.

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

**that Council holds First Reading to adopt the
Development Agreement for the Sand and Sea Dive
office and equipment facility at 245 Main Street
and further
that a Public Hearing be held on October 17, 2012.**

MOTION CARRIED

(6) Tax Account Write-Off – Business Occupancy
Councilor Nola Folker-Hill reported that at the September 10, 2012 meeting of Council Advisory Committee, Director Deb Crowell reported that an outstanding amount remains unpaid for business occupancy tax, due to the closure of a business in Kentville. Although the account remains with an external collection agency at this point in time, she recommended that the amount be written off from the Town's books.

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

APPROVED - November 5, 2012

that the outstanding business occupancy tax account for this company, in the amount of \$2,655.49, be written off.

MOTION CARRIED

(7) Interest Charges on Outstanding Accounts 2012-2013

Councilor Nola Folker-Hill reported that at the September 10, 2012 meeting of Council Advisory Committee, Director Crowell reported that in conformance with the Policy Statement respecting the application of interest charges on outstanding accounts, she has reviewed the current rate and noted that it is within the range charged by other municipalities, and has proven to be an incentive to pay. She added that prompt payment ensures that the Town has cash reserves required for its operations, and further, it reduces internal costs, external collection costs and write-offs.

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

that Council approves the interest rate on outstanding accounts for the Town of Kentville at 2% per month (26.8% per annum) for the year April 1, 2012 to March 31, 2013.

MOTION CARRIED

(8) Video Conferencing Policy – I-02

Councilor Nola Folker-Hill reported that at the September 10, 2012 meeting of Council Advisory Committee, CAO Phillips presented a draft copy of a policy statement which outlined the conditions under which councilors may participate electronically in a council or a committee meeting. He added that a jointly adopted policy by all municipal units is being supported by area CAOs, and to that end, each municipality will be asked to adopt the attached policy. This document is currently in use and has been effective.

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

that the proposed Video Conferencing Policy – I-02 be adopted by the Town of Kentville.

MOTION CARRIED

APPROVED - November 5, 2012

**(9) Council Remuneration and Benefits Policy
Statement G5 – Proposed Amendments**

Councilor Nola Folker-Hill reported that at the September 10, 2012 meeting of Council Advisory Committee, Town Clerk Harmes noted that Policy Statement G5- Council Remuneration and Benefits requires that a survey and recommendation be provided to Council every four years, prior to the regular municipal election, so as to determine if Council's remuneration is in line with similar other municipalities. It was further understood that any new rates proposed would become effective upon the appointment of the Council for the upcoming term of office.

She noted that a salary survey was conducted with 8 towns and the County of Kings, and it appears that remuneration for the Mayor and Council of Kentville is in line with what other similar municipalities are providing. However, because of adjustments relating to the cost of living increases over the years, she recommended that Schedule A be amended to reflect this change only.

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

**that for the 2012-2016 term of office,
remuneration for the Mayor and Council be
adjusted to reflect the cost-of-living increase only,
which would require the deletion of the existing
Schedule A and replacement of the new Schedule
A, as attached.**

MOTION CARRIED

(10) October Council Meeting Date Change

Councilor Nola Folker-Hill reported that at the September 10, 2012 meeting of Council Advisory Committee, Town Clerk Harmes reported that the *NS Elections Act* requires a minimum of 10 days, and maximum of 4 weeks between Election Day and the inauguration of new members of Council. The 10 days minimum allows for a recount of votes should this be necessary.

She further added that as the October regular meeting of Council is scheduled for October 29th, and the municipal election will take place on October 20th, this 9 day period falls short of the requirement. Subsequently, she recommended

APPROVED - November 5, 2012

that October's Council meeting be cancelled, and that a special meeting be scheduled for the following week.

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

that Town Council cancels its October 29th meeting, and schedules a Special Meeting of Council to address both routine Town business and the inauguration of the Mayor and Council for the term of office – 2012-2016

And further

that this meeting takes place in the Kentville Council Chambers at 7:00 p.m. on November 5th, 2012.

MOTION CARRIED

(b)Fire

(i) Chief's report

CAO Phillips reported that the Fire Chief's report was received just prior to this meeting, from which he noted that there were 35 alarms for the month, with the County having received 19 and the Town of Kentville receiving 16. It further appears that 78 kilometers related to Town related alarms.

Chief Ryan MacEachern further speculated that the dry, hot weather during the month contributed to several outdoor fires.

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

that the report from the Fire Chief be received.

MOTION CARRIED

(ii) Joint Fire Services Committee Report

Councilor Bill Boyd reported that there will be a meeting on September 25, but added that the Society and the Board have both accepted the Walsh Report which will allow for progress in this regard.

Councilor Boyd added that since the recent resignation of Chief Ripley, he has learned that Shawn Ripley has accepted a position with the Town of Yarmouth as Fire Chief.

It was moved by Councilor Eric Bolland and seconded by

APPROVED - November 5, 2012
Councilor Bill Boyd

that the report be received.

MOTION CARRIED

Points from Discussion

- Relating to the *Town's Outdoor Fire Bylaw*, and penalties for violation, Police Chief Mander noted that this particular bylaw is being considered for a SOT.
- It was noted that the colour of fire hall has been selected by the members of the society.

(c) Valley Waste Resource Management Authority's Representative's Report

Representative Deputy Mayor Pearl reported that the management minutes from September have been distributed, and that the Authority anticipates that the year will end with a small operating surplus; the construction of the new administration offices continues to be under budget; and a draft copy of the Investment Policy is being reviewed and feedback is being urged from the partners. A knowledgeable community person is being sought for the investment committee and work continues on the current Procurement of Goods and Services Policy.

Along with some statistics on waste flow, the Last Re-sort Reuse Centre is doing well.

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

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

MOTION CARRIED

Points from Discussion

- The slight reduction in recycling has not been a cause for concern at this time.
- The Investment Policy Committee will request approval by the 8 municipalities who are partners for any recommendations.
- It is difficult to have consistency when 8 units are involved, so the best procedures are chosen.
- Capital reserves should be reinvested to ensure that money is available when required.
- All units have been involved (CAOs and/or Finance Directors) in the concept of this policy and Kentville's

APPROVED - November 5, 2012

CAO has some knowledge.

- These policies should not be developed outside of the partnering units.
- Effort is made by Valley Waste to mirror the policies of other municipalities when possible.

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

A written report noted:

- the Business Retention and Expansion Program continues to be successful with 329 visits having been conducted.
- The approval of Grand Pre for UNESCO status was officially declared on June 30th, with a community reception held on July 21. A Stewardship Board is being formed.
- Statistics were given on the Strategic Planning projects and the Invest in Kings Program.
- Jennifer Weisner reported that a review panel was held for Kings RDA on September 13th and consultation sessions are underway. The results should be known within a few weeks.
- Interviews are being conducted with members of the RDAs, members of AMA and UNSM, the Chamber of Commerce and information will be collected from the on-line survey.

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

that the report from Kings RDA be received.

MOTION CARRIED

Points from Discussion

- More information is expected soon on the rapid transit project.

(e)Kings Transit Authority's Representative's Report

A report from the General Manager, Ron Mullins for August and another for September, noted the following:

- The Kentville Bus Shelter should be installed in November.
- A Strategic Planning Session will be held on October 3rd at 3:30 in Berwick.
- The Acadia U-Pass proposal is being reviewed.

APPROVED - November 5, 2012

- Legal agreement with Student Union underway.
- Referendum will take place in October.
- Annapolis Co. Agreement still outstanding.

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

Points from Discussion

- Local councilors are being urged to attend the meeting on October 3rd.
- There are some bus stop locations which create problems with traffic (i.e. Valley Regional Hospital and Belcher St./Fox Hill crosswalk)

(h) Councilors' Report

Councilor Tony Bentley attended all meetings however, was not able to attend UNSM.

Councilor Nola Folker-Hill attended all meetings and the Police Conference at the Old Orchard Inn. All sessions were interesting. She attended the UNSM conference and enjoyed participating on the UNSM Conference Planning Committee.

Councilor Eric Bolland attended all meetings and the UNSM Conference; he missed the KCA PTA meeting and AVCC meeting as they conflicted with the UNSM conference.

Councilor Bernie Cooper attended all meetings, UNSM conference, and Police Conference. He congratulated the Mayor and Councilor Folker-Hill for their new positions on UNSM.

Councilor Bill Boyd attended the UNSM meeting and congratulated the Mayor for being elected First Vice President. In addition, he attended all other events.

Deputy Mayor Mark Pearl had nothing further to report.

(i) Mayor's Report

Mayor Corkum reported that he attended the following meetings:

- Kings RDA (mayors and warden)
- Amera Churchill Falls
- Life Cycle wrap up
- GIS Tax signing
- Towns Task Force meetings and tele-conference
- Street Fest

APPROVED - November 5, 2012

- UNSM meetings
- Kings 2050 interview
- UNSM Conference
- Multicultural event
- Sheffield Mills Harvest Fair – Cow Milking competition and partnered with Princess Kentville.
- Police Conference
- Dr. Seaman’s Retirement (after 55 years)
- CAC
- Meetings with Colin McPhee

He thanked his colleagues in Kentville for their support of his bid for the Vice Presidency of UNSM.

He added that the highlight of his work on the Town’s Task Force was the acceptance of the recommendations for municipal reform.

He offered congratulations to Councilor Bill Boyd for winning a bronze medal in hockey for the over 55 Games.

CAO Phillips added that Council should keep in mind the opportunity to forward resolutions for UNSM, and perhaps this can be considered during regular Strategy Sessions.

CORRESPONDENCE

(a) Premier Dexter – New Page Mill Funding

A letter from the Premier explained the funding arrangement with New Page Mill, noting the economic impact that this will have on the area with the direct and indirect jobs resulting from its ongoing operation.

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

that the letter be received.

MOTION CARRIED

(b) Fundy Interchurch Food Bank

A letter from the Vice Chairman of this organization asked if the Town could reconsider the status of their operation, so as to allow for a partial tax reduction. The building is currently classified “commercial” and as there is no commercial enterprise taking place in this building, a request was made that the building be reclassified to residential and that a partial reduction in taxes be applied for this non-profit operation.

It was moved by Councilor Bernie Cooper and seconded by

APPROVED - November 5, 2012
Deputy Mayor Mark Pearl

that the building be reclassified as residential for valuation purposes, and that this be effective April 1, 2012.

MOTION CARRIED

Points from discussion

- This group has a tax bill of \$4,000
- The Deputy Mayor met with Property Valuation Services whose staff suggested that he would prefer to have their lawyer speak on their behalf.
- This organization is on church property, owned by the church and is an extension of the church's mandate.
- Under section (71) of the MGA, some properties qualify to be reclassified and a reduction of taxes.
- The problem with this building is that it is a stand-alone building so cannot be part of the church's valuation.
- This issue should have been brought to CAC for discussion previous to making a recommendation to Council
- The decision is being fast-tracked because of the time-sensitive nature, with the tax bill being due on October 1st.
- Both the CAO and the Finance Director have been involved in discussions on this matter, and both feel that the recommendation appears appropriate.

NEW BUSINESS

None

PUBLIC COMMENTS

None

ADJOURNMENT

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

that the meeting adjourn to go In Camera to discuss land negotiations at 8:18 pm.

MOTION CARRIED

MEETING RESUMES

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

that the regular meeting of Council resumes.

APPROVED - November 5, 2012

MOTION CARRIED

**CHESTER AVENUE
PURCHASE AND SALE
AGREEMENT**

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

that the Town accepts the Purchase and Sale Agreement for the property located at 275 Chester Avenue, owned by the Kentville Water Commission, for the amount of \$87,000.

MOTION CARRIED

ADJOURNMENT

The meeting adjourned once again at 8:35 p.m.