

Approved February 25, 2012

KENTVILLE TOWN COUNCIL

MINUTES

January 28, 2013

PRESENT

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

Deputy Mayor Mark Pearl called the meeting to order at 7:00 p.m. and CAO Phillips reported that except for Mayor David Corkum, all members of Council were present, along with the Town Solicitor, the Town Clerk and himself.

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

that Mayor David Corkum be excused from this meeting.

MOTION CARRIED

APPROVAL OF THE AGENDA

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

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) Mark Pound –Presentation of Queen’s Jubilee Medal

Deputy Mayor Mark Pearl welcomed Kentville citizen Mark Pound and outlined some of the commitments he has made to the community over the years, such as work with the Apple Blossom Festival, with the KVFD, and the Dukes of Kent. Deputy Mayor Pearl congratulated him on having been selected for the Queen Elizabeth II’s Diamond Jubilee Medal.

(b) Ken Crichton, CBDC

Ken Crichton, Executive Director of CBDC, presented the

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annual report from this organization and noted the following points:

- There are 6 different loan packages available.
- The Hants Kings organization continues to lead the others in the area.
- A rotation system has been created for the purpose of systematically replacing board members, and 6 individuals will be phased out over the next few years, to allow a full turn over.
- CBDC does 5 different loan packages with ACOA, some for business start-ups and others that involve individuals who are on social assistance or disability programs.
- 52 approvals were given out last year, which allowed some individuals to enter a business who otherwise may not have been able to do so. These people have a skill, but need some help to develop a business.
- Good rates are offered to the individuals applying, allowing them to better start their business.
- Last year the Hants Kings region was hit with a loss of funding, as the funding was redistributed to other, not-so-profitable branches.
- Kings County residents do a lot of business with CBDC.
- The Social Enterprise program involves not-for-profit organizations which have the capacity to repay the loans.
- The Innovation Program also has some good potential
- CAS (Counselling Assistance Services) offers up to \$5,000 to help create a business plan or marketing project for those businesses or community groups that require this type of help.
- Training funds are available and about \$18,000 was spent this year.

Points from Discussion

- In the case of university students, they would be better off to look at the “student in business program” which would allow for a loan to be paid back in the future. (i.e. gardening, painting, etc.)
- No fixed asset security is required for the student loan program.
- Development Corporations are eligible to take advantage of this funding.
- Any business in Hants and Kings can take advantage

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of the training programs. There is no fee for the non-loan clients.

- The low participation from the agriculture industry is as a result of the farm loan boards and other traditional loan programs that offer better rates.

**APPROVAL OF THE
MINUTES**

(a) November 26, 2012

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

that the Minutes of November 26, 2012 be approved as circulated.

MOTION CARRIED

(b) December 13, 2012

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

that the minutes of December 13, 2012 be approved as circulated.

MOTION CARRIED

BUSINESS ARISING FROM THE MINUTES/OLD BUSINESS none

REPORTS AND RECOMMENDATIONS

(a) Council Advisory Committee – December 10, 2012

(1) Withdrawal Equipment Reserve - \$50,000

Councilor Eric Bolland stated that at the December 10th, 2012 meeting of Council Advisory Committee, Director Crowell reported that the 2012-13 Capital Budget allowed for the purchase of equipment for transportation purposes, and as some equipment has now arrived, a withdrawal of \$50,000 is required for partial funding.

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

that a withdrawal of \$50,000 be made from the Equipment Reserve, to partially fund the purchase of transportation equipment.

MOTION CARRIED

(2) Speed Limits in Municipalities

Councilor Eric Bolland stated that at the December 10th, 2012 meeting of Council Advisory Committee, late correspondence was introduced regarding a campaign being organized, in

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which municipal units throughout the province, would send a request to Premier Dexter and Minister of Transportation and Infrastructure Renewal Maurice Smith, asking the Province to allow municipalities the opportunity to lower the speed limits in areas where slower moving traffic would be safer. As a study to be done by the Nova Scotia Road Safety Advisory Committee will be completed by Spring, it would appear appropriate to support this issue at this time.

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

that a request be sent to the Premier's Office and that of the Minister of Transportation and Infrastructure Renewal asking permission to adjust speed limits in areas within Kentville that would benefit from lower speeds.

MOTION CARRIED

(3) Traffic Redesign for Tim Horton's Drive-thru

Councilor Eric Bolland reported that at the December 10th, 2012 meeting of Council Advisory Committee, a request was reviewed from Les Falconer, the owner of the Tim Horton's Drive Thru on Aberdeen Street. Mr. Falconer wished to purchase the property adjacent to this restaurant, which would allow for the stacking of vehicles in the wait-line at the drive-thru, thereby better serving his customers and reducing traffic congestion on the street.

However, several area businesses expressed concern and objected to the loss of parking spaces used by both their staff and clients, some of whom were patients with physical limitations and disabilities. Therefore, Council directed staff to examine what alternatives might be available that would allow the current parking spots to remain, while accommodating the needs of Tim Horton's Drive-Thru customers. A report was subsequently presented to Council for review, following which it was moved by Councilor Bill Boyd and seconded by Councilor Bernie Cooper

that the Town retains the property adjacent to 70 Aberdeen Street and maintains its current use, however, asks the Traffic Authority to report back to Council as to if a third lane on Aberdeen Street

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(between the River Street and Station Lane intersections) could be created to allow for a slower lane of traffic turning right on Station Lane.

MOTION CARRIED

(4) Rescind Old Policies 27, 28, 29, 30

Councilor Eric Bolland reported that at the December 10th, 2012 meeting of Council Advisory Committee, Town Clerk Carol Harmes noted that the review of older policies has been resumed, and that she has prepared a report which identifies some policies whose content is no longer relevant due to more updated legislation. Following review of each document, she recommended that these policies be rescinded.

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

that the following policies be rescinded and removed from the Town's current documents:

Policy 27 – Tree Commission Policies

Policy 28 – Smoking

Policy 29 – Travel Expenses

Policy 30 – Students and Casual Employees

MOTION CARRIED

(5) Council Meeting Schedule

Councilor Eric Bolland reported that at the December 10th, 2012 meeting of Council Advisory Committee, Town Clerk Carol Harmes reviewed the 2013 calendar as it relates to routinely scheduled meetings of CAC and Council. On those dates which conflicted with holidays or other events, she recommended alternative dates.

Following review of the proposed schedule, it was moved by Councilor Bill Boyd and seconded by Councilor Bernie Cooper

that the attached schedule of Council and CAC meetings for 2013, be approved and downloaded to the Council calendar.

MOTION CARRIED

(6) Council Appointments

Councilor Eric Bolland reported that at the December 10th, 2012 meeting of Council Advisory Committee, Town Clerk Carol Harmes presented an updated list of committee appointments for the upcoming year. Some changes to that

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list were made after consideration of Council's individual interests, their skills relating to the committee, and their availability to participate in and attend meetings.

Following this review, it was moved by Councilor Bill Boyd and seconded by Councilor Nola Folker-Hill

that those appointments for Council members for 2013 be approved, as per the attached list.

MOTION CARRIED

(7) Illegal Dumping – Belcher Street

Councilor Eric Bolland reported that at the December 10th, 2012 meeting of Council Advisory Committee, Planning and Development Director Bev Gentleman reported that over the years, residents of 71 Belcher Street have been allowing illegal dumping of construction debris over the cliff behind their home. Since the development of the Miner's Marsh and Ducks Unlimited area, (which borders on the property) these unsightly premises have become visible to users of the park, especially when foliage is gone from the trees. Photographs documenting this site have shown a steady increase of rubble, some of which contains rebar and PVC piping, which is environmentally harmful.

The home owners have been contacted to remediate the area, but have ignored the request, and as requests for assistance from both Valley Waste Resource Management Authority and the Department of Environment have been futile, Council felt that another, more direct approach might be in order.

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

that the property owner be notified that if he does not remediate the property within 60 days, than the Town will hire a contractor to carry out the remediation, following which a tax lien will be placed against the homeowner for the costs.

MOTION CARRIED

(Note: Although other avenues are being explored with the Town's solicitor, this motion should still be considered in order.)

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(8) Aberdeen Street Realignment

Councilor Tony Bentley reported that at the January 14, 2013th meeting of Council Advisory Committee, Town Engineer and Traffic Authority Fred Whynot presented a report on the feasibility of installing a third lane of traffic on Aberdeen Street, as this would lessen the traffic congestion in that area, when vehicles are in line for the Tim Horton's drive-thru.

He pointed out, however, that some further study is needed. It would be necessary to determine if this realignment of the street would allow for the proper lane widths; if parking would be decreased in order to make this additional lane; if any reduced parking would be acceptable; and lastly, if road alignments and crosswalk relocations could be accommodated in the future, especially near the River Street intersection. A meeting has been arranged with the NS Department of Transportation and Infrastructure Renewal to discuss this issue.

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

that consideration be given to create a third lane of traffic on Aberdeen Street between River Street and Station Lane to allow for right turning traffic on Station Lane, providing further investigation by the Traffic Authority indicates that this is a feasible solution.

MOTION CARRIED

(9) REN Appointment of Representative

Councilor Tony Bentley reported that at the January 14, 2013th meeting of Council Advisory Committee, CAO Phillips prepared a power point presentation in which he noted that the mission of the Regional Enterprise Network is to guide and navigate regional development in Nova Scotia while supporting business growth in communities.

He added that Cooperation Agreements will be established for each of the units and that the CAO group will continue to work on this project. However, in the interim Bob Book (representative from the Province) asked that each unit identify an individual as a representative of that municipality, for the purpose of sitting on the REN Committee.

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

that CAO Mark Phillips represent the Town of Kentville on the Regional Enterprise Networks Committee.

MOTION CARRIED

**(10) Sanitary Sewer Capital Reserve
Withdrawal Resolution**

Councilor Tony Bentley reported that at the January 14, 2013th meeting of Council Advisory Committee, Director Crowell reported that the attached resolution for the withdrawal of \$30,000 represents the costs for the sanitary sewer portion of the capital construction costs for work on Melbourne Avenue.

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

that Town Council approves the attached resolution for the withdrawal of \$30,000 from the Capital Reserve, Sanitary Sewer portion, to partially fund sanitary sewer capital construction during 2012-2013.

MOTION CARRIED

**(11) Force Four Entertainment – TV
Documentary**

Councilor Tony Bentley reported that at the January 14, 2013th meeting of Council Advisory Committee, Community Development Officer Lindsay Young noted that Force Four Entertainment, a production company, plans to produce a television program showing a Canadian community living a life without taxes. The town of Kentville is being considered for this project.

This is expected to be a good promotion of the Town, and will be a good educational opportunity for Kentville citizens. However, at this time an endorsement of this project by Council is required in order to proceed.

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

that Town Council endorses Kentville's

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involvement in this TV Documentary Series.

MOTION CARRIED

(12) Commissionaires NS Anniversary

Councilor Tony Bentley reported that at the January 14, 2013th meeting of Council Advisory Committee, a letter from this organization was read, in which it was noted that CNS is celebrating its 75th year of providing security to the province. The Chief Executive Officer of this organization asked that January 24th, 2013 be acknowledged by the Town as the official day of recognition.

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

that the Commissionaires of Nova Scotia be recognized with a proclamation to observe January 24th as the 75th anniversary celebration day.

MOTION CARRIED

(13) Operating Reserve Fund Policy

Councilor Tony Bentley reported that at the January 14, 2013th meeting of Council Advisory Committee, Finance Director Crowell noted that a draft copy of this policy was introduced at the December Strategy Session. She felt that this would provide a uniform policy and guidelines to ensure the long-term financial stability of the Town through an internal source of funds denoted as the Operating Reserve Fund. This draft policy has been returned for review at this time.

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

**that Policy G63F – Operating Reserve Fund Policy be adopted,
and further
that Council approves Schedule A of the above-noted policy, which denotes the segments, the various purposes and recommended targets of each segment.**

MOTION CARRIED

(14) Public Engagement and Participation at

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Council Meetings Policy

Councilor Tony Bentley reported that at the January 14, 2013th meeting of Council Advisory Committee, a report from Clerk Harmes noted that a draft copy of this policy was presented at the December Strategy Session. Its purpose was for setting in place some guidelines which might lead to increasing citizen engagement and participation in Town business. Following some revisions, it has been brought to this meeting for adoption.

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

that Policy Statement G-62 – Public Engagement and Participation at Council Meetings be adopted.

MOTION CARRIED

(15) KCA – Commercial Realty Listing for School Street Property

Councilor Tony Bentley reported that at the January 14, 2013th meeting of Council Advisory Committee, a report from CAO Phillips noted that at the Strategy Session in December, a discussion took place regarding the former KCA site. It was generally understood that some parts of the complex were in a better state of repair than others, and further, there was a limited use of the buildings as they currently exist. Therefore, staff was given direction to proceed with an appraisal and the subsequent disposal of this property.

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

that the former KCA School property at 25 School Street, Kentville, and all structures on this site, be deemed surplus and be no longer required for the purposes of the Town;

and further,

that Council engages the services and expertise of a commercial real estate firm to market the sale and repurposing of the former KCA site for a 6 month term;

and further,

that Council approves the demolition of the independent structure, formerly known as the Elementary School at 25 School Street (structure

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immediately adjacent to the School Street), by March 31, 2013, should no reasonable letter of interest in the structure be received and accepted by Council before March 1, 2013.

MOTION CARRIED

Points from Discussion

- There has been no response as yet from AVRSB regarding the second package of land.
- The appraisal for the original package of land is still outstanding.

(16) TD Green Streets Funding

Councilor Tony Bentley reported that at the January 14, 2013th meeting of Council Advisory Committee, CAO Phillips presented a report on the TD Green Streets Funding program, which provides 50% funding towards urban forest programs in municipalities across the country. He noted that the proposed \$21,000 project would impact the Town's 2013-2014 budget in the amount of \$9,000, and referenced a budget table that identified the costs in cash contributions and "in kind" work.

With the help of the Recreation Department staff and the Environmental Advisory Committee, an application was submitted in early January, with project details included. However, since then, the Town has been advised that a letter is also required stating Council's support of this project.

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

that Council provides a letter of support of the TD Green Streets Funding grant application, by supporting the application as proposed, including a financial commitment of \$9,000 in the 2013-2014 Operating Budget.

MOTION CARRIED

(b) Fire

(i) Chief's report

CAO Phillips reported that the Fire Chief's report was not received in time for this meeting, as the Acting Chief is having problems including the administration work required for the fire operation with his other functions. Further information is forthcoming.

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

that the verbal report be received.

MOTION CARRIED

(ii) Joint Fire Services Committee Report

Councilor Bill Boyd reported that there was a meeting of the Joint Fire Services Committee last week and although fire protection functions are proceeding well, the administrative aspect of this operation requires some assistance. The Executive Committee is reviewing the situation.

He added that some new members from the County have been added to the committee, along the addition of Councilor Cooper. Councilor MacQuarry, Councilor Raven and Deputy Warden Innes represent the County. Some orientation was required because of these new members.

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

that the report from the Joint Fire Services Committee be received.

MOTION CARRIED

(Note: Councilor Boyd was reappointed chairman of JFSC and Councillor MacQuarry was selected as Vice Chair.)

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

Deputy Mayor Pearl reported that a written report has been received, but added that the proposed budget has been distributed to Council, and that Ross Maybee will attend the next meeting of CAC to answer any questions about it.

As the representatives from the County of Kings are involved in the upcoming election, the orientation will be postponed until this event has taken place.

He added that although a great deal of effort was put into the wind turbine project, its construction has been postponed for now. Lastly, he noted that he was selected as Chairman for the next term of service.

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

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

MOTION CARRIED

(d)Kings Regional Development Agency Representative's Report

Two written reports were received from Kings RDA, identifying the work to date on various programs - BRE, Grand Pre UNESCO, Strategic Planning, Kings Volunteer Resource Centre, and Invest in Kings.

Councilor Tony Bentley gave a recap of activities at the operational level, as they relate to the winding up process.

Points from Discussion

- The RDA Board has supported a motion to continue the BRE and Immigration Program and to keep an administrative presence in the office until the end of June, contingent on different levels of approval.
- There may be a need of some funding to support these operations and Director Kerr is exploring the availability of funding.
- It is expected that a request to support this operation will come to this Council in February.
- Each individual municipal unit will be required to give its support.
- ECO Kings will live on after the RDA has disbanded.
- The winding up of an organization like this, takes some time, to ensure that all liabilities are in order.

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

that the report from Kings RDA be received.

MOTION CARRIED

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

A report from the General Manager, Ron Mullins noted that the Acadia U-Pass is high on the priority list at this point and the matter will go to referendum in 2 weeks (February 13).

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The current deficit is about \$50,000, however, the projections for year-end will be about \$26,000. Although the General Manager budgeted for a fuel reserve, these funds were not used, so the upcoming budget will not include the replacement of this item.

Councilor Bishop from the County of Kings has been selected as Chairman and Councilor Anna Morton from Berwick is the new Vice Chairman.

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

that the report from Kings Transit Authority be received.

MOTION CARRIED

(h) Councilors' Report

Councilor Tony Bentley reported that he attended all meetings and events.

Councilor Nola Folker-Hill reported that she attended all meetings and events.

Councilor Eric Bolland reported that he attended an Eco Kings Meeting, the EAC meeting, and the Force Four Entertainment public rally; however, couldn't attend the KCA/PTA meeting due to illness.

Councilor Bernie Cooper had nothing further to report.

Councilor Bill Boyd had nothing further to report.

Deputy Mayor Mark Pearl had nothing further to report.

(i) Mayor's Report

Mayor Corkum was away on vacation so no report was available.

CORRESPONDENCE

none

NEW BUSINESS

(a) Kings Partnership Steering Committee

CAO Phillips reported that there will be a meeting next week. However, the members at a recent Mayors and Warden meeting set a schedule for future KPSC meetings, and that Kentville is committed to the next year of meetings, by providing both a location and administrative support.

An election for the Chair and Vice Chair will be held at the next meeting. The chair does not have to relate to the municipality hosting the meetings.

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It is anticipated that at future meetings, there should be some discussion on community development projects (tourism items, Eco Kings, AVESTA, Valley Pumpkin Festival, Kings Cultural Mapping, etc.) as many of these will not be part of the future REN mandate. The units will have to discuss the value of some of these projects and any which should be continued might need to be adopted by one of the units. (The continuation of these projects will be contingent upon at least 2 units being in agreement that the project has merit.)

Points from Discussion

- Councilor Folker-Hill offered her support of Councilor Bill Boyd as chairman of the KPSC.
- Councilor Boyd was concerned about missing the first meeting, as he felt that this was very important. He agreed to let his name stand, if appropriate, however, if not elected Chairman, expressed interest in continuing on the committee.

CAO Phillips noted that Councilors Boyd and Folker-Hill, along with Mayor Corkum are current members on this Committee, however, no alternate has been designated in the absence of one of those members.

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

that Councilor Bernie Cooper be nominated as the alternate during the absence of an appointed member to the Kings Partnership Steering Committee.

MOTION CARRIED

Deputy Mayor Pearl called for further nominations, following which none were received and Councilor Cooper was declare the alternate on the KPSC.

(b) Temporary Borrowing Resolution – Capital – Demolition - \$250,000

Director of Finance Debra Crowell submitted a recommendation in which she noted that a temporary borrowing resolution has been prepared for the costs associated with the demolition of the old KCA elementary building at 25 School Street, in accordance with the resolution of Council made earlier during the meeting .

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

that TBR 12/13-013 in the amount of \$250,000 for the demolition of the building known as the old KCA Elementary building on School Street.

MOTION CARRIED

PUBLIC COMMENTS

There were no public comments, however, Councilor Tony Bentley reported that the Kings Arms Pub has been given an award for promoting anti-gambling at their establishment, and that there will be a special public ceremony on February 8th.

ADJOURNMENT

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

that the meeting adjourns at 8:25 p.m.

MOTION CARRIED