

Approved by Council – November 26, 2012

KENTVILLE TOWN COUNCIL

MINUTES

November 5, 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 Tony Bentley and seconded by Councilor Eric Bolland

that the agenda be approved with the addition of a Moment of Silence in recognition of Remembrance Day.

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) Moment of Silence – Remembrance Day

APPROVAL OF THE MINUTES

(a) September 24, 2012

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

that the Minutes of September 24, 2012 be approved as circulated.

MOTION CARRIED

BUSINESS ARISING FROM THE MINUTES/OLD BUSINESS

(a) Second Reading – Amendments to LUB/MPS (Wind Turbines)

A report from Director Bev Gentleman indicated that this issue had been brought forward by Valley Waste Resource Management in response to their interest in installing a small

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scale wind turbine as part of their operation in the Annapolis Valley Regional Industrial Park. At the July Council Meeting First Reading was given to approve those amendments in the LUB and MPS which would allow for these structures in Industrial zones.

Following this, a Public Hearing was held on October 17, which saw Mayor Corkum and Councilors Folker-Hill, Cooper, Boyd and Bolland in attendance. These individuals are now eligible to vote on the recommendation.

As there has been no opposition received on this amendment proposal, it was moved by Councilor Bill Boyd and seconded by Councilor Eric Bolland

that Second (Final) Reading be given to approve those amendments (as per the attached report) to the Town's Municipal Planning Strategy and Land Use Bylaw, to allow for small scale wind turbines in Industrial zones.

MOTION CARRIED

(b) Second Reading – Development Agreement – Rafuse Machine Shop (Sand and Sea Dive Shop)

A report from Director Bev Gentleman indicated that this issue had been brought forward by Sand and Sea Dive Shop, as this company was interested in purchasing the former Rafuse Machine Shop. As the current owner had operated Rafuse Machine Shop as a non-conforming use (which has since reverted back to its original residential zoning), another non-conforming use was proposed, which would allow the operation of Sand and Sea Dive Shop. A Development Agreement was required to allow for this use.

At the July Council Meeting First Reading was given to accept the proposed Development Agreement, following which, a Public Hearing was held on October 17. Attending that meeting and now eligible to vote, were Mayor Corkum and Councilors Folker-Hill, Cooper, Boyd and Bolland.

As there has been no opposition received on this Development Agreement, it was moved by Councilor Eric Bolland and seconded by Councilor Bernie Cooper

that Second Reading be given to accept the attached Development Agreement, that would

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allow for the operation of an office and equipment storage facility for Sand and Sea Dive Shop at 254 Main Street, as per Policy Z-25 of the Municipal Planning Strategy.

MOTION CARRIED

(c) Parking Study

CAO Phillips reported that this document should be coming to CAC next week.

**REPORTS AND
RECOMMENDATIONS**

(a) Council Advisory Committee

(1) Cost Share Agreement 2012-030 – Flooding North Kentville

Councilor Bill Boyd reported that at the October 9th 2012 meeting of Council Advisory Committee, Town Engineer Fred Whynot advised that work is being done to some infrastructure in North Kentville to address a flooding problem in that part of the County. However, in order to drain the problem area, a connection must be made to the Town's storm sewer system at the intersection of Nichols Avenue and Cornwallis Street.

Director Whynot further noted that the total cost of this project will be \$200,000, and that this will be shared between the County and the Department of Transportation and Infrastructure Renewal, with no costs to be incurred by the Town. Furthermore, the successful contractor for this project will be responsible for reinstatement of the Town's property.

Therefore, to facilitate this project, a resolution of Council is required and accordingly, it was moved by Councilor Tony Bentley and seconded by Councilor Bernie Cooper

that direction be given to the Mayor and the Director of Finance to sign Construction Agreement No. 2012-030 for the installation of new drainage piping and connection to the Town's existing underground drainage system.

MOTION CARRIED

Points from Discussion

- Although the document is called a "cost sharing agreement" the Town is not party to the financial responsibility of the project.

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(2) Transfer to Capital Reserve Fund – General Allocation

Councilor Bill Boyd reported that at the October 9th 2012 meeting of Council Advisory Committee, Director Deb Crowell noted that in previous budgetary discussions, Council discussed the use of the 2011-2012 Operating Fund surplus. She noted that the annual surplus of the Operating Fund was \$176,384, from which the Operating Budget deduction of \$86,400 and the Capital Reserve – General Allocation deduction of \$59,433, resulted in an annual surplus to the accumulated surplus of \$39,551.

She further noted that the transfer of \$59,433 was for an over-run relating to land acquisition and that this withdrawal was brought to Council in April 2012. As this over-run was unexpected, these funds must now be returned to the Capital Reserve Fund – General Allocation.

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

that \$59,433 be transferred from the Operating Fund to the Capital Reserve Fund – General Allocation, as a partial use of the 2011-2012 Operating Fund annual surplus.

MOTION CARRIED

(3) Little Fox Court

Councilor Bill Boyd reported that at the October 9th 2012 meeting of Council Advisory Committee, Director Gentleman stated that developer Thom Oulton has asked that the small cul-de-sac, originally named “Blackberry Ridge Lane”, be named “Little Fox Court” instead. A confirmation with the N.S. Civic Addressing files indicated no conflict with this name and therefore, she recommended that Council approve the request.

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

that the street, known as “Blackberry Ridge Lane” be changed to “Little Fox Court.”

MOTION CARRIED

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(b)Fire

(i) Chief's report

CAO Phillips reported that the Fire Chief's report was not received in time for this meeting.

(ii) Joint Fire Services Committee Report

Councilor Bill Boyd reported that there has been no meeting.

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

Representative Deputy Mayor Pearl reported that a draft copy of the 2013-2014 Operating and Capital Budget will be addressed very shortly and feedback for program enhancements is being encouraged from the partners.

The Policy Committee has been working on the final draft of the new Investment Policy and a copy will be sent to SNSMR for final approval. Citizen appointees are being sought. Those changes identified as a result of the recent election were noted and congratulations offered.

The new Administration Offices were officially opened on October 4th. This building has a LEED Gold Certification and Passive House Certification which implies that the facility may be one of the most energy-efficient facilities in North America. The wind turbine project was discussed and it was noted that the next meeting will be on November 21, 2012.

Some statistics on waste disbursement were noted.

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

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

MOTION CARRIED

(d)Kings Regional Development Agency Representative's Report

A written report was received from Kings RDA, identifying the work to date on the BRE Program – Grand Pre UNESCO, Strategic Planning, Kings Volunteer Resource Centre, and the Invest in Kings Program.

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Jennifer Weisner reported that:

- there is a joint partnership with the Chamber of Commerce and a workshop will be offered this month on HR issues.
- Eco Kings Action Team will be submitting an application for a Rapid Transit Feasibility Study.
- There will be a meeting regarding RDAs, on November 29 in Halifax and this will involve the municipal units.
- The AVESTA awards will be presented on November 15th.
- The Provincial recommendations have not been received yet regarding the status of RDAs.

Councilor Tony Bentley congratulated staff for their positive attitude during some very troubling times. He added that the BRE and the Move to Kings projects have been very successful with excellent results.

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

that the report from Kings RDA be received.

MOTION CARRIED

Points from Discussion

- With the recent change in councillors on Kings County Council, perhaps the attitude towards Kings RDA will be changed.
- The Town of Kentville has gone on record in its support of Kings RDA.
- The Halifax meeting on November 29th will involve the presentation of the Province's position on RDAs.

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

A report from the General Manager, Ron Mullins noted that a legal agreement with the student union is being arranged for U-Passes. The new bus transfer station in Kentville will be installed shortly; Acadian Lines service is expected to terminate by November 30th; and it appears that Annapolis County will remain a partner with Kings Transit.

Representative Mark Pearl added some statistics and additional information on the funding of this service.

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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

(h) Councilors' Report

Councilor Tony Bentley attended the Freedom of the Town, Centre Stage Ghost Walk, Harvest Fest events and Valley Waste's Opening Ceremony for its new administration building, and was glad to see the KCA kids in attendance. Councilor Nola Folker-Hill attended all meetings and the Harvest Fest. Between October 11 and the 14th, she attended a retreat in Toronto for the Police Boards, and also attended the Police Ball on October 27th.

Councilor Eric Bolland met with Bob Connell on creating green ways (trail development), attended an Eco Kings Meeting, a Public Meeting for Wind Turbines and Sand and Sea Development Agreement; he was at the Opening of Valley Waste, a KCA Student Advisory Committee meeting and 6 meetings regarding the Pumpkin Mile. 85 runners participated and Tim Longley was the winner this year, once again. Perhaps a 5 k race will be added next year.

Councilor Bernie Cooper attended all meetings required.

Councilor Bill Boyd attended all meetings and will be attending the Coalition on Racism and Discrimination presentation tomorrow.

Deputy Mayor Mark Pearl offered congratulations to all councilors who were successful in the municipal election.

(i) Mayor's Report

Mayor Corkum reported the following:

- He is a member on the Fiscal Review Committee for UNSM and this will be a large task.
- The Freedom of the Town was an important event for Kentville, with the ceremony and parade held on October 13th.
- The Harvest Festival and other related events took place, including such things as the KCA book reading, the Active Challenge event at the Tennis Courts and the Community Bike Ride.
- Meetings were held for Finance and Administration, KCDC, CAC, the Wolfville Debate, Drugs and

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Alcohol in the Community, UNSM Fiscal Review, Rotary, the Mayors Congress (held in Newfoundland where he presented the Town's Task Force recommendations) and Amnesty International.

- A Memorial service was held on Burger Hill (mothers who have lost children) and a Ticket draw was done for Reid's Jewellers.
- There was a good send-off for outgoing Mayor Peter Kelly and Russell Walker is the new President of UNSM.

CORRESPONDENCE

(a) Eastern Synod – Affordable Supportive Housing Strategy

A copy of a letter, with the original addressed to the Prime Minister, was received by the Town of Kentville, as part of a widely distributed recipient list. The request was that all governments support initiatives that will encourage more affordable housing for all Canadians.

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

that this issue be reviewed at the upcoming CAC meeting.

MOTION CARRIED

(b) Big Brothers Big Sisters

A letter from the Executive Director of this organization advised that during the upcoming year, Big Brothers Big Sisters will be celebrating their 100th anniversary in Canada and hope to raise funds for programs throughout the Valley. In doing so, the organizers were asking for a \$500 Multi-Event Cash Sponsorship.

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

that this issue be reviewed at the upcoming CAC meeting.

MOTION CARRIED

(c) Habitat for Humanity

A letter from this organization thanked the Town of Kentville for the offer of property to build a home under this program. After considering the costs which would be incurred to

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prepare the lot for construction, they declined acceptance of the lot proposed. They did, however, urge the Town to consider other properties which might be more suitable.

Points from Discussion

- It is unfortunate that the property would need to be remediated to \$20,000.
- It was difficult to determine whether or not the land was suitable for construction, without having had a comprehensive assessment
- The Town will attempt to find another property.
- There do not appear to be any properties owned by the Town that would be suitable for this project at this point in time.

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

that this issue be returned to CAC for further consideration.

MOTION CARRIED

(d) FCM – Diamond Jubilee

A letter from the President of FCM urged municipalities to respond to the invitation of a second round of nominations for the Queens Diamond Jubilee Medal, by nominating as many additional candidates as seen deserving of this award. The deadline for submissions is December 31, 2012. The selection criteria was included, and further information is available on their website.

Mayor Corkum added that if any members of Council have a nomination, they should give that name to Gillian York of the Parks and Recreation Department.

(e) Tim Horton's

A letter from Les Falconer asked the Town to consider selling a portion of the property to the rear of Tim Horton's drive-thru on Aberdeen Street. This purchase would allow a larger stacking area for drive-thru vehicles, which in turn would reduce the congestion of traffic along Aberdeen Street and Station Lane during peak times.

As this matter required further discussion, it was moved by Councilor Bill Boyd and seconded by Councilor Bernie

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Cooper

that the request be considered at the next CAC meeting.

MOTION CARRIED

Points from Discussion

- It may be necessary to contact adjacent property owners in the event that others may be interested in purchasing this property.
- Mr. Falconer will be attending the upcoming CAC meeting to offer more information.

(f) Shannex Orchard Court

CAO Phillips read correspondence received from this company, in which they showed appreciation of the efforts by the Town and by Councilor Eric Bolland with the Pumpkin Mile event.

NEW BUSINESS

(a) Report from the Returning Officer

A report from Al Kingsbury on the recent municipal election was reviewed. In this he noted that Council decided to include e-voting to the election, and although the technical aspect (as provided by Intelivote) was very successful, some extra work was required by staff during the overall process. Details of this have been included in both his recommendations and that of the Election Auditor.

He added that although touch-screen monitors were on site for the Election Day poll, very few voters took the opportunity to use this method of voting. Also, approximately 560 voter elector cards were returned, as the addresses had not been updated on the provincial registry of elections and this resulted in lower voter turnout. Datafix (which was a service the Town bought to clean-up these lists) did not provide the accuracy which was expected and should not be considered in the future.

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

that the report from the Returning Officer be received.

MOTION CARRIED

Points from Discussion

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- Low voter turn-out is common everywhere.
- It was hoped that electronic voting would entice more voters to participate.
- It appears that those individuals interested in voting will find a way to vote, and although the electronic voting made the process easier for citizens, it did not seem to encourage others to vote who may not vote by other methods either.
- There seemed to be less likelihood for citizens to return postcards with the wrong occupant name, than the more official looking envelopes previously sent.
- Although it is against the law for other people (even parents) to use the PIN assigned to another individual, it appears that this may happen when electronic voting is done.
- Datafix and Intelivote are not connected and Datafix's failure does not relate to Intelivote's efforts.
- Statistics such as demographics (ages of voters, etc.) would be of benefit to the Town in the assessment of this service.

(b) Declaration of Election

Town Clerk Carol Harmes reported that the final list of electors for the Kentville municipal election was determined to be 4,089. In alphabetical order, the ballots cast for each of the 7 candidates for Kentville Town Council (in alphabetical order) were:

Tony Bentley – 985 votes
Eric Bolland – 918 votes
Bill Boyd – 995 votes
Bernie Cooper – 998 votes
Nola Folker-Hill – 1,038 votes
Heather Keats – 789 votes
Mark Pearl – 1,010 votes
(4 votes were rejected)

As a result, all incumbents for Council were re-elected to office for the upcoming term of service.

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

that the Declaration of Election presented by the Town Clerk be received.

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MOTION CARRIED

(c) Inauguration of Mayor

Mayor Corkum welcomed Judge Alan Tufts, who officiated at the inauguration ceremony for acclaimed Mayor, David L. Corkum.

Mayor Elect David Corkum swore an Oath of Office for the Mayor, and signed it for the Official Record.

(d) Inauguration of Council Members

Judge Alan Tufts facilitated the inauguration ceremony for each of the following Council members:

- Tony Bentley swore an Oath of Office for the Councillor, and signed it for the Official Record.
- Eric Bolland swore an Oath of Office for the Councillor, and signed it for the Official Record.
- Bill Boyd swore an Oath of Office for the Councillor, and signed it for the Official Record.
- Bernie Cooper swore an Oath of Office for the Councillor, and signed it for the Official Record.
- Nola Folker-Hill swore an Oath of Office for the Councillor, and signed it for the Official Record.
- Mark Pearl swore an Oath of Office for the Councillor, and signed it for the Official Record.

On behalf of those present, Mayor David Corkum thanked Judge Tufts for officiating during this ceremony.

(e) Election of Deputy Mayor

Mayor Corkum noted that with the expiration of the term of office for the current Deputy Mayor, nominations for this position would be in order.

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

that Mark Pearl (who agreed to be considered) was nominated as Deputy Mayor.

MOTION CARRIED

As no further nominations were brought forward, Mark Pearl was declared Deputy Mayor for the upcoming year.

(f) Presentations to Council Spouses

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Mayor David Corkum thanked the spouses of the Council members for their support during the last term of office, and their anticipated support for the upcoming term. He made presentations to each.

(g) CAO's Welcome to New Council

CAO Mark Phillips extended a welcome to the new members of Council and congratulated them on behalf of all staff. He added that he anticipated that both Council and staff will continue their good working rapport.

PUBLIC COMMENTS

There were no public comments, however, Mayor Corkum invited all present to join in the reception which was to follow the meeting.

ADJOURNMENT

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

that the meeting adjourns at 8:38 p.m.

MOTION CARRIED