

APPROVED July 29, 2013

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# KENTVILLE TOWN COUNCIL

## MINUTES

**June 24, 2013**

### PRESENT

Mayor David Corkum, Deputy Mayor Mark Pearl, Councilor Nola Folker-Hill, Councilor Bernie Cooper, Councilor Bill Boyd, Councilor Tony Bentley, Councilor Eric Bolland, CAO Mark Phillips, Solicitor Cris Shirritt and Town Clerk Carol Harmes.

Also present was Finance Director Deb Crowell.

### MEETING CALLED TO ORDER AND ROLL CALL

Mayor 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 Bernie Cooper

**that the agenda be approved with the inclusion of:  
11. In Camera – 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.*

*Also, the audio recorder was not operational at the time, so this audio record was not available for transcription.*

### PRESENTATIONS

**none**

### APPROVAL OF THE MINUTES

**(a) Minutes – May 27, 2013**

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

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**that the Minutes of May 27, 2013 be approved as circulated.**

**MOTION CARRIED**

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

**(a) Chapter 93 – Yard Sale Bylaw**

Clerk Harmes reported that this bylaw was created to set parameters on the time of day, days of the week and the number of consecutive days that yard sale items, along with their supporting apparatus and signage, may be on display.

First Reading was given to adopt this bylaw at the May 27<sup>th</sup>, 2013 meeting of Town Council, following which a Notice of Second Reading was published in the local paper on June 4, 2013.

As no opposition has been received regarding the approval of this document, the clerk recommended that the adoption process continue, and therefore, it was moved by Councilor Bill Boyd and seconded by Councilor Bernie Cooper

**that Second (Final) Reading to adopt Chapter 93 – Yard Sale Bylaw be given at this time.**

**MOTION CARRIED**

**REPORTS AND  
RECOMMENDATIONS**

**(a) Council Advisory Committee**

**(1) Summary Offence Ticket Adoption**

Councilor Tony Bentley reported that at a recent CAC meeting, Police Chief Mander noted that he has been working with one of the Town's solicitors to review the bylaws and to prepare them to be added to Schedule M-21 Province of Nova Scotia Summary Proceedings Regulations. This will allow for the issuance of Summary Offence Tickets (SOTs) for bylaw offences.

He noted these advantages for using SOTs:

- SOTs are more efficient - the current Long Form Information process requires many extra steps; it automatically sends an individual to court; and requires the engagement of a lawyer for the court process.
- SOTs allow a Police Officer to deal immediately with the issue by giving a person a ticket with an out-of-court fine.

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- The recipient of the SOT has the option of paying the fine, or pleading not guilty and requesting a court date for a trial.
- Revenue from the SOT goes to the Town of Kentville.
- If the SOT is not paid, it is collected through the Department of Motor Vehicles, as individuals would be unable to register a vehicle or renew a license without paying the outstanding fine first.

Chief Mander proposed that the schedule of fines, known as Category C, would be the best choice, as these are not only reasonable and fair, but imply that the bylaws must be taken seriously, and that repeat offenders will be charged more, for each additional offence. The schedule would be \$227.41 (first offence), second offence (\$342.41) and third offence (\$572.41).

Chief Mander further noted that Council must formally adopt the process as outlined for the SOTs, and therefore, it was moved by Councilor Bill Boyd and seconded by Councilor Bernie Cooper

**that the Town adopts the process to issue Summary Offence Tickets to individuals in violation of the Town's Bylaws.**

**MOTION CARRIED**

**(2) Rescind Old Recreation Policies**

Councilor Tony Bentley reported that at a recent CAC meeting, Town Clerk Harmes presented a number of old policies, being brought forward to be rescinded as a group, as they are deemed to be of no value.

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

**that the following policies be rescinded:**

- Policy # 1 – Disturbances at the Arena**
- Policy # 2 – Daily Reports**
- Policy # 3 – Payment of Sundry Wages**
- Policy # 4 – Purchase Orders**
- Policy # 5 – Coffee breaks and Lunch Hours**

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**Policy # 6 – Dates for Installing and Removing Ice**  
**Policy # 7 – Time Clock and Nets**  
**Policy # 8 – Payment of Sundry Wages**  
**Policy # 9 – Notice of Cancellation**  
**Policy # 10 – Petty Cash**  
**Policy # 11 – Casual Help**  
**Policy # 12 – Personnel Policies and Procedures**  
**Policy # Rec 4 – Recreation Grants**  
**Policy # Rec 6 – Surcharge on Non-Residents Utilizing Kentville Recreation Facilities and Programs**

**MOTION CARRIED**

**(3) 2013-14 Sanitary Sewer Operating and Capital Budgets**

Councilor Tony Bentley reported that at a recent CAC meeting, Director Whynot reported on the Operating and Capital Budgets for the upcoming fiscal year. He noted that with revenue and expenses, the Town is seeing a conservative amount of sewer charge revenues, which is being offset from accumulated surplus. He added that a rate study has been estimated at \$5,000 plus HST, and that this is a requirement to establish the need of a rate increase. He further noted that the proposed Capital Budget includes sewer renewals throughout Town and minor upgrades to a lift station on Main Street.

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

**that the Sanitary Sewer Area Service Operating and Capital Budgets for 2013 and 2014 be adopted as per the attached.**

**MOTION CARRIED**

**(4) Review of Animal Control Bylaw**

Councilor Tony Bentley reported that at a recent CAC meeting, members discussed the problem of dog owners not cleaning up after their pets, and subsequently, several suggestions were made as to how to better educate pet owners and how to penalize those who repeatedly ignore this responsibility.

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

**that staff reviews the Animal Control Bylaw, as it relates to the responsibilities of dog owners and those penalties applied in non-conformance of this bylaw, following which a report is brought back to Council.**

**MOTION CARRIED**

**(5) Chapter 94 – Vending Bylaw**

Councilor Tony Bentley reported that at a recent CAC meeting, Clerk Harnes reported that the draft copy of the new vending bylaw has resulted from the creation of a new Yard Sale Bylaw. As this bylaw deals specifically with yard sales, references to this operation were removed from Chapter 71 – Vending Bylaw. These changes to Chapter 71 necessitated the rescinding of this document and the creating of another, which has come to be known as Chapter 94 – Vending Bylaw.

She added that following the presentation of several draft copies of this bylaw, the current one incorporates those amendments proposed by Council and is now being brought forward for adoption.

Therefore, it was moved by Councilor Nola Folker-Hill and seconded by Councilor Bernie Cooper

**that Town Council gives First Reading to adopt Chapter 94 – Vending Bylaw, as attached.**

**MOTION CARRIED**

**(b)Fire**

**(i) Department Report**

CAO Phillips noted that the process is underway for the hiring of an administrative assistant and this should be finalized shortly. When this individual is in place, the Town will be able to expect reports once again.

**(ii) Joint Fire Services Committee Report**

Councilor Bill Boyd reported that there was a meeting of this

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committee on May 29<sup>th</sup>, at which discussion took place regarding the budget and the cut of the administrative position from the County's budget.

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

that the report from the JFSC be received.

**MOTION CARRIED**

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

Deputy Mayor Mark Pearl reported that the Management Minute has been included in Council's agenda package and pointed out that the Operating and Capital Budget's for 2013/14 continue through the approval process and it appears likely that the Authority will end the fiscal year in a surplus position. He added that the board orientation sessions have begun and that a tour of the Kaizer Meadow Landfill will take place following the meeting on June 26<sup>th</sup>; the Polystyrene (Styrofoam) Recycling program is now being considered by the Resource Recovery Fund Board and more details will follow; the annual Compost Give-away held on May 11 was very successful once again; the Last Re-sort Reuse Centre operates on Saturday mornings from 9:00 until 12:00 noon.

Deputy Mayor Pearl added that statistics for the recyclable process was up from last year, as was organic processing and residuals to Chester.

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

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

**MOTION CARRIED**

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

Deputy Mayor Mark Pearl reported that there is no written

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report this month, however Brian Taylor has been designing a format to be used for future reports. He added that a project through Nova Scotia Moves is being undertaken and a student will do the research associated with that.

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

**that the report from Kings Transit Authority be received.**

**MOTION CARRIED**

**(h) Councilors' Report**

Councilor Bill Boyd – Attended all committee meetings in addition to the Apple Blossom Festival, staff barbecue and 2 webinars.

Councilor Tony Bentley – Attended the branding sessions and the Regional Library Committee meeting, and reported that the Kentville library is one of the busiest in the province. He attended the staff lunch, and attended as well as organized, a number of events associated with his hosting duties for the guests from the Goosnaugh, Whittingham and Whitsuntide. They were all very appreciative of the hospitality extended to them during their visit, and has been notified that the presentation picture arrived back in England safely.

Councilor Nola Folker-Hill – Attended all meetings, the Apple Blossom Tea and Coronation and spent a couple of days in Halifax with the NS Association of Police Boards. She attended the webinars on branding and signage, and the AGM for the Kings RDA.

Councilor Bernie Cooper – Attended all meetings, however, arrived late at the Audit Committee meeting when it was being adjourned. He attended the Housing First meeting and reported that this group is just up and becoming operational.

Councilor Eric Bolland – Attended the branding and signage webinars, the RDA Closing and the Life Cycle event.

Deputy Mayor Mark Pearl – had nothing further to report.

**(i) Mayor's Report**

Mayor Corkum noted some events and meetings that he attended, elaborating on the work being done by UNSM.

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**COUNCIL MEETING  
RECESSED**

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

**that a brief recess take place to acknowledge the retirement of Carl Knox.**

**MOTION CARRIED**

**MEETING RESUMES**

The Council Meeting was called back to order at 8:10 p.m.

**CORRESPONDENCE**

**(a) Princess Kentville Lydia Ritcey**

A card was sent to the Mayor and Council thanking them for supporting her during the Apple Blossom Festival.

**(b) Annapolis Valley Regional Library (Annual Report)**

CAO Phillips reported that the attached annual report is for information only. He noted that Kentville is leading many other municipalities in attendance numbers.

Points from Discussion

- Work should begin again soon on the relocation of the Kentville Library and this should be discussed at the next Strategy Session.

**NEW BUSINESS**

**(a) UNSM Caucus Structure**

CAO Phillips reported that this information was received from UNSM with a request for feedback from each municipality. There is a deadline date of July 31<sup>st</sup>. Six questions have been proposed and Council will be asked to review these and submit their answers to the Administrative Office. Staff will coordinate this information and pass it on to UNSM.

**(b) Auditor's Report**

CAO Phillips reported that at a meeting of the Audit Committee earlier in the day, Grant Thornton, presented the auditor's report, during which time Duane Saulnier gave a brief overview of its content. A recommendation was approved by the Audit Committee to bring this issue to the



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Council agenda, and therefore, it was moved by Nola Folker-Hill and seconded by Deputy Mayor Mark Pearl

**that the Auditor's Report from Grant Thornton, LLP be accepted.**

**MOTION CARRIED**

**(c) Audited Financial Statements**

CAO Phillips reported that at a meeting of the Audit Committee earlier in the day, Duane Saulnier of Grant Thornton, presented the Annual Financial Statements for the year ended March 31, 2013. He gave a brief overview of its content, following which a recommendation was approved to bring this issue to the Council agenda.

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

**that Council accepts the Audited Financial Statements for the year ended March 31, 2013**

**MOTION CARRIED**

Points from Discussion

- The report from the Finance Department is a very detailed document and this information would serve as a great educational tool for the public.
- Finance staff should be congratulated for their efforts during the year end process.

**PUBLIC COMMENTS**

**(a) none**

**ADJOURNMENT**

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

**that the meeting adjourns at 8:13 p.m. to go In Camera to discuss property negotiation.**

**MOTION CARRIED**

**IN CAMERA**

Adjourned at 9:07 p.m.