
KENTVILLE TOWN COUNCIL

MINUTES

September 28, 2015

PRESENT

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

**CALL 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 Town Solicitor, the Town Clerk and himself.

**APPROVAL OF THE
AGENDA**

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

that the agenda be approved with no changes

MOTION CARRIED

PRESENTATIONS

**Canadian Federation of Independent Business (Nick Langley)
Re: Extended Producer Responsibility**

Nick Langley, the Director of Provincial Affairs for Nova Scotia introduced Patrick Kelly, the District Manager of CFIB for the Annapolis Valley, and explained the purpose and structure of the CFIB. He noted that:

- CFIB is the “big voice for small business” and has 109,000 members, 5,200 of which are in Nova Scotia, with approximately 50 in the Valley.
- Of these businesses, 28% is retail, 12% manufacturing, construction at 11% and others as per the pie chart attached. Each member has 1 vote.
- The EPR is an approach to solid waste management that shifts the responsibility for recycling and disposal from consumer purchases, to the business owners who sell products and packaging that end up as consumer waste.
- This is seen as an unfair charge as disposal and recycling services are funded through municipal property taxes.
- There will also be a great deal of administrative work to business owners.
- EPR exists in Ontario, Manitoba, Quebec, BC and Saskatchewan.

APPROVED – October 26, 2015

- A MOU, to become effective in October 2015 was to reduce solid waste in the province at 300 kg per person.
- As a result of feedback on this project concerning the lack of input by stakeholders, and the potential of increased bureaucracy, fees and taxes, the project has been stalled.
- A survey by CFIB indicated that 70% of small businesses are opposed to EPR, as they have no control over the amount of packaging on the products they purchase, as the products are manufactured out of the province.
- Small businesses are not able to recover this additional cost and 99% were not even aware of the EPR.
- Small businesses have already taken steps to reduce their waste, and the Province continues to do so, as well

Points from Discussion

- There have been discussions at the Board level of UNSM and there will be some opportunities for more discussion, one of which will be in Truro on October 23..
- Although municipalities must look at ways to save money, they must also preserve small businesses.
- A small business would employ under 100 employees, with most employing under 50 in Nova Scotia.
- There are no large businesses in Kentville.
- The first importer would be hit with the costs and regulatory work required.
- The root cause of excessive packaging is the manufacturer, so to penalize another level of business is not fair.
- Valley Waste has been working on the EPR project for over three years (with Department of Environment's engagement) and a priorities group has been formed of municipal representatives and department officials, who have traveled the country, gathering information with many meetings and discussions.
- Nova Scotia has done well in waste management diversion and this has been costly to the taxpayer. Costs for landfill bans target the taxpayer and not the manufacturer of the packaging. Citizens are already paying for EPR, but not receiving the benefits.
- EPR is endorsed by most jurisdictions throughout the country, through the Food and Consumer Products of Canada, The Canadian Stewardship Alliance, the Chamber of Commerce of Canada and UNSM
- Savings to Valley Waste would be in excess of \$100,000 if the EPR program is initiated.

APPROVED – October 26, 2015

- The focus of UNSM is on the effects of this program on small businesses in the province.
- Perhaps a win-win situation can be reached.

**APPROVAL OF THE
MINUTES**

(a) July 27, 2015 -Regular Council

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

that the Minutes of July 27, 2015 be approved.

MOTION CARRIED

(b) September 14, 2015 Special Council

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

that the Minutes of September 14, 2015 be approved.

MOTION CARRIED

**BUSINESS ARISING
FROM THE MINUTES**

None

**RECOMMENDATIONS
AND REPORTS**

(1) Canadian Masters Curling Championships – Town Support

Deputy Mayor Mark Pearl noted that at the September 14, 2015 meeting of Council Advisory Committee, CAO Phillips reported that at a previous meeting of CAC, members from Glooscap Curling Club asked the Town to sponsor the upcoming 2016 Canadian Masters Curling Championship in the amount of \$7,500. They noted that these games will be held at both Wolfville and Kentville curling clubs, and that the area will benefit from the economic impact of this National event.

A copy of their budget has since been perused by Council and it appears that the County of Kings and the Town of Wolfville are also sponsors.

Therefore, it was moved by Councilor Nola Folker-Hill and seconded by Councilor Tony Bentley

that the Town supports the 2016 Canadian Masters Curling Championships in the amount of \$5,000.

MOTION CARRIED

APPROVED – October 26, 2015

(2) VWRM Operating Reserve

Deputy Mayor Mark Pearl noted that at the September 14, 2015 meeting of Council Advisory Committee, a discussion took place regarding an accounting procedure at VWRM. It was noted that in previous years, the Authority would retain any surplus realized at year-end, and that these funds would be transferred to Operating Reserves. However, an amendment proposed since that time, directed that any annual surplus exceeding \$30,000, would be returned to the funding partners of the Inter-Municipal Agreement.

However, with spikes in the costs of service delivery and with unbudgeted expenses in the solid waste industry, the accountants for Valley Waste have recommended that a policy be adopted by the Board to allow larger reserves to be retained.

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

that the annual surplus for Valley Waste Resource Management Authority be retained in their reserves.

MOTION CARRIED

(3) Syrian Refugees

Deputy Mayor Mark Pearl noted that at the September 14, 2015 meeting of Council Advisory Committee, Mayor Corkum stated that at a recent FCM Board meeting, the issue of supporting the Syrian refugees, at the municipal level, was discussed. Although several communities reported having already provided help, the Board asked others to consider doing so, as well.

CAC members agreed that this migrant population is in crisis and needs immediate world response, and therefore, a monetary contribution might be the most direct and effective help under these circumstances. Further, to facilitate others in the community in making their own personal donations, Staff will include on the Town's website, a list of bona fide charities, adding the refugee relief fund to that list.

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

that the Town makes a financial contribution of \$500 towards the relief fund for the Syrian refugees.

MOTION CARRIED

(4) TBR Sanitary Sewer - \$86,700

Deputy Mayor Mark Pearl noted that at the September 14, 2015 meeting of Council Advisory Committee, Director Crowell reported that this temporary borrowing resolution relates to wastewater facilities and storm water systems, and amounts to \$86,700.

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

that Council authorizes a temporary borrowing resolution, identified as TBR 15/16-01 for sanitary sewer purposes, in the amount of \$86,700.

MOTION CARRIED

(5) TBR Various - \$1,051,700

Deputy Mayor Mark Pearl noted that at the September 14, 2015 meeting of Council Advisory Committee, Director Crowell reported that this temporary borrowing resolution relates to a number of capital items ranging in scope from recreation projects and work at Town Hall, to street work, wastewater issues, acquisition of equipment and materials and lighting. These items amount to \$1,051,700.

Therefore, it was moved by Councilor Bill Boyd and seconded by Councilor Nola Folker-Hill

that Council authorizes a temporary borrowing resolution, identified as TBR 15/16-1 for various purposes, in the amount of \$1,051,700

MOTION CARRIED

**(6) Land Use Bylaw – First Reading to Adopt
Amendments**

Deputy Mayor Mark Pearl noted that at the September 14, 2015 meeting of Council Advisory Committee, Director Gentleman referenced a letter from Jess Healy, who is an events coordinator in Kentville. This business woman wished to use a privately owned property, currently zoned residential, as a venue for special events, like weddings, family reunions, etc. However, as

APPROVED – October 26, 2015

this commercial use of residential property is not permitted in the Land Use Bylaw, amendments to this document are being proposed, along with the adoption of a bylaw relating to such events. A copy of the report presented by the Director outlines the areas within the Land Use Bylaw that should be amended in order to accommodate this change in use.

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

that First Reading be given to adopt the amendments to the Land Use Bylaw, as outlined in this report and to hold a Public Hearing on the proposed amendments on October 26th, 2015 at 6:00 p.m.

MOTION CARRIED

(7) Special Events Bylaw – First Reading to Adopt

Deputy Mayor Mark Pearl noted that at the September 14, 2015 meeting of Council Advisory Committee, Director Gentleman referenced a letter from Jess Healy, who is an events coordinator in Kentville and wishes to use a privately owned property, which is currently zoned residential, as a venue for special events, like weddings, family reunions, etc. However, as this commercial use of residential property is not permitted in the Land Use Bylaw, amendments to this document are being proposed, along with the adoption of a bylaw relating to such events.

The draft copy of the Special Events Bylaw, known as Chapter 96, (as attached) allows for the use of residential property for such purposes, providing certain criteria is met to ensure safety, while reducing any negative impact that such events may have on a neighbourhood.

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

that First Reading be given to adopt the Special Events Bylaw, Chapter 96, as attached.

MOTION CARRIED

(8) Federal Candidates Debate

Deputy Mayor Mark Pearl noted that at the September 14, 2015 meeting of Council Advisory Committee, Mayor Corkum asked

APPROVED – October 26, 2015

if Council was interested in hosting a candidates' debate, which would provide a chance to get Federal feedback on issues like the municipal infrastructure deficit, affordable housing, claw backs on income tax for working seniors, waste water programs and other community issues that are not often addressed during a Federal Election.

Members felt that this would not only be a good information session, but might also provide the opportunity to lobby on specific issues.

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

that the Town of Kentville make arrangements to host a debate for the Federal candidates in our riding.

MOTION CARRIED

(b) (i) Fire

CAO Phillips noted that there were 19 calls in the County for 980 kilometers travelled; 9 calls in Town for 50 kilometers travelled and 3 calls for mutual aid with 300 kilometers travelled. The CAO advised that he would send an updated copy of the fire statistics shortly.

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

that the report from the Fire Chief be received.

MOTION CARRIED

(ii) Joint Fire Services Report

Councilor Bill Boyd noted that the statistics from the Fire Chief are consistently in line with other municipalities and indicate the largest numbers of calls are in response to incidents in the County. He added that the next meeting is scheduled for October 15 at 5:00 p.m.

Also, to date, County Council has not approved its budget for fire services. However, as the KVFD had a surplus, there was thought that those funds would be used to support the County's portion of the fire budget, however, this has not been ratified.

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 Resources Management –
Representative's Report**

Deputy Mayor Mark Pearl noted that reports were included in the package of information available to Council, however, highlighted a few issues.

- The Authority budget indicated a value of \$260,000, it now appears that it could receive \$375,000.
- Per/tonne fee reductions paid to Chester landfill will be substantial in months to come.
- Extensive discussions about EPR have taken place.
- Stantec has completed an administrative review and a workshop will be held to review the report.
- The MYWaste Ap is up and running to provide information on VWRM.
- Fall clean-up has been reinstated this year and October 5th is the date for Kentville
- Preparations having been completed on the Wind Turbine project with, with the final installation very soon.
- The September 16 meeting has been held

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

that the report from VWRM be received

MOTION CARRIED

(d) Kings Transit Authority

Deputy Mayor Mark Pearl noted that there has been an organizational change which has required an RFP to be released for Financial Services. Therefore, there has been no written report.

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

that the report from Kings Transit Authority be received.

MOTION CARRIED

Points from Discussion

- UARB's decision on the termination of the bus route in

APPROVED – October 26, 2015

the Windsor area is due within 90 days of the Hearing.

- The service will continue to run until the decision is made and financial obligations remain in place, as well.
- The adjudicator recognized that the discontinuance of the bus service would be a loss for many regular users.

(e) Councilor’s Report

Councilor Eric Bolland – he attended all required meetings and the first multi-cultural event at the Fire Hall. He stayed for the morning of the County Council meeting to hear the Library discussion, however, had commitments for the afternoon.

Councilor Bill Boyd – attended most meetings

Councilor Bernie Cooper – attended all meetings and advised that the Police are getting ready to negotiate their contracts.

Councilor Tony Bentley attended the opening of the Open Arms and was surprised at the number of people using the services. He dropped off some books. He also attended the opening of the Hantsport Library, which is called the Jodrey Library in recognition of a benefactor. Remaining funds raised by the Friends of the Library.

Deputy Mayor Mark Pearl had nothing further to report.

Councilor Nola Folker-Hill attended all meetings and several conferences.

(f) Mayors Report

Mayor Dave Corkum noted that his written report has been made available earlier however, added that:

- The One NS Coalition group is wrapping up and the report is expected at the end of October and will be going to print.
- The cradle to learning years was a focus to make facilities more user friendly for children. Things like breast-feeding stations are becoming regular features, and he was pleased to hear the accolades to the town of Kentville for already including a breast feeding area at the Town Hall.
- The One Nova Scotia report and recommendations will not be the “silver bullet” that some may expect, however, the Province is in trouble and this group must open the eyes of the public to the need to make changes and to think differently.
- Having immigrants come to our area is important during this population decline.
- He added that he attended a 100th birthday party.
- He also attended a memorial service for Destiny Donovan, which was a very sad event because of the loss of this beautiful young girl.

CORRESPONDENCE none

NEW BUSINESS

(a) Extended Producer Responsibility (Waste Management)

Council is invited to an award presentation to VWRM on October 15, 7:00 p.m. at the Louis Millett Centre.

However, regarding the issue of EPR, Deputy Mayor Pearl noted the presenter from CFIB gave a totally different perspective on the impact that this program would have on small business and on a municipality. Over-packaging is a problem in waste management and the model being proposed for Nova Scotia will not negatively affect small businesses. However, he added that should a small business generate between 1 and 2.5 tonnes of packaging, they will pay an administration fee which would be established by a formula. Research would indicate that from the 5400 businesses in NS, the EPR policy would affect 300, with 90% of these being large generators, who would cover 99% of the program's cost.

Small businesses buy from national wholesalers, so businesses like Chisholm's and Home Hardware would not be charged, as these companies are not first line business to bring the packaging and printed paper into the province. Council must keep an open mind and find all the facts before deciding the fate of this program.

Points from Discussion

- The previous Minister of the Environment was working with the program, however, the newly appointed minister was intimidated by the information he was given and wanted time to reconsider. There was a lack of communication, however, at the Truro meeting on October 23, the Minister will be present, along with other individuals and stakeholders.
- Much of the country already has an EPR and manufacturers have conformed to the requirements of the program. Those provinces that haven't, are already paying and not getting the benefits that the other provinces do.
- The focus must be on small businesses and it is Council's responsibility to make sure that they are not negatively affected, just to provide a windfall for the Town.
- There are many confusing arguments and hopefully these will be cleared up.
- If there happens to be a negative financial impact on some

APPROVED – October 26, 2015

businesses, the Town could provide some funds from the revenue from this program to offset any fees they may be required to pay.

- The model being proposed by Valley Waste does not line up with the information from CFIB.

(b) Paving Prospect Heights

CAO Phillips noted that following a previous meeting of CAC, a Special Council meeting was held regarding the issue of paving Prospect Heights. A motion approved and the minutes brought forward earlier on this agenda, reflected that amount.

However, the motion previously approved was with the expectation that the Goodwins would not participate in the paving projects, which would had reduced their costs, as well as the Town's costs, because of bulk purchasing.

However, since that time, the Goodwins have agreed to the paving at this time, and to take advantage of the discounted price. This means the amount of the paving being done by Dexter's Paving has since changed. He added that the Town will manage the project and the Goodwins will sign an agreement for their portion.

PUBLIC COMMENTS **None**

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

that the meeting adjourns at 8:24 p.m.

MOTION CARRIED