

DECISION

**2014 NSUARB 215
M06509**

NOVA SCOTIA UTILITY AND REVIEW BOARD



IN THE MATTER OF THE MUNICIPAL GOVERNMENT ACT

- and -

IN THE MATTER OF AN APPLICATION by the **TOWN OF KENTVILLE** to confirm the number of councillors

BEFORE: Murray E. Doehler, CA, P.Eng., Member

APPLICANT: **TOWN OF KENTVILLE**
Carol A. Harnes, Town Clerk

HEARING DATE: December 2, 2014

DECISION DATE: December 17, 2014

DECISION: Application approved.

I INTRODUCTION

[1] The *Municipal Government Act*, S.N.S. 1998, c. 18 ("Act") requires the council of every municipality to conduct a study and make an application to the Nova Scotia Utility and Review Board ("Board") to confirm or alter the number of councillors and the boundaries of the polling districts. Section 369 states:

369 (1) In the year 1999, and in the years 2006 and every eighth year thereafter the council shall conduct a study of the number and boundaries of polling districts in the municipality, their fairness and reasonableness and the number of councillors.

(2) After the study is completed, and before the end of the year in which the study was conducted, the council shall apply to the Board to confirm or to alter the number and boundaries of polling districts and the number of councillors.

[2] The Town of Kentville ("Town") applied to the Board to confirm the number of councillors. The Notice of Hearing was advertised in the Kentville Advertiser on November 18 and 25, 2014, and the Kings County Reporter on November 20 and 27, 2014. The Notice invited members of the public to advise the Board of their comments in advance of the hearing. The Board did not receive any objections or letters of support. The hearing was held on December 2, 2014, at the Town Council Chambers. No members of the public were present during the hearing. A number of municipal councillors and staff were present during the hearing.

[3] Carol Harmes, Town Clerk, presented the application on behalf of the Town. In addition to the mayor, six councillors are elected at large. The geographic size of the Town is 30± sq. km. The 2011 Census showed a population of 6,094. The number of electors for the last municipal election in October 2012 was 4,089.

[4] The reasons given in the application for confirming the existing number of councillors are:

(a) current number provides opportunities for diversity and (b) attention to council-related and committee work. (c) addition[al] committees and projects can be added to current council workload. (d) Kentville can afford 6 councillors

[Exhibit K-1, p. 1]

[5] The review was started by Council at its May 26, 2014, meeting when it decided to follow Citizen Engagement Program #1. This program is:

- Advertisements in local papers. (Kentville Advertiser and Valley Herald)
- Advertisement on social media (Facebook, Twitter)
- Advertisement on website
- Repeat message (and provide opportunity for public feedback) as an agenda item at upcoming CAC and Council Meetings.
- Offer a public meeting opportunity (prior to a Council meeting) to discuss options and facts, and to record public opinion.

[Exhibit K-1, p. 51]

[6] A report to the September 8, 2014, Council meeting outlined the steps undertaken to date:

1. In the local newspapers:
 - a. a news article prepared by Wendy Elliott was published in the August 26th publication of the Advertiser.
 - b. notices in the Advertiser of Council and CAC meetings (published on September 16th and 23rd) will include the public opportunity to discuss council size at a September 29th Public Meeting.
 - c. A notice in the Advertiser (re: Public Meeting) will be published on September 23rd.
 - d. A notice regarding this public meeting will be published by the Valley Herald on September 12.
2. With social media:
 - a. Information has been placed on facebook with a link to a questionnaire on "survey monkey."
 - b. A notice has also been pasted to the wall on Twitter for tweets. (This information will be removed on October 14th, following which it will be tallied and form part of a report to Council.)
 - c. A link to information and "survey monkey" has been created on the AVR/Magic 97 Radio website.
3. E-information has been made available:
 - a. On the Town's website (www.kentville.ca) since June, with a link to "survey monkey."
 - b. In the e-newsletter (Keeping Kentville Connected) during the months of August and September.
 - c. Through email correspondence to the Clerk's office.

4. Other promotion of the Council size review and public meeting has/or will be done:
 - a. On Council and Council Advisory Committee agendas since June.
 - b. On the Town's weekly Radio Program (AVR/Magic 97),
5. A public meeting has been scheduled for September 29th (6:00 to 7:00p.m.) in the Council Chambers and has been advertised:
 - a. in the Advertiser as part of the Council meeting notice,
 - b. in the Advertiser as a Special Public Meeting (September 23 publication),
 - c. in the Valley Herald (publication of September 12),
 - d. on the Town's website;
 - e. on the radio program at AVR.

[Exhibit K-1, pp. 14-15]

[7] At the September 29, 2014, meeting only three people came out, all of whom supported the status quo. The results of "survey monkey" were 19 to maintain status quo, one to increase by two, and 10 to decrease by two.

[8] Council, at its October 27, 2014, meeting considered a report and recommendation from the October 14, 2014, meeting of the Council Advisory Committee. Council decided to maintain the status quo of six councillors and the Mayor.

II FINDINGS

[9] Section 368(5) of the *Act* sets out the criteria for the Board to consider:

368(5) In determining the number of councillors for a town, the Board shall consider the population and geographic size of the town.

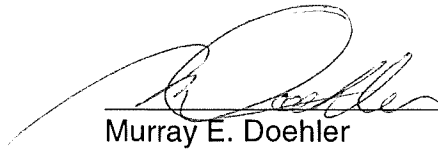
[10] For the purposes of the *Act*, the position of mayor is not included in the number of councillors and, accordingly, does not fall within the scope of this review conducted by the Board.

[11] The Board wishes to commend Council and staff on the thorough approach they had undertaken with this review. The background papers and studies prepared by staff were helpful to solicit input at the well-advertised Public Meeting and through social media.

[12] There was no objection made at the hearing to the Town's application to confirm six councillors, elected at large. The Board accepts the reasons advanced by the Town of Kentville for confirming the existing number of councillors. The Board approves the application.

[13] An Order will issue accordingly.

DATED at Halifax, Nova Scotia, this 17th day of December, 2014.


Murray E. Doehler

NOVA SCOTIA UTILITY AND REVIEW BOARD

IN THE MATTER OF: An APPLICATION pursuant to section 368 or 369 of the **MUNICIPAL GOVERNMENT ACT** for use by TOWNS which do not have polling districts or wards

The Council of the Town of Kentville makes application to the Nova Scotia Utility and Review Board to:

- ☒ confirm the number of councillors
☐ alter the number of councillors

1. There are at present 6 Councillors in the town.
2. The geographic size of the town is 30 k² ±
3. The latest population statistics for the town are 6,094
4. The number of electors from the last municipal election which was held on Oct. 20 2012 are 4,089 month / day/ year
5. The number of councillors elected should be confirmed for the following reasons:
 (a) current number provides opportunities for diversity and (b) attention to council-related and committee work.
OR (c) Additional committees and projects can be added to current Council workload. (b) Kentville can afford 6 councilors
5. a) The following changes to the number of councillors to be elected are proposed:
- b) The reasons for these proposed changes are as follows:

DATED at Kentville)
 County of Kings)
 this 29 day of October)
 20 14)

Mayor

Clerk

5. The number and boundaries of the polling districts and the number of councillors elected therefrom should be confirmed for the following reasons:

OR

Status quo - not a financial nor political priority at this time to expand Kentville boundaries to include populated areas on its borders.

5. a) The following changes to the number and boundaries of the polling districts and the number of councillors to be elected therefrom are proposed:
- b) The reasons for these proposed changes are as follows:
- c) The following table shows an estimate of the voter statistics which will result if the changes are approved by the Board:

Polling District	Number of Electors	% of Total Electors	Variation from the Average Number of Voters	
			#	%

Total Number of Electors:

Total Number of Councillors:

Average Number of Electors per Councillor:

DATED at Kentville)
County of Kings)
this 29 day of October)
20 14 ,)
)
)
)
)
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Mayor/Warden



Clerk

**RESOLUTION
of
Kentville Town Council**

RECEIVED
NOV 14 2014
Nova Scotia
Utility and Review Board

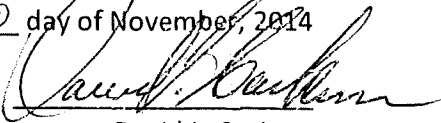
WHEREAS, the Town of Kentville is legislated through Part XVI, Section 369, of the *Municipal Government Act* to conduct a review to study the fairness and reasonableness of the size of the Council; and

WHEREAS, the Town held a Public Meeting on Monday, September 29th, 2014, duly advertised in local newspapers on September 12th, September 16th and September 23 and on the Town's website and in the Town's E-newsletter from June onward to October 14th, regarding the review and public opportunities being provided for input;

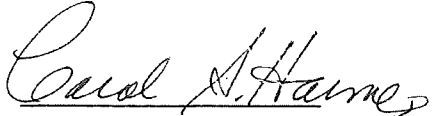
THEREFORE BE IT RESOLVED by the Council of the Town of Kentville that Mayor David L. Corkum and Town Clerk Carol Harmes sign the application to the Nova Scotia Utility and Review Board to have the number of councilors within the Town of Kentville remain at six (6).

THIS IS THE CERTIFY that the foregoing is a
true copy of a resolution duly passed
by the Town Council of the Town of Kentville
at a duly called meeting held on
October 27, 2014.

GIVEN under the hand of the
Mayor and Town Clerk
of the Town of Kentville
and under the Town seal,
this 14 day of November, 2014



David L. Corkum
Mayor



Carol A. Harmes
Town Clerk

Carol Harmes

From: Jefferson, Crystal D <Crystal.Jefferson@novascotia.ca>
Sent: October-30-14 11:01 AM
To: Carol Harmes
Subject: RE: Town of Kentville Council Size Review Process

Hi Carol,

You can send it to the attention of:

Elaine Wagner
Chief Clerk of the Board
1601 Lower Water Street
PO Box 1692, Unit "M"
Halifax NS B3J 3S3

Thank you,

Crystal Jefferson

From: Carol Harmes [mailto:carolh@kentville.ca]
Sent: Thursday, October 30, 2014 10:49 AM
To: Jefferson, Crystal D
Subject: RE: Town of Kentville Council Size Review Process

Good morning Crystal,

The Town of Kentville has completed its review of council size and boundaries and I have a rather large package of information to send to UARB.

Would you kindly let me know to whom and at what mailing address this should be sent.

Also, if there are any questions please let me know.

Yours truly,

Carol Harmes

From: Jefferson, Crystal D [mailto:JEFFERCD@gov.ns.ca]
Sent: September-03-14 9:42 AM
To: Carol Harmes
Cc: Wagner, Elaine
Subject: Town of Kentville Council Size Review Process

Good morning Ms. Harmes;

As per our telephone conversation please find attached a copy of the Nova Scotia Utility and Review Board Rules of Practice and Procedure Respecting *Municipal Government Act* Proceedings.

The section regarding Municipal Boundaries begins on page 16 (Section 27).

Section 28 describes the requirements for the application for a town that has not been divided into wards or polling districts. I have pasted an excerpt below. There is a Form D at the end of the document for you to input the required information.

28 (1) An application under Section 368 or 369 of the Act by a town which has not been divided into wards or polling districts shall contain the following information:

- (a) the number of councillors;
- (b) the geographic size of the town;
- (c) the latest available population statistics for the town;
- (d) the total number of electors in the most recent municipal election:

(2) Where the application is to confirm the number of councillors, it shall contain the reasons why the status quo should continue.

(3) Where the application is to change the number of councillors, it shall contain an outline of the proposed changes and the reasons for the proposed changes.

(4) The application shall be signed by the mayor and the clerk of the town and shall be accompanied by a copy of the resolution of council authorizing or directing the making of the application, certified by the Clerk of the town to be a true copy of the resolution.

(5) An application may be in Form D.

29 (1) Every application shall be accompanied by:

- (a) a copy of any advertisement soliciting input from the public in conducting the study;
- (b) a copy of the Minutes of any council meeting and public hearing respecting the study or application;
- (c) a map showing the boundaries of the existing polling districts;
- (d) a description of the boundaries of the existing polling districts;
- (e) where the application is to change the number or boundaries of the polling districts, a map showing the boundaries of the proposed polling districts and a description of the boundaries of the proposed polling districts;
- (f) such additional information as Council determines.

As per our discussion, the Board does not need to be at public meetings held by the town prior to the application being submitted. The Board has a requirement, as outlined above, that a copy of any

advertisement soliciting input from the public in conducting a study must be submitted with the Town's application. The Board will hold a public hearing on the application, either by Telephone Conference, or in the applicable Town after receipt of the application. If you require anything further, please let me know.

Warm regards,

Crystal Jefferson

Administrative Assistant

Nova Scotia Utility and Review Board

3rd Floor, 1601 Lower Water Street

Box 1692, Unit "M"

Halifax, NS B3J 3S3

Phone: (902) 424-4448 ex. 223

Fax: (902) 424-3919

Email: jeffercd@gov.ns.ca



Nova Scotia Utility and Review Board

Mailing address

PO Box 1692, Unit "M"
Halifax, Nova Scotia
B3J 3S3
uarb.board@gov.ns.ca
Web www.nsuarb.ca

Office

3rd Floor
1601 Lower Water Street
Halifax, Nova Scotia B3J 3P6
902 424-4448 t
902 424-3919 f

November 17, 2014

Email: carolh@kentville.ca

Carol A. Harmes
Town Clerk, Town of Kentville
354 Main Street
Kentville, NS B4N 1K6

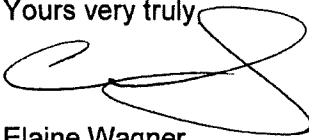
Dear Ms. Harmes:

M06509 - Town of Kentville - Application to confirm the number of councillors (s. 369 of the MGA) MB-14-17

Receipt is acknowledged of a certified copy of the Resolution passed by Council on October 27, 2014, received by the Board on November 14, 2014.

This document has been marked as Exhibit K-2 and posted to the Board's website.

Yours very truly


for Elaine Wagner
Chief Clerk of the Board

c: The Honourable Mark Furey
Minister of Municipal Affairs



Nova Scotia Utility and Review Board

Mailing address

PO Box 1692, Unit "M"
Halifax, Nova Scotia
B3J 3S3
uarb.board@gov.ns.ca
Web www.nsuarb.ca

Office

3rd Floor
1601 Lower Water Street
Halifax, Nova Scotia B3J 3P6
902 424-4448 t
902 424-3919 f

November 7, 2014

Email: carolh@kentville.ca

Carol A. Harmes
Town Clerk, Town of Kentville
354 Main Street
Kentville, NS B4N 1K6

Dear Ms. Harmes:

M06509 - Town of Kentville - Application to confirm the number of councillors (s. 369 of the MGA) MB-14-17

This will confirm that the Board has scheduled the hearing for the above-noted application for Tuesday, December 2, 2014 at 11:00 a.m. at the Kentville Town Council Chambers. Enclosed is a Notice of Public Hearing.

The *Kentville Advertiser* has been instructed to advertise the Notice of Hearing on Tuesday, November 18 and Tuesday, November 25, 2014; and the *Kings County Registrar* has been instructed to advertise the Notice on Thursday, November 20 and Thursday, November 27, 2014. The Town will be invoiced directly in accordance with Regulation 3(2) of the *Utility and Review Board Regulations*.

Yours very truly,

Elaine Wagner
Chief Clerk of the Board

Enclosure

c: Honourable Mark Furey
Minister of Municipal Affairs



NOVA SCOTIA UTILITY AND REVIEW BOARD

NOTICE OF PUBLIC HEARING RE NUMBER OF COUNCILLORS

THE TOWN OF KENTVILLE has made application to the Board under section 369 of the *Municipal Government Act* to confirm the number of councillors to be elected in October 2016. The hearing has been scheduled as follows:

COMMENCING: **Tuesday, December 2, 2014 at 11:00 a.m.**

PLACE: Kentville Town Council Chambers
354 Main Street
Kentville, NS

EVERYONE is entitled to attend the hearing.

NOW THEREFORE TAKE NOTICE that any persons wishing to comment on the application may also provide comments to the Board no later than **Thursday, November 27, 2014** by forwarding a letter to the Clerk of the Board at PO Box 1692, Unit "M", Halifax, Nova Scotia, B3J 3S3, or by email at board@novascotia.ca or Fax: (902) 424-3919, or by calling the Clerk at 1-855-442-4448.

A copy of the application is available for inspection during regular business hours at the Town Office, 354 Main Street, Kentville, Nova Scotia, and at the offices of the Board, Summit Place, 3rd Floor, 1601 Lower Water Street, Halifax Nova Scotia or on the Board's website at <http://nsuarb.novascotia.ca/>, by clicking on "Cases & Evidence", Find Cases by Case Number" and insert in "Search Term" Matter ID M06509.



Nova Scotia Utility and Review Board

Mailing address

PO Box 1692, Unit "M"
Halifax, Nova Scotia
B3J 3S3
uarb.board@gov.ns.ca
Web www.nsuarb.ca

Office

3rd Floor
1601 Lower Water Street
Halifax, Nova Scotia B3J 3P6
902 424-4448 t
902 424-3919 f

November 7, 2014

Email: carolh@kentville.ca

Carol A. Harmes
Town Clerk, Town of Kentville
354 Main Street
Kentville, NS B4N 1K6

Dear Ms. Harmes:

M06509 - Town of Kentville - Application to confirm the number of councillors (s. 369 of the MGA) MB-14-17

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Yours very truly,

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Elaine Wagner
Chief Clerk of the Board

Enclosure

c: Honourable Mark Furey
Minister of Municipal Affairs

**RESOLUTION
of
Kentville Town Council**

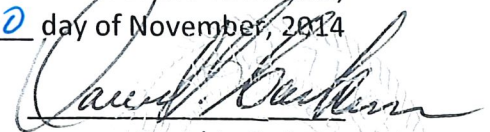
WHEREAS, the Town of Kentville is legislated through Part XVI, Section 369, of the *Municipal Government Act* to conduct a review to study the fairness and reasonableness of the size of the Council; and

WHEREAS, the Town held a Public Meeting on Monday, September 29th, 2014, duly advertised in local newspapers on September 12th, September 16th and September 23 and on the Town's website and in the Town's E-newsletter from June onward to October 14th, regarding the review and public opportunities being provided for input;

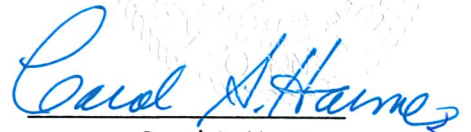
THEREFORE BE IT RESOLVED by the Council of the Town of Kentville that Mayor David L. Corkum and Town Clerk Carol Harmes sign the application to the Nova Scotia Utility and Review Board to have the number of councilors within the Town of Kentville remain at six (6).

THIS IS THE CERTIFY that the foregoing is a
true copy of a resolution duly passed
by the Town Council of the Town of Kentville
at a duly called meeting held on
October 27, 2014.

GIVEN under the hand of the
Mayor and Town Clerk
of the Town of Kentville
and under the Town seal,
this 20 day of November, 2014



David L. Corkum
Mayor



Carol A. Harmes
Town Clerk



Nova Scotia Utility and Review Board

Mailing address

PO Box 1692, Unit "M"
Halifax, Nova Scotia
B3J 3S3
uarb.board@gov.ns.ca
Web www.nsuarb.ca

Office

3rd Floor
1601 Lower Water Street
Halifax, Nova Scotia B3J 3P6
902 424-4448 t
902 424-3919 f

November 6, 2014

Email: carolh@kentville.ca

Carol A. Harmes
Town Clerk, Town of Kentville
354 Main Street
Kentville, NS B4N 1K6

Dear Ms. Harmes:

M06509 - Town of Kentville - Application to confirm the number of councillors (s. 369 of the MGA) MB-14-17

Receipt is acknowledged on November 4, 2014, of the Application by the Town of Kentville pursuant to s. 369 of the *Municipal Government Act*, to confirm the number of councillors for the Town at six. Receipt is also acknowledged of other supporting documentation.

Murray E. Doehler, CA, P. Eng., Member, has been assigned to this matter.

Pursuant to s. 28(4) of the Board's *Municipal Government Act Rules*, please provide a copy of the Resolution of Council:

28(4) The application shall be signed by the mayor and the clerk of the town and shall be accompanied by a copy of the resolution of council authorizing or directing the making of the application, certified by the Clerk of the town to be a true copy of the resolution.

Yours very truly,

A handwritten signature in cursive script that reads "Elaine Wagner".

Elaine Wagner
Chief Clerk of the Board

c: The Honourable Mark Furey
Minister of Municipal Affairs

ORDER

M06509

NOVA SCOTIA UTILITY AND REVIEW BOARD

IN THE MATTER OF THE MUNICIPAL GOVERNMENT ACT

- and -

IN THE MATTER OF AN APPLICATION by the **TOWN OF KENTVILLE** to confirm the number of councillors

BEFORE:

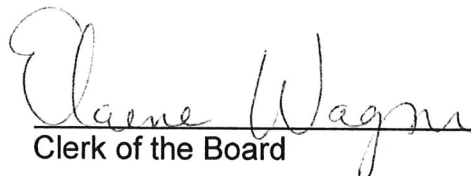


Murray E. Doehler, CA, P.Eng., Member

An Application having been made by the Town of Kentville pursuant to s. 369 of the *Municipal Government Act* and the Board having issued its Decision on December 17, 2014;

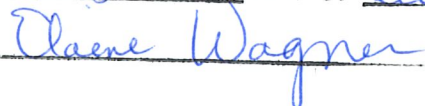
IT IS HEREBY ORDERED that the number of councillors for the Town of Kentville is confirmed at six, to be elected at large.

DATED at Halifax, Nova Scotia this 18th day of December, 2014.


Clerk of the Board

I CERTIFY THAT THE WITHIN IS A TRUE
AND CORRECT COPY OF THE ORIGINAL

DATED THIS 22nd DAY OF Dec, 2014


Elaine Wagner

DECISION

2014 NSUARB 215
M06509

NOVA SCOTIA UTILITY AND REVIEW BOARD

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IN THE MATTER OF THE MUNICIPAL GOVERNMENT ACT

- and -

IN THE MATTER OF AN APPLICATION by the **TOWN OF KENTVILLE** to confirm the number of councillors

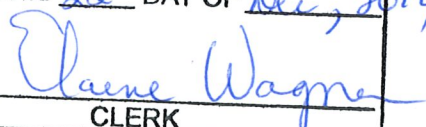
BEFORE: Murray E. Doehler, CA, P.Eng., Member

APPLICANT: **TOWN OF KENTVILLE**
Carol A. Harmes, Town Clerk

HEARING DATE: December 2, 2014

DECISION DATE: December 17, 2014

DECISION: Application approved.

I CERTIFY THAT THE WITHIN IS A TRUE AND CORRECT COPY OF THE ORIGINAL DECISION OF THE BOARD	
DATED THIS <u>22nd</u>	DAY OF <u>Dec</u> , 2014
	
CLERK	

I INTRODUCTION

[1] The *Municipal Government Act*, S.N.S. 1998, c. 18 ("Act") requires the council of every municipality to conduct a study and make an application to the Nova Scotia Utility and Review Board ("Board") to confirm or alter the number of councillors and the boundaries of the polling districts. Section 369 states:

369 (1) In the year 1999, and in the years 2006 and every eighth year thereafter the council shall conduct a study of the number and boundaries of polling districts in the municipality, their fairness and reasonableness and the number of councillors.

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[2] The Town of Kentville ("Town") applied to the Board to confirm the number of councillors. The Notice of Hearing was advertised in the Kentville Advertiser on November 18 and 25, 2014, and the Kings County Reporter on November 20 and 27, 2014. The Notice invited members of the public to advise the Board of their comments in advance of the hearing. The Board did not receive any objections or letters of support. The hearing was held on December 2, 2014, at the Town Council Chambers. No members of the public were present during the hearing. A number of municipal councillors and staff were present during the hearing.

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[5] The review was started by Council at its May 26, 2014, meeting when it decided to follow Citizen Engagement Program #1. This program is:

- Advertisements in local papers. (Kentville Advertiser and Valley Herald)
- Advertisement on social media (Facebook, Twitter)
- Advertisement on website
- Repeat message (and provide opportunity for public feedback) as an agenda item at upcoming CAC and Council Meetings.
- Offer a public meeting opportunity (prior to a Council meeting) to discuss options and facts, and to record public opinion.

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- d. A notice regarding this public meeting will be published by the Valley Herald on September 12.

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[Exhibit K-1, pp. 14-15]

[7] At the September 29, 2014, meeting only three people came out, all of whom supported the status quo. The results of "survey monkey" were 19 to maintain status quo, one to increase by two, and 10 to decrease by two.

[8] Council, at its October 27, 2014, meeting considered a report and recommendation from the October 14, 2014, meeting of the Council Advisory Committee. Council decided to maintain the status quo of six councillors and the Mayor.

II FINDINGS

[9] Section 368(5) of the *Act* sets out the criteria for the Board to consider:

368(5) In determining the number of councillors for a town, the Board shall consider the population and geographic size of the town.

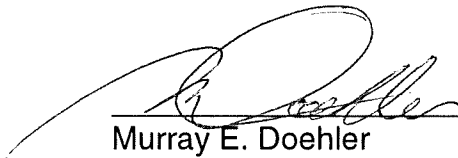
[10] For the purposes of the *Act*, the position of mayor is not included in the number of councillors and, accordingly, does not fall within the scope of this review conducted by the Board.

[11] The Board wishes to commend Council and staff on the thorough approach they had undertaken with this review. The background papers and studies prepared by staff were helpful to solicit input at the well-advertised Public Meeting and through social media.

[12] There was no objection made at the hearing to the Town's application to confirm six councillors, elected at large. The Board accepts the reasons advanced by the Town of Kentville for confirming the existing number of councillors. The Board approves the application.

[13] An Order will issue accordingly.

DATED at Halifax, Nova Scotia, this 17th day of December, 2014.



Murray E. Doehler

NOVA SCOTIA UTILITY AND REVIEW BOARD

IN THE MATTER OF: An **APPLICATION** pursuant to **section 368 or 369** of the **MUNICIPAL GOVERNMENT ACT** for use by TOWNS which do not have polling districts or wards

The Council of the Town of kentville makes application to the Nova Scotia Utility and Review Board to:

- ☒ confirm the number of councillors
☐ alter the number of councillors

1. There are at present 6 Councillors in the town.
2. The geographic size of the town is 30 k² ±
3. The latest population statistics for the town are 6,094
4. The number of electors from the last municipal election which was held on Oct. 20 2012 are 4,089
month / day/ year

5. The number of councillors elected should be confirmed for the following reasons:
 (a) current number provides opportunities for diversity and (b) attention to council-related and committee work.
OR (c) Additional committees and projects can be added to current Council workload. (b) kentville can afford 6 councilors

5. a) The following changes to the number of councillors to be elected are proposed:

- b) The reasons for these proposed changes are as follows:

DATED at Kentville)
 County of Kings)
 this 29 day of October)
 20 14)

Mayor

Clerk

5. The number and boundaries of the polling districts and the number of councillors elected therefrom should be confirmed for the following reasons:

OR

Status quo - not a financial nor political priority at this time to expand Kentville boundaries to include populated areas on its borders.

5. a) The following changes to the number and boundaries of the polling districts and the number of councillors to be elected therefrom are proposed:
- b) The reasons for these proposed changes are as follows:
- c) The following table shows an estimate of the voter statistics which will result if the changes are approved by the Board:


Polling District	Number of Electors	% of Total Electors	Variation from the Average Number of Voters	
			#	%


Total Number of Electors:

Total Number of Councillors:

Average Number of Electors per Councillor:

DATED at Kentville)
County of Kings)
this 29 day of October)
20 14)
)
)
)
)
)



Mayor/Warden


Clerk



Council Advisory Committee

Re: Council Size and Boundary Review

(Municipal Government Act – Section 369)

October 14, 2014

Purpose

This report is intended to provide guidance to Council in responding to UARB's request to "conduct a study of the number and boundaries of polling districts in the municipality, their fairness and reasonableness, and the number of Councilors."

Boundary Review

Council has previously recommended that the boundaries of Kentville remain the same and therefore, a motion to that effect will be requested at the end of this report.

Council Size Review

As of noon today, the public engagement part of the Council Size Review process is over. Three options were made available to the public for its consideration and input:

- Increase Council Size by 2 members (8 councilors and the Mayor)
- Decrease Council Size by 2 members (4 councilors and the Mayor)
- Maintain the Status Quo (6 councilors and the Mayor).

Since mid-July, opportunities have existed for the public to register their opinions, through one of the following methods:

- Telephoning the Administration Office (902-679-2503)
- Online, using surveymonkey.com (linked to the Town's E-newsletter and website)
- By e-mail - carolh@kentville.ca
- Canada Post
- In person at the Town Hall
- At the Public Engagement Session (September 29, 2014 – 6:00 to 7:00 p.m.)

Awareness of this municipal requirement (*MGA.s369*), along with the invitation to participate, were made available through the following methods:

- Local newspapers (Kings County Advertiser, Kings County Register, and Annapolis Valley Herald);
- Social media (facebook, twitter) – followers of 1200 and 1300 respectively;
- Town's website – www.kentville.ca ;
- Town's E-Newsletter – Distribution list of 445;
- Local radio station – AVR/Magic 97 – weekly show;
- Agenda Item - CAC and Council meetings;
- Public Engagement Session;

Statistics from Public Input

Social media response:	1 (status quo)	0 (increase by 2)	0 (decrease by 2)
Public Engagement Session:	2 (status quo)	0 (increase by 2)	0 (decrease by 2)
Other Sources:	19 (status quo)	1 (increase by 2)	10 (decrease by 2)
Totals	22 (status quo)	1 (increase by 2)	10 (decrease by 2)

Decisions Required

As was requested of the public, Council must now reflect on the four considerations relating to the issue of Council size:

- Is the workload and time commitment required, in balance with the number of councilors?
- Does the number of councilors allow for diversity?
- Does the number of councilors allow for future participation on additional committees and projects?
- What can Kentville afford?

You are now required to make 2 recommendations to Council, which will then become part of the submission to UARB.

- Town Boundary
- Appropriate Council Size

Respectfully submitted,

Carol Harmes, Town Clerk

COUNCIL ADVISORY COMMITTEE

RECOMMENDATION TO COUNCIL

Re: Kentville Town Boundary Review

At the October 14, 2014 meeting of Council Advisory Committee, Town Clerk Carol Harnes reiterated that UARB requests each municipality (every 8 years) to “conduct a study of the number and boundaries of polling districts in the municipality, their fairness and reasonableness, and the number of Councilors.” As this request deals with two separate issues – one on boundaries and another on Council size - each was discussed separately.

At first consideration, it would seem logical that a boundary review would not be a part of this process, as the Town of Kentville does not have “ward” divisions as found in larger municipal units. In these cases, changing populations in some wards could affect voter representation by Council and could trigger the need for a boundary change. However, the *Municipal Government Act, s.357 and 358* also allows boundary changes in cases of annexation with neighbouring municipalities, where boundary expansions would be considered logical to incorporate peripheral populations. However, as such changes in the Town of Kentville and County of Kings boundaries would require a financial and political commitment by both municipalities, this would not appear to be a priority at this point in time.

Therefore, Council Advisory Committee recommended

that Town Council submit an application to the Utility and Review Board asking for consideration that the Town boundaries remain the same.

*Approved
Oct. 27, 2014*

COUNCIL ADVISORY COMMITTEE

RECOMMENDATION TO COUNCIL

Re: Kentville Town Council Size Review

At the October 14, 2014 meeting of Council Advisory Committee, Town Clerk Carol Harnes reiterated that UARB requests each municipality (every 8 years) to “conduct a study of the number and boundaries of polling districts in the municipality, their fairness and reasonableness, and the number of Councilors.” As this request deals with two separate issues – one on boundaries and another on Council size - each was discussed separately.

Following a review of the number of councilors at municipal units of similar size and services, and considering the public input received, Council was asked to consider four issues prior to supporting either an increase in council numbers, a decrease in council numbers or in maintaining the status quo. These considerations were:

- Is the workload and time commitment required, in balance with the number of councilors?
- Does the number of councilors allow for diversity?
- Does the number of councilors allow for future participation on additional committees and projects?
- What can Kentville afford?

Following this, Council Advisory Committee recommended

that Town Council submit an application to the Utility and Review Board asking for consideration that the Town maintains the status quo of 6 councilors and the Mayor.

*Approved
Oct. 27, 2014*

KENTVILLE TOWN COUNCIL

MINUTES

October 27, 2014

PRESENT

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

APPROVAL OF THE AGENDA

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

that the agenda be approved with the addition of
8(a) Canadian Federation of New Business
6 (a) 5 - Kings Partnership Steering Committee – Meeting
Dates

MOTION CARRIED

PRESENTATIONS

(a) none

APPROVAL OF THE MINUTES

(a) **September 29, 2014**

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

that the minutes of September 29, 2014 be approved, as
circulated.

MOTION CARRIED

BUSINESS ARISING FROM THE MINUTES

(a) none

RECOMMENDATIONS AND REPORTS

Council Advisory Committee
(1) Partial Tax Exemption

Deputy Mayor Mark Pearl reported that at the October 14, 2014 meeting of Council Advisory Committee, CAO Phillips reported that the Open Arms is a non-profit organization, owning property in Kentville, and has applied for consideration of a partial tax exemption, as per the Town's bylaw – Chapter 87 – Partial Tax Exemption.

To ensure fairness and equitable treatment of all applications for funding, this bylaw was reviewed, along with policy G28 – Requests

for Funding from Organizations. Following this, the CAO reported that in his opinion the bylaw for partial Tax Exemption is the proper document to respond to the request from Open Arms, and therefore, added that the current commercial taxes are \$4,584.92, whereas, residential taxes are \$1,926.87. With consideration of a 100% usage for the building, the residential rate would apply, resulting in a savings to Open Arms of \$2,658.05.

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

that Open Arms Resource Centre Society be granted a partial tax exemption which, based on 100% of the whole, would equal \$2,658.05 in the current year, in accordance with Chapter 87 – Partial Tax Exemption Bylaw, effective April 1, 2014

And further,

that a recommendation be made to Town Council that the amendment of Chapter 87 – Partial Tax Exemption Bylaw and Schedule A be made to reflect the inclusion of the Open Arms Resource Centre Society.

MOTION CARRIED

(2) G67-Recognition of Community Contributions Policy

Deputy Mayor Mark Pearl reported that at the October 14, 2014 meeting of Council Advisory Committee, Town Clerk Carol Harnes submitted a Policy Statement that related to public recognition of the contributions made by citizens (either individually or as a group) towards the programs, special events, facilities and well-being of the Town, and further, that equity and fairness be ensured during the selection process.

As members agreed that the policy provided a good balance between specific guidelines and flexibility, it was moved by Councilor Eric Bolland and seconded by Councilor Tony Bentley

that Policy Statement G67 Recognition of Community Contributions Policy be adopted.

MOTION CARRIED

(3) Kentville Town Council Size Review

Deputy Mayor Mark Pearl reported that at the October 14, 2014 meeting of Council Advisory Committee, Town Clerk Carol Harnes reiterated that UARB requests each municipality (every 8 years) to “conduct a study of the number and boundaries of polling districts in the municipality, their fairness and reasonableness, and the number of

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- Is the workload and time commitment required in balance with the number of councilors?
- Does the number of councilors allow for diversity?
- Does the number of councilors allow for future participation on additional committees and projects?
- What can Kentville afford?

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

that Town Council submit an application to the Utility and Review Board asking for consideration that the Town maintains the status quo of 6 councilors and the Mayor.

MOTION CARRIED

(4) Kentville Town Boundary Review

Deputy Mayor Mark Pearl reported that at the October 14, 2014 meeting of Council Advisory Committee, Town Clerk Carol Harnes reiterated that UARB requests each municipality (every 8 years) to “conduct a study of the number and boundaries of polling districts in the municipality, their fairness and reasonableness, and the number of Councilors.” As this request deals with two separate issues – one on boundaries and another on Council size - each was discussed separately.

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would require a financial and political commitment by both municipalities, this would not appear to be a priority at this point in time.

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

that Town Council submit an application to the Utility and Review Board asking for consideration that the Town boundaries remain the same.

MOTION CARRIED

(5) Kings Partnership Steering Committee – Meeting Dates

Councilor Bill Boyd noted that he has been contacting members of KPSC to coordinate a date for a Joint Council KPSC meeting at which Gordon MacIntosh could facilitate. He added that Mr. MacIntosh is heavily scheduled, however, could be available in April 2015.

b) Fire

(i) Chief's Report

CAO Phillips reported that there is no written report, however, he added that the statistics are being sent to the Town, although the breakdown is not similar to previous reports. Whereas, Ryan MacEachern is a part time chief and a new employee has taken on an administrative role, the reports have not been generated routinely for Council's use. He assured Council that the statistics are being examined and any queries explored.

Points from Discussion

- The financial aspects of the KVFD are handled through the Town's Finance Department, and it might be possible to include some financial information through the Joint Fire Services Report.
- The Town is keeping abreast with the ongoing situation at that Department.
- Any boundary changes for the fire districts may affect the Town only in response issues, as boundary issues seem to relate to New Minas/Greenwich area.

(ii) Joint Fire Services Committee Report

Councilor Bill Boyd noted that this group will meet on October 30th at the Fire Hall. He added that the Director of Finance comes to these meetings and gives a very comprehensive report.

Matt Boates has returned to the administrative position with the fire