

# TOWN OF KENTVILLE COUNCIL AGENDA – September 30<sup>th</sup>, 2019 7:00 p.m.

## 1. CALL MEETING TO ORDER AND ROLL CALL

## 2. APPROVAL OF THE AGENDA

- (a) Dashboard

## 3. APPROVAL OF THE MINUTES

- (a) Council Meeting Minutes, July 29, 2019
- (b) Special Council Meeting Minutes, August 16, 2019
- (c) Special Council Meeting Minutes, September 9, 2019
- (d) Special Council Meeting Minutes, September 25, 2019

## 4. UNFINISHED BUSINESS

- (a) Motion to Rescind – Public Engagement Process
- (b) Public Engagement Process
- (c) Dedication of Business Park

## 5. RECOMMENDATIONS AND REPORTS

- (a) Council Advisory Committee – **Councillor John Andrew**
  - (1) Temporary Borrowing Resolution – Sanitary Sewers
  - (2) Temporary Borrowing Resolution – Capital Works
  - (3) Condon Avenue Stormwater Infrastructure Renewal Award
  - (4) Policy Amendment – Committees of Council
  - (5) Kings Regional Emergency Management Organization  
Emergency Preparedness and Response Plans
  - (6) Kentville Business Community Special Project Proposal
  - (7) Bob Hainstock Art Proposal
- (b) Councillor's Reports
  - (1) Councillor Andrew
    - a. Kings Transit Authority
    - b. Joint Fire Services Committee
  - (2) Deputy Mayor Savage
    - a. Investment (Perpetual Fund)
    - b. Kings Regional Sewer Committee
    - c. Coalition of Canadian Municipalities Against Racism & Discrimination
  - (3) Councillor Bolland
    - a. ECO Kings Action Team
    - b. Valley Waste Resource Management Authority
  - (4) Councillor Maxwell
    - a. KCA/PTA
    - b. Annapolis Valley Trails Coalition
    - c. Parks and Recreation Advisory Committee

- d. Bursary Selection Committee
- (5) Councillor Pulsifer
  - a. Annapolis Valley Regional Library
  - b. Kings Point-to-Point
  - c. Friends of the Library
- (6) Councillor Gerrard
  - a. Board of Police Commissioners
- (c) Mayor's Report
  - a. Audit Committee
  - b. Finance and Administration Committee
  - c. Water Commission
  - d. Regional Emergency Management Operation
  - e. Regional Enterprise Network

## 6. CORRESPONDENCE

- (a) Municipal Affairs – Minimum Planning Regulations – September 17, 2019
- (b) Jillian Smith – Appreciation for Student Bursary – September 2019

## 7. NEW BUSINESS

- (a) Valley Waste Guarantees
- (b) 2019 Capital Works – Pipeworks Tender Recommendation
- (c) Nova Scotia Federation of Municipalities Interim Resolutions
- (d) Code of Conduct

## 8. PUBLIC COMMENTS

## 9. IN CAMERA

## 10. ADJOURNMENT

# STRATEGIC PRIORITIES

## Kentville's top priorities for 2019-2020

The Town of Kentville Council developed the 2019-20 strategic priorities through a facilitated workshop with senior staff and themselves in April 2019. The most important priorities and here are the top priorities of council:



### AT Plan Implementation

Increase opportunities for Active Transportation in Kentville

**In Progress**



### Community Expansion

Overall expansion of residential, commercial and industrial areas.

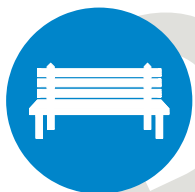
**In Progress**



### Environmental Champions

Explore and determine opportunities for increasing environmental stewardship in the TOK

**In Progress**



### Green Space Plan

Carry out a parks and open space Green Plan

**In Progress**



### Multi-Purpose Facility

Foundational steps toward a multi purpose facility in TOK.

**In Progress**

The following issues and projects were of secondary interest:

Arts and Culture Strategy  
College Town Branding  
Housing Strategy

Land Bank Inventory  
Recreation Service Agreement

## TOWN OF KENTVILLE KENTVILLE TOWN COUNCIL Meeting Minutes: July 29<sup>th</sup>, 2019

### PRESENT

Mayor Sandra Snow, Deputy Mayor Cate Savage, Councillor John Andrew, Councillor Eric Bolland, Councillor Craig Gerrard, Councillor Cathy Maxwell and Councillor Pulsifer.

Staff in attendance included Chief Administrative Officer (CAO) Mark Phillips, Solicitor Geoff Muttart, Director of Finance Debra Crowell and Recording Secretary Jennifer West.

### REGRETS

### DECLARATIONS OF CONFLICT OF INTEREST

Declarations relating to items discussed during the in-camera meeting (Councillor Gerrard regarding the CUPE update and Councillor Andrew regarding 118 Oakdene Avenue) will be addressed at that time.

### 1. CALL TO ORDER AND ROLL CALL

Mayor Sandra Snow called the meeting to order at 7:00 p.m., and CAO Phillips reported that all members of Council were present, in addition to Solicitor Geoff Muttart.

Note: "Points from Discussion" below show various comments made by individual councillors during debate. They do not necessarily represent the opinion of the group, nor do they always reflect accurate information.

### 2. APPROVAL OF THE AGENDA

It was moved by Councillor Cathy Maxwell and seconded by Councillor Craig Gerrard

**That Council strike items 6.b.a-c (Correspondence relating to 118 Oakdene Avenue) from the agenda**

#### MOTION FAILED

Councillors who voted in favour of this motion:

Gerrard, Maxwell

Councillors who voted against this motion:

Bolland, Pulsifer, Savage and Snow

Councillors who abstained from voting for this motion:

Andrew

- Points of Discussion
  - Some councillors are discouraged by this motion
  - The process of including and removing correspondence has not been consistent

It was moved by Councillor Eric Bolland and seconded by Councillor Lynn Pulsifer

**That the agenda of July 29<sup>th</sup>, 2019 be approved as presented**

#### MOTION CARRIED

### 3. APPROVAL OF THE MINUTES

(a) Minutes of Council meeting on June 24<sup>th</sup>, 2019



**That the minutes of Council meeting on June 24, 2019 be approved**  
**MOTION CARRIED**

#### **4. UNFINISHED BUSINESS**

##### **(a) Second Reading – Chapter 100 Special Events Bylaw**

CAO Phillips gave a review of the update required for this Bylaw due to the revised Land Use Bylaw and Municipal Planning Strategy.

*Report Available*

#### **RECOMMENDATION TO COUNCIL**

It was moved by Deputy Mayor Cate Savage and Councillor Lynn Pulsifer

**That Council give Second reading of the proposed amendment to the Special Events Bylaw Chapter #100 regarding the amendment of Part 4.11.3 to replace “Residential Futures” with “Large Lot Residential” which is consistent with definitions in Kentville’s Municipal Planning Strategy and Use Bylaw.**

#### **MOTION CARRIED**

*Councillors who voted in favour of this motion: Andrew, Bolland, Gerrard, Maxwell, Pulsifer, Savage and Snow*

##### **(b) Nova Scotia Power Easement**

CAO Phillips gave an update on the property easement for Nova Scotia Power Inc on West Main Street. The property has a stormwater pumping station to serve West Main Street which requires power.

*Report Available*

#### **RECOMMENDATION TO COUNCIL**

It was moved by Deputy Mayor Cate Savage and Councillor Eric Bolland

**That Council approve the distribution easement for Nova Scotia Power at 562 Main Street, PID 55495972.**

#### **MOTION CARRIED**

*Councillors who voted in favour of this motion: Andrew, Bolland, Gerrard, Maxwell, Pulsifer, Savage and Snow*

#### **5. REPORTS AND RECOMMENDATIONS**

##### **(a) Council Advisory Committee**

Deputy Mayor Cate Savage presented the following recommendations from the Council Advisory Committee:

##### **(1) Recommendation – Regional Recreational Needs Assessment**

At the July 8th, 2019 meeting of Council Advisory Committee, Director Bedingfield presented the 2019 Recreational Needs Assessment report. Highlights included a consultation session with targeted workshops, community priorities, and recommendations from this report.

*Report available*

#### **RECOMMENDATION TO COUNCIL**

It was moved by Deputy Mayor Cate Savage and seconded by Councillor Eric Bolland

**That Council adopt the Regional Recreational Needs Assessment, and approve in principle the recommendations within,**

**And further, that Council and staff commit to a detailed review of the strategy of implementation for policy and projects.**

**MOTION CARRIED**

*Councillors who voted in favour of this motion: Andrew, Bolland, Gerrard, Maxwell, Pulsifer, Savage and Snow*

**(2) Recommendation – Accessibility Advisory Committee**

At the July 8th, 2019 meeting of Council Advisory Committee, Director Bedingfield read the staff report outlining the creation of the terms of reference for this committee. Council is asked to support these terms in principle to allow this committee to accept members and begin meeting.

*Report available*

**RECOMMENDATION TO COUNCIL**

It was moved by Deputy Mayor Cate Savage and seconded by Councillor John Andrew

**That Council approve in principle the Terms of Reference for the Accessibility Advisory Committee.**

**And further to amend Policy Statement G57: Committees of Council to include the Accessibility Advisory Committee**

**MOTION CARRIED**

*Councillors who voted in favour of this motion: Andrew, Bolland, Gerrard, Maxwell, Pulsifer, Savage and Snow*

**(3) Recommendation – Kings Transit 2019-2020 Operating and Capital Budget**

At the July 8th, 2019 meeting of Council Advisory Committee, Glen Bannon, General Manager for the Kings Transit Authority, gave a presentation about the proposed 2019-2020 operating and capital budgets. These budgets are reviewed and approved each spring by member municipalities. The proposed operating budget for Kings Transit is \$177,816 and the proposed capital budget is \$16,000. There is an additional \$80,000 to be funded by member municipal units.

*Report available*

**RECOMMENDATION TO COUNCIL**

It was moved by Deputy Mayor Cate Savage and seconded by Councillor Eric Bolland

**That Council approve the Kings Transit Authority approved 2019-2020 Operational budget in the amount of \$889,082 of which \$177,816 is the Town of Kentville; and the 2019-2020 Capital budget in the amount of \$80,000 of which \$16,000 is the Town of**

**Kentville share under the Municipal Agreement. The total commitment to the Town of Kentville 2019/2020 Operational Budget is \$193,816.**

**And Further this amount is an additional \$3,416.00 to the approved 2019/2020 Approved Operating Budget for Kings Transit Authority (123-60-100).**

**MOTION CARRIED**

*Councillors who voted in favour of this motion:*

*Andrew, Bolland, Gerrard, Maxwell, Pulsifer, Savage*

*Councillors who voted against this motion:*

*Snow*

**(4) Recommendation – Kings Point-to-Point 2019-2020 Operating and Capital Budgets**

At the July 8th, 2019 meeting of Council Advisory Committee, Faye Brown, Manager of Kings Point to Point Transit Society, gave a presentation about the proposed 2019-2020 budgets. These budgets are reviewed and approved each spring by member municipalities. The proposed operating budget for Kings Point to Point is \$12,103 and the proposed capital budget is \$2,697.

*Report available*

**RECOMMENDATION TO COUNCIL**

It was moved by Deputy Mayor Cate Savage and seconded by Councillor Eric Bolland

**That Council approve the Kings Point-to-Point approved 2019-2020 Operating budget in the amount of \$605,094 of which \$92,050 is the Municipal contribution to operations and \$12,103 (\$1.93/pop) is Town of Kentville share based on population; and the approved 2019-2020 Capital budget in the amount of \$165,000 of which \$2,697 is the Town of Kentville share based on population. The total commitment to the Town of Kentville 2019/2020 Operational Budget is \$14,800.**

**MOTION CARRIED**

*Councillors who voted in favour of this motion:*

*Andrew, Bolland, Gerrard, Maxwell, Pulsifer, Savage and Snow*

**(5) Recommendation – Property Assessed Clean Energy (PACE) Program**

At the July 8th, 2019 meeting of Council Advisory Committee, Mr. Lutes and Mr. Boyle of Equilibrium Engineering gave a presentation about the Property Assessed Clean Energy (PACE) program. This is a financing model for clean energy that may be available to Kentville residents. PACE has opportunities for partnership with multiple municipalities to access funding through the Federation of Canadian Municipalities. Equilibrium is requesting \$5,000 to support the logistics and grant application for this project.

*Report available*

**RECOMMENDATION TO COUNCIL**

It was moved by Deputy Mayor Cate Savage and seconded by Councillor Lynn Pulsifer

**That Council approve the to fund a joint grant proposal to Federation of Canadian Municipalities for Property Assessed Clean Energy (PACE) funding supported by Equilibrium Engineering of Kentville in the amount of \$5,000 from the Town of Kentville Operating Reserve**

**And Further this amount be an additional \$5,000.00 to the approved 2019/2020 Approved Operating Budget.**

Amendment:

It was moved by Deputy Mayor Cate Savage and seconded by Councillor Eric Bolland

**That Council approve the to fund a joint grant proposal to Federation of Canadian Municipalities for Property Assessed Clean Energy (PACE) funding supported by Equilibrium Engineering of Kentville for set up and execution of the program in the amount of \$5,000 from the Town of Kentville Operating Reserve**

**And Further this amount be an additional \$5,000.00 to the approved 2019/2020 Approved Operating Budget.**

**MOTION CARRIED**

*Councillors who voted in favour of this motion:*

*Andrew, Bolland, Gerrard, Maxwell, Pulsifer, Savage and Snow*

**(b) Councillor's Reports**

**(1) Councillor John Andrew**

Councillor Andrew presented his report on his activities over the past month. Highlights included Kings Point-to-Point Annual General Meeting, and the Kings Transit Authority meeting.

*Report available*

**(2) Deputy Mayor Cate Savage**

Deputy Mayor Savage presented her report on her activities over the past month. Highlights included investment advisory committee, audit meeting, building code meeting, active transportation workshop, a lunch and learn with Kings Transit, and a special in-camera council meeting.

*Report available*

**(3) Councillor Eric Bolland**

Councillor Bolland presented his report on his activities over the past month. Highlights included Valley Waste Regional Management.

*Report available*

**(4) Councillor Cathy Maxwell**

Councillor Maxwell presented her report on her activities over the past month. Highlights included Kentville Business Community Annual General Meeting, Building code workshop, Central Kings graduation ceremony, Kentville pool grand opening, Active Transportation Plan workshop, and the Speak Up lunch and learn. The Bursary Committee gave bursaries to Abigail Eyre, Jillian Smith, David Archibald and Andrew Johnson.

*Report available*

**(5) Councillor Lynn Pulsifer**

Councillor Pulsifer presented her report on her activities over the past month. Highlights included Active Transportation workshop, Kings Transit lunch and learn, Kentville Water Commission meeting, and a Kings Point-to-Point meeting. During the Kings Point-to-Point included a discussion with Kings County Deputy CAO Rob Frost regarding provincial funding and new accessible vehicles. There was no discussion about the reduced funding by the County of Kings for Kings Point-to-Point.

*Report available*

**(6) Councillor Craig Gerrard**

Councillor Gerrard presented his report on his activities over the past month. Highlights included the Water Commission Meeting and planning for the fall Association of Police Chiefs event planning.

*Report available*

**(c) Mayor Sandra Snow**

Mayor Snow presented her report on her activities over the past month. Highlights included the Valley Regional Enterprise Network Annual General meeting, the Audit Committee, the Kentville Business Community Annual General Meeting, the Investment Committee meeting, Regional Emergency Management Organization for Kings County, Canadian Union of Public Employees negotiations, NSCC Kingstec convocation, KCA grade 8 graduation, military graduation, NKEC graduation, Scott Brison's farewell party, and a retirement party for Louis Coutinho. There were also appreciation meetings for department for their work during Apple Blossom Festival.

*Report available*

**RECOMMENDATION TO COUNCIL**

It was moved by Councillor Lynn Pulsifer and seconded by Councillor John Andrew

**That the reports from Council and the Mayor be accepted as presented**

**MOTION CARRIED**

*Councillors who voted in favour of this motion: Andrew, Bolland, Gerrard, Maxwell, Pulsifer, Savage and Snow*

**6. CORRESPONDENCE**

**(a) Nova Scotia Department of Municipal Affairs – Appointment to Board of Municipal Finance Corporation – July 2, 2019**

CAO Phillips read a letter from Minister Chuck Porter welcoming Mayor Sandra Snow to the Board of Directors of the Nova Scotia Municipal Finance Corporation, from July 1, 2019 to June 30, 2022.

*Letter attached*

**(b) 118 Oakdene Avenue – Open Arms**

CAO Phillips reviewed the letters to council regarding the Open Arms project at 118 Oakdene Avenue. This project is not before council, and letters regarding this property will be filed until a proposal is brought to council for discussion.

*Letter attached*

**(c) Lori VanTassel – Condon Avenue – July 10, 2019**

CAO Phillips read the letter to council regarding the weather event on June 21, 2019 property damage.

*Letter attached*

**(d) Lisa Sellors – Condon Avenue – July 2, 2019**

CAO Phillips read the letter to council regarding the weather event on June 21, 2019 property damage.

*Letter attached*

**(e) Janet Specht – Condon Avenue – June 28, 2019**

CAO Phillips read the letter to council regarding the weather event on June 21, 2019 property damage.

*Letter attached*

**7. NEW BUSINESS**

**(a) County of Kings Municipal Planning Strategy and Land Use Bylaw**

Mayor Snow read the memo which provides highlights of the review of the Kings County wellfield protection area in the new Municipal Planning Strategy and Land Use Bylaw.

*Letter attached*

**RECOMMENDATION TO COUNCIL**

It was moved by Councillor John Andrew and seconded by Councillor Lynn Pulsifer

**That Council send a letter to Kings County Planning Advisory Committee with regards to the Municipal Planning Strategy and Land Use Bylaw review concerns about the Kentville Water Commission wellfield protection.**

**MOTION CARRIED**

*Councillors who voted in favour of this motion: Andrew, Bolland, Gerrard, Maxwell, Pulsifer, Savage and Snow*

**(b) Condon Avenue – Infrastructure**

CAO Phillips read the report outlining the Condon Avenue weather incident and infrastructure next steps.

*Letter attached*

- Points of Discussion
  - There is no guarantee that this upgrade will solve these issues in the future.
  - Any discussion about the impact of adjacent properties should be kept separate.

**RECOMMENDATION TO COUNCIL**

It was moved by Deputy Mayor Cate Savage and seconded by Councillor Eric Bolland

**That Council approve the proposed Condon Avenue stormwater infrastructure upgrade to \$200,000 as a late addition to the 2019-2020 Capital Works Plan.**

**MOTION CARRIED**

Councillors who voted in favour of this motion: Andrew, Bolland, Gerrard, Maxwell, Pulsifer, Savage and Snow

### **(c) Chief Administrative Officer Resignation**

Mayor Snow has accepted the letter of resignation from CAO Phillips on Jul 26, 2019. His last day will be Friday September 13, 2019.

*Letter attached*

### **(d) Crosswalk Safety**

Mayor Snow has received several emails regarding crosswalk safety.

- Councillor Maxwell is concerned about crosswalk safety and understands there is an ongoing police investigation of traffic regarding a recent accident. There is a potential to add a crosswalk on Belcher that would help reduce speed in that area.
- The sightlines for some crosswalks make it difficult to see pedestrians.
- Some communities have orange flags, which makes pedestrians more visible.

*Letter attached*

## **8. PUBLIC COMMENTS**

**(a) None.**

## **9. IN CAMERA**

It was moved by Councillor Eric Bolland and Councillor John Andrew  
**That Council proceed to a closed session at 8:20pm**

### **MOTION CARRIED**

Councillors who voted in favour of this motion: Andrew, Bolland, Gerrard, Maxwell, Savage, Pulsifer and Snow

It was moved by Councillor Eric Bolland and seconded by Councillor John Andrew  
**That Council return to open session at 10:21 pm**

### **MOTION CARRIED**

Councillors who voted in favour of this motion:  
Andrew, Bolland, Gerrard, Maxwell, Pulsifer, Savage and Snow

It was moved by Deputy Mayor Cate Savage and seconded by Councillor Lynn Pulsifer  
**That Town Council approve the lease terms as presented in this report for Shirley Whiteway-Matheson for the purposes of operating Lilypond Vintage Furniture and Home Décor.**

### **MOTION CARRIED**

Councillors who voted in favour of this motion: Andrew, Bolland, Gerrard, Maxwell, Pulsifer, Savage and Snow

It was moved by Councillor John Andrew and seconded by Deputy Mayor Cate Savage  
**That Council ratify the CUPE contract as presented for a 4-year term**

### **MOTION CARRIED**

Councillors who voted in favour of this motion: Andrew, Bolland, Gerrard, Maxwell, Pulsifer, Savage and Snow

## **10. ADJOURNMENT**

It was moved by Councillor Eric Bolland and seconded by Councillor Cathy Maxwell

**That the July 29<sup>th</sup> 2019 meeting of Council be adjourned at 10:26p.m.**

**MOTION CARRIED**  
**Adjourned at 10:26 p.m.**

DRAFT



## TOWN OF KENTVILLE KENTVILLE TOWN COUNCIL Special Meeting Minutes: August 16<sup>th</sup>, 2019

### PRESENT

Mayor Sandra Snow, Deputy Mayor Savage (remotely), Councillor John Andrew, Councillor Craig Gerrard, Councillor Cathy Maxwell and Councillor Pulsifer.

Staff in attendance included Chief Administrative Officer (CAO) Mark Phillips, Director of Finance Debra Crowell and Recording Secretary Jennifer West.

### REGRETS

Councillor Eric Bolland

### DECLARATIONS OF CONFLICT OF INTEREST

#### 1. CALL TO ORDER AND ROLL CALL

Mayor Sandra Snow called the meeting to order at 2:00 p.m., and CAO Phillips reported that all members of Council were present, with the exception of Councillor Eric Bolland.

Note: *“Points from Discussion” below show various comments made by individual councillors during debate. They do not necessarily represent the opinion of the group, nor do they always reflect accurate information.*

#### 2. APPROVAL OF THE AGENDA

It was moved by Councillor Lynn Pulsifer and seconded by Councillor John Andrew  
**That the agenda of August 16, 2019 be approved as presented**

### MOTION CARRIED

#### 3. NEW BUSINESS

##### (a) Review of Asphalt Tender Results

CAO Phillips gave a review of the submissions for the 2019 Capital Works tender for all activities which include a component of asphalt work. The CAO can not authorize any expenditures over \$100,000 and hence brings this tender for the review and approval of council. This tender is time sensitive due to the asphalt application season. All bidders were asked to complete work by October 15<sup>th</sup>, 2019. The recommendation from the Town’s consulting engineer, ABLE engineering, confirmed that the bidder is in compliance with the tender. The proposals received were:

- Cumberland Pavement at \$898,086.75;
- Howard Little at \$746,048.70; and
- Dexter Construction at \$697,181.75.

#### Discussion

- Will extra gas tax moneys be allocated to the Burke subdivision? Not at this time however other funding may be available for that neighbourhood.
- Other activities such as piping will be dealt with through another tender process.

- Does this asphalt tender include patching? No that is a separate tender. Patching falls under operations while asphalt paving falls under capital work.

*Report Available*

#### **RECOMMENDATION TO COUNCIL**

It was moved by Councillor Craig Gerrard and Councillor Lynn Pulsifer

**That Council approve the asphalt tender contract 2019055 asphalt tender to Dexter's Construction Ltd. in the amount of \$697,181.75 with HST included.**

#### **MOTION CARRIED**

*Councillors who voted in favour of this motion: Andrew, Gerrard, Maxwell, Pulsifer, Savage and Snow*

### **9. IN CAMERA**

It was moved by Councillor Lynn Pulsifer and Councillor John Andrew

**That Council proceed to a closed session at 2:17pm**

#### **MOTION CARRIED**

*Councillors who voted in favour of this motion: Andrew, Gerrard, Maxwell, Pulsifer, Savage and Snow*

It was moved by Councillor Craig Gerrard and seconded by Councillor John Andrew

**That Council return to open session at 2:57 pm**

#### **MOTION CARRIED**

*Councillors who voted in favour of this motion: Andrew, Gerrard, Maxwell, Pulsifer, Savage and Snow*

It was moved by Councillor Cathy Maxwell and seconded by Councillor John Andrew

**That the CAO conduct the sale of the Calkin Building as discussed in the closed session.**

#### **MOTION CARRIED**

*Councillors who voted in favour of this motion: Andrew, Gerrard, Maxwell, Pulsifer, Savage and Snow*

### **10. ADJOURNMENT**

It was moved by Councillor Cathy Maxwell and seconded by Councillor John Andrew

**That the August 16<sup>th</sup> 2019 special meeting of Council be adjourned at 2:59p.m.**

#### **MOTION CARRIED**

**Adjourned at 2:59 p.m.**

## TOWN OF KENTVILLE KENTVILLE TOWN COUNCIL

### Special Meeting Minutes: September 9, 2019

#### 1. CALL TO ORDER AND ROLL CALL

Mayor Sandra Snow called the meeting to order at 11:15 p.m., and CAO Phillips reported that all members of Council were present.

Present: Mayor Sandra Snow, Deputy Mayor Savage, Councillor Eric Bolland, Councillor John Andrew, Councillor Craig Gerrard, Councillor Cathy Maxwell and Councillor Pulsifer. Staff in attendance included Chief Administrative Officer (CAO) Mark Phillips, Director of Finance Debra Crowell and Recording Secretary Jennifer West.

#### 2. APPROVAL OF THE AGENDA

It was moved by Deputy Mayor Cate Savage and seconded by Councillor Lynn Pulsifer

**That council appoint Debra Crowell, Director of Finance as Acting Chief Administrative Officer effective September 10, 2019.**

##### **MOTION CARRIED**

*Councillors who voted in favour of this motion: Andrew, Gerrard, Maxwell, Pulsifer, Savage and Snow*

It was moved by Deputy Mayor Cate Savage and seconded by Councillor Eric Bolland

**That Council appoint Public Works Superintendent Richard Boyd as Traffic Authority effective September 10, 2019.**

##### **MOTION CARRIED**

*Councillors who voted in favour of this motion: Andrew, Gerrard, Maxwell, Pulsifer, Savage and Snow*

#### 10. ADJOURNMENT

It was moved by Deputy Mayor Cate Savage and seconded by Councillor Lynn Pulsifer

**That the September 9<sup>th</sup> 2019 special meeting of Council be adjourned at 11:21p.m.**

##### **MOTION CARRIED**

**Adjourned at 11:21 p.m.**

# KENTVILLE COUNCIL MEETING MINUTES

COUNCIL CHAMBERS, KENTVILLE TOWN HALL  
354 MAIN STREET, KENTVILLE NS

2:00 pm Wednesday September 25<sup>th</sup>, 2019

*Approval Pending*

In attendance were Councillor Eric Bolland, Councillor Craig Gerrard (arrived late), Councillor Cathy Maxwell, Councillor Lynn Pulsifer, Deputy Mayor Cate Savage (remotely) and Mayor Sandra Snow, Acting Chief Administrative Officer Debra Crowell, Community and Economic Development Coordinator Lindsay Young, Director of Planning and Development Beverly Gentleman, and Recording Secretary Jennifer West.

## REGRETS

Councillor John Andrew (Declared Conflict of Interest)

**It was moved by Councillor Eric Bolland and seconded by Councillor Lynn Pulsifer**

**That Council move into closed session at 2:02 pm**

### MOTION CARRIED

*Councillors who voted in favour of this motion: Bolland, Maxwell, Pulsifer, Savage and Snow*

**It was moved by Councillor Eric Bolland and seconded by Councillor Lynn Pulsifer**

**That Council return to open session at 2:57 pm**

### MOTION CARRIED

*Councillors who voted in favour of this motion: Bolland, Gerrard, Maxwell, Pulsifer and Snow*

It was moved by Councillor Craig Gerrard and seconded by Councillor Eric Bolland

**That Council direct the Acting CAO to proceed with the negotiation of the sale of the property (PID 55267371) at 374-376 Main Street as discussed in camera.**

### MOTION CARRIED

*Councillors who voted in favour of this motion: Bolland, Gerrard, Maxwell, Pulsifer and Snow*

**It was moved by Councillor Eric Bolland and seconded by Councillor Cathy Maxwell**

**That Council adjourn at 2:58 pm**

### MOTION CARRIED

*Councillors who voted in favour of this motion: Bolland, Gerrard, Maxwell, Pulsifer and Snow*

**TO:** Debra Crowell, Acting Chief Administrative Officer

**SUBMITTED BY:** Jennifer West, Executive Assistant

**DATE:** September 30, 2019

**SUBJECT:** Motion to Rescind - Public Engagement Process Motion

**ORIGIN**

Council met on July 17, 2019 at a Special Council Meeting to discuss a public engagement process for unique properties within Town boundaries including 118 Oakdene Avenue. Due to the sensitive legal nature of the meeting it was conducted in a closed session. During this meeting, Council directed the CAO to direct planning staff to formulate a process to gather feedback from citizens for the development of the property at 118 Oakdene using a third party. All members of council present were in favour of this process.

**BACKGROUND**

A Call for Expression of Interest for a consultant to lead a public engagement process associated with 118 Oakdene Avenue was posted on the Town’s website and the provincial procurement site with a closing date of August 30<sup>th</sup>, 2019. After this posting, Council and staff had more discussion about this engagement process. At the CAC meeting held on September 9<sup>th</sup>, 2019, the Director of Planning requested confirmation of alignment with Council’s desire. Council voted to discontinue the public engagement process associated with 118 Oakdene Avenue.

**DISCUSSION**

The motion made to support the consultation process for future development of the 118 Oakdene property and vote carried out at the CAC, was determined to be null and void by the solicitor. This decision was taken at a Council Meeting and could only be reconsidered through a motion to reconsider at a Council Meeting and then a restating of the motion to hold the public engagement process.

**POLICY IMPLICATIONS**

None

**BUDGET IMPLICATION**

None

**ATTACHMENTS**

**REQUEST**

That Council rescind the unanimous decision to support the staff directed consultation process for the 118 Oakdene property, as detailed in the Call for Expression.

Town of Kentville Decision Wheel:





## Council Advisory Committee

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**TO:** Council Advisory Committee

**SUBMITTED BY:** Beverly Gentleman, Director of Planning and Development

**DATE:** September 9, 2019

**SUBJECT:** 118 Oakdene Public Consultation Process

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### **ORIGIN**

CAO Phillips, on the direction of Council, directed Planning Staff to formulate a process to gather feedback from residents in the north end of Kentville, as well as the general public, to understand what residents would like to see as a potential development at 118 Oakdene Ave.

### **BACKGROUND**

A site-specific amendment to the LUB and MPS to allow for the redevelopment of the property by Development Agreement in November 2018 was unsuccessful; and a request earlier this year by Open Arms Resource Center Society to rezone their properties at property at 118 Oakdene Ave to High Density Residential (R4) was denied. Since then, Council has concluded that the property warrants further consideration for redevelopment and has requested that a community meeting/public consultation process be initiated to determine the community's vision for the property.

### **DISCUSSION**

In order to ensure an open and transparent process, staff informed Council that the best practice for the public engagement was to contract an outside consultant. A Call for Expression of Interest was posted on the Towns website and the provincial procurement site with a closing date of August 30, 2019. Once the public engagement process has been carried out, the Consultant will provide a final report to Council.

The services from an outside consultant have not yet been awarded due to communication from Council to staff around this process.

### **BUDGET IMPLICATION**

\$5,000.00

### **REQUEST FOR DECISION**

Staff are seeking confirmation from Council that they are in alignment with the previously agreed-upon action to conduct a public input session through the engagement of an outside consultant to further explore the future development of 118 Oakdene Avenue.

**TO:** Debra Crowell, Acting Chief Administrative Officer

**SUBMITTED BY:** **Jennifer West, Executive Assistant**

**DATE:** September 30, 2019

**SUBJECT:** **Business Park Street Dedication, Correction**

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**ORIGIN**

At the September 10, 2018 meeting of Council Advisory Committee, Staff made a recommendation that Council approve the opening of Parcel CDE-1 know as Chipman Drive and Parcel SA-1 know as Street A, shown on Plan of Survey prepared by Kevin Brown Design Point Engineering and Surveying Drawing #16-080-SL-L4 as public streets.

The same resolution was passed at the September 24, 2018 special meeting of Council.

It is also noted that Street A – Parcel SA-1 was named Lyons Drive at the March 25, 2019 meeting of Council.

**BACKGROUND**

n/a

**DISCUSSION**

This resolution contains a typographical error which must be resolved. The correct wording should refer to “Survey Drawing #16-080-SV-L4”.

**POLICY IMPLICATIONS**

None.

**BUDGET IMPLICATION**

None.

**ATTACHMENTS**

**RECOMMENDATION**

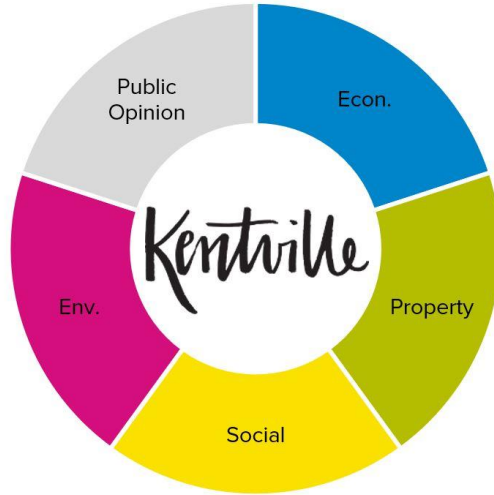
WHEREAS by Resolution dated September 10, 2018 and recorded in the Land Registry for Kings County as document no. 113298344, Council opened Parcel CD-1, known as Chipman Drive, and Parcel SA-1, known as Street A (and subsequently named Lyons Drive) as public streets;

AND WHEREAS the 2018 Resolution contained typographical errors in the survey drawing number;

AND WHEREAS Council wishes to correct the errors in the Resolution and confirm that Parcels CD-1 and Parcel SA-1 are opened as public streets in the Town of Kentville;

BE IT RESOLVED THAT Council confirm that Parcels CD-1 and Parcel SA-1 are opened as public streets in the Town of Kentville as shown on a “Plan of Survey of Parcels CD-1 and SA-1 being a Subdivision of PID 55263776 Lands of Town of Kentville” by Design Point Engineering & Surveying as its drawing no. 16-080-SV-L4 and signed by Kevin C. Brown. N.S.L.S. No. 601, which plan is filed at the Kings County Land Registration Office as document no. 113298963.

Town of Kentville Decision Wheel:







# COUNCIL ADVISORY COMMITTEE

## Recommendation to Council

### Re: *Business Park Street Name Dedication*

At the September 10<sup>th</sup>, 2018 meeting of Council Advisory Committee, Planning & Development Director, Bev Gentleman remarked to Council that:

- Kentville had constructed two new roads in the KBP on the largest parcel to ensure shovel ready land was available;
- With these two roads having been constructed; in accordance with Section 308(3) of the MGA, Council must formally accept Parcel CDE-1 and Parcel SA-1 as road allowances.

Therefore, Council Advisory Committee recommends

**that Council approve the opening of Parcel CDE-1 know as Chipman Drive and Parcel SA-1 know as Street A, shown on Plan of Survey prepared by Kevin Brown Design Point Engineering and Surveying Drawing #16-080-SL-L4 as public streets**

Reported by: Deputy Mayor Lynn Pulsifer  
September 10<sup>th</sup>, 2018

This recommendation is based on discussion and or reports which are attached.



**TO:** Council Advisory Committee

**FROM:** Beverly Gentleman, Director of Planning and Development

**DATE:** September 10, 2018

**SUBJECT:** Dedication of Parcel CDE-1 and Parcel SA-1 as Roads

---

**ORIGIN**

Several years ago, the Kings RDA commissioned a study with the purpose to inventory both developed and available commercial and industrial land in entire Kings County area including Towns. The report highlighted a lack of sufficient available shovel ready industrial land in the area and concluded that the Annapolis Valley Industrial Park in Kentville is the best option for future development to support this need.

The property in the AVRIP was originally managed by the Annapolis Valley Industrial Park Commission. In the late 1990's the commission was dissolved. The vacant parcels at that time were transferred to Nova Scotia Business Incorporated (NSBI), who managed the properties for a number of years.

In 2015 Council determined that the purchase of those remaining vacant lands would be an asset to the Town, as the Town was better positioned to market the properties and support business growth and attraction in the area. As a result the Town purchased the vacant lands NSBI in 2015.

In keeping with the recommendations of the RDA's report, Council has constructed 2 new roads on the largest parcel to ensure shovel ready land is available. These 2 roads are built according to the Towns Standards as **outlined in a report prepared by Design Point.**

In accordance with Section 308(3) of the *Municipal Government Act* Council must formally accept Parcel CDE-1 and Parcel SA-1 as road allowances. Section 308(3) of the MGA states:

*No road, or allowance for a road, becomes a street until Council formally accepts the road or allowance, or the road or allowance is vested in the municipality according to law.*

Further, in accordance with Section 312(2) of the MGA:

*When a street is laid out, opened or expanded a survey plan shall be filed in the registry*

At a later time in accordance with Policy G-27, Street Naming Policy, Council will consider names for these new road; however at this time these road allowances, and easements A, B, and C, in favor of NS Power as shown on a Plan of Survey prepared by Kevin Brown, Design Point Engineering and Surveying, Drawing No. 16-080-SL-L4 must be accepted by Council.

**Recommendation:**

That Council Advisory Committee recommends that Council adopt the following resolution:

**RESOLUTION RE OPENING OF PARCEL CDE-1 AND PARCEL SA-1**

**WHEREAS** Council approved the construction of two (2) streets in the Business Park to create “shovel ready” land;

**AND WHEREAS** NS Power require easements to provide power to existing and new business within the Business Park;

**AND WHEREAS** Parcel CDE-1 and Parcel SA-1 and Easements A, B, and C are shown on a Plan of Survey prepared by Kevin Brown, Design Point Engineering and Surveying Drawing No. 16-080-SL-L4;

**AND WHEREAS** the roads have ben constructed in accordance with the Towns specifications as reported by Design Point, and are ready for use;

**THEREFORE BE IT RESOLVED THAT** Parcel CDE-1 and Parcel SA-1 are opened as public streets and Council grants 6.100m wide Access and Utility Easements A, B, and C in favor on N.S.P.I

Respectfully Submitted,

Beverly Gentleman  
Director of Planning

NAD-83 (CSRS) 2010.0 3' MTM  
CENTRAL MERIDIAN 64° 30'

LOT 80-CD  
PID 55439996  
Now or Formerly Lands of  
TWE Investments Limited,  
TRI-PACER Investments Incorporated and  
PRE Investments Limited  
(L.R.O. Doc. No. 101491570)

See plan prepared by DeWOLF & MORSE SURVEYING LIMITED,  
Certified by Derek DeWolfe, N.S.L.S., dated April 15, 2013  
(L.R.O. Plan No. 103438033)

LOT FD-2  
PID 55505101  
Now or Formerly Lands of  
Acadia Refrigeration & Air Conditioning (1997) Limited  
(L.R.O. Doc. No. 95721398)

See plan prepared by DeWOLF & MORSE SURVEYING LIMITED,  
Certified by Eric J. Morse, N.S.L.S., dated March 15, 2010  
(L.R.O. Plan No. 95611524)

LOT 2L  
PID 55532659  
Now or Formerly Lands of  
White Rock Mechanical Services Ltd.  
(L.R.O. Doc. No. 11228738)

See plan prepared by DesignPoint Engineering & Surveying  
Certified by Kevin C. Brown, N.S.L.S., dated November 23, 2017  
(L.R.O. Plan No. 111853298)

DONALD E. HILTZ CONNECTOR ROAD  
(30.480m Wide)

LOT FD-1  
PID 55500425  
Now or Formerly Lands of  
L. Cooper Real Estate Ltd.  
(L.R.O. Doc. No. 107992605)

See plan prepared by CYR SURVEYS LIMITED  
Certified by D. Allan Cyr, N.S.L.S.,  
dated June 5, 2009  
(L.R.O. Plan No. 93703297)

PID 55474308  
Now or Formerly Lands of  
Nova Scotia Business Inc.  
(Book 1297, Page 802)

See plan prepared by  
TRU-LINE SURVEYS,  
Certified by  
Edward J. Cleveland, N.S.L.S.,  
dated August 31, 1991  
(R.O. Plan No. P8756)

LOT A9-E  
PID 55248629  
Now or Formerly Lands of  
Midland Transport Limited  
(Book 770, Page 866)

See plan prepared by TRU-LINE SURVEYS,  
Certified by Dean Alfred Benedict, N.S.L.S., dated November 23, 1988  
(R.O. Plan No. P7528)

PID 55263776  
Now or Formerly Lands of  
Town of Kentville  
(L.R.O. Doc. No. 108301632)

BLOCK RL-2  
2.33 Hectares ±  
(Subject to Survey)

LOT 91-AB  
PID 55473283  
Now or Formerly Lands of  
Quality Concrete Inc.  
(L.R.O. Doc. No. 105887187)  
(L.R.O. Doc. No. 109670605)

BLOCK RL-1  
7.45 Hectares ±  
(Subject to Survey)

PROPOSED EASEMENT B  
6.100m Wide Access and Utility  
Easement in favour of N.S.P.I.

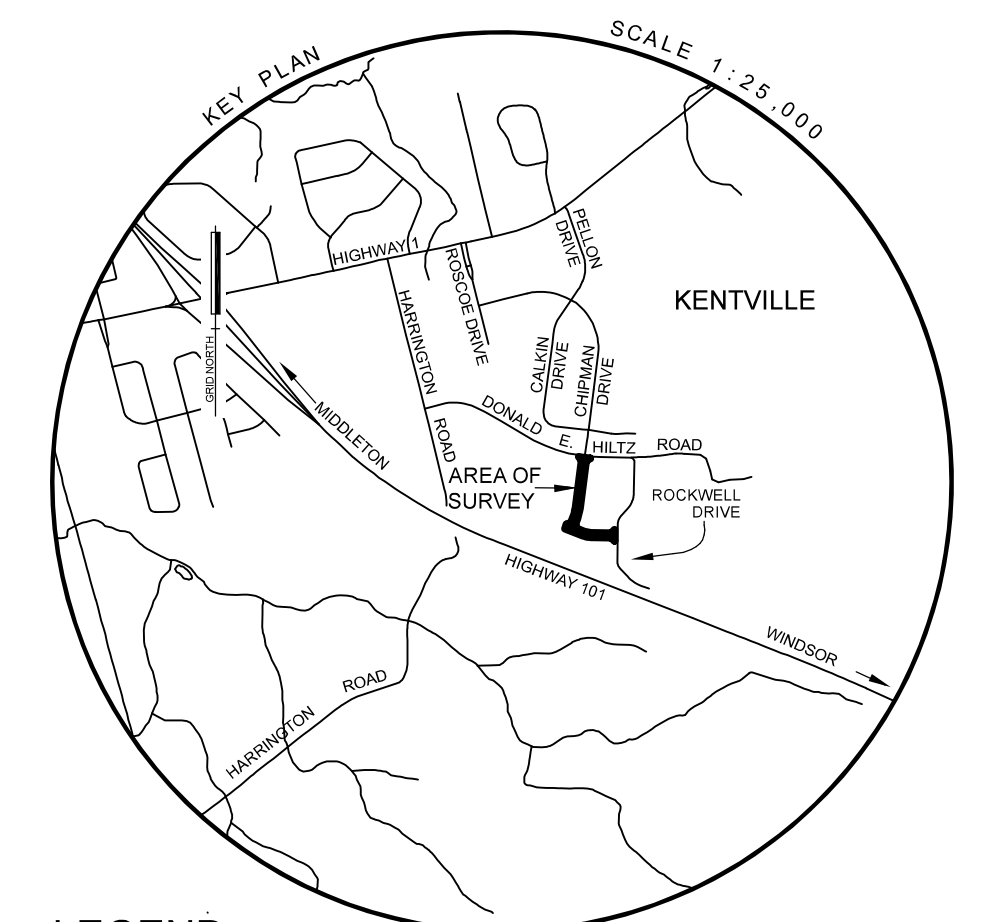
Proposed 6.100m Wide Access  
and Utility Easement in favour  
of N.S.P.I.

LOT 2016-1  
PID 5529523  
Now or Formerly Lands of  
Robinson's Cannabis Incorporated  
(L.R.O. Doc. No. 111397957)

See plan prepared by DeWOLF & MORSE SURVEYING LIMITED,  
Certified by Eric J. Morse, N.S.L.S., dated September 17th, 2017  
(L.R.O. Plan No. 111704624)

PROPOSED EASEMENT C  
6.100m Wide Access and Utility  
Easement in favour of N.S.P.I.

LOT T-1  
PID 55283792  
Now or Formerly Lands of  
Town of Kentville  
(Book 1368 Page 510)



- LEGEND:**
- ⊙ PLACED SURVEY MARKER
  - FOUND SURVEY MARKER
  - I.B. FOUND IRON TUBE
  - △ NSHPN NOVA SCOTIA HIGH PRECISION NETWORK MONUMENT
  - UTILITY POLE
  - GUY WIRE
  - OTHER LANDS DEALT WITH BY THIS PLAN
  - OTHER LANDS
  - CALCULATED THE LINE
  - EASEMENTS
  - OVERHEAD WIRE
  - RADIUS; ARC; CHORD
  - CALCULATED; MEASURED; SET
  - (P); (D); (T) PLAN OF PREVIOUS SURVEY; DEED; TOTAL
  - PC POINT OF CURVATURE
  - L.R.O. LAND REGISTRATION OFFICE
  - PID PROPERTY IDENTIFICATION NUMBER
  - N.S.L.S. NOVA SCOTIA LAND SURVEYOR
  - N.S.P.I. NOVA SCOTIA POWER INCORPORATED
  - (TL) TRU-LINE SURVEYS
  - (DMS) DEWOLFE & MORSE SURVEYING LIMITED
  - (DP) DESIGNPOINT ENGINEERING & SURVEYING

ALL BEARINGS ARE GRID DERIVED FROM NRTK GNSS OBSERVATION TO NSHPN 207682, REFERENCED TO THE NOVA SCOTIA 3' MODIFIED TRANSVERSE MERCATOR PROJECTION, ZONE 5, CENTRAL MERIDIAN 64°30' W, BASED ON THE HORIZONTAL REFERENCE FRAME NAD83 (CSRS), EPOCH 2010.0

DISTANCES SHOWN ON THIS PLAN ARE GROUND DISTANCES FROM A COMBINATION OF TOTAL STATION MEASUREMENTS AND DERIVED GNSS GROUND DISTANCES, UNLESS OTHERWISE NOTED. A COMBINED SCALE FACTOR OF 0.999890 WAS APPLIED AT SITE OF SURVEY.

FIELD SURVEYS WERE CARRIED OUT BETWEEN FEBRUARY 15, 2017 AND SEPTEMBER 10, 2018

**NOTES:**  
6.100 METRE WIDE ACCESS AND UTILITY EASEMENTS IN FAVOUR OF N.S.P.I. ARE FOR THE INSTALLATION AND MAINTENANCE OF ELECTRICAL AND COMMUNICATION CONDUIT, OVERHEAD UTILITY WIRES, POLES, ANCHORS AND APPURTENANCES, AND FOR THE CLEARING OF VEGETATION AS REQUIRED.

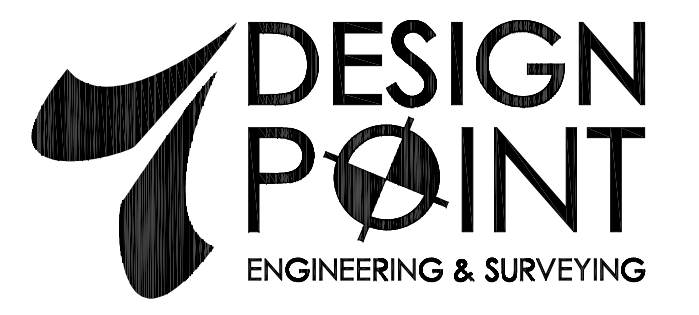
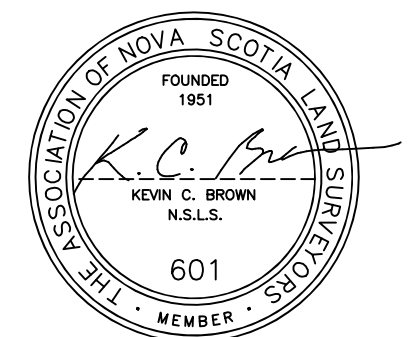
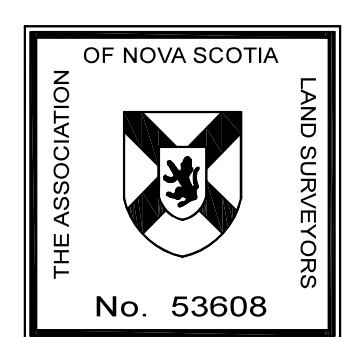
PARCELS CD-1, SA-1 AND DE-1 ORIGINATE WITH THIS PLAN.

**SURVEYOR'S CERTIFICATE**

I, KEVIN C. BROWN, NOVA SCOTIA LAND SURVEYOR, HEREBY CERTIFY THAT THE SURVEY REPRESENTED BY THIS PLAN WAS CONDUCTED UNDER MY SUPERVISION AND THAT THE SURVEY AND PLAN WERE MADE IN ACCORDANCE WITH THE LAND SURVEYORS ACT, REGULATIONS AND STANDARDS MADE THEREUNDER.

DATED THIS 10TH DAY OF SEPTEMBER, 2018

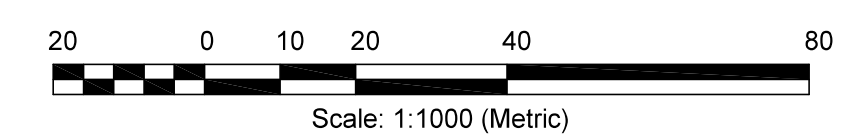
*Kevin C. Brown*  
KEVIN C. BROWN, N.S.L.S.



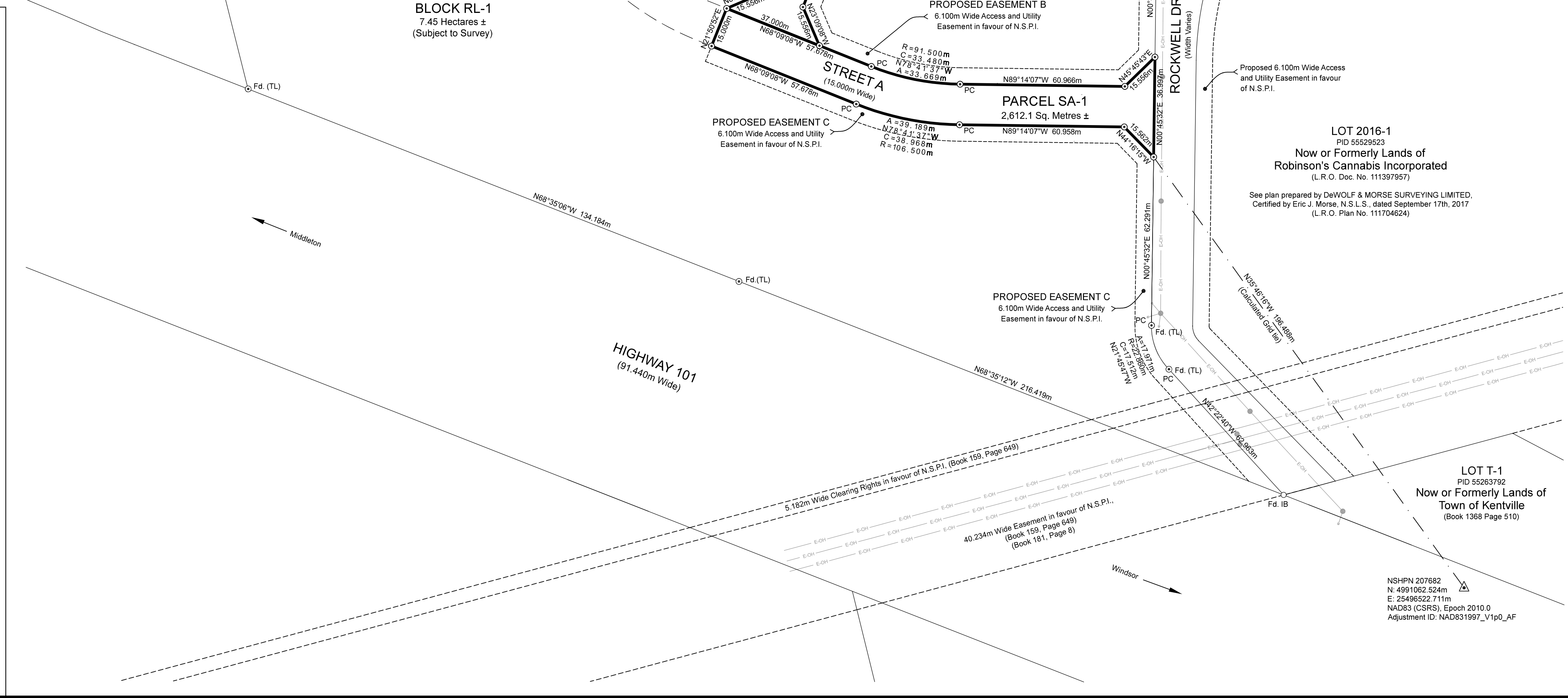
Kentville Industrial Park

Plan of Survey of  
**PARCELS CD-1 and SA-1**  
being a Subdivision of  
**PID 55263776**  
Lands of  
**TOWN OF KENTVILLE**

DONALD E. HILTZ CONNECTOR ROAD, ROCKWELL DRIVE  
KENTVILLE  
COUNTY OF KINGS  
PROVINCE OF NOVA SCOTIA



APPROVAL STAMPS





# COUNCIL ADVISORY COMMITTEE

## Recommendation to Council

### Re: Temporary Borrowing Resolution for Sanitary Sewer Service 2019-2020

At the September 9<sup>th</sup>, 2019 meeting of Council Advisory Committee, Director Crowell presented her request for a temporary borrowing resolution to support the sanitary sewer capital program for 2019-2020. This funding would support sewer renewals in the Apple Tree Lane and Overlook community.

#### **Council Advisory Committee recommended**

**That Council authorise the temporary borrowing resolution TBR 19/20-02 for Sewer in the amount of \$125,000. Following approval it will be sent the Minister For Department of Municipal Affairs for the Provincial authorization.**

Reported by: Councillor John Andrew  
September 30, 2019

# Memo

To: Mark Phillips, CAO  
 From: Debra Crowell, Director of Finance  
 Date: July 31, 2019

Re: **Temporary Borrowing Resolution-Sanitary Sewer Area Service Capital 19/20**

---

**BACKGROUND**

The attached temporary borrowing resolution (from Department of Municipal Affairs) relate to the Sanitary Sewer Area Service’s 2019/2020 capital program. This resolution requires Council’s authorization before I forward it to the Minister of Department of Municipal Affairs for ministerial consent.

Once all approvals are in place, funds can be drawn down, as required, to finance (on a temporary basis) the 2019/2020 capital acquisitions for the Sanitary Sewer Area Service.

**RECOMMENDATION**

I recommend to Council Advisory Committee that it authorizes the temporary borrowing resolution noted below and then forwards this resolution to the next meeting of Town Council for ratification. Following this event, the document will be sent to the Minister of the Department of Municipal Affairs for Provincial authorization.

ISSUE	PURPOSE	AMOUNT
TBR 19/20-02	Sewer	\$ 125,000



TOWN OF KENTVILLE

TEMPORARY BORROWING RESOLUTION

\$125,000

File No. 19/20-02  
Sewer

**WHEREAS** Section 66 of the Municipal Government Act provides that the Town of Kentville, subject to the approval of the Minister of Municipal Affairs and Housing, may borrow to expend funds for a capital purpose authorized by statute;

**AND WHEREAS** the Town of Kentville has adopted a capital budget for this fiscal year as required by Section 65 of the Municipal Government Act and are so authorized to expend funds for capital purpose as identified in their capital budget;

**AND WHEREAS** the specific amounts and descriptions of the projects are contained in Schedule "A" (attached);

**BE IT THEREFORE RESOLVED**

**THAT** under the authority of Section 66 of the Municipal Government Act, the Town borrow a sum or sums not exceeding One Hundred and Twenty-Five Thousand Dollars (\$125,000) for the purpose set out above, subject to the approval of the Minister of Municipal Affairs and Housing;

**THAT** the sum be borrowed by the issue and sale of debentures of the Town to such an amount as the Council deems necessary;

**THAT** the issue of debentures be postponed pursuant to Section 92 of the Municipal Government Act and that the Town borrow from time to time a sum or sums not exceeding One Hundred and Twenty-Five Thousand Dollars (\$125,000) in total from any chartered bank or trust company doing business in Nova Scotia;

**THAT** the sum be borrowed for a period not exceeding Twelve (12) Months from the date of the approval of the Minister of Municipal Affairs and Housing of this resolution;

**THAT** the interest payable on the borrowing be paid at a rate to be agreed upon; and

**THAT** the amount borrowed be repaid from the proceeds of the debentures when sold.

**THIS IS TO CERTIFY** that the foregoing is a true copy of a resolution duly passed at a meeting of the Council of the Town of Kentville held on the \_\_\_\_\_ day of \_\_\_\_\_ 2019.

**GIVEN** under the hands of the Mayor and the Clerk and under the seal of the Town this \_\_\_\_\_ day of \_\_\_\_\_ 2019.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Clerk

For DMA Use Only

**TOWN OF KENTVILLE**  
**TEMPORARY BORROWING RESOLUTION**  
**SCHEDULE 'A'**

\$125,000

File No. 19/20-02  
Sewer

**Sanitary Sewer Projects**

Sewer Renewals - Apple Tree Lane and Overlook / Academy    \$125,000

**Total Sewer**

**\$125,000**

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# COUNCIL ADVISORY COMMITTEE

## Recommendation to Council

### Re: Temporary Borrowing Resolution for Capital Works Activities

At the September 9<sup>th</sup>, 2019 meeting of Council Advisory Committee, Director Crowell presented her request for a temporary borrowing resolution to support the capital works program for 2019-2020. These funds would support the purchase of projects and equipment in the Public Works department and the Parks and Recreation Department.

#### **Council Advisory Committee recommended**

**That Council authorise the temporary borrowing resolution TBR 19/20-01 for various purposes for capital in the amount of \$1,081,500. Following approval it will be sent the Minister For Department of Municipal Affairs for the Provincial authorization.**

Reported by: Councillor John Andrew  
September 30, 2019

# Memo

To: Mark Phillips, CAO

From: Debra Crowell, Director of Finance

Date: July 31, 2019

Re: **Temporary Borrowing Resolution-Town of Kentville Capital 19/20**

---

## **BACKGROUND**

The attached temporary borrowing resolution (from Department of Municipal Affairs) relate to the Town's 2019/2020 capital program. This resolution requires Council's authorization before I forward it to the Minister of Department of Municipal Affairs for ministerial consent.

Once all approvals are in place, funds can be drawn down, as required, to finance (on a temporary basis) the 2019/2020 capital acquisitions for the Town of Kentville.

## **RECOMMENDATION**

I recommend to Council Advisory Committee that it authorizes the temporary borrowing resolution noted below and then forwards this resolution to the next meeting of Town Council for ratification. Following this event, the document will be sent to the Minister of the Department of Municipal Affairs for Provincial authorization.

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ISSUE	PURPOSE	AMOUNT
TBR 19/20-01	Various purposes	\$ 1,081,500

TOWN OF KENTVILLE

TEMPORARY BORROWING RESOLUTION

\$1,081,500

File No. 19/20-01  
Various Purposes; Capital

**WHEREAS** Section 66 of the Municipal Government Act provides that the Town of Kentville, subject to the approval of the Minister of Municipal Affairs and Housing, may borrow to expend funds for a capital purpose authorized by statute;

**AND WHEREAS** the Town of Kentville has adopted a capital budget for this fiscal year as required by Section 65 of the Municipal Government Act and are so authorized to expend funds for capital purpose as identified in their capital budget;

**AND WHEREAS** the specific amounts and descriptions of the projects are contained in Schedule "A" (attached);

**BE IT THEREFORE RESOLVED**

**THAT** under the authority of Section 66 of the Municipal Government Act, the Town borrow a sum or sums not exceeding One Million Eighty-one Thousand Five Hundred Dollars (\$1,081,500) for the purpose set out above, subject to the approval of the Minister of Municipal Affairs and Housing;

**THAT** the sum be borrowed by the issue and sale of debentures of the Town to such an amount as the Council deems necessary;

**THAT** the issue of debentures be postponed pursuant to Section 92 of the Municipal Government Act and that the Town borrow from time to time a sum or sums not exceeding One Million Eighty-one Thousand Five Hundred Dollars (\$1,081,500) in total from any chartered bank or trust company doing business in Nova Scotia;

**THAT** the sum be borrowed for a period not exceeding Twelve (12) Months from the date of the approval of the Minister of Municipal Affairs and Housing of this resolution;

**THAT** the interest payable on the borrowing be paid at a rate to be agreed upon; and

**THAT** the amount borrowed be repaid from the proceeds of the debentures when sold.

**THIS IS TO CERTIFY** that the foregoing is a true copy of a resolution duly passed at a meeting of the Council of the Town of Kentville held on the \_\_\_\_\_ day of \_\_\_\_\_ 2019.

**GIVEN** under the hands of the Mayor and the Clerk and under the seal of the Town this \_\_\_\_\_ day of \_\_\_\_\_ 2019.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Clerk

For DMA Use Only

**TOWN OF KENTVILLE**  
**TEMPORARY BORROWING RESOLUTION**  
**SCHEDULE 'A'**

\$1,081,500

File No. 19/20-01  
Various Purposes; Capital

**Transportation (19/20)**

Equipment - skid steer	\$ 65,000.00
Streets - Various	\$ 200,000.00
Parking Lots - Various	\$ 20,000.00
Flood Mitigation - Dyke	\$ 87,500.00
Storm Sewer - various locations	\$ 191,700.00

**Total Transportation**

**\$ 564,200.00**

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**Economic Development (19/20)**

Rebranding signage	\$ 12,500.00
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**Total Economic Development**

**\$ 12,500.00**

**Recreation (19/20)**

Parks & Playgrounds - M P skate park	\$ 138,600.00
Pool & building - upgrades / Pool coating	\$ 99,600.00
Equipment - Zamboni, bike racks, event trailer, digital sign	\$ 210,000.00
Tennis - Club house / Washrooms	\$ 10,000.00
Studies - Active Transportation / Needs Assessment / Ravine Trail plan	\$ 46,600.00

**Total Recreation**

**\$ 504,800.00**

**Total Temporary Borrowing Resolutions - Town of  
Kentville**

**\$ 1,081,500.00**

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# COUNCIL ADVISORY COMMITTEE

## Recommendation to Council

### **Re: Condon Avenue Stormwater Infrastructure Renewal Award**

At the September 9<sup>th</sup>, 2019 meeting of Council Advisory Committee, CAO Phillips presented an update on the stormwater pipe renewal for Condon Avenue in relation to the modernizing of stormwater infrastructure.

#### **Council Advisory Committee recommended**

**That Council approve the following project: Town of Kentville Capital Works – Condon Avenue to the low bidder, Howard Little Excavating Ltd, a unit price contract in the amount of \$187,450 HST included.**

Reported by: Councillor John Andrew  
September 30, 2019

**TO:** Chief Administrative Officer, Mark Phillips

**SUBMITTED BY:** Jennifer West, Executive Assistant

**DATE:** September 9, 2019

**SUBJECT:** Condon Avenue Infrastructure Upgrade

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**ORIGIN**

The Town of Kentville acknowledges that some properties, yards and even basements on and near Condon Avenue were significantly impacted by flooding immediately after a rainfall event in June 2019. A second rainfall event occurred on August 30, 2019 which also had some impacts in the community.

**BACKGROUND**

During the July 29, 2019 meeting of Council, Council approved the proposed Condon Avenue stormwater infrastructure upgrade up to \$200,000 as a late addition to the 2019-2020 Capital Works Plan. Due to the urgency associated with this infrastructure upgrade, the Town of Kentville accelerated the procurement process and sought proposals from contractors on a short-term basis.

**DISCUSSION**

ABLE Engineering evaluated the submitted bids for this project and gave a recommendation for completing this work.

**POLICY IMPLICATIONS**

n/a

**BUDGET IMPLICATION**

\$200,000

**ATTACHMENTS**

Correspondence, Sandy Dewar, ABLE Engineering Services. September 9, 2019

**RECOMMENDATION**

That Council recommend the following project: Town of Kentville Capital Works – Condon Avenue to the low bidder, Howard Little Excavating Ltd, a unit price contract in the amount of \$187,450.



4 Calkin Drive  
Kentville, NS B4N 3V7  
Phone: (902) 678-2774

4073 Highway #3  
Chester, NS B0J 1J0  
Phone: (902) 273-3050

5209 St. Margaret's Bay Road  
Upper Tantallon, NS B3Z 1E3  
Phone: (902) 820-3255

*Engineering Services Inc.*

---

September 9, 2019

Town of Kentville  
354 Main Street  
Kentville, NS  
B4N 1K6  
Attn: Mr. Mark Phillips, CAO

*RE: TOWN OF KENTVILLE 2019 CAPITAL WORKS – CONDON AVE*

Dear Mr. Phillips

We have reviewed the tenders for the above project and would recommend the low bidder, Howard Little Excavating Ltd be awarded a unit price contract in the amount of \$187,450.00.

I trust this is the information you require, but should you have any questions please contact me at 902-678-2774.

Yours truly,

A. W. Dewar, P. Eng.

AWD\ajs

word\specs\2019\tok capital\recommend Condon Ave project



# COUNCIL ADVISORY COMMITTEE

## Recommendation to Council

### **Re: Policy Revision – Policy Statement G57 Committees of Council**

At the September 9<sup>th</sup>, 2019 meeting of Council Advisory Committee, CAO Phillips reviewed the proposed amendments to Policy Statement G57 Committees of Council which would reflect the changes made to support the new Accessibility Advisory Committee.

#### **Council Advisory Committee recommended**

**That Council approve the attached changes to Policy Statement G57 Committees of Council which reflect the new Accessibility Advisory Committee.**

Reported by: Councillor John Andrew  
September 30, 2019



**TO:** Chief Administrative Officer Mark Phillips

**SUBMITTED BY:** Jennifer West, Executive Assistant

**DATE:** September 9, 2019

**SUBJECT:** Policy Check In: Statement G57 Committees of Council

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**ORIGIN**

Nova Scotia's Accessibility Act, passed in September 2017, sets a goal of an accessible province by 2030. One of the first accessibility standards to be developed is the built environment, directly impacting the municipal sector. This work is underway through the Provincially-led standard development committee.

**BACKGROUND**

The policy implication of creating this committee is with Policy Statement G57: Committees of Council- this should be revised to reflect the development of this new committee of council and new terms of reference.

**DISCUSSION**

At the July 29<sup>th</sup> 2019 meeting of Council, it was moved "That Council approve in principle the Terms of Reference for the Accessibility Advisory Committee. And further to amend Policy Statement G57: Committees of Council to include the Accessibility Advisory Committee."

**POLICY IMPLICATIONS**

Policy Statement G57: Committees of Council

**BUDGET IMPLICATION**

None.

**ATTACHMENTS**

G57 Committees of Council  
Accessibility Advisory Committee Terms of Reference

**RECOMMENDATION**

That Council amend Policy Statement G57 Committees of Council to include the Accessibility Advisory Committee as an ad-hoc committee.



## **TOWN OF KENTVILLE POLICY STATEMENT G57 COMMITTEES OF COUNCIL**

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### **1.0 PURPOSE**

The purpose of this policy is to establish the policies and procedure for effective operation of the Committees of Council.

### **2.0 DEFINITIONS**

2.1 Quorum, the minimum number of members of a committee that must be present at any of its meetings to make the proceedings of that meeting valid. In this policy quorum is defined as 50% plus one.

### **3.0 SCOPE**

3.1 This policy is applicable to all committees of council and all appointed members, which may include Council member and citizen appointees. To include:

- 3.1.1 defining the key areas of responsibility and the duties of each committee;
- 3.1.2 establishing the membership, the term of appointment and the structure for the committees; and
- 3.1.3 other terms of reference as required.

3.2 Nothing in this policy supersedes higher-level documents, bylaws or policy statements for those committees detailed under Commissions and Exceptions.

### **4.0 PROCEDURES**

4.1 General: The role of all committees is limited to advising Council unless otherwise stated in the bylaw or resolution governing that Committee.

- 4.1.1 The council may establish standing, special, ad hoc, and advisory committees. Each committee shall perform the duties conferred on it by legislation or the by-laws or policies of the municipality.

- 4.1.2 The council reserves the right to appoint persons who are not members of the council. To determine the make-up of each committee, the skill sets required by its participants, and residency requirements.
- 4.1.3 Applications for appointment to the committees shall be invited by public advertisement.
- 4.1.4 All applicants must consent to criminal and background checks.
- 4.1.5 Policy G70 Meetings applies to all committee meetings.
- 4.1.6 Robert's Rules of Order shall apply to all committee meetings.
- 4.1.7 The rules of procedure, conduct, and debate that apply at Council meetings, pursuant to the Town's bylaws or policies, apply at committee meetings with any necessary modifications for context, except that no notices of reconsideration shall be permitted at Committee meetings.
- 4.1.8 All committee members are subject to the Town of Kentville Code of Conduct in the execution of committee work.
- 4.1.9 The committee shall meet at such time and place as established, however, from time-to-time, may find it necessary to reschedule as determined by the secretary, chair, and/or a quorum of committee members.
- 4.1.10 The committee shall not utilize external services, or otherwise commit the Town to money expenditures.
- 4.1.11 All governance resource requests from a committee to be considered by Council shall be sent to Council Advisory Committee on a request for decision form.
- 4.1.12 All reports, recommendations, information, resource requests and/or actions from a committee to be considered by Council shall normally be sent to Council Advisory Committee on a request for decision form.
- 4.1.13 Emergency, or time sensitive recommendations, may be provided directly to the Council Meeting for decision.
- 4.1.14 Meetings may be rescheduled without advance notice to deal with emergency or time sensitive recommendations. If a meeting is rescheduled without advance notice, it will be posted to the town social media stream.

4.1.15 In the event the committee fails to provide a report or recommendation to Council within any deadline set by Council, Council may proceed with a decision regarding a matter within the Committee's mandate, without awaiting the committee report or recommendation.

4.2 Term: The term of council appointed chair, council appointments and citizen appointments shall be for two (2) year term reviewed annually.

4.2.1 Where a council member is appointed to a committee, board or commission as a representative of the council, the council member's appointment ceases when the person ceases to be a council member.

4.2.2 Except to the extent that committee membership is otherwise determined by Provincial legislation or statute, or a bylaw or policy of the Town of Kentville, committee membership shall be reviewed annually by Council in November, and/or within three (3) months following each municipal general election.

4.2.3 Any citizen member on a committee shall take a leave for one term following two consecutive terms. The following exceptions with approval of Council shall apply:

4.2.3.1 If no applications have been received for the expired term; or

4.2.3.2 If the member has a specialized expertise required for the committee.

4.2.4 The secretary of the board, commission or committee shall immediately notify the council of a vacancy, and the council shall fill the vacancy.

4.3 Remuneration

4.3.1 A committee member who is a council member:

4.3.1.1 is not entitled to additional remuneration for serving on the committee; and

4.3.1.2 may be reimbursed for expenses incurred as a committee member.

4.3.2 A committee member who is not a council member:

- 4.3.2.1 shall be paid an honorarium for serving on the committee, based on the previous year's record of meetings which will be paid out annually as per Schedule A; and
- 4.3.2.2 may be reimbursed for expenses incurred as a committee member.

#### 4.4 Membership

- 4.4.1 Committee members should be residents of the Town of Kentville.
- 4.4.2 Any person appointed by Council as a member of a board, commission or committee, pursuant to this policy or any Act of Legislature, who is absent from three consecutive regular meetings ceases to be a member.
- 4.4.3 The Mayor shall be an ex-officio voting member on all Committees of Council.
- 4.4.4 Committees will be chaired by a seated member of Council unless mandated by a higher legislation. However, if Council does not appoint a chair, the Committee shall elect a chair from one of its members. The chair shall be entitled to speak and to vote on any motion. Subject to the other provisions of this policy, the chair shall have the powers and responsibilities at Committee meetings that are conferred upon the chair at Council meetings, pursuant to the Town of Kentville's bylaws or policy, with any necessary modifications for context
- 4.4.5 Council may appoint an employee of the Town to serve as Secretary, with a voice but no vote. If the Chief Administrative Officer, or Council does not appoint a Secretary, the Committee shall elect a Secretary from one of its members, in which event the Secretary shall be a full voting member of the committee.

#### 4.5 Meetings

- 4.5.1 A majority of the members of a committee constitutes a quorum.
- 4.5.2 All committees meet quarterly, unless other terms are specified. The committee should establish regular meeting times for the committee.

- 4.5.3 Committees may ideally move or cancel a regularly scheduled meeting with three (3) business days notice to all members, the CAO and the public.
- 4.5.4 Special meetings of a Committee may ideally be called by the Chair with three (3) business days notice to the members and the CAO.
- 4.5.5 Subject to the principles set out in the Municipal Conflict of Interest Act, all voting committee members present including the person presiding shall vote on a question.
- 4.5.6 Meetings of the Committee are open to the public.
- 4.5.7 No member of a Committee shall give specific direction to any staff member at any committee meeting. The responsibility for giving specific direction to staff shall reside with the CAO.
- 4.5.8 A committee may choose to endorse the report of Staff to Council or offer a different solution (alternative); in either instance, the staff report should always be attached.

#### 4.6 Administration

- 4.6.1 The CAO shall arrange for an orientation session for each new committee member upon that member's appointment to the committee. The purpose of the orientation session is to familiarize the member with the role of the committee, the policies and procedures of the Town which affect the committee and all other information which will assist the member to make a meaningful contribution to the work of the committee.
- 4.6.2 Meeting agenda shall be prepared by the committee chair and secretary or staff representative and circulated to committee members and ideally posted for the public at least three (3) business days before the scheduled meeting.
- 4.6.3 The Secretary shall keep minutes of the committee meetings, in accordance with policies of the Town.
- 4.6.4 The committee secretary shall ensure that the minutes of each meeting and meeting packages are forwarded to all members of the committee at least three (3) business days prior to the meeting.

- 4.6.5 The minutes of all committee meetings are to be recorded and reviewed by the committee chair. The minutes shall be approved prior to public distribution shall be annotated as being approved once approved at a subsequent meeting.

#### 4.7 Standing Committees

- 4.7.1 The following Standing Committees shall be appointed by Council:
  - 4.7.1.1 Council Advisory Committee;
  - 4.7.1.2 Audit Committee; and
  - 4.7.1.3 Finance and Administration Committee.

#### 4.8 Council hereby establishes the Council Advisory Committee as a standing Committee of Council.

##### 4.8.1 Membership

- 4.8.1.1 The chair of the Council Advisory Committee is the Mayor
- 4.8.1.2 The Secretary is appointed by the CAO, who shall keep minutes of the Committee meetings.
- 4.8.1.3 Council Advisory Committee consists of all Council members, and membership on the Committee automatically extends to Council members, without the necessity of a formal appointment by Council, and automatically terminates upon the termination of a person's status as a Council member.

##### 4.8.2 Mandate:

- 4.8.2.1 To discuss, consider, advise and make recommendations to Council concerning the affairs of the Town, that may come before Council in advance of Council making decisions, or taking action, on such matters, except where Council determines that consideration by this Committee is unnecessary or inadvisable, and except that the following matters shall normally be dealt with by Council, without having to be forwarded to the Council Advisory Committee for its recommendations:

- (a) Correspondence
- (b) First or Second Reading of bylaw enactments, amendments or repeals;
- (c) Procurement matters;
- (d) Emergency or time sensitive requests for decision; and
- (e) Matters which are the subject of a statutory hearing by Council.

- 4.8.3 Regularly review and revise Council priorities.
- 4.8.4 Prepare and update (at regular intervals) the Town's strategic plan.
- 4.8.5 Act as an oversight board reviewing and accepting the monthly reports on the Town's operations and services.
- 4.8.6 Review all requests for decision or direction as submitted by, or through, the CAO concerning the administration, plans, policies and programs of the Town, prior to submission to Council.
- 4.8.7 Review the recommendations submitted by the CAO concerning the position the Town should take regarding legislation, government initiatives, inter-municipal relations and other matters which affect public policy.
- 4.8.8 Exercise the authority of Council, pursuant to Part XV – Dangerous or Unsightly Premises of the Municipal Government Act that is not delegated to the administrator.
- 4.8.9 Administration and Meetings
  - 4.8.9.1 Unless otherwise specified, regular meetings of Council Advisory Committee shall be held as detailed by Policy G70 Meeting Policy and the annual meeting calendar. However, meetings may be rescheduled, relocated or cancelled, and additional or special meetings convened, in the same manner and with the same notice to Council members and the public, as applies to meetings of Council, with any necessary changes for the context.



4.8.9.2 All minutes of meetings, and records of the Committee shall be open to the public, except as expressly authorized by law. These closed (In Camera) meetings will involve one of the following matters:

- (a) Acquisition, sale, lease and security of municipal property;
- (b) Setting a minimum price to be accepted by the municipality at a tax sale;
- (c) Personnel matters;
- (d) Labour negotiations;
- (e) Litigation or potential litigation;
- (f) Legal advice eligible for solicitor-client privilege; and
- (g) Public security.

4.9 Council hereby establishes the Audit Committee, as a standing Committee of Council.

4.9.1 Membership

- 4.9.1.1 The Mayor is Chair of the Audit Committee.
- 4.9.1.2 The Audit Committee consists of two (2) Council members who are also members of the Finance and Administration Committee.
- 4.9.1.3 The Audit Committee consists of two (2) citizen representatives appointed by Council for a two-year term of service, which will be reviewed annually.

4.9.2 Mandate:

- 4.9.2.1 A detailed review of the financial statements of the Town of Kentville with the auditor.
- 4.9.2.2 An evaluation of internal control systems and any management letter with the auditor.
- 4.9.2.3 A review of the conduct and adequacy of the audit.

4.9.2.4 Such matters arising out of the audit as may appear to the Audit Committee to require investigation.

4.9.2.5 5Such other matters as may be determined by the Council to be the duties of an Audit Committee.

4.9.2.6 Any other matters as may be determined by the Council.

4.9.2.7 Subsequent to the conduct of the audit, review of the audit material and discussion with the auditor, the audit committee shall recommend the following to council:

(a) acceptance of the audit;

(b) reappointment of the auditor subject to terms of contract. The auditor is normally engaged for a three (3) year contract and re-appointed annually; and

(c) reappointment of the two (2) citizen representatives.

#### 4.9.3 Administration and Meeting

4.9.3.1 Unless otherwise specified, regular meetings of the Audit Committee shall be held twice annually. One meeting scheduled prior to the annual audit and a second meeting scheduled following conclusion of the audit.

4.9.3.2 All minutes of meetings, and records of the Committee shall be open to the public.

4.10 Council hereby establishes the Finance and Administration Committee, as a standing Committee of Council.

#### 4.10.1 Membership

4.10.1.1 The Mayor is Chair of the Finance and Administration Committee.

4.10.1.2 The Finance and Administration consists of two (2) Council members who are also members of the Audit Committee.

#### 4.10.2 Mandate:

- 4.10.2.1 To provide a written performance evaluation with a formal record of performance and appraisals of the CAO's achievement of agreed-upon goals, and of the organization's performance in achieving its goals. The committee shall lead an annual appraisal of CAO using the Canadian Association of Municipal Administrators Performance Evaluation Toolkit. The evaluation period is 1 January – 31 December. The debriefing of performance and objectives should be conducted prior to 31 March.
  - 4.10.2.2 Evaluation sheets shall be distributed to all members of council and the Directors in January. Each member of council and the Directors will evaluate and score the CAO's performance individually. The evaluations will be returned to the committee in February. The committee will conduct the overall evaluation and present the findings to the CAO, including new goals and objectives for the upcoming year prior to 31 March. The evaluation will be reviewed with the members of council.
  - 4.10.2.3 Subsequent to the conduct of the CAO appraisal, the Finance and Administration committee shall place a copy of the annual appraisal in a sealed envelope for inclusion on the CAO personnel file.
  - 4.10.2.4 Any other financial or administrative matter as may be determined by the Council.
- 4.10.3 Administration and Meeting
- 4.10.3.1 Unless otherwise specified, regular meetings of the Finance and Administration Committee shall be held three times annually. One meeting scheduled prior to the CAO's annual review, one meeting after all input is received and a third meeting scheduled following conclusion of the annual appraisal.
  - 4.10.3.2 All minutes of meetings, and records of the committee shall be closed to the public, under the MGA part 1 paragraph 22(2)(c) personnel matters. One signed copy of the appraisal shall be provided to the CAO and a second signed copy shall be placed in a sealed envelope and placed on the CAO's personnel file.

4.11 Ad Hoc Committees: Council may appoint special Ad Hoc Committees from time to time to undertake the review of a specific issue or short-term project and to remain in place only if there is a continuing need for the work of that Committee. Ad Hoc Committee members will not normally receive an honorarium, unless determined and approved by Council prior to stand-up of the committee. Committees will:

- 4.11.1.1 be determined as issues dictate;
- 4.11.1.2 be provided with clear terms of reference specific to their cause, reporting and completion criteria;
- 4.11.1.3 consist of citizens and/or members of Council, as appointed by council; and
- 4.11.1.4 report and submit recommendations to Council Advisory Committee.

4.12 Commissions and Exceptions

4.12.1 Kentville Board of Police Commissioners

- 4.12.1.1 The Kentville Board of Police Commissioners gets its powers from the Police Act and its direction from Chapter 82, the Board of Police Commission Bylaw.
- 4.12.1.2 Membership: The Board is comprised of three (3) members of Town Council, three (3) citizen appointees and an appointee representing the Department of Justice. The selection process used by a council in appointing a board member to a vacancy on the board, except a board member appointed by the Minister under clause 44(3)(c) of the Act, must include all of the following:
  - 4.12.1.3 the board vacancy must be advertised and applications must be solicited for the vacancy; and
  - 4.12.1.4 each application must be reviewed by a panel established by the council.
- 4.12.1.5 Term: Three citizen representatives will be appointed by Council for a two- year term of service each application must be reviewed by a panel established by the council.
- 4.12.1.6 Meetings: The Kentville Board of Police Commissioners shall meet at least quarterly.

#### 4.12.2 Kentville Water Commission

- 4.12.2.1 The Kentville Water Commission is subject to oversight by the Nova Scotia Utility and Review Board for regulation of water rates and the Nova Scotia Environment for the regulation of water safety issues and annual reporting. The Water Commission exercises its mandate through the following:
  - 4.12.2.1.1 Approval of the Capital budget;
  - 4.12.2.1.2 Approval of the Operational budget;
  - 4.12.2.1.3 Review and promulgation of the Annual Report; and
  - 4.12.2.1.4 Review of Water Commission Operations with provincial regulations.
- 4.12.2.2 Membership: The commission is comprised of the Mayor as chairperson, three (3) councillors, one (1) citizen representative, a representative from the Kentville Volunteer Fire Department, and a representative from the County of Kings as voting members. The CAO, Director of Planning, Director of Public Works and representative from the Department of the Environment provide technical expertise with a voice but no vote.
- 4.12.2.3 Term: One citizen representative will be appointed by Council for a two- year term of service and reviewed annually.
- 4.12.2.4 Meeting: The Kentville Water Commission meets annually for budget planning and operational review.

#### 4.12.3 Kentville Source Water Protection Advisory Group

- 4.12.3.1 The Kentville Source Water Protection Advisory Group is subject to oversight by Nova Scotia Environment for the regulation of water safety issues. Additionally, the SWPAG is responsible for the Land Use Bylaw wellfield protection (para 4-44) of the source water area and Source Water Protection Plan. The SWPAG also has a responsibility for the protection and monitoring of the McGee Lake Surface Water Reservoir.

- 4.12.3.2 Membership: The SWPAG is comprised of the Mayor as chairperson, one (1) councillor, one (1) citizen representative, a representative from the Kentville Volunteer Fire Department, and a representative from the County of Kings as voting members. The CAO, Director of Planning, Director of Public Works and representative from the Department of the Environment provide technical expertise with a voice but no vote.
- 4.12.3.3 Term: One citizen representatives will be appointed by Council for a two- year term of service and reviewed annually.
- 4.12.3.4 Meeting: The Kentville Source Water Protection Advisory Group shall meet quarterly.

#### 4.12.4 Investment Advisory Committee

- 4.12.4.1 The Investment Advisory Committee is appointed by Council to monitor investment portfolio and investment activities pursuant to the Perpetual Reserve Fund Policy for the funds invested from the sale of the Kentville Electric Commission. Nova Scotia Bill # 20 – Town of Kentville and Kentville Electric Commission Sale of Assets Act stated that “The Town shall establish a Special Perpetual Reserve Fund.” Direction is provided within Town of Kentville’s Policy Statement G26 – Investments – Perpetual Reserve Fund Policy.
- 4.12.4.2 Membership: The Investment Committee consists of one (1) Council member and two (2) citizen appointees, as voting members. A Council alternate, with the Director of Finance and Chief Administrative Officer will sit ex officio. The Investment Committee uses the services of a professional investment manager/advisor, approved by Council.
- 4.12.4.3 Term: Two (2) citizen representatives will be appointed by Council for a two- year term of service and reviewed annually. The professional investment manager/advisor, approved by Council is contracted to a four-year term, reviewed annually.

4.12.4.4 Meeting: The investment Committee meets monthly with the Investment Manager/Advisor to review the past month's progress and the position of the Fund.

#### 4.12.5 Accessibility Advisory Committee

4.12.5.1 The Accessibility Advisory Committee (AAC) advises Council on the elimination of Barriers faced by people with Disabilities and acts as a liaison with external bodies on Barriers to participation in public life and to the achievement of social, cultural and economic well-being of people with Disabilities. The Committee will advise Council in the preparation, implementation and effectiveness of its Accessibility Plan.

4.12.5.2 Membership: The Committee will consist of seven (7) voting members who reside within the boundaries of the Town who are entitled to honoraria. At least three (3) of the members of the AAC must be persons with Disabilities or representatives from organizations representing persons with Disabilities. The Chair and Vice-Chair will be appointed annually by the Committee. In addition to these committee members, a staff Recording Officer may be appointed as a non-voting member of the committee.

4.12.5.3 Term: The Committee will advise Council in the preparation, implementation and effectiveness of its Accessibility Plan, and membership will be for the term required to establish this Plan.

4.12.5.4 The advisory committee meets six times per year or more as needed.

## 5.0 ASSOCIATED DOCUMENTS

5.1 Schedule A – Non-Council Honorariums

5.2 Policy G16 Code of Conduct

5.3 Policy G70 Meeting Policy

5.4 Policy G1A Kentville Board of Police Commission Board Members  
(Repealed)

5.5 Policy G26 – Investments – Perpetual Reserve Fund Policy

5.6 Policy G4 Travel Meals and Miscellaneous Expenses

**6.0 POLICY REVISION HISTORY**

Date Created:	September 27, 2010
Revisions:	July 25, 2011
	October 28, 2013
	June 29, 2015
	November 26, 2018

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Chief Administrative Officer, Mark Phillips



**SCHEDULE A – NON-COUNCIL HONORARIUMS**

Monthly Meetings	\$400.00 per year
Bi-monthly Meetings	\$200.00 per year
Quarterly Meetings	\$200.00 per year

Ad Hoc Committee members will not normally receive an honorarium, unless determined and approved by Council prior to stand-up of the committee.

Non-Council Committee Member expenses shall be consistent with Policy G4 "Travel, Meals and Miscellaneous Expenses".



## **TOWN OF KENTVILLE**

### **ACCESSIBILITY ADVISORY COMMITTEE TERMS OF REFERENCE**

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#### **1.0 PURPOSE**

The Accessibility Advisory Committee (AAC) advises Council on the elimination of Barriers faced by people with Disabilities and acts as a liaison with external bodies on Barriers to participation in public life and to the achievement of social, cultural and economic well-being of people with Disabilities.

The Committee helps the Town of Kentville become a Barrier-free community and ensures obligations under An Act Respecting Accessibility in Nova Scotia (2017) are met.

#### **2.0 DEFINITIONS**

**Accessibility** is the design of programs, services, or spaces for people with Disabilities.

**Accessibility Plan** is a document that reflects the goals of the Town to be responsive to the needs of people with various abilities.

**Barrier** means anything that hinders or challenges the full and effective participation in society of persons with Disabilities including but not limited to a physical Barrier, an architectural Barrier, an information or communication Barrier, an attitudinal Barrier, a technological Barrier, a policy or a practice.

**Council** means the Town Council for the Town of Kentville.

**Disability** includes a physical, mental, intellectual, learning or sensory impairment, including an episodic disability; that, in interaction with a Barrier, hinders an individual's full and effective participation in society.

**Intersectionality** is the interconnected nature of social categorizations such as race, class, and gender as they apply to a given individual or group, regarded as creating overlapping and interdependent systems of discrimination or disadvantage.

#### **3.0 SCOPE**

This Policy is an advisory committee to Council under Policy Statement G57 and is applicable to all members appointed to the Town of Kentville's Accessibility Advisory Committee (AAC).

#### **4.0 PROCEDURES**

The Committee will advise Council in the preparation, implementation and effectiveness of its Accessibility Plan. In accordance with the Act, the plan should include:

- a. A report on measures the Town of Kentville has taken and intends to take to identify, remove and prevent Barriers;

b. Information on procedures the Town of Kentville has in place to assess the following for their effect on Accessibility, viewed through an intersectional lens, for persons with Disabilities:

- i. Any of its proposed policies, programs, practices and services;
- ii. Any proposed enactments or bylaws it will be administering;

The advisory committee meets six times per year or more as needed. Meetings take place during business hours and the duration of meetings could be up to 2.5 hours. Supports for committee members to attend meetings will be in place to reduce Barriers. Notification in advance is required.

The Committee will consist of seven (7) voting members who reside within the boundaries of the Town who are entitled to honoraria. At least three (3) of the members of the AAC must be persons with Disabilities or representatives from organizations representing persons with Disabilities. The Chair and Vice-Chair will be appointed annually by the Committee. In addition to these committee members, a staff Recording Officer may be appointed as a non-voting member of the committee.

The Advisory Committee may establish working groups to explore specific issues related to the Accessibility Plan. Members of the working group may consist of additional members of the community. A member of the AAC shall chair a working group.

Members of the committee are expected to:

- Review the agenda and any accompanying materials;
- Attend and participate in all committee meetings;
- Attend and participate in any working groups, as required;
- Advise on strategies and actions required to achieve the Town's access, equity and human rights objectives; and
- Advise on the implication and implementation of Council's policies regarding access, equity and human rights.

In addition to the general eligibility requirements set out in the Committees of Council Policy Statement 57, members should collectively bring the following skills and expertise to the committee:

- A strong interest in equity and inclusion of people with Disabilities;
- A strong understanding of the needs and concerns of a broad spectrum of people with Disabilities, gained through personal or professional experience;
- Knowledge of accessibility as it relates to one or more areas of: policy and procedure, service planning and delivery, employment, built environment and public spaces, accommodation;
- Experience in decision-making, communication, citizen advocacy;
- Availability to participate in meetings during business hours.

## **5.0 ASSOCIATED POLICIES**

Policy Statement G57 Committees of Council

## **6.0 TERMS OF REFERENCE REVIEW**

The Terms will be reviewed every four years from effective/amended date.



# **COUNCIL ADVISORY COMMITTEE**

## **Recommendation to Council**

### **Re: Kings Regional Emergency Management Organization – Preparedness and Response Plans**

At the September 9<sup>th</sup>, 2019 meeting of Council Advisory Committee, Dan Stovel, Kings REMO Coordinator, gave a presentation about the proposed Heat Advisory & Response System and Hurricane Preparedness & Response Plan. These plans will improve coordination and efficiency of resources during emergencies.

**Council Advisory Committee recommended**

**That Council approve the Kings REMO Draft Heat Advisory & Response System and Hurricane Preparedness and Response Plans.**

Reported by: Councillor John Andrew  
September 30, 2019

This recommendation is based on discussion and or reports which are attached.



**TO:** Council Advisory Committee

**SUBMITTED BY:** Mark Phillips, Chief Administrative Officer

**DATE:** September 9<sup>th</sup>, 2019

**SUBJECT:** Kings Regional Emergency Management Organization (REMO)  
Heat Advisory and Response System (HARS)  
  
Hurricane Preparedness and Response Plan (HPRP)

**BACKGROUND**

The Kings County Regional Emergency Management Organization has developed Draft Emergency Management Support Plans – Heat Advisory and Response System (HARS) and Hurricane Preparedness and Response Plan (HPRP) for all partner municipal units. The plans are being presented to each municipal council for review and approval and will result in a unified Heat Response and Hurricane Plan in the Kings region.

2019-09-03	Wolfville Committee of the Whole
<b>2019-09-09</b>	<b>Kentville Council Advisory Committee</b>
2019-09-17	Municipality of Kings Committee of the Whole
2019-09-17	Wolfville Council for approval
2019-09-24	Berwick Committee of the Whole
<b>2019-09-30</b>	<b>Kentville Council for approval</b>
2019-10-01	Municipality of Kings Council for approval
2019-10-08	Berwick Council for approval

**DISCUSSION**

n/a

**POLICY IMPLICATIONS**

([Kings Regional Emergency Management Plan](#), dated September 2018)

**BUDGET IMPLICATIONS**

n/a

**ATTACHMENTS**

~~Draft Kings REMO Heat Advisory and Response System, dated June 2019~~  
~~Draft Kings REMO Flood Preparedness and Response Plan, dated June 2019~~

**RECOMMENDATION**

**That council approve the attached Regional Emergency Management Support Plans – Heat Advisory and Response System and Hurricane Preparedness and Response Plan, dated June 2019 – from the Kings Regional Emergency Management Organization.**



# COUNCIL ADVISORY COMMITTEE

## Recommendation to Council

### Re: *Kentville Business Community* *Special Projects Request*

At the September 9<sup>th</sup>, 2019 meeting of Council Advisory Committee, Zach Best, Executive Director, and Wade Tibbo gave a presentation about the progress and activities at KBC from April to September 2019, including events, initiatives, board members and the strategic plan. Mr. Best also presented a request to special projects funding to support a marketing campaign for KBC through a grant of \$20,091.

#### **Council Advisory Committee recommended**

**That Council approve the Kentville Business Community's request for a grant of \$20,091 to support a special project.**

Reported by: Councillor John Andrew  
September 30, 2019



**ITEM:** SPECIAL PROJECTS REQUEST

**TO:** Mayor Snow & Kentville Town Council

**SUBMITTED BY:** KBC Board of Directors, Zach Best

**DATE:** September 4, 2019

**SUBJECT:** Special Projects Request for 2019/20 Fiscal

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## **ORIGIN**

The Special Projects Committee is a sub-committee of the Kentville Business Community (KBC) and was created and given a mandate at the last Annual General Meeting.

## **BACKGROUND**

The KBC Special Projects Committee was formed for the purpose of generating ideas, planning for, and execution of special projects that support and promote the successful implementation of the strategic plan of KBC.

The special projects committee held an initial brainstorming session on July 24<sup>th</sup>. At that meeting the committee generated a list of viable options and sorted them into categories based on the estimated timelines required for full implementation. Individual potential projects from the list were then researched by members of the committee, and a follow up meeting was held on August 7<sup>th</sup>, where the committee further refined the list and selected a project for recommendation to the KBC Board.

The KBC Board received the special projects committee project recommendation at the August 20<sup>th</sup> board meeting. After discussion and deliberation, the KBC Board unanimously approved the recommendation.

## **DISCUSSION**

This project is one which the KBC Board believes supports the mandate of KBC, fits within the Strategic Plan and the definition of Special Projects dictated by the funding agreement with the Town, directly aligns with KBC's top priorities for 2019/2020, and is possible to execute within the allotted timeframe for completion, which is March 31<sup>st</sup> 2020.

There are 2 components to this project. Both components will work together to meet the following goals:

- Increased brand recognition for KBC among the business community and the general public
- Increased engagement and follower recruitment for KBC social media channels and website
- Alignment with the KBC Strategic Plan (Marketing, Business Retention and Attraction)
- Alignment with the funding agreement with the Town of Kentville
- Fits within a maximum budget of \$25,000
- Easy to explain and advocate for to Council, the KBC Membership, and other stakeholders



# Kentville Business COMMUNITY

**Project component 1:** A video series professionally produced by a contractor that promotes 2 key messages about Kentville. Message one: Kentville is a vibrant thriving town in which to do business, a focus on investment readiness and business retention and attraction. Message two: Kentville is a vibrant thriving town that supports a variety of activities that make it an ideal place for young couples, professionals, and families to visit, work in, or move to.

The KBC Board, Special Projects Committee, Executive Director, and contracted company will work together to create the message expressed in these videos. This message will work to reflect the thriving business community within Kentville and reinforce Kentville & KBC's brand.

**Project component 2:** KBC Branded re-useable shopping bags that are sent out to individual households and businesses. The bags will be featured visually in the produced videos in order to provide continuity with the video portion of the project. They will not simply be a giveaway but will be used as a symbol to help solidify KBC's message within project component 1, as well as be a driver of continued change and need for environmental sustainability.

## **BUDGET IMPLICATION**

### Component 1

Brainstorming / Content Creation: \$750

Video production: 2 x \$3,485 = \$6,970

Distribution: \$3,000

Total: \$10,720 + HST = \$12,328

### Component 2

5,000 Reusable bags production: \$4,750

Greeting Card: \$500

distribution: \$1,500

Total: \$6,750 + HST = \$7,763

**Total Special Project Request: \$20,091**

## **POLICY IMPLICATIONS**

As reported above, the KBC Board believes this project to be in alignment with both the strategic plan of KBC and the Funding Agreement with the Town of Kentville.

## **ATTACHMENTS**

KBC Membership Survey results





# Kentville Business COMMUNITY

**Request**

That Council approve the \$20,091 in special projects funding for the purposes of executing KBC's 2019 Special Project as presented.

Respectfully Submitted,

*Zach Best*

Zach Best

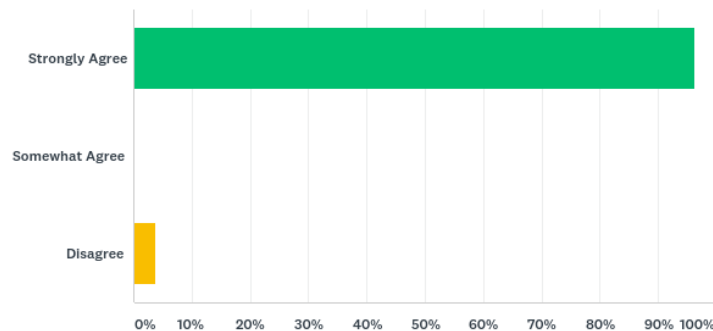
Executive Director, KBC



## Membership Survey Results

On Monday August 12<sup>th</sup> a survey was sent out to the Kentville Business Community membership asking the following question:

Q1 Do you agree or disagree with the following statement:KBC should take an active role in promoting the Town as a destination to families, couples, and millennials to encourage spending time and enjoying the diverse shops, restaurants and amenities downtown.



- 27 responses were received
- 96% (26) of respondents Strongly Agreed
- 4% (1) of respondents Disagreed

A thoughts and suggestions section was also included in the survey. Some of these suggestions are listed below:

- Excellent Idea, should certainly focus on all the new businesses having recently opened downtown.
- Should be KBC's primary goal and activity. Their existence should be for the promotion of Kentville's resources, amenities, facilities and business diversity in an overall strategy to attract future potential residents and businesses to our town, utilizing an overall emphasis on, but not limited to the attraction of visitors and customers to our downtown core.
- I think a well done promotional video would be great for Kentville! We have seen so many changes happening downtown, but people who don't already come here on a regular basis really don't know what they are missing!
- Yes Kentville has show significant growth over the past couple of years and is certainly proven itself to be a top destination and attraction for families to live here and raise their children. Lots to do!
- Kentville needs a niche that separates us from the other communities. Every town offers restaurants, shops and parks, but what is it about Kentville that makes us unique?
- Including businesses that aren't in the downtown core
- Spend equal amount of time promoting commercial development downtown.



# COUNCIL ADVISORY COMMITTEE

## Recommendation to Council

### **Re: Bob Hainstock Arts Space Request**

At the September 9<sup>th</sup>, 2019 meeting of Council Advisory Committee, Mr. Bob Hainstock gave a presentation about a potential arts centre in the town-owned Calkin Building on Cornwallis Street. The Kentville Art Gallery Society submitted a business plan that would support this activity, and asked Council to consider supporting the plan with an ad-hoc committee, and a 2-year lease.

**Council Advisory Committee recommended**

**That Council support in principle the concept as presented by Mr. Hainstock.**

Reported by: Councillor John Andrew  
September 30, 2019

This recommendation is based on discussion and or reports which are attached.

**From:** Bob Hainstock <[bjhainstock@gmail.com](mailto:bjhainstock@gmail.com)>

**Date:** Thursday, September 26, 2019 at 9:56 PM

**To:** Sandra Snow <[ssnow@kentville.ca](mailto:ssnow@kentville.ca)>

**Subject:** arts in kentville

Mayor Snow & Kentville Town Council

If possible, could you please amend the motion regarding the two-year lease for Hardware Gallery's current space be amended to commence Dec.1, 2019.

Please let me know if we can provide additional information.

Thanks,

Bob Hainstock

Kentville Art Gallery Society

**TO:** Chief Administrative Officer Mark Phillips

**SUBMITTED BY:** Jennifer West, Executive Assistant

**DATE:** September 9, 2019

**SUBJECT:** Request for Arts and Culture Space

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**ORIGIN**

During the September 9<sup>th</sup> 2019 Council Advisory Committee meeting, Mr. Bob Hainstock made a presentation to council regarding the creation of an arts centre in the town-owned Calkin Building on Cornwallis Street.

**BACKGROUND**

The Town of Kentville currently offers a space in the Calkin Building to the Kentville Art Gallery Society (Hardware Gallery) for \$10 a month. This was granted to KAGS through a lease which was approved by Council on January 29, 2018. This lease was to expire on April 30, 2019.

On February 11, 2019, Council gave direction to the Chief Administrative Officer to sell the building.

On April 29, 2019, KAGS requested an extension of this lease to the end of September 2019 and this was granted by Council. The Hardware Gallery lease will expire on September 30, 2019.

**DISCUSSION**

Mr. Bob Hainstock is requesting that Council consider the possibility of developing an arts and culture centre in the Calkin Building. This would be supported by a committee of staff and community groups, and would also require the reconsideration of the sale of the Calkin Building.

Mr. Hainstock has 2 points for Council to consider:

1. That Council consider a 2-year lease to a new art gallery organization in unit 3 (currently the Hardware Gallery) based on the business plan in the attached document.
2. That Council consider the development of an ad-hoc committee with this arts group and the business community to evaluate opportunities and cost benefits of a creative centre in the basement and second floor of the Calkin Building.

**POLICY IMPLICATIONS**

None

**BUDGET IMPLICATION**

n/a

**ATTACHMENTS**

Presentation and Document from Bob Hainstock

**RECOMMENDATION**

That Council discuss the requests presented around a lease agreement and an ad hoc committee associated with the Calkin Building by Mr. Bob Hainstock in the attached documents.

Council Advisory Committee  
Town of Kentville

Thank you for the opportunity to present our revised business plan for the gallery space in the Calkin Building. We will also outline a proposal for a joint evaluation of a potential Creative Centre for the second floor of the same building, a mixture of education and production facilities that can provide activities and stimulation for the community. Such a centre can assure an environment in which other cultural projects become more plausible and welcome.

We wish to emphasize our priority today -- to demonstrate a strong and immediate viability for an artist gallery in Kentville, and secure a two-year lease for that space currently used by Hardware Gallery. In these documents we refer to the new operations by its working title, "The New Gallery", although no final decision has been made regarding names

We also ask council to consider forming an ad hoc committee with our group and other interested organizations, to evaluate opportunities and cost benefits of a creative centre in the downtown building. The evaluation team should report back to CAC by the end of November.

It is worthwhile noting in our proposal, a shift in responsibility to artists themselves. Artist members will now pay 94% of all annual operating expenses – a show of confidence and commitment made even before the first day of business. All they ask in return is a positive partnership with the Town and business community with which to present strong visual examples of local, regional and provincial culture.

Thank you.

Kentville Art Gallery Society  
Sept. 9, 2019

## Request #1

### The New Gallery Business Plan 2020-2021

#### Membership, Staffing & Management

- 1) The co-op gallery will be composed of 10-12 two-dimensional artist members (painters, printmakers, etc.) and 5-6 three-dimensional artist members (sculptors/carvers, pottery, jewelry, fibre artists, etc.).
- 2) Members will be selected from applications submitted by artists from the Kings County, Valley and nearby regions, with preference given to established artists in the Kings and Valley regions.
- 3) Each member will pay an annual membership fee of \$100/month, although there will be a limited number of shared memberships, each with a fee of \$60/ month. Memberships are available only on a one-year commitment basis, although they can be paid on monthly, quarterly or annually.
- 4) Each full member position will staff the gallery 1.5 days per month in the busy period and, if not available, arrange for substitute staffing at the artist's own expense. Volunteer members would staff the gallery an average of 3-4 days per month, and receive preference for any paid hours.
- 5) Each two-dimensional artist will have approximately 8'-10' of linear wall space with which to hang his or her work, or to be shared with a half partner. Each three-dimensional artist will have 4-6 plyths on which to display their work, or share with a partner member. Artists will rotate monthly through the various display spaces.
- 6) Members will hold a monthly meeting to conduct co-op business, but most important, to move to new locations and replace existing work with new or recent work. These meetings/rehangs will take place at the end of the business day, the first Wednesday of each month.
- 7) The Gallery would be open regular hours six days per week during the busy season (mid-May to late Sept) and would feature the rotating work of all gallery artists. The off-season would feature solo and two-person shows, based on shorter operating hours and open only 3-4 days per week. Members will be assured of a solo or two-person exhibition at least once every two years. They will set their exhibition hours and be required to staff the gallery during their solo exhibition.
- 8) All sales of members' work will be subject to a 20% commission, half of which will go into the operating accounts, and half into the Fair Share account. At the end of each calendar year, the accumulated Fair Share for the year will be divided equally among full memberships or equivalents.
- 9) The gallery will operate on the principles of an artist co-operative, but within the existing structure of the non-profit, community organization, KAGS. Gallery artists will become board members of KAGS and also hold positions on KAGS executive committee.

### Other Gallery Activities

In developing a new business plan for The New Gallery the past few months, it became apparent that floor space and wall space can become issues for attracting a viable number of established artist members, or more important, developing revenue opportunities from activities such as boutique-type gift shop, regular art lessons, or art rentals for home and office. The ability of the community and gallery to offer exhibition opportunities to new and emerging artists has also disappeared with the rental of adjacent space to the gallery. Because artist members now will directly pay 94% of all operating expenses before earning one cent of offsetting revenue, their continued support of the co-op gallery concept will eventually hinge on reasonable sales, or at least, reasonable expectations.

- 1) The Gallery will attempt to operate an attractive gift boutique for smaller work by member artists, generally priced below \$100. A 20% commission will apply. The co-op will consider work from non-members if space allows, but will require a commission of 40%.
- 2) The gallery will launch a more effective art rental program for work by member artists, with potential opportunity for non-member artists as well. Commission rates similar to those above would apply.
- 3) The Gallery would attempt to provide public classes or workshops January through March. Gallery artists would be given preference for the teaching opportunities. However, current gallery space and utilities may not be appropriate for some educational programs and other spaces in the building may be requested.
- 4) It is anticipated that the gallery will hold a year-end gala and auction as a fund-raising activity. These funds would normally be earmarked for special projects or capital projects. Also, KAGS is expected to explore the process of seeking charitable organization status with the benefit of tax deductible receipts for donations. Also KAGS is now eligible to apply for certain government grants that have not been available to it until now. These are normally designed for special educational or exhibition projects.

### Marketing/Communication

The following budget figures underline the commitment by The New Gallery to spend a considerable portion of its relatively meagre resources on attracting new cultural traffic to downtown Kentville. This is a "must-win" challenge. Without increased traffic of arts/culture consumers from Kings County and well beyond our immediate boundaries, the new business model will struggle to maintain quality of membership and exhibited work. The possibility more nearby spaces for arts and crafts products and activities will make a substantial difference in shared promotion programs and expenses. Emphasis will be placed on introducing our outstanding artists to the Kings community, as well as special events within the gallery. Attention will be given to highway signage, as well as expanded signage/poster/ town information sites within the immediate region and increased communication will be aimed at area B&B's and other tourist accommodation sites. Direct communication with households will become a high priority.



### Operating Revenue-Expense Projection

The following projections are based on experiences in other art co-ops and rural galleries, and generally reflect a modest expectation in sales, but maximum expectation in expenses. For example, costs such as cleaning, website, etc. will likely be absorbed by volunteering members.

<u>Expenses</u>	<u>2020</u>	<u>2021</u>
Rental Rates	\$5.50/ sq.ft. \$480/month	\$6.50/sq. ft. \$570/month
Annual Rent	\$5,775	\$6,825
Utilities	\$1,300	\$1,300
Insurance, clean, phone, supplies, website, etc.	\$4,200	\$4,400
Marketing	\$6,500	\$6,000
<u>Total Expense</u>	<u>\$17,775</u>	<u>\$18,525</u>

### Revenues

Memberships : 10@\$100	\$12,000	\$12,000
6@\$60	4,320	4,320
Commissions on art & boutique sales, rentals	3,700	5,300
<u>Total Revenue*</u>	<u>\$20,020</u>	<u>\$21,620</u>
Net Operating	\$2,245	\$3,095

\* does not include grants, fund raising, etc.

## Request #2

### The Calkin Building

#### A Creative Centre -- Viable or Not?

The basement and second floors of the Calkin Building offer almost 5,000 sq. ft. of lower value, but useable space; exactly the unique, critical combination of inexpensive space and location that arts-related enterprises need to establish roots and grow into major community assets. We believe many such enterprises would come into existence in the next six months if the right conditions are offered. The Calkin Building could operate very profitably for the Town of Kentville and its citizens.

In 2017, it appeared that the Town wished to own the recently-gifted building for at least four years, during which time it would make necessary safety and maintenance improvements. It would also attempt to find suitable tenants in this four-year period, including a hub-style incubator development on the second level for start-up businesses or community activities, much like the concept of a Creative Centre. Today, the new goal is to sell.

We request that council and staff consider a brief pause in a goal to sell quickly. We ask that the Town, business community, and KAGS form an ad hoc committee to critically evaluate the potential and viability of a Creative Centre within the Calkin Building. That committee would report back to CAC by the end of the current calendar year.

As part of our own evaluation of opportunities and challenges facing art galleries in our area and rural Nova Scotia generally, we have identified several opportunities for the Calkin building. They include a printmaking co-op of 900-1,200 sq. ft. that would provide working space to 15-20 printmakers, as well as a small exhibition/sales space. Similar space would be needed for pottery co-op production and exhibition. Similar space would be required for an arts education co-op that specialized in regular classes and specialized workshops.

There are many other opportunities to be critically explored for this area of downtown Kentville. Together, they represent an extremely strong concentration of cultural products and services, and a critical mass that can make related activities like art galleries, cafes, or craft/antique services, much more viable and marketing efficient.

# A Way Forward For Rural Art Galleries

*This discussion paper was prepared in recognition of the 17<sup>th</sup> anniversary of Peer Gallery of Lunenburg, a thriving contemporary artist co-op that has withstood the roller-coaster forces of the past 17 years while more than 30 rural galleries have closed in that time.*

By Bob Hainstock  
Peer Gallery Member

As shrinking rural populations in North America continue a downward slide towards further economic and cultural disadvantage, visual artists in rural Nova Scotia have a growing list of reasons to worry about the razor-thin viability of an important element in the character of their creative worlds – the brick-n-mortar art gallery.

Whether seen as an important source of sales or early career stepping stones for professional artists, or perhaps as a necessary exhibition place and education centre for passionate amateurs, the traditional business models for arts or craft galleries will soon need a major rethink. This will include an upgrade in the concept of artist co-ops and non-profit enterprise, perhaps in sync with new thinking by municipal governments in their competitions to attract younger populations and fill empty commercial space with strong cultural characteristics for their community.

At the heart of the problem is a continuing loss of population in almost all areas of rural Nova Scotia. The Ivany Report a few years ago suggested an overall decline of 5% in Nova Scotia's general population within 20 years. Other experts suggest that major urban centres like Halifax will hold steady or grow slightly, but that the rural populations will fall 8-10%, and coastal communities even more dramatically. The rural tax base is expected to be burdened with added service costs of assisting the largest and oldest sector of their populations. Can these increased costs be paid from a weaker industrial and commercial rural tax base?

The future problems of rural communities are clear in census numbers that compare the populations of towns, cities, and municipalities in 2011 and 2016. In that time, Halifax grew by 13,100 people, a upward trend established over recent decades. The only towns that grew in that same period were Berwick, Bridgewater, Kentville, Mahone Bay, Middleton, Oxford, Shelburne and Truro. And they grew by a total of only 775 people collectively. All other town populations continued to shrink.

If we step back to look at global patterns, we find that in 2014, a majority of the world (54%) lived in cities for the first time in human history. The UN says this will rise to 66% by 2050, with North America having 82% of its population living in cities. Those kinds of numbers represent a runaway social freight train fueled by globalization and rural-to-urban migration. The scale of international policies needed to slow or stop that train over a long period of time are massive and costly, and tiny pieces of the puzzle like “rural artist”, “rural culture”, “rural gallery” will have to be left to local or individual actions.

Another part of that puzzle will be the farm population and its effect on nearby towns/villages. Across North America, the “middle class” of farming is disappearing as small farms focus on local markets, and others either get very big to achieve international efficiency, or get out.

The Internet is another major factor that will impact the rural artist in both a positive and a negative manner. Estimated international online art sales were \$1.57 Billion in 2013, \$3.5 Billion in 2016, and expected to hit \$9.14 Billion by 2021. That’s good news for all visual artists who can now reach international art markets with their artwork – doesn’t matter where each artist lives or works.

But experts say the brick-n-mortar galleries, rural and urban, will not maintain traditional market share in that booming market even as they scramble to build internet sales into their business practice. The problem, they suggest, is the loss of future clientele as young art consumers gravitate towards online art sellers. For example, 51% of art collectors age 25-34 years currently purchase art online, compared to only 33% of older collectors 35-54 years. But the younger collectors are the ones that brick-n-mortar galleries will need for future viability and getting in front of that accelerating online “curve” is difficult.

And will internet sales take a bite from tourist art purchases, another critical revenue plank for rural art galleries and their stables of visual and craft artists. Some suggest that internet sales will not harm craft arts because of the local contact required for authenticity and uniqueness of history or location.

There are no hard statistical projections for the province’s creative communities of the future. There are 380-390 individual professional visual artists or craft artists said to be currently working in Nova Scotia, 94% of them file regular tax returns as self-employed artists. About 49% of them work in Halifax, while 26% reside in the southern region, 14% in the Annapolis Valley, and 10% in northern regions or Cape Breton.

Almost 70% of visual artists in rural Nova Scotia are 45 years of age or older, a potential issue in other industries but not in visual arts where most individuals work well past normal retirement age, often because they are self-employed and have no formal pension plans or company benefits. However, this awkward ratio of older-to-young artists is also reflected in the larger general population and will produce a difficult ratio of visual art producers-to-consumers in the next 10-20 years.

There is another set of ratio figures that do not favor rural artists. In recent Stats Canada figures, almost 30% of urban residents say they visited a public art gallery in the previous 12-month period, compared to only 19% of rural residents of visited a public art gallery. Perhaps a reflection of incomes, education or opportunity?

It has been suggested that for every professional artist in a rural region, there are at least another 30-50 amateur artists who sell an occasional piece of artwork or craft locally. This number fluctuates greatly through economic cycles and age distributions. The lack of long term success over the years by rural art and craft supply stores is a visual indicator of the wild swings in revenues by visual artists, but also a reflection of the impact of online supply competitors, a trend not expected to change.

In terms of sales venues such as rural galleries or craft shops, there is an estimated 50-75 brick-n-mortar businesses, most of them located in or near towns with strong tourist traffic from beyond the immediate region. The tourism department has recently listed 31 artisan/artist studios, as well as 125 galleries and craft shops in Nova Scotia, mostly in the rural area. Of the 59 visual art galleries listed with Visual Arts Nova Scotia, more than 30 are outside major urban centres.

There is said to be a constant turnover of such retail operations because of extremely low profit margins, but also because many of the operations were originally created on the personal passions of one or two individuals who often accept starvation wages and long hours in order to keep art alive in their community. Many of the retiring owners or co-ordinators of rural art enterprises are of the same generation and overdue for retirement.

If one quickly scans the rural art gallery scene since the year 2000 through an informal survey of artist friends around the province, we find a minimum of 30 galleries having closed their doors. That does not include many areas of the province such as Cape Breton and northern Nova Scotia, nor does it include the multitude of small, one-artist galleries that spring up and disappear every year from our back roads and side streets.

But while that may seem like a big number of closures, there are almost as many new gallery enterprises opening their doors in the same period – almost.

The South Shore of Nova Scotia seems a good example of a gallery scene in constant flux. In the last 17 years we have lost The Moorings, Windy's Gallery, Amber Inn Gallery, The Lost Gallery, Trees Gallery, Art Choices Gallery, Black Duck Gallery, Houston North Gallery, Dis.cord Gallery, Moxie Gallery, the Pentz studio/gallery, Above The Water Gallery, At The Sign of the Whale Gallery (now an online presence), and more galleries in Liverpool, Shelburne, and Chester.

In the Valley and eastern shore regions, we have lost Carriage House Gallery, ArtCan Gallery (since re-opened), Kempt Gallery, Edgemere Gallery, Neville Gallery, Denise Comeau's gallery-frame shop near Church Point, David Lacey Gallery, Copper Fox Gallery, Harris & Co. Gallery, Ravens Gallery, Lyghtsome Gallery, Swoon Gallery, and Utata Gallery amongst others.

And while doors were closing, almost as many doors were opening.

In Lunenburg, for example, there are now 22 galleries listed, more than any other centre outside of metro Halifax. These include Peer Gallery, a contemporary artist co-op founded in 2002, and based on the co-op model of Viewpoint Gallery in Halifax (originally known as Art Street Gallery Co-operative).

Some of the founding members or current members of Peer Gallery were part of the launching of Viewpoint 18 years ago.

During the Peer Gallery time, there have been many gallery closures in Lunenburg area, an average of almost one a year. But there have been many new openings, coming in bursts of two or three new galleries some years. For example, The Swan, Skull Douggery, LaHave Weaving Studio, Cranston Gallery, Paul Secord's Gallery, Lunenburg School of the Arts, and Carmen Jaeger Studio all opened in recent years.

Other artist co-ops or non-profit community enterprises to open in rural Nova Scotia in that period include; Waterfront Gallery in Yarmouth, Jack's Gallery in Wolfville, Studio Lab Gallery in New Glasgow, Visual Voice in Truro, Old School Art Gallery in Musquodoboit, Makers Gallery in Windsor, Craft Co-op at Le Have Bakery, Lucky Rabbit & Co. Artist House in Annapolis Royal, Elephant Grass Print Co-op in Parkers Cove, Hardware Gallery in Kentville, Oxford Riverside Gallery in Oxford, Art2Sea Gallery in Pictou, The Art House in Pictou, or, Town Hall Cultural Space in Liverpool.

The Main & Station Nonesuch multi-discipline cultural developments in Parrsboro is perhaps one of the most vivid examples anywhere of cultural enterprise having a major economic impact on a small, struggling community. The Hardware Gallery in Kentville offers an excellent example of non-profit community cultural enterprise working closely with town officials to help revitalize downtown space that has lay vacant in recent years.

In addition, there are numerous commercial galleries opened in rural Nova Scotia in that time, including: Murray Manor Art & Culture House in Yarmouth, Galerie Beaucoup in Wedgeport, Red Sky Gallery in Antigonish, Osprey Gallery on South Shore, or, Harvest Gallery in Wolfville. Westcote Bell Pottery opened seven years ago next door to Le Have Bakery, and this year opened a second nearby gallery, Westcote Bell Arts.

The passions and energies needed to launch a creative enterprise are the same no matter the geographic location – urban or rural – but are particularly pronounced in areas or populations that would not otherwise be served by galleries, theatres, festivals, or community communications (radio stations, newspapers, etc). These creative enterprises often come in the form of co-ops and non-profits because of individual commitment to local or regional needs and values.

In 2015, there were almost 40 creative co-ops in Nova Scotia, a large majority in rural areas and many of them disguised in the co-operative statistics as “worker co-ops”. The economic importance of art venues to a province like Nova Scotia can be readily seen in the fact that 37% of Americans consider “culture” as a vital factor in vacation planning. The list of cultural attractions can include the expected festivals, performance venues, museums, and heritage sites, but also the tourist appetite for well organized, clearly identified areas and destinations, along with transportation routes for visual art and craft galleries and studios.

It leads one to wonder if it's time to revive the idea of one or two major “Art Trails” in rural Nova Scotia; a concept of packaging and promoting cultural tourism through visual arts maps and seasonal trails that

connect dozens and dozens of galleries and studios. The difference this time might be the participation of towns and municipalities in promoting and encouraging art and craft destinations within their areas.

Rural cultural co-ops are expected to increase in numbers when shrinking populations threaten the viability of traditional business models, most often because many artist co-ops can neutralize two major problems facing traditional budgets – labor costs and predictable cash flow.

Studies in several provinces suggest that the failure rate for co-op start-ups is significantly lower compared to commercial enterprise, partly because most co-ops are rural based and are often created to fill a community need. Researchers further suggest that the level of competition may be lower in those rural situations, thus leading to a higher survival rate, but also that “opportunity costs” of riding out a stretch of poor business performance are greater in major urban centres (i.e. more options to exit a bad urban business situation, into other opportunities, thus creating a higher exit rate).

Another way of looking at “opportunity” versus “need” is to examine the population of credit unions in Nova Scotia almost 10 years ago. Of the 82 credit unions in the province, 30 were located in communities where no other financial institution was available.

There have been many studies in Canada and the U.S. in recent years, attempting to gauge the importance of cultural development and creative industries in rural North America. These studies have been carried out not so much with the idea of establishing past values, but rather, defining the critical role of arts, culture and creative enterprise in stabilizing rural populations and strengthening future economies. The researchers describe arts, heritage and culture not as amenities to improve the quality of life, but rather the essential foundation upon which the future of small rural communities rests.

One study identifies several factors that make cultural development in these communities significantly different and many times more difficult than larger urban areas. The first recognizes the limitations and strengths of small populations that usually produce small organizations with limited resources. It acknowledges that rural areas often have an arts and culture history that celebrates self-improvement or self-education, but that importing “outside” expertise is often seen as the most direct route to meeting that self-improvement.

The study also suggests potential problems of ruralism -- the predominantly negative rural self-image and historic external bias against small, rural communities. This is sometimes expressed in communities that raise large amounts of money to bring in “outside” cultural instruction or performance but the community can’t or won’t support local arts and cultural needs. It is also based on false assumptions that when it comes to arts and culture, rural communities are not capable of doing what needs to be done and have no confidence in their own talents or history.

The co-operative model is regarded as perhaps the most effective community weapon with which to deal with most of these potential problems, and also turn local and regional arts/culture strengths into economic drivers.

Recent studies suggest that art co-ops come together for one of three reasons: 1) marketing strength; 2) operating a venue; or, 3) purchasing strength or sharing the cost of expensive equipment or resources. But they do face funding issues from traditional lenders and some granting agencies that often prefer to support non-profit arts organizations. And because most art co-ops are built on the shoulders and shared resources of individual artists, there is rarely any accumulated capital for expansion, innovation or major equipment.

Art co-ops come in many shapes, sizes and names. Some craft co-ops operate as worker co-operatives, while some publishing or performance co-ops operate as production co-ops. There are many forms of real estate co-ops but in the art world, studio co-ops are crucial in large cities. Many private art galleries operate with 30-45 individual artists represented, while most artist co-op galleries limit their stable to 10-20 individuals. Some art co-ops are controlled by artists only, while many art co-ops aggressively seek broader community representation on their board of directors, or board of advisors.

There are an estimated 128 co-op art galleries in Canada, according to provincial stats, although many consider this official figure to be a very low estimate because many co-op galleries do not formally join provincial associations.

Perhaps there is need for our rural cultural co-ops and non-profit cultural enterprises to sit together annually or even more often, to discuss how we can play a real role in making rural communities stronger economically and culturally. In that frightening thing called, "the future", it's an almost guaranteed bet, that provincial and national policy makers will have their attentions and resources taken up with so-called bigger problems and strategies.

As is often the case in rural regions, we'll have to once again Do-It-Ourselves, one co-operative project at a time.

..30..

*Researched and written for Peer Gallery by gallery member Bob Hainstock, a former daily newspaper journalist and award-winning author-illustrator of a book on rural architectural heritage. For many years he was editor-publisher of one of Western Canada's largest rural newspapers. He is a former manager of the Kentville downtown development program, and owner of a downtown retail business.*



# COUNCIL COMMITTEE AND ATTENDANCE REPORT

## KENTVILLE TOWN COUNCIL

**Name:** John Andrew

**Date:** Sept 28

**Date of Last Council Meeting Attended:** July 29

**Date of Last Council Advisory Meeting Attended:** Sept 9

### Committee Meeting Attendance and Synopsis

Date	Committee	Synopsis
Aug 16	Emergency Council Meeting	Finalizing Paving Contracts
Sept 25	Kings Transit Authority	

### Conference and Trip Attendance and Synopsis

Date	Conference/Travel	Synopsis

### Town of Kentville Event Attendance and Synopsis

Date	Event	Synopsis
Aug 24	Kentville Multicultural Festival	This event has continued to be better every year!
Aug 25	Oakdene Day	Lots of food and fun for all ages.
Sept 2	Council / KBC Joint Meeting	A well prepared meeting in which KBC communicated their plans and objectives to Council. Clarity regarding the role of KBC as it related to Kentville's own Economic Development objectives seems to have been achieved.

### Committee Meeting Synopsis – Completed by Committee Representative only

Detail	Synopsis		
<b>Committee Name</b>		<b>Meeting Date:</b>	
<b>Meeting Highlights:</b>			
<b>Budget:</b>			

# COUNCIL COMMITTEE AND ATTENDANCE REPORT

## KENTVILLE TOWN COUNCIL

<b>New Projects:</b>	
<b>Policy Changes:</b>	

### Misc Events

<b>Date</b>	<b>Synopsis</b>
Aug 28	Retirement Lunch for Pat Gourley
Aug 30	Meet & Greet – An event organized by Maresa Davidson and the AVCC at the Cornwallis Inn Ballroom to welcome eleven new Doctors to our community.
Sept 2	Annual Labour Day Picnic at Memorial Park hosted by the Annapolis Valley Labour Council
Sept 27	Regional NSFM Resolutions Meeting
Ongoing	Meetings with citizens concerned about housing issues and Council's perceived prejudice and mishandling of the proposal to develop housing at 118 Oakdene.

My own communications to what I am increasingly convince is a defunct Council:

Hey All,

This Council has become increasingly toxic and this disgusting display of disrespect has taken us to a new low. This has become a downright abusive working environment and I may therefore opt out of participation in meetings (for my well-being) with this group until people can behave with some level of decency. I may not ever use antiquated terms for the Mayor but find it hard to tolerate the level of disregard shown here for the Office she holds. In my day to day work with people who have thankfully acknowledged character flaws and mental health issues I never see this level of spite, pride and self-interest.

Deepest regrets,

John

### And further to Mayor Snow:

Sandra,

Just wow! Sorry, but I had to chime in...this kind of behaviour is unbelievable. There is no regard for the institution much less the citizens of Kentville. I am thankful you spoke but to have responses that mock and question your right to do so are deeply troubling. I never imagined we would get to this level of distinction. Isn't this 'Right To Know' week?

I want to be part of the solution here. This combination of people comprising Council is hopeless, but there is a need for significant change in the governance and broader culture - we are dealing with two who would sadly protect the status quo at all costs.

Thanks for your work,

John



# COUNCIL COMMITTEE AND ATTENDANCE REPORT

## KENTVILLE TOWN COUNCIL

**Name:** Cate Savage

**Date:** September 25<sup>th</sup> 2019

**Date of Last Council Meeting Attended:** July 29<sup>th</sup>

**Date of Last Council Advisory Meeting Attended:** September 9<sup>th</sup>

### Committee Meeting Attendance and Synopsis

Date	Committee	Synopsis
September 11 <sup>th</sup>	IAC	Reports and recommendations month ended August 31 <sup>st</sup> – our portfolio is just north of 13 million. Out year to date money weighted net % is 9.9%.
September 12 <sup>th</sup>	Finance and Admin Committee	Met to discuss the CAO applications and short list same. Interviews to commence in early October 2019
September 16	Kings Diversity	Budget update – discussions around a more diverse slate for the 2020 municipal election. AVCC Award – a first for diversity kings – Diversity Kings sponsored with specific criteria as to a business that exemplifies diversity as outlined by our committee.
September 19	Regional Sewer Committee	Work plan items – status report and capacity report and AM plan overview. Update on the sewer regional plant – odor. Operations update – The lab flooded out with Dorian but all back in order. Capital updates – headworks ventilation upgrades and H2S much lower now. Regional gate and fencing complete Aeration upgrades RFP oct nov 1. Million 1 <sup>st</sup> priority to improve the odor in the lagoons.  Reviewed the average quarterly flows and loads by partner. BOD /TSS/Hydrolic loads – we (TOK) is in complete compliance
September 25	Special Council Meeting	In camera – land issue

### Conference and Trip Attendance and Synopsis

Date	Conference/Travel	Synopsis

### Town of Kentville Event Attendance and Synopsis



# COUNCIL COMMITTEE AND ATTENDANCE REPORT

## KENTVILLE TOWN COUNCIL

Date	Event	Synopsis									
August 16-18	Canada Cup Bike Weekend	<p>I attended the Canada Cup weekend as both a voyeur and a presenter. The fact that Kentville is the chosen spot in all of Atlantic Canada is a real feather in our cap. Councillor Bolland also assisted the team in set up and presented metals on the Saturday. Rachel and her team should be super proud as the work that it takes to put an event like this on deserves a great deal of praise.</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> </table>									
August 28 <sup>th</sup>	Lunch – Town Hall	Celebration of the retirement of long standing employee Pat Gourley. Good luck beautiful and kind Pat.									
August 30 <sup>th</sup>	Dr. Recruitment appreciation event	What a great event and thanks to all the companies both private and public whom sponsored the such event. It was a great way to thank our doctors for locating to the beautiful Annapolis Valley									
September 4 <sup>th</sup>	Joint council and KBC Meeting	A precursor to their presentation at CAC meeting as to how they wish to use their funds as they relate to special projects. A well received proposal around videos of our town as well as reusable Kentville bags. Well done KBC.									
September 16 <sup>th</sup>	Kentville Lions Hall	Panel of Doctors and MLA John Lohr on what is working and what is not with NSHA.									

### Committee Meeting Synopsis – Completed by Committee Representative only

Detail	Synopsis		
<b>Committee Name</b>		<b>Meeting Date:</b>	
<b>Meeting Highlights:</b>			
<b>Budget:</b>			



# COUNCIL COMMITTEE AND ATTENDANCE REPORT

## KENTVILLE TOWN COUNCIL

<b>New Projects:</b>	
<b>Policy Changes:</b>	

**Misc Events**

<b>Date</b>	<b>Synopsis</b>
July 16th	Lunch and Learn – Kings Transit



# COUNCILOR REPORT

## KENTVILLE TOWN COUNCIL

**Name:** Eric Bolland

**Date:** Sept 26, 2019

**Date of Last Council Meeting Attended:** July 29, 2019

**Date of Last Council Advisory Meeting Attended:** Sept 9, 2019

**Date of Last Governance Session Attended:** None in August and Sept

### Committee Meeting Attendance and Synopsis

Date	Committee	Synopsis
Sept 18	Valley Waste Management	See notes below
Sept 25	Valley Waste Management	See notes below

### Town of Kentville Event Attendance and Synopsis

Date	Event	Synopsis
August 17 & 18	Canada Cup Bike race	Assisted our former CAO Phillips in the early hours both days to set up the course and later in the day. I was pleased to award medals to the winners including Kentville resident David Marshall who won a gold medal in his category.
August 30	Doctor welcoming celebration at the Main Street Inn ballroom	Well attended. The new physicians appreciated the gifts and warm welcome from the Town. Great idea and a wonderful opportunity to see the renovations being done at the Main Street Inn.
Sept 1st	Summer Park Concert series at Oakdene Park	Laurie and I enjoyed the music in the Park with 30 other attendees.
Sept 4	Joint council mtg with Kentville Business Group	Year-end overview, budget discussion, future projects such as Devour. Lots of positive discussions between the 2 groups.

# COUNCILOR REPORT

## KENTVILLE TOWN COUNCIL

Sept 25	Meeting of council and staff	Reviewed purchase offers for the former Robinson property. Selection was made and staff are now pursuing the offer.
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### Conference Attendance and Synopsis

Date	Conference	Synopsis
NA		

### COMMITTEE MEETING SYNOPSIS – COMPLETED BY COMMITTEE REPRESENTATIVE ONLY

Detail	Synopsis		
<b>Committee Name</b>	Valley Waste Management	<b>Meeting Date:</b>	Sept 18/2019
<b>Meeting Highlights:</b>	<ul style="list-style-type: none"> <li>• Staff and committee reports</li> <li>• An in camera session regarding a former municipal member of VWRM</li> </ul> <p>Andrew Garrett (Regional Coordinator) reported:</p> <ul style="list-style-type: none"> <li>➤ Fall clean-up starts end of September</li> <li>• Calendar will be coming back this year.</li> <li>• The sustained recycling technology center grand opening is expected within 30 days.</li> <li>• Sept 26<sup>th</sup>: Province announced a province-wide ban on plastic shopping bags. The Authority made a resolution on this in the winter of 2018. If passed by the NS government, industry will have a year to prepare for the legislation. Retailers will be allowed to use single use plastic bags for live fish and bulk items. There will be exemptions for food banks and charities. The legislation won't require retailers to charge for alternatives to plastic bags.</li> <li>• Nova Scotians sent an average of 423 kgs of waste per capita to landfills in 2017-18</li> </ul>		
<b>Budget:</b>			

# COUNCILOR REPORT

## KENTVILLE TOWN COUNCIL

<b>New Projects:</b>			
<b>Policy Changes:</b>			
<b>Detail</b>	Synopsis		
<b>Committee Name</b>	Valley Waste Management	<b>Meeting Date:</b>	Sept 25/2019
<b>Meeting Highlights:</b>	<ul style="list-style-type: none"> <li>• Staff and committee reports</li> <li>• Brief in camera session regarding the authorities' surplus disbursement policy. More information to follow from our acting CAO.</li> </ul>		
<b>Budget:</b>			
<b>New Projects:</b>			
<b>Policy Changes:</b>			

### Misc Events

<b>Date</b>	<b>Synopsis</b>
Sept 12, 2019	Meeting of the CAO hiring committee; Reviewed & discussed the applicants as well as next steps moving forward to the interview process in early October
Sept 25, 2019	Attended the Public opening and tour of the new RCMP regional headquarters in New Minas with my father



# Councilor Report

## Kentville Town Council

**Name:** Cathy Maxwell

**Date:** Sept 25, 2019

**Date of Last Council Meeting Attended:** July 29, 2019

**Date of Last Council Advisory Meeting Attended:** Sept. 9, 2019

**Date of Last Governance Session Attended:**

### Committee Meeting Attendance and Synopsis

Date	Committee	Synopsis
Sept 15, 2019	Engineering Short List Meeting	
Aug 16, 2019	Engineering Interview #1	
Aug 16, 2019	Emergency Council Meeting	In camera session
Sept 3, 2019	Engineering Interview #2	
Sept 3, 2019	Engineering Interview #3	
Sept 5, 2019	Engineering Decision Meeting	
Sept 25	Special Council Meeting	re: Robinson Bldg

### Town of Kentville Event Attendance and Synopsis

Date	Event	Synopsis
Aug 3, 2019	Kentville Marlins Swim Meet	A beautiful day for a well run and popular Swim Meet! It is always an honor for me to attend this sporting event.
Aug 16, 2019	Parade of Champions for Canada Cup	Great kick off to the Canada Cup! A new addition that was well received and attended!
Aug 17	Canada Cup Kitchen Party	A wonderful event for Canada Cup participants, great music, super food and



## Councilor Report Kentville Town Council

		comradery. A suggestion would be to advertise this event for public participation to welcome the participants and all to celebrate together.
Aug 17, 2019	Canada Cup Mtn bike race	Took my great niece to this event which featured young riders! Amazed at the talent!!
August 24, 2019	Multi-Cultural Festival	Super day for this event, lots of sunshine and the wet weather didn't start till the end! Attendance seemed greater this year with a noticeable increase in diversity!
August 2, 2019	Oakdene Days	Another beautiful day for this event! Lots of families with the music for children being very popular and of course the soap slide along with the hotdogs! Thanks Rotary!!
August 28, 2019	Pat Gourley Retirement Lunch	Wonderful event by Town staff to celebrate Pats retirement from her long-time service to the TOK. All the best Pat!
Sept 21, 2019	Walk a Mile in her Shoes	Dropped into this event which is always well attended! Congratulations to Royal LePage Atlantic for sponsoring this event with the final total being slightly over \$13,000 for Chrysalis House!!

# Councilor Report

## Kentville Town Council

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### Committee Meeting Synopsis – Completed by Committee Representative only

Detail	Synopsis		
<b>Committee Name</b>	AVTC	<b>Meeting Date:</b>	Sept 4, 2019
<b>Meeting Highlights:</b>	Shared Strategy for Trails in NS is out and was distributed. Looked at the trail coordinators report and all the work conducted over the summer. 30-40 sites were cleaned up after Tropical Storm Erin, Partners are putting amenities up along the trail – bike racks, repair stns etc, benches are out on the trail, Amenity signage is up in Kings County, Trail heads and new gates are going up along the trail and sightlines around intersections are being improved.		
<b>Budget:</b>	Cash Flow in July was very slow but that has been corrected, funds have been received from most of the partners and the Provincial Department of CCH funding has been received. We will be tight meeting financial commitments this year but the chair feels we will be ok.		
<b>New Projects:</b>	Western loop conceptual map will hopefully be presented to NS Trails by Feb 2020, CCH has given verbal approval for development of the HMT brochure with understanding we would work with Bicycle NS, website should be up and running by Late Dec or Jan. and we are again working with students from COGS to item9ze all trails and infrastructure as well as working on a project similar to Google Maps for the HMT.		
<b>Policy Changes:</b>	none		

# COUNCIL COMMITTEE AND ATTENDANCE REPORT

## KENTVILLE TOWN COUNCIL

Name: Lynn Pulsifer

Date: September 19, 2109

Date of Last Council Meeting Attended: July 29, 2019

Date of Last Council Advisory Meeting Attended: September 9, 2019

### Committee Meeting Attendance and Synopsis

Date	Committee	Synopsis
Aug 16/19	Special Council Meeting	Governance discussion
Aug 30/19	Source Water Protection Advisory Meeting	Discussion in regards to the Review of County of Kings Draft Municipal Planning Strategy and Land Use Bylaw with respect to Source Water Planning
Sept 4/19	Joint Council and Kentville Business Corporation	Received update on upcoming Special Projects, in particular proposed Promotion Videos and Reusable Kentville Bags. Great ideas moving forward for the Town
Sept 12/19	Annapolis Valley Regional Library Board	Attended meeting at Berwick Town Hall. More details to follow
Sept 17/19	Kings Point to Point	Kings Point to Point is busy and doing well! July Statistic Comparison from last year is up. Total Drives are showing 2,600, up from 2,244 last July. Drive increase is 15.9%. Revenue increase is up 13.3%. Total kilometers this July was 49,324 compared to July 2018 at 44,307 kilometers. This non-profit organization has a total of 11 drivers, consisting of 4 part-time with the rest being fulltime.
Sept 25/19	Special Council Meeting	In-camera meeting re land
Sept 10/19	Source Water Protection Plan Meeting	There was not a quorum, but those present did a thorough review of the Draft Kentville Source Water Protection Plan.

### Conference and Trip Attendance and Synopsis

Date	Conference/Travel	Synopsis

### Town of Kentville Event Attendance and Synopsis

Date	Event	Synopsis
Aug 24/19	Multi-Cultural Fair	This year's Event was bigger and better than ever! A great success!



# COUNCIL COMMITTEE AND ATTENDANCE REPORT

## KENTVILLE TOWN COUNCIL

Aug 30/19	Dr's Recruitment Appreciation Event	A wonderful event held at the Cornwallis Inn to express appreciation to 11 new doctors who have chosen to locate in the Valley and work at our Regional Hospital. Thanks to all who made this such a success!

### Committee Meeting Synopsis – Completed by Committee Representative only

Detail	Synopsis		
<b>Committee Name</b>	Annapolis Valley Regional Library Board	<b>Sept 12/19</b>	
<b>Meeting Highlights:</b>	Reports from Library representatives were presented. The Kentville Library is hosting 3 different Writing Projects, along with 3 Book Launches/Readings from Jan Coates, Lesley Crewe and Carolyn Adderson. Circulation at the Kentville Library from April to August of this year, was 38,834, up 7.75% from last year, and was the highest circulation of materials in the Valley. Also of note, average hours of computer (wireless) Usage per month in 2019 at our library was 3,051.00, up 17.55% from last year.		
<b>Budget:</b>	n/a		
<b>New Projects:</b>	Pertaining to Advocacy of our libraries, Post Cards were given out to Board members for distribution. These 5 cards show, and tell, what Libraries offer. October is Library Month. Discussion was held regarding the Accessibility Act and how it will relate to libraries, both existing and new. This year's Provincial Library Conference will be held October 18 – 20 at White Point.		
<b>Policy Changes:</b>	n/a		

### Misc Events

Date	Synopsis
Sept 11/19	Attended the Kentville Historical Society bi-monthly meeting at Kings Riverside Court. The Heritage Centre was presented with an original 1938 hand-drawn Map of downtown Kentville. Louis Comeau and Ed Coleman, local historians in Kentville, led the discussion following the presentation. This map is definitely a treasure to have and is on display at the Kentville Heritage Centre.
Sept 19/19	Attended a Reading by author, Lesley Crewe, at Kings Riverside Court. This event was sponsored by the Kentville Library and was a huge success!

# Councilor Report

## Kentville Town Council

**Name:** Craig Gerrard

**Date:** September 25, 2019

**Date of Last Council Meeting Attended:** August 26, 2019

**Date of Last Council Advisory Meeting Attended:** September 9, 2019

**Date of Last Governance Session Attended:** March 22, 2019

### Committee Meeting Attendance and Synopsis

Date	Committee	Synopsis

### Town of Kentville Event Attendance and Synopsis

Date	Event	Synopsis

### Conference Attendance and Synopsis

Date	Conference	Synopsis
September 18 - 20	NSAPG and NSACP	See attached agenda

### Committee Meeting Synopsis – Completed by Committee Representative only

Detail	Synopsis



# Councilor Report

## Kentville Town Council

<b>Committee Name</b>		<b>Meeting Date:</b>	
<b>Meeting Highlights:</b>			
<b>Budget:</b>			
<b>New Projects:</b>			
<b>Policy Changes:</b>			

### Misc Events

<b>Date</b>	<b>Synopsis</b>
September 4, 2019	Joint meeting with council and the board of KBC

# Councilor Report

## Kentville Town Council

Name: Sandra Snow

Date: 25 September 2019

Date of Last Council Meeting Attended: 29 July 2019

Date of Last Council Advisory Meeting Attended: 9 September 2019

Date of Last Governance Session Attended: N/A

### Committee Meeting Attendance and Synopsis

Date	Committee	Synopsis
25 Jul 19	VREN Board of Directors Meeting	Staff Presentation – Rachel Brighton Hiring Freeze Temporary Lift Next Board Meeting Location Contribution Agreement Board Term Review Partners for Progress Conference Funding Requests: <ol style="list-style-type: none"> <li>1. AEC Business Incubation Lab</li> <li>2. Devour! Food &amp; Film Fest – Windsor and Kentville events</li> </ol>
15 Aug 19	Engineering Candidate Committee	Candidate interview set-up meeting and question review.
15 Aug 19	CUPE Contract Committee	Signing of the four year CUPE contract with union members
16 Aug 19	Engineering Candidate Committee	Candidate interview x1
16 Aug 19	Emergency Special Council Meeting	In-camera Legal
30 Aug 19	Source Water Protection Advisory Committee	Review of the MPS and LUB recommendations to King's County
3 Sep 19	Engineering Candidate Committee	Candidate interviews x2
4 Sep 19	Joint Council KBC Board Meeting	Review of Annual Report and new projects planned
5 Sep 19	Engineering Candidate Committee	Review of interview notes and selection of candidate for offer
9 Sep 19	CAC	Agenda available on -line acting CAO appointed



# Councilor Report

## Kentville Town Council

12 Sep 19	CAO Recruiting Committee	Meeting to review applicants, create a shortlist and determine questions for interview
24 Sep 19	VREN Board of Directors	Board Meeting to be held at the Kings County Bldg with open invitation.
25 Sep 19	Special Council Meeting	In-camera Land -Multiple offers to purchase

### Town of Kentville Event Attendance and Synopsis

Date	Event	Synopsis
28 Jul 19	Dr Recruitment Meeting	Meeting held at the Maritime Cider Company to discuss Dr Recruitment with AVCC Committee Chair Mark Vardy and celebration of new Dr coming to area with Maresa Davison.
29 Jul 19	Dr Recruitment - NSHA	Tour of Kentville for a Dr and family coming from the UK
31 Jul 19	Festival of Flowers	Presentation of the David White Trophy and video to the winner - Girliture
01 Aug 19	Cultural Competence Workshop	Day 1 – workshop on effective communication and awareness in cross-cultural situations
02 Aug 19	Cultural Competence Workshop	Day 2 – workshop on integration and move to action in cross-cultural situations
02 Aug 19	Dr Recruitment - NSHA	Tour of Kentville for a Dr and family coming from Cornerbrook NL
03 Aug 19	Kentville Marlins Swim Meet	Opening remarks at the Swim Meet. It was a great swim meet for the team, lots of bling.
12 Aug 19	Ocean Crisp	Funding announcement from Federal Government for a robotic sorting system for Honeycrisp apples.
13 Aug 19	TOK Video Series	Video shoot with local artist Dennis Ramsay
16 Aug 19	5 CDSB Det Aldershot	Summer basic training course graduation parade
30 Aug 19	Working Together	A welcome celebration for new medical specialists to the area (11)

# Councilor Report

## Kentville Town Council

2 Sep 19	Annapolis Valley Labour Council	Labour Day BBQ at Memorial Park
10 Sep 19	Kentville Police Service	Invitation - Police Exemplary Service Medal Investiture, Sgt Marty Smith and Cst Angie McWaid received 20 year medals
11 Sep 19	REMO	Kings REMO ECC Situation Brief
11 Sep 19	Town of Kentville Public Works	River Street - Berm property owners meeting
14 Sep 19	West Nova Scotia Regiment Annual Reunion	70 <sup>th</sup> Annual reunion of the WNSR Association, brought greetings from the Town. Maj Dr Trevor Jain was the guest speaker
17 Sep 19	Community INC	Annual General Meeting Invitation
21 Sep 19	Walk a Mile in Her Shoes	A walk in support of Chrysalis House, sponsored by Royal Lepage and supported by the KBC
21 Sep 19	Krock Radio	Food Drive
25 Sep 19	KAGS Art Gallery Co-op	Meeting with Bob Hainstock, JD McCullough and Director of Recreation

### Conference Attendance and Synopsis

Date	Conference	Synopsis
14 Aug 19	Mentoring Plus	Travelled to Truro for a meeting with Dalhousie University representatives, Towns of New Glasgow, and Truro with regards to a Pan Canadian Mentoring program that will be trialed in our three Towns and funded by the Federal Government
18 Sep 19	Housing Forum	Travelled to Cornwallis for the Housing Forum
18 Sep 19	United Nations Proclamation	Travelled to Halifax for the International Decade for People of African Descent and the Global Call to Action event.

# Councilor Report

## Kentville Town Council

19 Sep 19	Nova Scotia's Action Plan	In Halifax for the NS Action Plan on the International Decade for People of African Descent Global Call to Action
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### Committee Meeting Synopsis – Completed by Committee Representative only

Detail	Synopsis		
<b>Committee Name</b>	Source Water Protection Advisory Committee	<b>Meeting Date:</b>	30 Aug 19
<b>Meeting Highlights:</b>	Review of King's County draft MPS and LUB		
<b>Budget:</b>	N/A		
<b>New Projects:</b>	N/A		
<b>Policy Changes:</b>	Signage will be posted denoting the boundaries of the wellfield		

### Misc Events

Date	Synopsis
25 Jul 19	415 Long Range Patrol and Force Development Squadron Change of Command Parade
27 Jul 19	Gibson Woods Baptist Church Heritage Annex Dedication
28 Jul 19	Don Jobs Celebration of Life at Kentville Legion
30 Jul 19	14 Wing Commander Change of Command Parade
30 Jul 19	Meet and Greet new Wing Commander at 14 Wing
7 Aug 19	Deals in Heels ride in a Monster Truck for charity
8 Aug 19	Meeting with KVFD with regards to plans for Honour ceremony
9 Aug 19	Meeting with Bob Hainstock for Art in Kentville
13 Aug 19	Lunch with Trinda for Valley Voices event in October

# Councilor Report

## Kentville Town Council

17-29 Aug 19	Vacation in Manitouwadge ON to visit Mom.
3 Sep 19	Meeting with John Andrew
4 Sep 19	Video Project Exploring Ryan's Park Development
4 Sep 19	Hike through Condon Street Ravine with Janet Spetcht
6 Sep 19	Cake for Director Crowell to celebrate her birthday
7 Sep 19	Walk for Suicide Prevention 2019 – walk cancelled due to Dorian, but guest speaker made presentation
12 Sep 19	Meeting with Scott Nichols
14 Sep 19	Kentville Lion's Club Breakfast
16 Sep 19	Meeting with Mark Van Zoost
20 Sep 19	Joan Dolliver's funeral
20 Sep 19	Invitation from Valley Credit Union to attend social event



**Department of Municipal Affairs and Housing**

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Halifax, NS B3J 2M4

Telephone: 902.424.7918  
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E-mail: Gordon.Smith@novascotia.ca

September 17, 2019

Dear Mayors and Wardens, CAOs and Clerks:

Thank you for your consideration and input on the proposed *Minimum Planning Regulations* and the *Engagement Program Regulations* in response to my correspondence of April 26, 2019. I appreciate your feedback, particularly at this crucial time in the history of land use planning in Nova Scotia.

With Bill 58 receiving Royal Assent in October 2018, municipal land use planning will become a mandatory activity for all municipal units in Nova Scotia, similar to most provinces and territories in Canada, once the Bill and Regulations are proclaimed. While this transition may present challenges to some, I am encouraged by the spirit of collaboration among our colleagues in municipal governments and the planning profession across Nova Scotia in helping each other create opportunities for efficiently managing land use on behalf of the public. Taking the time to respond to the call for feedback on these regulations is a prime example of this collegial atmosphere.

Based on our review of the feedback received from you, our colleagues in the planning profession, as well as in other government departments, we believe that, in our complex and ever-changing social, environmental, and economic times, the proposed changes in these regulations will provide a more efficient and responsive approach to land use planning. As we move forward, we will maintain our open and responsive approach to communication with municipalities on these matters. As noted in my previous letter, edits to the regulations are being made based on the responses received and the legal review.

Attached is a summary of the comments received and our responses. Recognizing that this reply letter can deal with only highlights of the general feedback received and that many questions cannot be answered directly in this format, I encourage you to connect with either me or one of the other planning staff members at the Department of Municipal Affairs and Housing should you require any additional clarification.

Again, I appreciate your time in reviewing the draft *Minimum Planning and Engagement Program Regulations* as provided. We will continue to work with our municipal partners to best deliver guidance material that supports adoption of the Minimum Planning Regulations as intended.

Thank you,

A handwritten signature in blue ink, appearing to read "Gordon Smith", written over a faint blue line.

Gordon Smith  
Provincial Director of Planning

Encl.  
/kz



## Draft Minimum Planning and Engagement Program Regulations

Summary of Comments Received and Responses

10Sept2019

Question / Comment Received	Response
<p>What will be the Provincial expectations regarding the mandatory requirement to engage with abutting municipalities?</p>	<p>The intent of the <i>Engagement Program Regulations</i> is to ensure that municipalities are sharing information with each other regarding land use policies that have the potential to impact both units or impact the Statements of Provincial Interest.</p> <p>As noted in the regulations, councils will be required to solicit and consider comments from abutting municipalities regarding proposed adoptions or amendments at least dealing with topics associated with the statements of provincial interest. The form of obtaining these comments and the personnel involved will be at the discretion of Council.</p> <p>A guidance package providing additional information is in development and will be shared when available after the Minimum Planning Regulations and Engagement Program Regulations are proclaimed. However, ultimately, decisions on how to best manage this new step is up to the municipality based on its own resources and context.</p>
<p>What happens if municipalities disagree on what types of municipal planning strategy amendments should require engagement?</p>	<p>Matters affecting the Statements of Provincial Interest require engagement. However, recognizing that there are different development considerations in different parts of the province, the Department of Municipal Affairs and Housing has chosen not to be prescriptive on other matters at this time. Department of Municipal Affairs and Housing will monitor this matter and provide guidance materials or alter the <i>Engagement Program Regulations</i> to provide more direction in this regard as necessary.</p>
<p>Why has the phrase, “in relation to development” been removed from certain clauses?</p>	<p>While the intention here is to broaden the powers of municipalities to manage issues such as tree cutting and the alteration of grades in flood prone areas, the policies as provided in the <i>Minimum Planning Regulations</i> under Discretionary statements of policy only apply to Municipal planning strategies and can only be implemented through either the Land Use By-law or through the powers provided for under Part’s III, IV, VI, VII of the <i>Municipal Government Act</i>. While the Municipal planning strategy may have a policy that addresses any of the discretionary matters in the <i>Minimum Planning Regulations</i> (e.g. addressing climate change), the implementation of that policy, if council wishes to implement it, can be done only through existing powers through by-law, policy, and resolution (e.g. an anti-idling by-law, designated flood risk areas, sustainable procurement practices, etc.). All other provisions of the <i>Municipal Government Act</i>, the <i>Halifax</i></p>



	<p><i>Regional Municipality Charter</i> and all other Acts of the Province remain in force, including but not limited to <i>The Heritage Property Act</i>, <i>Environment Act</i> and their respective regulations.</p>
<p>What constitutes a review as envisioned in Section 4 of the draft Regulations?</p>	<p>The definition of 'Review' is provided in Section 2 Definitions of the draft <i>Minimum Planning Regulations</i>. This constitutes a review of the Municipal planning strategy to update it as necessary to meet all the <i>Statements of Provincial Interest</i> and <i>Minimum Planning Regulations</i>. It is also intended to provide an opportunity to review all policies and implementing regulations to ensure they continue to meet the intent and goals of the municipality over time. Additionally, the intent of this requirement is to ensure that municipal planning strategies and implementing land use by-laws are updated on a regular cycle. A review, at minimum, is envisioned as a process where the policies and regulations of the municipal planning strategy and land use by-law are examined by staff with recommendations brought to council for consideration. The examination of the policies is also expected to include some form of public participation.</p>
<p>Why are measures for informing, or securing the views of, the public regarding contemplated planning policies and actions or bylaws arising from such policies considered discretionary in the <i>Minimum Planning Regulations</i>?</p>	<p>Securing the views of the public regarding contemplated planning policies and actions or bylaws arising from such policies is a mandatory component for the adoption of planning documents as per Section 204 <b>Public participation program</b> in the <i>Municipal Government Act</i>. Upon review, as a result of the comments received that Section 204 of the <i>Act</i> outlines a reasonable approach, this subclause is being removed from the regulations.</p>
<p>Why is it required for municipalities to adopt a land use by-law in conjunction with a municipal planning strategy?</p>	<p>Part VIII, section 219 <b>Adoption of land-use by-law or amendment</b> of the <i>Municipal Government Act</i> has not been changed and as stated: "Where a council adopts a municipal planning strategy or a municipal planning strategy amendment that contains policies about regulating land use and development, the council shall, at the same time, adopt a land-use by-law or land-use by-law amendment that shall enable the policies to be carried out." Those policy matters that do not deal with the regulating the use of land do not require an implementing regulation in the land use by-law.</p>
<p>Will it be sufficient to just implement a general development zone in those areas of a municipality that do not have comprehensive planning?</p>	<p>Several questions have been posed regarding whether a general development designation and zone would meet the minimum requirements of the <i>Minimum Planning Regulations</i>. In principal, a plan or set of plans covering an entire municipality that addresses all of the land uses list in 3(1)(c) of the regulations would be sufficient.</p> <p>It should be noted that section 212 (4) (a) in Bill 58 now requires consistency with every Statement of Provincial Interest, which would by its nature necessitate some specific requirements to identify and protect the lands listed in the SPI and support specific development patterns to be reasonably consistent with</p>



	<p>the SPI. In these cases, a general development designation would very likely not be sufficient. The intent of Bill 58 and the Minimum Planning Regulations are to promote more effective and efficient land use in the province both now and far into the future. Staff at DMA will review submissions accordingly. All municipalities are strongly encouraged to consider whether a general development designation appropriately meets that intent of these Minimum Planning Regulations and being reasonably consistent with the Statements of Provincial Interest, but more so the long-term development goals of the municipality.</p> <p>The Province will provide written guidance material on the <i>Minimum Planning Regulations</i> and staff at the department of Municipal Affairs and Housing remain available to discuss these issues as municipalities prepare their plans.</p>
<p>How long will municipalities have to come into compliance with the <i>Minimum Planning Regulations</i> and will there be funding to support the adoption of planning documents?</p>	<p>The provision of land use and development policies and controls is considered an essential component of the operation of a municipality and is now a mandatory requirement under Bill 58. As per Part 8, section 190 (b) of the <i>Municipal Government Act</i>, municipalities are provided the ability to ‘assume the primary authority for planning within their respective jurisdictions, consistent with their urban or rural character, through the adoption of municipal planning strategies and land-use by-laws consistent with interests and regulations of the Province.’ The Department does recognize that this may require some municipalities to re-allocate budget to this endeavour. Cost to each municipality will vary based on existing planning and development context. However, municipalities have been provided notice regarding the pending changes to the <i>Municipal Government Act</i> and <i>Halifax Regional Municipality Charter</i>. Municipalities will also be given a number of years to comply with the new regulatory regime.</p> <p>While 214A of Bill 58 provides the Minister the authority to intervene if minimum planning requirements are not met, the operative word in these clauses is ‘may’. It is anticipated that demonstrated best efforts to meet the requirements of Bill 58 and the <i>Minimum Planning Regulations</i> will be considered should the timeline for implementation be exceeded.</p> <p>Discussion regarding possible support for municipal units to meet the requirements of Bill 58 and the Minimum Planning Regulations is expected to evolve over the next few months. Guidance material is in preparation and staff at the Department of Municipal Affairs and Housing are available to answer questions. It is anticipated that applications to the Municipal Innovation Program fund for the creation of inter-municipal planning projects will receive consideration.</p>
<p>What is the intention of providing expanded variance authority as</p>	<p>The intent of this clauses is not to include any authority beyond what is already provided for in section 235 of the <i>Municipal</i></p>



<p>indicated in the draft <i>Minimum Planning Regulations</i>?</p>	<p><i>Government Act</i>. The intent was to bring to the fore the policy options under the draft regulations:  <i>(2) Where a municipal planning strategy and land-use by-law so provide, a development officer may grant a variance in one or more of the following terms in a development agreement, if provided for in the development agreement, or land-use by-law requirements: additional</i></p> <p>It is clear the wording and placement of this clause has caused some confusion. This will be amended in the revised <i>Minimum Planning Regulations</i>.</p>
<p>A number of requests for clarity have been raised regarding some of the terms used.</p>	<ol style="list-style-type: none"> <li>1. Resource Uses and Resource Lands - resource uses and lands refers to lands and uses that comprise primary industries such as forestry/silviculture practices, aquaculture, mining and energy related uses.</li> <li>2. Social Aspects – refers to matters that are related to the quality of life of residents. Availability and accessibility of housing and food options, recreational opportunities, libraries, civic engagement, etc. These land uses and resources have a significant impact on the overall quality of life of residents and where possible it is encouraged that they be addressed in the MPS.</li> <li>3. Significant features – this refers to any natural or human made feature or immovable property where having a policy in the municipal planning strategy regarding it and mapping of the same may reduce land use conflict or be of benefit to the municipality. It is left to the municipality to determine what constitutes significant features. The power of any policy in relation to the significant feature is limited to what allowable powers are enabled under the <i>Municipal Government Act</i>, subject to any other act of the Province.</li> <li>4. Healthy Built Environments – are environments that support the health and wellbeing of residents. They typically incorporate aspects of equity, active transportation, food security, affordable housing, reduced exposure to pollution and environmental and climatic risk. The World Health Organization, Canadian Institute of Planners, and numerous other agencies have varying definitions of what a Healthy Built Environment constitutes, it is up to the individual municipality to, if they wish, to shape a definition that is functional for them. The intent is to recognize that health impacts at the population level are relevant considerations for planning policies and land use regulations.</li> <li>5. Culture and heritage - the intent of including culture and heritage as a policy area was to specify that a municipal planning strategy may adopt policies that set out the intentions or goals of the municipality in relation to the designation of buildings, districts, and landscapes as defined under the Heritage Property Act as well as allow for policies</li> </ol>

	<p>more broadly related to culture and heritage that may not be served by that Act. In no way was it intended to override the Heritage Property Act.</p> <p>6. Engagement with First Nations, federal, and provincial departments – under discretionary policies the municipality is enabled to establish policies on how, should it choose so, to engage with First Nations or other orders of government in relation to planning and development. This is discretionary, it is up to the municipality to determine when and how it would like to engage.</p>
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19  
GRAD  
19

**JILLIAN  
SMITH**

CENTRAL KINGS  
CAMBRIDGE, N.S.

*Attending St. FX University*

Handwritten text, possibly a name or initials, in light blue ink.

*Class*   
*of 2019*

Sandra Snow and the Town of Kentville,  
Thank you so much for selecting me as the recipient  
of a \$500.00 bursary. I am very grateful to be  
supported by the town I have grown up in and am  
thankful for the support that has been shown  
towards my academic future. I am very excited  
to be starting my first year at STFX in the  
BSc Human Kinetics program!

sincerely,  
Jillian Smith

# Memo

To: Kentville Town Council  
 From: Debra Crowell, Acting CAO/Director of Finance  
 Date: September 30, 2019

Re: **Valley Region Solid Waste Resource Management Authority- Guarantee Resolutions**

**BACKGROUND**

The Valley Region Solid Waste Resource Management Authority (VWRM) approved TBR 19/20-01 for \$121,985 and TBR 19/20-02 for \$14,822. It also approved sending the Guarantee Resolutions to each of the Authority’s partners for approval. Both these relate to funds that are currently being held by Nova Scotia Municipal Finance Corporation as a result of Annapolis County refusing to sign their Guarantee Resolutions when the debenture funds were available to Valley Waste.

Now that there is a new Inter- municipal Service Agreement for the remaining six parties, Nova Scotia Municipal Finance Corporation will advance the balance of the funds, once the parties sign the Guarantee Resolution for their proportionate share. (Kentville’s share = 9.95%)

These guarantees require Council’s authorization after which they will be returned to Valley Region Solid Waste Resource Management Authority to complete the required paperwork.

**RECOMMENDATION**

Without intending, in any way, to release or otherwise limit the liability or responsibility of any one or more current or former parties of VWRM to contribute to or guarantee the accrued indebtedness of VWRM, Town Council ratifies the guarantee resolutions noted below. Following this event and duly authorized, the documents will be returned to the Valley Region Solid Waste Resource Management Authority.

	PURPOSE	Guarantee Amount
Guarantee Resolution	Valley Region Solid Waste	\$ 12,138
Guarantee Resolution	Valley Region Solid Waste	\$1,475

**TOWN OF KENTVILLE**  
**GUARANTEE RESOLUTION**

\$12,138

Valley Region Solid Waste-Resource  
Management Authority

WHEREAS the Valley Region Solid Waste-Resource Management Authority was incorporated on October 1, 2001 pursuant to Section 60 of the Municipal Government Act;

AND WHEREAS the Authority has determined to borrow the aggregate principal amount of One Hundred Twenty-One Thousand, Nine Hundred Eighty-Five Dollars (\$121,985) for the purpose of debt refinancing, several vehicles and an outgoing scale at the Eastern Management Centre and has applied to the Town of Kentville for its guarantee;

AND WHEREAS the Authority has requested the Town of Kentville, a municipality that executed the instrument of incorporation of the Valley Region Solid Waste-Resource Management Authority, to guarantee the said borrowing;

AND WHEREAS Section 88 of the Municipal Government Act, provides that no guarantee of a borrowing by a municipality shall have effect unless the Minister of Municipal Affairs and Housing has approved of the proposed borrowing or debenture and of the proposed guarantee;

**BE IT THEREFORE RESOLVED**

THAT the Town of Kentville does hereby approve the borrowing of One Hundred Twenty-One Thousand, Nine Hundred Eighty-Five Dollars (\$121,985) for the purpose set out above;

THAT subject to the approval of the Minister of Municipal Affairs and Housing of the borrowing by the Authority and the approval of the Minister of Municipal Affairs and Housing of the guarantee, the Town unconditionally guarantee repayment of Twelve Thousand One Hundred Thirty-Eight Dollars (\$12,138) of the principal and interest of the borrowing of One Hundred Twenty-One Thousand, Nine Hundred Eighty-Five Dollars (\$121,985) for the purpose set out above;

THAT upon the issue of the Temporary Borrowing Resolution, the Mayor and Clerk of the Town do sign the guarantee attached to the Temporary Borrowing Resolution of the Valley Region Solid Waste-Resource Management Authority and affix hereto the corporate seal of the Town.

THIS IS TO CERTIFY that the foregoing is a true copy of a resolution duly passed at a duly called meeting of the Council of the Town of Kentville held on the \_\_\_\_\_ day of \_\_\_\_\_ 2019.

GIVEN under the hands of the Mayor and the Clerk and under the Seal of the Town this \_\_\_\_\_ day of \_\_\_\_\_ 2019.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Clerk

For DMA Use Only



**TOWN OF KENTVILLE**  
**GUARANTEE RESOLUTION**

\$1,475

Valley Region Solid Waste-Resource  
Management Authority

WHEREAS the Valley Region Solid Waste-Resource Management Authority was incorporated on October 1, 2001 pursuant to Section 60 of the Municipal Government Act;

AND WHEREAS the Authority has determined to borrow the aggregate principal amount of Fourteen Thousand Eight Hundred Twenty-Two (\$14,822) for the purpose of debt refinancing, several vehicles and an outgoing scale at the Eastern Management Centre and has applied to the Town of Kentville for its guarantee;

AND WHEREAS the Authority has requested the Town of Kentville, a municipality that executed the instrument of incorporation of the Valley Region Solid Waste-Resource Management Authority, to guarantee the said borrowing;

AND WHEREAS Section 88 of the Municipal Government Act, provides that no guarantee of a borrowing by a municipality shall have effect unless the Minister of Municipal Affairs and Housing has approved of the proposed borrowing or debenture and of the proposed guarantee;

BE IT THEREFORE RESOLVED

THAT the Town of Kentville does hereby approve the borrowing of Fourteen Thousand Eight Hundred Twenty-Two (\$14,822) for the purpose set out above;

THAT subject to the approval of the Minister of Municipal Affairs and Housing of the borrowing by the Authority and the approval of the Minister of Municipal Affairs and Housing of the guarantee, the Town unconditionally guarantee repayment of One Thousand Four Hundred Seventy-Five (\$1,475) of the principal and interest of the borrowing of Fourteen Thousand Eight Hundred Twenty-Two (\$14,822) for the purpose set out above;

THAT upon the issue of the Temporary Borrowing Resolution, the Mayor and Clerk of the Town do sign the guarantee attached to the Temporary Borrowing Resolution of the Valley Region Solid Waste-Resource Management Authority and affix hereto the corporate seal of the Town.

THIS IS TO CERTIFY that the foregoing is a true copy of a resolution duly passed at a duly called meeting of the Council of the Town of Kentville held on the  
day of \_\_\_\_\_ 2019.

GIVEN under the hands of the Mayor and the Clerk and under the Seal of the Town this \_\_\_\_\_ day of  
2019.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Clerk

For DMA Use Only



4 Calkin Drive  
Kentville, NS B4N 3V7  
Phone: (902) 678-2774

4073 Highway #3  
Chester, NS B0J 1J0  
Phone: (902) 273-3050

5209 St. Margaret's Bay Road  
Upper Tantallon, NS B3Z 1E3  
Phone: (902) 820-3255

**Engineering Services Inc.**

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September 25, 2019

Town of Kentville  
354 Main Street  
Kentville, NS  
B4N 1K6  
*Attn: Mrs. Debra Crowell, Acting CAO*

**RE: TOWN OF KENTVILLE 2019 CAPITAL WORKS – PIPEWORK**

Dear Mrs. Crowell

We have reviewed the tenders for the above project and would recommend the low bidder, Mid Valley Construction (1997) Limited be awarded a unit price contract in the amount of \$666,885.00 plus HST.

I trust this is the information you require, but should you have any questions please contact me at 902-678-2774.

Yours truly,

D. A. Bell, P. Eng.

AWD\ajs

word\specs\2019\tok capital\recommend.mvc pipework project



4. SCHEDULE OF QUANTITIES AND UNIT PRICES

ITEM NO.	DESCRIPTION	UNIT OF MEASURE	ESTIMATED QUANTITY	UNIT PRICE	TOTAL PRICE
<b>1.0 Park Street Sidewalk Extension</b>					
<b>1. Concrete Curb &amp; Sidewalk</b>					
Remove, topsoil, organics, place and compact subgrade gravel.					
.1	Curb & Gutter (Concrete)	In ft	1200	\$31.00	\$37,200.00
.2	Concrete Sidewalk (4" thick)	sy	500	\$108.00	\$54,000.00
.3	Concrete Sidewalk (6" thick c/w 6"x6", 6 Ga WWF)	sy	170	\$150.00	\$25,500.00
.4	<b>10" dia DR 35 Lead Pipe</b>	<b>In ft</b>	<b>100</b>	<b>\$50.00</b>	<b>\$5,000.00</b>
.5	12" dia HDPE Pipe	In ft	450	\$50.00	\$22,500.00
.6	15" dia HDPE Pipe	In ft	700	\$80.00	\$56,000.00
.7	42" dia Manhole c/c gaskets & R-10 covers	ea	5	\$3,500.00	\$17,500.00
.8	24" x 24" x 48" Catchbasin C/W 401 grates	ea	5	\$2,500.00	\$12,500.00
.9	Structural fill	cy	700	\$20.00	\$14,000.00
.10	Supply and place 8" minus shot rock	Tonnes	400	\$40.00	\$16,000.00
.11	Sod c/w 4" topsoil between curb and sidewalk ONLY	sy	800	\$24.00	\$19,200.00
<b>NOTE: Sod and topsoil behind sidewalk is considered restoration</b>					
<b>TOTAL</b>					<b>\$279,400.00</b>

**2.0 East Main Street Sidewalk Renewal**

<b>1. Concrete Retaining Wall &amp; Sidewalk</b>					
Remove, topsoil, organics, place and compact subgrade gravel.					
.1	Poured in place Concrete retaining wall	In ft	190	\$200.00	\$38,000.00
.2	Concrete Sidewalk (6" thick c/w 6"x6", 6 Ga WWF)	sy	150	\$200.00	\$30,000.00
.3	Pre cast concrete steps	ea	0		
.4	Remove, repair and re-install handrail	LS	1	\$5,000.00	\$5,000.00
.5	Sod c/w 4" topsoil between curb and sidewalk ONLY	sy	100	\$24.00	\$2,400.00
<b>TOTAL</b>					<b>\$75,400.00</b>

**3.0 Belcher Street Sanitary Sewer**

Supply & installation of the following items including all excavation, bedding, insulation, pipe laying, backfill & compaction. All PATCH PAVING, and all else to complete the work as specified and as shown on Y2019-064-02					
.1	8" dia DR35 PVC Pipe	In ft	480	\$100.00	\$48,000.00
.2	12" dia HDPE Pipe	In ft	30	\$60.00	\$1,800.00
.3	42" dia Manhole c/c gaskets & R-10 covers	ea	0		
.5	Connect to existing manhole (cut hole as required)	ea	2	\$1,500.00	\$3,000.00
.6	Re-connect existing laterals to property line	ea	1	\$1,500.00	\$1,500.00
.7	4" dia DR35 PVC Pipe	In ft	35	\$61.00	\$2,135.00
<b>TOTAL</b>					<b>\$56,435.00</b>

4. SCHEDULE OF QUANTITIES AND UNIT PRICES

ITEM NO.	DESCRIPTION	UNIT OF MEASURE	ESTIMATED QUANTITY	UNIT PRICE	TOTAL PRICE
<b>4.0 Business Park Stormwater Ditch Renewal (Donald Hiltz Road)</b>					
Reshape existing ditch, excavate unsuitable soil place filter fabric on side ditch side slope and backfill with 8" minus shot rock.					
.1	Reshape ditch	In ft	2500	\$8.00	\$20,000.00
.2	Supply and install filter fabric	sy	800	\$6.00	\$4,800.00
.3	Supply and place 8" minus shot rock	Tonnes	400	\$40.00	\$16,000.00
.4	Supply and place ditch plugs	ea	8	\$500.00	\$4,000.00
.5	36" dia HDPE Culvert Pipe	In ft	50	\$300.00	\$15,000.00
				<b>TOTAL</b>	<b>\$59,800.00</b>

**5.0 Prospect Sanitary Sewer**

Supply & installation of the following items including all excavation, bedding, pipe laying, backfill & compaction. All PATCH PAVING, and all else to complete the work as specified and as shown on Y2019-064-01

.1	8" dia DR35 PVC Pipe	In ft	500	\$250.00	\$125,000.00
.2	10" dia DR35 PVC Pipe	In ft	33	\$200.00	\$6,600.00
.3	42" dia Manhole c/c gaskets & R-10 covers	ea	2	\$3,500.00	\$7,000.00
.4	48" dia Exterior drop Manhole c/c gaskets & R - 10 cov	ea	1	\$4,500.00	\$4,500.00
.5	Connect to existing manhole (cut hole as required)	ea	1	\$1,500.00	\$1,500.00
.6	8" x 4" tees	ea	7	\$500.00	\$3,500.00
.7	Re-connect existing laterals to property line	ea	7	\$1,500.00	\$10,500.00
.8	4" dia DR35 PVC Pipe	In ft	245	\$50.00	\$12,250.00
				<b>TOTAL</b>	<b>\$170,850.00</b>

**CONTRACT SUMMARY**

<b>1.0 Park Street Sidewlk Extension</b>	<b>\$279,400.00</b>
<b>2.0 East Main Street Sidewalk Renewal</b>	<b>\$75,400.00</b>
<b>3.0 Belcher Street Sanitary Sewer</b>	<b>\$56,435.00</b>
<b>4.0 Business Park Stormwater Ditch Renewal</b>	<b>\$59,800.00</b>
<b>5.0 Prospect Sanitary Sewer</b>	<b>\$170,850.00</b>
<b>CONTINGENCY</b>	<b>\$25,000.00</b>
<b>Subtotal</b>	<b>\$666,885.00</b>
<b>15% HST</b>	<b>\$100,032.75</b>
<b>TOTAL TENDERED PRICE</b>	<b>\$766,917.75</b>



**TO:** Members of Council

**SUBMITTED BY:** Sandra Snow, Mayor

**DATE:** September 30, 2019

**SUBJECT:** NSFM Resolutions

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**ORIGIN**

The NSFM is soliciting input to the resolutions for the Annual Meeting in November. A regional meeting was held on September 27, 2019, 10:00 a.m. – 12:00 p.m., at the Orchards/Vineyards Room, Kings County Municipal Building, Coldbrook. The resolutions from 2018 were reviewed and since none are resolved will remain as listed for 2019 unless there are new ones presented.

**BACKGROUND**

Members were asked to review the Interim Resolution Report and provide feedback, Feedback will be summarized and presented to the NSFM Executive, and the NSFM Executive will incorporate this input as appropriate.

- A Final Resolutions Report will then be sent to members in advance of the Fall Conference.
- If there are more than five resolutions proposed, the membership will be asked to vote on their top resolutions during the caucus meetings being held Wednesday, November 6<sup>th</sup>, from 2:00 – 4:30 p.m. Caucuses will also be asked to prioritize the statements of concern.
- The membership will be provided with a formal update on all five resolutions and asked to consider the prioritized statements of concern on Thursday, November 7<sup>th</sup>, at 9:30 a.m.

**DISCUSSION**

The following resolutions are presented:

<b>CAP:</b> request Province work with municipalities and stakeholders to phase out the CAP program and provide better alternatives to protect homeowners from significant increases in residential property assessments.
<b>EPR:</b> request the Province develop legislation and regulations, in support of a full EPR for PPP model as proposed by NSFM in consultation with municipalities and other stakeholders and a transition program to assist those municipalities who are left with redundant facilities.
<b>Roads:</b> continue to work with TIR and DMAH to address road issues but ask the Province to increase its funding of roads.

**Municipal Funding:** following on 2017 and 2018, specific requests re: mandatory education, operating grant, funding for accessibility.

**Municipal Modernization:** ask the Province to continue to work with municipalities to develop and support municipalities willing to work together.

The following Statements of Concern are presented and should be prioritized:

**Sustainability and Infrastructure funding support:** request provincial and municipalities to cost share a resource

**Municipal Responsibilities:** ask the province to work with NSFM to address concerns around the sustainability of relying on property taxes to pay for services

**Policing Costs:** request arbitration legislation to reflect ability of the average homeowner to pay

**Surplus Schools:** request confirmation of right of first refusal, provincial funding for environmental clean-up, and funding to assist in demolition

**Cannabis Funding:** ask the province for funding to share revenue from cannabis, and to classify land used to grow cannabis outdoors as commercial

**POLICY IMPLICATIONS**

None

**BUDGET IMPLICATION**

None

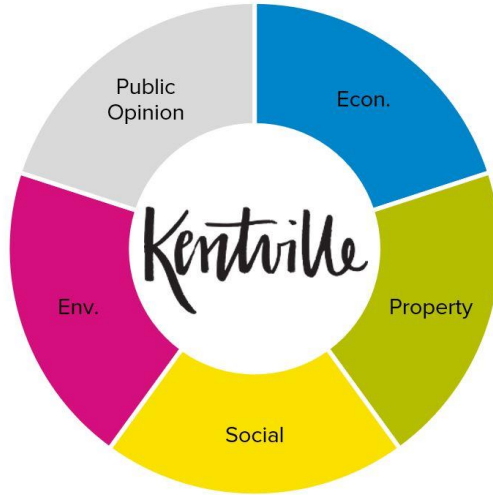
**ATTACHMENTS**

NSFM 2019 Interim Resolutions Report Final.pdf

**REQUEST**

Each member of council to prioritize the Statements of Concern from 1-5. The ratified list will be sent to the NSFM to meet the October 4<sup>th</sup> deadline for input.

Town of Kentville Decision Wheel:





NOVA SCOTIA FEDERATION  
OF MUNICIPALITIES

# INTERIM RESOLUTIONS REPORT

September 9, 2019

## Feedback Welcome

Deadline for written feedback: October 4, 2019

**Meetings to discuss Resolutions:**

September 23, 2019, 1:00 p.m. – 3:00 p.m., Port Hawkesbury Civic Centre

September 27, 2019, 10:00 a.m. – 12:00 p.m., Kings County Offices, Coldbrook

September 30, 2019, 3:00 p.m. – 5:00 p.m., Holiday Inn, Truro

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## INTRODUCTION

NSFM's resolution policy ensures resolutions concern issues that make a difference to most Nova Scotian municipalities. Only those resolutions of the highest priority to NSFM members are adopted, providing a very clear signal of their importance.

NSFM's resolution process has been the subject of gradual change over the last decade. Dozens of resolutions used to be forwarded to the Province after our fall conferences, but this approach yielded little in the way of results. In more recent years, NSFM members decided to take a more focused approach, reducing the number of resolutions to around five. This year we are looking to keep the number at five—but also to keep the same five resolutions as last year.

After resolutions are set at the NSFM fall conference, staff begin working on carrying out the steps needed to achieve the stated goals of the resolutions. Staff also begin collecting input on issues that could potentially become new resolutions. These topics primarily come forward through regional meetings, but they can also be raised in caucus meetings or by written notice from groups of municipalities.

The NSFM resolutions policy states that new issues brought forward at caucus or regional meetings should be well-researched. It also states that the caucus or region should determine if the issue should be forwarded to the NSFM executive for consideration as a resolution. It is these well-researched, clearly defined issues that will be considered by the NSFM executive to determine their levels of significance. No new submissions were brought forward this year meeting these criteria.<sup>1</sup>

During April of 2019, NSFM staff held five regional meetings in Yarmouth, Cape Breton, New Glasgow, the Valley, and HRM. And during these meetings, NSFM members from all five regions told us that we should keep the same five resolutions from last year. This topic was debated at length with nearly 100 NSFM members (80 of whom left evaluation forms) at our regional meetings, and their support was nearly unanimous.

Our new CEO, Juanita Spencer, has also discussed this approach in her meetings with individual member units. She has now visited approximately two-thirds of municipal councils across Nova Scotia, and support for keeping the same five resolutions has been overwhelming. There was also considerable support for this approach expressed by

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<sup>1</sup> The resolutions in this report are good examples of what the resolutions policy requests from those bringing forward potential resolutions. Each example here states the issue clearly, provides background information, offers analysis of the gravity of the issue, and proposes a specific call to action.



members at our Spring Conference in Truro, and through the 92 responses received in our 2019 Member Survey.

Three resolution meetings are being scheduled across Nova Scotia over the next month. They are intended to get further feedback from the membership on the resolutions process. Written feedback can be sent to [info@nsfm.ca](mailto:info@nsfm.ca) until October 4, 2019.

Key questions for you to consider for each resolution:

- Is this of major importance to municipalities?
- Is the issue correctly identified?
- Is there information missing in the discussion?
- Is there something inaccurate or wrong in the analysis?
- Do the proposed actions make sense?

Feedback from the three sessions and any written comments will be presented to the NSFM Executive, who will make recommendations for resolutions to be brought to the membership at the annual conference. Should more than five resolutions to the Province be proposed, there will be a process for the membership to select their top resolutions at the caucus meetings during the AGM in November.

The logistics of keeping the same five resolutions has been debated in considerable detail at most of the regional and member meetings this year. Although the idea of maintaining focus was strongly supported, our members also told us that it is always important for NSFM to have a prioritized queue of additional resolutions ready to go, in case one or more of our current resolutions is settled to our satisfaction. In response to this concern, it is the hope of the NSFM Board to engage members in a process at the upcoming fall conference to prioritize the statements of concern identified last year.

Although our members were clear in expressing the need to stay focused in working on top issues, they also wanted to build in the ability to respond to slow-moving resolutions. In response the NSFM Board is having staff research a 'sunset provision' or 'sunset clause' that would allow them to move on from priorities between AGMs in order to better align our work with changing political realities, thereby maximizing staff time and resources.

A summary table of recommended resolution responses follows. Five resolutions are proposed, with all five being follow-up resolutions from 2018, and three of those being follow-up resolutions from the 2017 list. Work is also being undertaken the areas of climate change and accessibility, and it is recommended this work continue – should progress not be achieved, new resolutions or strategies could be developed over the coming year.

## Next Steps:

- Members are asked to review the Interim Resolution Report and provide feedback, either written or through attendance at one of the three meetings planned for discussion. These meetings are as follows:
  - September 23, 2019, 1:00 – 3:00 p.m., Bearhead Room, Civic Centre, Port Hawkesbury
  - September 27, 2019, 10:00 a.m. – 12:00 p.m., Orchards/Vineyards Room, Kings County Municipal Building, Coldbrook
  - September 30, 2019, 3:00 – 5:00 p.m., Birch/Aspen Room, Holiday Inn, Truro
- Feedback will be summarized and presented to the NSFM Executive, and the NSFM Executive will incorporate this input as appropriate.
- A Final Resolutions Report will then be sent to members in advance of the Fall Conference.
- If there are more than five resolutions proposed, the membership will be asked to vote on their top resolutions during the caucus meetings being held Wednesday, November 6<sup>th</sup>, from 2:00 – 4:30 p.m. Caucuses will also be asked to prioritize the statements of concern.
- The membership will be provided with a formal update on all five resolutions and asked to consider the prioritized statements of concern on Thursday, November 7<sup>th</sup>, at 9:30 a.m.

Ongoing Resolutions from 2018	2018 Statements of Concern	Issues to Monitor
<b>CAP:</b> request Province work with municipalities and stakeholders to phase out the CAP program and provide better alternatives to protect homeowners from significant increases in residential property assessments.	<b>Sustainability and Infrastructure funding support:</b> request provincial and municipalities to cost share a resource	<b>Climate Change:</b> Climate change is an emerging issue and is expected to be a focus area soon.
<b>EPR:</b> request the Province develop legislation and regulations, in support of a full EPR for PPP model as proposed by NSFM in consultation with municipalities and other stakeholders and a transition program to assist those municipalities who are left with redundant facilities.	<b>Municipal Responsibilities:</b> ask the province to work with NSFM to address concerns around the sustainability of relying on property taxes to pay for services	<b>Accessibility:</b> Accessibility is an emerging issue. Although the 2030 deadline may seem some distance off, there are serious cost implications.
<b>Roads:</b> continue to work with TIR and DMAH to address road issues but ask the Province to increase its funding of roads.	<b>Policing:</b> request arbitration legislation to reflect ability of the average homeowner to pay	<b>Doctor Recruitment:</b> 2017 resolution in progress. NSFM participates in Committee work with NSHA, DHW, DNS, CPSNS, and Dalhousie Medical School.
<b>Municipal Funding:</b> following on 2017 and 2018, specific requests re: mandatory education, operating grant, funding for accessibility.	<b>Surplus Schools:</b> request confirmation of right of first refusal, provincial funding for environmental clean-up, and funding to assist in demolition	<b>Internet and Connectivity:</b> 2017 resolution in progress. Commitments include \$1.7B in federal and \$193M in provincial funding.
<b>Municipal Modernization:</b> ask the Province to continue to work with municipalities to develop and support municipalities willing to work together.	<b>Cannabis:</b> ask the province for funding to share revenue from cannabis, and to classify land used to grow cannabis outdoors as commercial	<b>Housing:</b> 2017 statement of concern in progress. NSFM participates in committee work with DMAH, CMHC, and Seniors Nova Scotia.
		<b>Code of Conduct:</b> currently with key stakeholders.
		<b>Immigration:</b> work with the Province to better understand the issue.
		<b>Libraries:</b> monitoring.

# Proposed Resolutions for 2019

## 1. Capped Assessment Program (CAP) – 2017 and 2018 Resolution

### Issue Identification:

The CAP was introduced by the Province to make property taxes predictable by avoiding sudden increases, and to help those in need be able to stay in their homes. While well intentioned, the CAP system entrenches inequality in the tax system each year, with more than 50 per cent of taxpayers paying more than their fair share of the property tax burden. Not only is it unfair, but the program lacks transparency, leaving many citizens, and some MLAs, to believe that the CAP is saving them money. The CAP is fundamentally unfair and should have ended long ago.

### Background:

2019 officially marks 15 calendar years of NSFAM opposition to the CAP. NSFAM—or UNSM, as we were then known—advocated against the CAP before it existed, between introduction as proposed legislation in October 2003 and assent in May 2004. UNSM met with MLAs from every party to speak against Bill 40, but our advocacy efforts were unable to prevent the Bill from becoming law.

Action on the CAP was a priority resolution for NSFAM in 2013, 2017 and 2018. It also remained a focus for staff even when not a priority resolution. Numerous committees have tried to find ways to deal with the CAP, and research efforts and communications strategies to do away with the CAP have been undertaken every year since the inception of the CAP in 2005. These efforts included a comprehensive academic study in 2014 recommending the removal of the CAP system in Nova Scotia, authored by municipal finance experts Dr. Enid Slack and Dr. Harry Kitchen (available through NSFAM).

The wording of the 2018 resolution on the CAP was a change in approach for NSFAM. In past years, NSFAM would present the Province with a single, detailed proposal on the CAP. Always, one or more of these details became grounds for the Province to reject the proposal as unworkable. Having only submitted one option per proposal, our resolutions left little room for NSFAM and the Province to work towards a satisfactory solution.

The thought in 2018 was that NSFAM could take a different approach by presenting the Province with a selection of options that NSFAM is open to exploring and then to ask for the Province to work with municipalities and other stakeholders to find a suitable solution. The idea was that the solution need not match any one of the proposals put

forward, which were to be regarded as starting points, but simply that a solution be found that is acceptable to Nova Scotians. It was hoped that this approach will recognize the depth and breadth of prior efforts to work against the CAP, as well as the political realities of managing tax policy change.

Since the last Fall Conference in November 2018 NSFAM has led a steering committee with AMA and PVSC representation to strategically work towards a solution to the CAP issue. Stakeholders include Property Valuation Services Corporation (PVSC), Nova Scotia Association of Realtors (NSAR), Canadian Home Builders' Association – Nova Scotia (CHBA-NS), Real Estate Lawyers Association – Nova Scotia (RELANS), Canadian Mortgage Brokers Association – Atlantic (CMBA Atlantic), and Nova Scotia Real Estate Appraisers Association (NSREAA). The steering committee has met with the Minister of Municipal Affairs and his staff on several occasions and have met with many key stakeholders. We have held meetings with policy staffers at the Liberal, PC and NDP caucus offices, and have given presentations to all three party caucuses and had one-on-one meetings with several MLAs.

The broadness of the 2018 resolution request and the wide engagement of stakeholders has been effective. We have had productive interactions with the Province and feel encouraged that we are getting closer to resolving this issue. The work of the committee is currently focused on phasing out the CAP in favour of the following tools:

- a spike protection mechanism to protect from sudden increases; and
- low-income protections (now in 47 of 50 municipalities); and
- a slow phaseout, providing a transition over several years; and
- revenue-neutrality in implementation, so tax rates go down at the same speed as the CAP comes off.

#### **Impact on Municipalities:**

While the CAP is a provincial program, municipalities are being asked by more and more residents why they pay more property taxes than their neighbour. New home buyers, whether first time buyers or seniors looking to downsize, are faced with higher property taxes than neighbouring homes, even though services are the same.

NSFAM has known since 2007 that the CAP had shifted the tax burden from homeowners with capped properties to those with uncapped properties. And by late 2010, NSFAM was able to demonstrate that by setting the CAP rate at CPI, the program had resulted in inequitable tax burden shifts from higher to lower-assessed homes.

Tax rates in many municipalities are higher than they would be if there were no CAP yet, setting tax rates must be done knowing additional hardship may be imposed on those not benefitting from the CAP, as pointed out in the Grant-Thornton viability study for CBRM.

**Proposed Action:**

NSFM and Nova Scotia's municipalities remain committed to keeping property taxes predictable and not forcing anyone out of their homes as a result of rising taxes. It is recommended that NSFM continue working with the Province to phase out the CAP in favour of the following tools:

- a spike protection mechanism to protect from sudden increases; and
- low-income protections (now in 47 of 50 municipalities); and
- a slow phaseout, providing a transition over several years; and
- revenue-neutrality in implementation, so tax rates go down at the same speed as the CAP comes off.

- **2018 CAP Resolution**

**WHEREAS** the CAP program distorts the property tax system; and

**WHEREAS** it is not clear the homeowners most in need of property tax relief are the ones benefitting from the CAP program; and

**WHEREAS** municipalities are willing to offer pilot programs that will continue to meet the original objectives of the CAP program though a different approach; and

**WHEREAS** pilot programs can be evaluated to determine intended and unintended impacts of changes; and

**WHEREAS** a study on N.S. Municipal Property Taxation, by academic experts Harry Kitchen and Enid Slack recommended a phase-out of the CAP program; and

**THEREFORE BE IT RESOLVED** the Province work with municipalities and other stakeholders to phase out the CAP program and provide better alternatives to protect low-income homeowners and those experiencing significant increases in residential property assessments; and

**FURTHER BE IT RESOLVED** that the Province enable pilot projects to be undertaken as soon as possible.

## 2. Extended Producer Responsibility for Printed Paper and Packaging (EPR for PPP) – 2018 Resolution

### Issue Identification:

Nova Scotian municipalities spend more than \$25 million a year to collect and process blue bag materials, printed paper and packaging (PPP). Coordinated PPP recycling programs exist in many other provinces, but not in Nova Scotia. In other provinces, these programs are funded by the companies that produce PPP, who incorporate the costs of the recycling programs into their national product pricing. This approach is known as extended producer responsibility (EPR).

Because producers build these costs into their national product pricing, Nova Scotia consumers are already paying for the costs of the PPP programs operating in other provinces. But Nova Scotian consumers and municipalities don't receive any benefit for these costs because Nova Scotia has no PPP program. Implementing an EPR program to recycle PPP materials here in Nova Scotia will help to harmonize costs with other provincial EPR programs, and additionally generate a financial benefit of up to \$16 million per year.

### Background:

EPR is a regulatory tool designed to drive industry to be financially and environmentally responsible for the end-of-life management of the materials they put into the marketplace. A full EPR model (also known as FPR, for Full Producer Responsibility) for Nova Scotians will build on the progress that has been made in recycling in Nova Scotia over the past 20 years and will harmonize with existing EPR programs across Canada. An EPR for PPP program for Nova Scotia will save Nova Scotian municipalities millions.

Nova Scotia does have a few stewardship programs in place for products such as paint, tires and some electronics. There is also a diversion credit system for beverage container deposits which provides a stream of funding for municipalities which should be maintained. In these specific cases, these programs are paid for by the consumer at the point of sale through the collection of environmental handling fees. The dairy industry also operates an EPR-style program for the recycling of some (though not all) of their

containers.

However, the bulk of Nova Scotian recycling programs and services are funded through a combination of municipal taxes and/or the payment of tipping fees. In large part, these are collected through residential, commercial, and industrial property taxes. In the current system, municipalities typically have very little control over the costs associated with processing and marketing recyclable materials. In recent years, exposure to fluctuations in market conditions for plastic bags and plastic film has caused a noticeable strain on the Nova Scotian recycling system and Nova Scotian municipalities.

EPR was a priority resolution in 2018, and NSFAM has been busy at work pursuing this issue. The Province asked NSFAM to consult Nova Scotian businesses on the EPR proposal supported by the 2018 resolution developed in collaboration with the Solid Waste Chairs. NSFAM and municipal solid waste staff throughout Nova Scotia received responses for a month and a half, with the submission deadline set at March 15<sup>th</sup>, 2019.

The results of the consultation were collated and added to the EPR proposal produced by the Solid Waste Management Regional Chairs Committee Priorities Working Group. The Priorities Working Group met several times between March and May to develop drafts of the proposal, with the final product being presented to the Regional Chairs on May 16<sup>th</sup>, 2019, where it was approved for submission to Nova Scotia Environment.

The 88-page proposal was delivered to Minister Wilson on June 5<sup>th</sup>, 2019. The proposal was also sent to all NSFAM members, and a CBC story by Michael Gorman covered the release. A spokesperson for the Minister of Environment has stated that the Minister will hold off on making any statements about the EPR proposal until an efficiency study on solid waste management in Nova Scotia is complete and submitted.

Nova Scotian municipalities have been participating in this efficiency study for over a year. The study includes analysis of what the financial and process-based benefits of EPR might look like in Nova Scotia, and it offers numerous well-reasoned recommendations for improving the efficiency of Nova Scotia's solid waste management system. We expect this report to go public on September 23<sup>rd</sup>, 2019.

### **Impact on Municipalities**

Not only are plastics causing irreparable damage to our environment, they are also burdening the budgets of every municipality that is stuck trying to deal with them. With



dwindling markets for plastic film, some of Nova Scotia’s municipalities are forced to stockpile plastics in warehouses and rented semi-truck trailers. It’s costing municipalities millions each year; money that could be better spent on paving roads and building/fixing much needed infrastructure.

Solid waste management services continue to be one of the most expensive line items for any Nova Scotian municipality. The total cost of these services for Nova Scotian municipalities in 2017, even after considering revenues from tipping fees and the sale of recyclables, exceeded \$91 million. At a cost of approximately \$94 per capita, Nova Scotian residents are roughly on par with citizens in other provinces for solid waste management costs. However, British Columbia, Saskatchewan, Manitoba, Ontario and Quebec have a form of fiscal relief we do not have: EPR.

There are several grants and programs that assist with the costs of solid waste management in Nova Scotia. In total, this assistance has averaged approximately \$8 million over the past decade. However, in 2017, due to fluctuations in the market price of recyclables and increased return rates, this amount dropped to just over \$6 million. And over this same period, expenses facing municipalities have continued to climb at a pace nearly tripling the overall cost of living, as measured by the consumer price index (CPI).<sup>2</sup>

	2005	2015	% Change
Garbage and Collection Costs (all NS)	\$ 70,115,488	\$ 109,403,443	56.03%
CPI - Canada, All-items (2002 = 100)	107	126.6	18.32%
CPI - Nova Scotia, All-items (2002 = 100)	108.2	129.3	19.50%

**Proposed Action:**

NSFM has had a busy year pursuing the EPR resolution. Although 80% of Canadians already live in provinces with EPR, this year we saw the Prime Minister of Canada’s office (PMO) express support to bring the rest of Canada’s provinces online with EPR. The Canadian Council of Ministers of Environment (CCME) also met in Halifax this year, and they announced that EPR is their number one priority action, with the CCME aiming to facilitate consistent EPR programs for plastics across Canada by December 2020. With the EPR proposal in Minister Wilson’s hands and the efficiency study nearly complete, NSFM

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<sup>2</sup> These data are collected from the 2005 and 2015 Annual Reports of Municipal Statistics published by Service Nova Scotia and Municipal Relations (2005) and the Nova Scotia Department of Municipal Affairs (2015).

recommends that staff continue to work on last year's resolution supporting a full EPR program in Nova Scotia as detailed below.

- The EPR program should use existing infrastructure and human resources
- Municipalities would have right of first refusal for collection and education
- The program would maintain or improve upon the current level of curbside service
- The program would apply to residential PPP materials
- Time must be allowed for planning and transition
- A transition program would be provided by the Province for municipalities with redundant facilities
- Most small businesses would be exempt, including those:
  - With revenue under \$2 million
  - Supplying less than 1 ton of PPP to Nova Scotia residents annually
  - With a single storefront in NS and who are not supplied by (or operated as part of) a franchise
  - Producing newspapers (except flyers) and registered charities
- The program would be harmonized with other Canadian EPR programs
- Monitoring and compliance must be in place to ensure a level playing field for businesses
- Moving to an industry-led model may have implications for municipalities who have invested in infrastructure to deal with waste from printed paper and packaging. Assistance in transitioning to the industry-led model should be made available.

## 2018 EPR for PPP Resolution

**WHEREAS** municipalities have been abiding by the Solid Waste-Resource Management Regulations since 1995; and

**WHEREAS** these regulations hold municipalities solely accountable for proper separation of blue bag materials; and

**WHEREAS** municipalities must manage the risk of rising costs and fluctuating commodity markets for blue bag materials; and

**WHEREAS** municipalities' residential recycling programs cost over \$25 million per year and are paid for primarily by municipal taxpayers; and

**WHEREAS** 80% of Canadian consumers live in areas where producers fund PPP programs by incorporating program costs into their national product pricing; and

**WHEREAS** Nova Scotia consumers are already paying the national product prices that support PPP programs in other provinces, but receive none of the benefits because Nova Scotia has no EPR program; and

**WHEREAS** NSFM has developed a proposed model for EPR for PPP in cooperation with municipalities and businesses; and

**WHEREAS** EPR for PPP would significantly decrease both costs and risks associated with municipal curbside recycling programs;

**THEREFORE** be it resolved that NSFM request the Province develop legislation and regulations in support of a full EPR for PPP model as proposed by NSFM in consultation with municipalities and businesses; and

**THEREFORE** be it resolved the province provide transition program to assist those municipalities who are left with redundant facilities.

### 3. Roads – 2017 and 2018 Resolution

#### **Issue Identification:**

The health of Nova Scotia's road network is vital, as it supports the safety, economic development, and continued viability of our communities. Given this importance, the topic of roads is of concern to many of our municipalities. Rural municipalities have repeatedly taken issue with funding for their J-class roads. Meanwhile, towns (and municipalities containing former towns) have repeatedly taken issue with the lack of funding for arterial and collector roads (trunks and routes) within their boundaries. Towns cite this lack of funding as the most significant fiscal inequality between towns and rural municipalities.

#### **Background:**

The Province of Nova Scotia and municipalities are both responsible for roads in N.S. As part of 1994's Service Exchange Agreement, the Province agreed to assume responsibility for local roads in rural municipalities. However, as part of the agreement, certain rural municipalities agreed to pay a per-kilometre annual charge for a pre-determined number of J-class type roads. The annual per-km charge was initially set at \$3,500 to balance out the deficit in the overall service exchange agreement. This per-kilometre charge was then to increase annually by the Consumer Price Index (CPI) from the previous year.

Since that time, numerous arrangements have been made between the Province and municipalities to address specific road situations. Some of these arrangements concern J-class roads, some pertain to responsibilities for arterial and collector roads within urban areas, drainage plans, curbs, gutters, and sidewalks. There is a lack of clarity regarding these responsibilities, as well as numerous challenges in maintaining roads and road-related infrastructure. And indeed, the difference in these levels of responsibilities is one of the most significant points of fiscal inequality between towns and rural municipalities.

Joint work on this topic was undertaken several years ago under the Municipal-Provincial Fiscal Review process. While recommendations were made, there was no overall agreement made to implement those recommendations. Road-related issues vary across towns, rural municipalities and regional municipalities. Broadly speaking, funding was identified as an issue in relation to need and public expectations. The current arrangements are not satisfactory to towns and there is a need to better understand the issues, the challenges and the opportunities. The Province and municipalities recognize

the importance of our transportation network; working together to find solutions is key. The Partnership Framework committed the Province to work with municipalities to identify options for an appropriate road network throughout Nova Scotia. At the NSFM Fall Conference in 2018 it was moved that NSFM work with the Province to develop a new funding agreement for roads by June 2019. To this end, a joint committee was struck, and began work last winter. Participants include the Department of Transportation and Infrastructure (TIR), the Department of Municipal Affairs and Housing (DMAH), the Association of Municipal Administrators Nova Scotia (AMANS), and the Nova Scotia Federation of Municipalities (NSFM).

This committee work has commenced begin with a review of the current service exchange agreement as well as the agreements between individual municipalities and TIR. It is expected that the key outcome of reviewing these agreements will be a proposal for a new agreement. This new proposed agreement will clarify the ambiguities identified in the old service exchange agreement during the 2017 resolution process and should lay out a plan for addressing road issues.

It is intended that the work of the committee will result in a long-term program that will address municipal issues around roads and transportation. It will assess the issues to determine which should be addressed in the short term and long term, and identify necessary actions and resources required to address the issues. It will develop recommendations based on research and consultation with municipalities. It is intended this committee will be an ongoing forum to discuss the many issues related to roads and transportation.

At the NSFM Fall Conference in 2018 it was moved that a new funding agreement for roads be in place by June 2019. Committee work is ongoing, and discussions about possible funding increases are taking place. The committee is working toward developing a proposed new funding agreement with respect to both J-class roads and urban arterials and collectors. It is expected that recommendations will be prepared based on research and consultation with TIR, NSFM, and AMANS, and that a final report will be produced in or around June 2020. At that time the report and recommendations would be presented to the Deputy Ministers of Municipal Affairs and Housing and Transportation & Infrastructure Renewal, as well as to NSFM and AMANS.

### **Impact on Municipalities**

Rural municipalities hear numerous complaints about provincial roads in their communities. The interpretation of policies and funding seems inconsistent throughout the province, and it appears to many that cost sharing is a requirement if a road is to be

fixed. Even those who are willing to cost share are frustrated as the amount of provincial funding available is insufficient to meet the demand.

Roads are a significant cost for towns, and the issue of funding for provincial arterial roads and collectors is a long-standing one and represents one of the biggest differences between rural and town municipalities. While Towns receive \$50,000 under the equalization program in recognition of the provincial roads within their boundaries, this figure has not increased for some time. The province has also been known to lift the snowplow blade up as the snowplow travels through the town.

**Proposed Action:**

The joint committee involving NSFM, AMANS, DMAH and TIR has made great progress. With work toward a new funding agreement well underway, NSFM recommends that staff and members continue to work on last year's resolution on roads as detailed below.

**2018 Road Funding Resolution:**

**WHEREAS** Towns are responsible for the cost of maintenance and capital improvements with respect to all roads within their municipal boundaries, including roads of joint benefit to the Province and towns, such as arterial and collector roads, for which the Province does not share costs; and

**WHEREAS** Rural municipalities make financial contributions to the Province for the maintenance of J-Class roads, and there is insufficient provincial funding to maintain these roads; and

**WHEREAS** a strong road network is essential to the Province and its residents for economic, social, educational, and health reasons, and increased investment in roads is required;

**THEREFORE BE IT RESOLVED** the Province provide equitable funding to Towns and Municipalities containing former towns for shared arterial and collector roads in the 2019 Budget or before; and

**FURTHER BE IT RESOLVED** the Province increase its transportation budget for J-Class roads in the 2019 Budget or before; and

**FURTHER BE IT RESOLVED** the Joint Provincial-Municipal Committee on Roads develop a proposed new funding agreement and plan by the end of June 2019.

## 4. Municipal Funding – 2017 and 2018 Resolution

### **Issue Identification:**

The provincial assistance to municipalities to offset operating costs has been frozen for several years now, while operating costs continue to increase at rates higher than the Consumer Price Index. The analysis to date suggests those municipalities who need financial assistance the most to provide basic services at reasonable costs are not necessarily the ones receiving assistance. The formulas need to be reviewed and changed to assist those with low tax bases and high taxpayer burdens. The total amount provided is also insufficient.

### **Background:**

The 2017 and 2018 resolutions noted that the formula and funding under the former provincial equalization program had been frozen while a new formula was to be developed. The Partnership Framework signed in 2018 includes a commitment to work collaboratively to address the municipal equalization and provincial grant program. NSFM continues to take every opportunity to raise this issue with the Minister, and Department of Municipal Affairs and Housing (DMAH) is undertaking its own work to explore the issue.

Since the 2018 resolution, NSFM and the Government of Nova Scotia worked together to rename the provincial equalization program. It is now officially called the Municipal Financial Capacity Grant (MFCG). This renaming is a sign that the government has heard our members' concerns, and that they are willing to work with us to resolve our issues.

Despite the change of name, government funding to the program has not increased. NSFM has been vocal in pointing out that renaming the program is not enough, and that municipalities will face significant challenges if no new monies are allocated to the operating grant program. We have heard that the funding formula is being reviewed, but without any new monies added, any changes to the formula would simply move funds from one municipality to another. Immediate financial relief is needed.

### **Impact on Municipalities:**

Municipalities continue to face increasing cost pressures, many of which are downloaded to them from the Province. Resolutions dealing with cannabis and surplus schools have a significant financial element. In the absence of a new operating grant program, and in the absence of new municipal revenues, the funding resolution for 2018 should be brought forward to 2019, with the aim of bringing financial

relief to municipalities. Three areas were identified: mandatory education, the level of funding in the equalization program; and the need to help municipalities comply with provincial accessibility legislation.

The MFCG is an operating grant and is intended to help municipalities provide services at a more reasonable tax burden. Most of the funding for the program comes from the NSPI payment in lieu of taxes, not the Province. The portion coming from NSPI increases each year. It is not clear if provincial funding is being maintained. Ideally, this amount it should be raised to the level where all taxpayers are paying a reasonable amount for basic municipal services. At the very least, the amount in the program from the Province should be increasing by the consumer price index. In the interim NSFPM has asked for a \$20 million increase to the program over three years, at \$6.6 million per year.

The issue of mandatory payments for education, corrections, and housing must be addressed. In 2017 over \$240 million was collected from municipalities through property tax, about 20 per cent of the property taxes collected. The amount increases each year as assessments rise, and there is some evidence to show the share of education costs paid for by property taxes has been increasing over time. For many municipalities, these mandatory payments are one of the top three budget expenses.

Education is a provincial responsibility and municipalities have no say in how these payments are spent. While the Province has not changed the formula for determining mandatory education payments, payments have continued to rise as assessments rise. Furthermore, when taxpayers default on their property taxes, the municipality remains responsible for their share of the mandatory education payments, which means other property taxpayers must pick up the difference - this should be absorbed by the Province. The resolution requests mandatory education payments be frozen at 2017 levels for each municipality, and where taxpayers default on their property taxes, the portion related to mandatory education should be deducted from the amount assigned to the municipality.

Provincial legislation on accessibility requires municipalities to establish advisory committees and develop plans to ensure their communities are accessible by 2030. The legislation covers the built environment and includes information as well as other areas that may impact municipalities. The new federal infrastructure program does not appear to include renovation projects for existing facilities to become accessible, unless they are part of a bigger project. Provincial funding to date has been quite limited. Costs will not only be incurred with respect to built assets, but could also involve website changes and changes at public meetings to ensure the information can be shared with all persons with disabilities. Municipalities want to comply with



the legislation, however costs will become an issue. Financial assistance from the province to support their legislation is needed.

The legalization of cannabis involves the delegation of a considerable number of responsibilities to municipal governments in Nova Scotia. However, many municipal governments in Nova Scotia already struggle to make ends meet. The Province should not expect municipalities to be able to assume these additional responsibilities without better financial and material resources.

**Proposed Action:**

Municipalities require new funds. NSFAM recommends that staff and members continue to work on last year's resolution supporting municipal funding as detailed below.

**2018 Municipal Funding Resolution**

**WHEREAS** operational costs continue to rise due to factors beyond municipal control, and provincial financial support has not kept pace; and

**WHEREAS** one in five property tax dollars collected by municipalities are transferred to the Province;

**WHEREAS** the legalization of cannabis is creating a new revenue source for both the federal and provincial governments, yet municipalities are incurring a significant portion of the associated costs

**THEREFORE BE IT RESOLVED** that the Province freeze mandatory education payments for each municipality at 2017 levels; and

**FURTHER BE IT RESOLVED** that the Province increase its annual funding for the municipal equalization program by \$20 million over three years, beginning in 2019; and

**FURTHER BE IT RESOLVED** that the Province of Nova Scotia cost share 50/50 in all municipal projects required to comply with the Accessibility Act, if those projects do not receive other funding, beginning in 2019; and

**FURTHER BE IT RESOLVED** that the Province provide municipalities with a substantial share of all the related tax revenues being generated through the sale of cannabis.

## 5. MUNICIPAL MODERNIZATION – 2018 Resolution

### **Issue Identification:**

As community needs evolve, and technology advances, the opportunities for municipalities to collaborate and work together could lead to enhancements in the quality of life of their citizens. Efficiencies may be found and the ability to do more could be increased. Yet the Municipal Government Act supports competition between and amongst municipalities. New tools are needed for those municipalities who want to be more innovative in growing and supporting their communities.

### **Background:**

The Partnership Framework identified the development of a municipal modernization strategy to support municipal cooperation and regional governance. Conceptually, this included changes to the MGA/Halifax Charter; regional planning and minimum planning standards; municipal equalization and provincial grants; and the creation of economic development tools. While this was not a specific resolution in 2017, the Towns Task Force and the Fiscal Review both called for assistance in supporting greater collaboration.

The Province has recently passed legislation requiring minimum planning standards and this is a positive first step in encouraging municipalities to plan together. As well, the Province passed legislation supporting the consolidation of Windsor and West Hants, and they allocated \$578,000 to modernization efforts in the 2019 Budget. This reflects a willingness to support the expressed desires of specific municipalities.

This work needs to continue. Municipalities need more help to explore new ways of working together. Many have identified opportunities and a willingness to work together, but need assistance in facilitating discussions, analyzing options, and developing necessary documents to establish new mechanisms. Staff time is often limited, requiring new positions or backfilling for existing staff. A flexible funding program that would provide targeted assistance, suited to each circumstance, to those willing to develop new approaches would be of great assistance. Where efforts are being made to collaborate, support should also include evaluation of the efforts made and identification of lessons learned, to be shared with others in the future.

### **Impact on Municipalities**

Many municipalities are struggling financially to meet the needs of their communities. Staff time is typically fully allocated to maintaining services. Freeing up resources to

explore new innovative ways of working with neighbouring municipalities is a challenge and is often impossible.

### **Proposed Action**

NSFM recommends that staff and members continue to work on last year's resolution supporting municipal modernization as a priority resolution, as detailed below.

## **2018 Municipal Modernization Resolution**

**WHEREAS** municipalities recognize opportunities to accomplish more together and

**WHEREAS** municipalities are often limited in resources to appropriately pursue these opportunities; and

**WHEREAS** there may be numerous barriers that hinder collaboration; and

**WHEREAS** all municipalities will benefit from lessons learned in collaborative efforts; and

**THEREFORE** be it resolved that the Province provide human, material, and financial resources in the 2019 budget or before, to those municipalities willing to collaborate, based on the specific needs of those requesting assistance.

# Statements of Concern for Prioritization - 2019

## 6. CANNABIS FUNDING

### Issue Identification:

The federal government mandated the legalization of cannabis, effective October 2018, and the Province determined a regime for the legalization of cannabis in Nova Scotia. But municipalities have been left to implement the legislation and respond to community concerns without any additional funding.

### Background Information:

The Province of Nova Scotia has established a regime where cannabis is sold through the NSLC, although this may change over time and as edibles become legal. Municipalities have been left to deal with illegal cannabis retail operations. Consumption of cannabis is restricted in a few areas, and Municipalities have been provided with the ability to limit smoking in their communities. Police enforcement will receive some financial support for training and equipment.

The NSFMM Municipal Working group has identified multiple municipal services that could be impacted by the legalization of cannabis. This will be largely driven by decisions councils make around further restrictions to the consumption and locations of cannabis-related facilities. Meeting expectations around enforcement is of concern – councils may pass bylaws in response to community concerns, but enforcement is both difficult and costly.

Staff from the FCM have held discussions with the federal government on municipal concerns regarding the legalization of cannabis. The FCM has communicated that the federal government clearly recognizes the impacts of marijuana legalization on municipalities, and that the federal government expects provinces to share in the new revenues generated.

Meanwhile, the Province is incurring its own costs related to marijuana legalization, and has indicated they believe, at least in the short run, that new revenues will not exceed costs. There seems to be a perception that current municipal resources being used to deal with illegal cannabis will be freed up and reallocated to address cannabis-related activity. In recent years, some police forces have not been as aggressive in pursuing illegal

cannabis activity, but their time is simply being devoted to other, more pressing police matters – there is no free time.

The Province has indicated it is willing to continue discussions with municipalities on the implications of cannabis legalization and is asking for concrete numbers around the impacts. Concrete numbers are not presently available, yet municipalities are now incurring costs in relation to policing, reviews of bylaws, changes to bylaws, hiring of enforcement officers, and so forth. Unlike provinces, municipalities are not permitted to incur deficits, so these costs will need to be recovered either through cuts in other areas or increases in property taxes.

All of this is being done in the context of other increasing demands on municipalities such as responding to provincial regulations around accessibility, as well as expectations that municipalities will support investments in high speed internet, doctor recruitment, surplus schools – cumulatively the impact is significant.

### **Impact on Municipalities**

The NFSM Municipal Cannabis working group has identified the following areas for potential impact:

- Administration:
  - Time spent by senior municipal departmental staff, city senior leadership teams, and staff in corporate support departments such as Finance, Legal and Communications to implement, administer, coordinate and support all cannabis legalization work. This could include FTE hours for both start-up and ongoing administration in positions such as policy coordination, project management, business licensing administration, legal, communications and IT. These positions could be spread across several existing departments or centralized in a new department/secretariat specifically for cannabis legalization. It may also be necessary to track programs and bylaws that are amended because of cannabis legalization. Specific tasks may include, without limitation: prosecution lawyers reviewing the enforceability of by-laws, a legal team providing ongoing support for enforcement of by-laws, intergovernmental staff to engage with other orders of government on this complex, multi-layered file, and development of a communications plan to help citizens understand by-law changes.
  - There are also material costs such as public consultations, advertising public notices and communications products for specific local rules.

- Enforcement: This includes personnel and capital costs required to monitor and enforce the additional activities associated with cannabis legalization as predicated on municipal by-laws and services. This includes the costs associated with additional staffing requirements for bylaw management and enforcement in the following areas:
  - Property use inspection – to investigate cannabis business license complaints
  - Zoning enforcement – to ensure cannabis retail and other cannabis related establishments are in adherence with local zoning by-laws; and the need to deal with illegal operations.
  - Property standards enforcement – to address issues/complaints related to potential degradation/danger to property such as smoke dispersion in multi-residential units or issues related to home cultivation.
  - Training – time and capital is required to develop and undertake learning exercises related to the roles and responsibilities of municipal staff tasked with administering and enforcing municipal aspects of the cannabis framework such as business licensing.
  - There will also be costs for Community Standards, Public Spaces and Smoke-Free or Second-Hand Smoke Bylaw enforcement, and a predicted increase in service demand with new by-laws such as smoke-free by-laws and municipal rules for vaping lounges, restaurants and cafés (where applicable) and public consumption.
  - Other Enforcement – service changes such as increased transit authority time spent addressing consumption and odour issues on public transit; costs associated with training transit workers about the rules around cannabis consumption (i.e. length of time before transit worker must abstain from consuming cannabis before arriving for work).
  
- Planning/Zoning:
  - Personnel and capital cost to conduct by-law reviews and updates, as well as the ongoing management of zoning bylaws. In addition to both in-house and consultant contracting, this also includes the cost to undertake required public consultation processes and public education related to adding new criteria to zoning by-laws, business licensing and building code permits and inspections.
  
- Fire Services: Cost increases directly or indirectly incurred by the municipal department responsible for fire safety, prevention and submission. This includes the following positions and activities:

- Process Changes - amendments to the fire inspection component of business licensing approval process, protocol for one-time and ongoing inspections
- Training – for fire department staff regarding revisions to the Fire Code, and on emerging hazardous home cultivation processes such as for the extraction of cannabis oils and the use of flammable hydrocarbons
- Public education – Education campaigns informing the public about the dangers related to oil extraction processes and flammable hydrocarbons; development and printing of fire safety messaging;
- Fire investigation costs – costs primarily due to overtime pay for fire safety officers investigating code and safety issues (e.g. hazards in retail establishments); and to a small extent for manufacturing/processing establishments / responding to fires associated with legal/illegal home cultivation.
- There are also public education, communications and citizen services costs to properly engage with the public and provide preventative public education campaigns.
- HAZMAT Response - for both licenced and illegal producers
- Human Resources:
  - Internal and external staff time committed to ensuring municipal drug policies are up-to-date/adequately address non-medical cannabis and that municipal employees are well informed of the new policies. This could include substance use policy, substance use guidelines, workplace smoking policies and hosting social event guidelines. There may be additional FTE time spent engaging and negotiating with municipal staff unions over the drug policy changes.
  - Staff resources and capital costs may also be incurred to ensure there is capacity in place for testing municipal employees if necessary, new staff training to address safety related to cannabis in the workplace and additional adjustments to safety integrate HR policies related to cannabis edibles when they are regulated federally.
- Possible non-policing costs that have been identified by municipal partners include:
  - Provincial Offenses Act (POA) Court Costs - Moving cannabis regulation and enforcement from criminal courts to POA courts will add a considerable workload to municipally funded courts, and this needs to be further explored for its relevance to Nova Scotia.
  - Environmental Health and Safety - Amendments to workplace safety related policies, air quality testing and complaints related to production

and consumption of cannabis (indoor and outdoor), food inspection concerns when edibles get introduced.

- Social Housing – In some jurisdictions where municipalities have responsibilities over social housing there will be costs associated with writing provisions in tenancy agreements which prohibit smoking cannabis in social housing units; additional FTEs to enforce the new provisions; and an O&M budget to address violations
  - Public Health – In some jurisdictions, municipalities address varying areas of public health not covered by provincial or territorial budgets. Anticipated municipal costs related to public health include public education initiatives (consumption, health, harm reduction, prevention, rules for restaurants and festival organizers)
  - Additional social workers
  - Municipal signage and advertisements
  - Developing and undertaking health outcome assessments
  - Data collection
  - 311 Services – Increased staff time, particularly during implementation, to handle citizen inquires regarding cannabis legalization. This could also include time and resources to train 311 staff on the new changes and which municipal departments address the principle areas of concern.
  - Waste Management - The development of municipal policies and procedures that address the proper disposal of refuse from cannabis cultivation, concerns around humidity in composting.
  - Emergency Services - Increase in calls related to overconsumption of Cannabis. This may be particularly prevalent when cannabis edibles are made legal.
- Policing costs
    - SFST Training for drug impaired driving
    - Drug Recognition Expert (DRE) Training
    - Facilities to store cannabis seizures
    - General training on Bill C-45/46
    - Roadside screening equipment and supplies
    - Costs to close illegal dispensaries/growth operations
    - Youth education and prevention in schools, community engagement
    - Increase in forensic laboratory capacity: blood draws, testing equipment, forensic analysis
    - Additional officers/work: drug seizures, RIDE spot checks, drug related criminal investigation, drug complaints, cannabis specific violations,



motor vehicle collisions, cannabis related demands for services, DRE testing, SFST training.

These cost areas have been identified to assist municipalities in understanding the possible implications of the legalization of cannabis.

The federal government has provided a new revenue stream to provinces to assist in their initiatives related to the legalization of cannabis, without requiring them to justify or document their costs.

With a new revenue stream from an area involving both the province and municipalities, it is only fair that municipalities receive a share. The federal government decreased their share of these revenues specifically recognizing the need for provinces to share this revenue with municipalities. Municipalities already deliver a large component of citizen services with a disproportionately small share of the tax pie.

**Proposed Action:**

The legalization of cannabis involves the delegation of a considerable number of responsibilities to municipal governments in Nova Scotia. However, many municipal governments in Nova Scotia already struggle to make ends meet. The Province should not expect municipalities to be able to assume these additional responsibilities without better financial and material resources. Municipalities need a new revenue source.

## **Cannabis Resolution**

**WHEREAS** the Government of Canada decided to legalize cannabis; and

**WHEREAS** the Government of Nova Scotia decided how cannabis would be dealt with within the province; and

**WHEREAS** the legalization of cannabis is creating a new revenue source for both the federal government and the province, and there are no new revenues accruing to municipalities

**THEREFORE** be it resolved that NSFM request the Province to provide a share of the revenues being generated through the sale of cannabis to municipalities.

## 7. MUNICIPAL RESPONSIBILITIES

### **Issue Identification:**

Municipalities have been granted few revenue sources, and property taxes remain the primary source to pay for municipal services. As municipal responsibilities have grown, revenue sources have not. If municipalities are to continue to meet the needs and expectations of their citizens, the property tax burden will become unbearable for many.

### **Background Information:**

At Confederation the provinces were given the responsibility for municipalities, and property tax was established as the primary source of taxation. Since that time, the responsibilities of municipalities have grown, some through downloading, others through a willingness to better serve their citizens. The ability of property taxes to continue to remain the primary source of revenue for municipalities needs to be examined.

Already many Nova Scotians are paying more than 5% of their household incomes on property taxes. Municipalities are being challenged to replace aging infrastructure, build new infrastructure, respond to increasing regulations, and accept new responsibilities for traditional provincial services such as doctor recruitment. Revenue potential is decreasing as the population ages and declines, and as global forces change the economy. Demand for commercial property could well decline as retail space gives way to online shopping and as artificial intelligence impacts the need for workers in offices. The exact impact of these changes on property tax is not known, but chances are it will reduce property tax revenues while demands for services continue to rise.

Municipalities need to begin work now with the Province to develop a long-term path to sustainable communities. This means revisiting the relative roles and responsibilities between the Province and municipalities and revisiting the revenue sources available to municipalities. The problem is not going to solve itself, and municipalities should not expect the problem to be solved in the short run.

### **Impact on Municipalities:**

The ability of municipalities to address the infrastructure needs in their communities varies, most often on town vs. rural lines. Towns provide more services (typically) than rural municipalities, although there are often pockets within rural municipalities where services are like those of towns (indeed some encompass former towns). Development

patterns are changing the responsibilities of rural municipalities, and this has a distinct and measurable impact on towns. The lines between urban and rural, or towns and rural municipalities, is blurring. Boundaries established 150 years ago, when services were delivered based on how far one could travel in a day by horse and buggy, may no longer be serving us well.

The need for new infrastructure and for replacement of existing infrastructure is understood, but the size of the infrastructure gap in Nova Scotia is not. Applications under new funding programs from the federal and provincial government generally suggest the demand could be ten times the available funding, recognizing that applications typically only represent the top priorities. Although the strain of funding infrastructure is shared by all three levels of government, municipal governments across Canada spend, on average, a little under 50 per cent of each infrastructure dollar in the nation. Furthermore, it is municipalities that are most typically the last recourse for funding: if sewer pipes are failing, and people are leaving communities that lack community and recreation opportunities, it is the municipality that is expected to solve the problem—and no one wants to pay more taxes.

An analysis of the municipal financial condition indices provided by the Department of Municipal Affairs indicates the financial tax burden is higher in towns, and that the ability to put funds away in capital reserves is a struggle. While work is being done with the Province on several of the larger issues (roads, housing, physician recruitment) and a review of the Province's operation grant is being undertaken, there needs to be work done on understanding the future of property taxes and the extent to which this form of taxation can reasonably be expected to cover local services.

The Service Exchange Agreement has not been reviewed in the 30-plus years since it was introduced. In the meantime, municipal costs in policing, fire services, solid waste, water and wastewater have been increasing faster than the consumer price index, with municipalities having little control over those costs. Shared infrastructure is an opportunity to reduce the cost burden, and while there are many examples where municipalities are working together, more of these instances need to be encouraged and/or facilitated. This can be supported through incentives and expertise to facilitate intermunicipal agreements.

While it is understood the Province also levies high income taxes, and has high demands on its services, it should be equally understood that local services are just as important. If local services can't be paid for through property tax, everyone loses, the Province included. It is time now to look at what the infrastructure gap means, what responsibilities municipalities have, and how we can continue to provide the local services

communities expect.

**Proposed Action:**

The problem of what should, and what should not, properly be understood as a municipal responsibility is large and complex and will take time to understand. Before a review of municipal responsibilities is undertaken, the ability of property taxes to pay for the status quo into the future needs to be understood. Once the capacity of property taxes is better defined, the gap can be identified. To begin the work, a resolution is proposed to request funding to commission research on the future trend for property taxes, and what can be expected to the average homeowner's tax bill in future years given the current set of municipal responsibilities.

## **Municipal Responsibilities Resolution**

**WHEREAS** municipalities are expected to provide a package of services to residents; and

**WHEREAS** the cost of these services has often grown at a rate outpacing increases to the cost of living, as measured by the consumer price index; and

**WHEREAS** municipalities rely primarily on property tax to fund the provision of these services; and

**WHEREAS** continually rising service costs result in an increasing tax burden on homeowners; and

**WHEREAS** a large percentage of property taxes collected at the local government level are transferred to the Province;

**THEREFORE** be it resolved that NSFM request funding from the provincial government to commission research on future trends for property taxes, the impact of these trends for average Nova Scotian homeowners, and to explore possible alternative revenue sources for municipalities.

## 8. POLICING COSTS

### Issue Identification:

The rising cost of policing is one of the greatest concerns faced by Nova Scotian municipalities. In 2005, Nova Scotian municipalities spent \$1.31 billion on policing. By 2015, this total had increased to \$2.16 billion. This equates to a 64.8 per cent increase, which exceeds the 19.5 per cent increase in the overall cost of living during the same period measured by the consumer price index (CPI), as well as the 18 per cent growth in GDP in Nova Scotia over the same years.<sup>3</sup>

	2005	2015	% Change
Policing Costs - Towns	\$ 24,384,285	\$ 37,460,629	53.63%
Policing Costs - Rurals	\$ 25,505,833	\$ 40,491,931	58.76%
Policing Costs - Regionals	\$ 81,727,890	\$ 138,932,779	69.99%
Policing Costs - Total	\$ 131,618,008	\$ 216,932,779	64.82%
CPI - Canada, All-items (2002 = 100)	107	126.6	18.32%
CPI - Nova Scotia, All-items (2002 = 100)	108.2	129.3	19.50%

### Background Information:

Nova Scotian municipalities provide policing services under three models: municipal police forces; RCMP service through a direct contract; or RCMP through the provincial RCMP contract. NSFAM currently shares municipal concerns about policing services with the Nova Scotia Department of Justice (NS DOJ) through two committees. One is a committee that discusses municipal experiences under the RCMP contract. The other is advisory committee to the department on general policing matters.

### Impact on Municipalities

Policing is an essential service necessary in providing safety and security to citizens. The rising cost of policing services, however, constitutes a tremendous pressure on municipal elected officials, who often feel powerless to counteract these cost increases. This is because wages make up the bulk of policing costs, and wages are typically set by arbitrators. When arbitrators decide on wages, they usually duplicate police wage deals from other communities, with little or no consideration for the fiscal situation of the

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<sup>3</sup> These data are collected from Statistics Canada and the 2005 and 2015 Annual Reports of Municipal Statistics published by Service Nova Scotia and Municipal Relations (2005) and the Nova Scotia Department of Municipal Affairs (2015).

community in question. As a result, many municipalities see continually rising policing costs as proof that the arbitration process is broken.

**Proposed Action:**

Not only does the arbitration process need to work, but it also needs to be seen to work. Change must be collaborative, and workers and employers must both work towards their goals in good faith. Arbitration should respect the interests of both employers and employees; help to provide value to citizens receiving police services; and be seen to do both these things. To these ends a few possible solutions might be explored:

- Arbitrators should be required to consider a community's ability to pay as well as agreements negotiated with other local municipal employee unions when ruling on raises for police workers, as well as all other unionized workers in the broader public sector, including fire, public works, and other unions. Furthermore, the specific ability to pay to be considered must be that of the tax burden for residential ratepayers, and not the theoretic ability of a municipality to continuously increase residential tax rates.
- Municipalities and the Province could consider a centralized arbitration service that is openly made available to employers but voluntary in terms of participation. When individual units negotiate separately with individual police unions, leapfrogging occurs, with one employer being picked off for a concession or increase that will then be replicated. At arbitration, these become the comparators and the spiral continues.
- Police services could be carefully examined to identify opportunities for alternative resources, including civilians, technology and outsourcing. The focus should be on program outcomes and budgets, and not on arbitrary limits on the size of the police force. There should be no ideological or other bias towards or away from civilian delivery of services. We need the flexibility to use civilians for some duties that don't require a uniformed and armed officer.
- Advocacy work could be done at the provincial and federal levels for sharing those costs that are related directly to responsibilities downloaded by them, such as cannabis, mental health, policing of international waters and national security.

At this time, a resolution around arbitration is suggested. Asking arbitrators to consider a community's capacity to pay is a specific and attainable request that will help to mitigate

the sharp increases in policing costs experienced by Nova Scotian Municipalities. This solution is also likely to go a long way towards restoring municipal faith in the arbitration process

Adding an ability-to-pay consideration to arbitration is not likely to be a long-term solution for policing costs. Such temporary wage controls will be effective in meeting short-term fiscal targets, but longer-term action will require co-operative approaches that can drive institutional and system-level change. To this end NSFM continues to work collaboratively with the NS DOJ and the Nova Scotia Association of Police Governance boards to identify opportunities for service delivery opportunities and cost containment on the Joint Police Services and Community Safety Advisory Committee. Further solutions may emerge from this committee work, and at that time, additional resolutions would be appropriate.

## **POLICING RESOLUTION**

**WHEREAS** policing is an essential service; and

**WHEREAS** municipal governments pay the bulk of policing costs in Nova Scotia; and

**WHEREAS** the cost of policing services continues to rise at a rate exceeding CPI and GDP growth; and

**WHEREAS** these changes have constituted a great increase in the tax burden of residential property owners; and

**THEREFORE** be it resolved that NSFM advocate for the inclusion of ability-to-pay considerations in arbitrations for all employees in municipal services, including, without limitation, police services, fire services, and public works, and that the ability-to-pay be based on a consideration of the average homeowner's tax burden; and

**THEREFORE** be it resolved that the Department of Justice ensure the joint provincial-municipal advisory committees currently established lead to positive initiatives and changes that will make our police forces more effective and sustainable.

## 9. SURPLUS SCHOOLS

### **Issue Identification:**

The cost of demolishing schools declared surplus has become a significant burden for several municipalities. In a few cases, the burden is simply unmanageable.

### **Background Information:**

Prior to 1982, municipalities were responsible for school board operations and were therefore responsible for the construction and maintenance of schools. When the responsibility for school boards was transferred to the Province, legislation granted school boards control of the school assets. Schools built after 1982 are provincial assets.

There exist some 400 schools throughout Nova Scotia, and about half are owned by municipalities. The Province's position has been that when these schools are declared surplus, they revert to the municipality. In the former school boards in Halifax, South Shore and Tri-County, more than half of the schools are municipal. In Annapolis Valley and Chignecto-Central, less than a third are municipally owned. The implications of surplus schools are not equal throughout Nova Scotia.

Section 93 (1) of the Education Act states that where land and buildings (previously owned by a municipality and that have been vested in a school board) are declared surplus, the municipality shall have the option of having the surplus land and buildings re-conveyed to it.

In several cases, municipalities have willingly agreed to resume responsibility and have been able to transform the schools for other purposes. In other cases, the location of the school, the state of disrepair, and the financial circumstances of the municipality hinders the opportunity to make use of these facilities and the only course of action is to demolish the school. Vacant schools are a liability to municipalities and there are concerns about public safety should they remain vacant.

The Department of Education has expressed a view that where municipalities have owned surplus school properties before it vested them in the school board, the municipality must re-acquire (and, in turn, assume responsibility for) the property following the school's closure. By contrast, NSFAM and our members think that a municipality should simply hold an option in this regard, which it is free to exercise or not, and that a municipality cannot be required to assume responsibility for a surplus school property. NSFAM has obtained a legal opinion on this matter that supports our interpretation instead of the position



advanced by the Department of Education.

NSFM holds that the Province needs to abide by the Education Act and offer municipalities the right to refuse to assume a surplus school, with enough time provided to allow municipalities to conduct a thorough analysis of the options. For those municipalities that are not interested in taking ownership of the surplus school, the province should be responsible for demolishing it and for ensuring the site is environmentally safe.

Municipalities did not have control over these sites, so they should not be responsible for the environmental remediation of these sites. As well, given the municipalities did not have control over the maintenance of the school, the Province should provide compensation to the municipality to make the school usable for other purposes.

### **Impact on Municipalities**

For those who face a school closure, the cost implications can be significant. Many of these schools have not been maintained to a level that renders them usable for other purposes, and may have mold, mercury switches, or other hazardous features. Building codes were not always followed, and schools being handed over often lack any plans or drawings, or any information about services or utilities. Some locations have environmental issues due to buses being parked, serviced, and maintained on the lands, and some contain asbestos products and lead paint.

Examples of recent estimates to demolish a surplus school are as follows:

- CBRM: 7 surplus schools since 2015, with costs to demolish ranging from \$40,000 – \$250,000 and a total cost for the 7 schools of \$1.3 million.
- Town of Pictou: estimated cost \$500,000 for one school.
- Annapolis County - \$700,000 - \$1 million estimate for one school
- District of Lunenburg – current cost to date for three schools is \$497,775.88 and counting, with \$2.5 to \$3.0 million in additional expenses expected for two large schools yet to be demolished.
- Mulgrave \$350,000 – \$500,000 for one school.
- Municipality of Pictou – over \$500,000 for one school.

In some cases, the value of the land is such that it can be sold to other interests, and revenues may offset the cost of demolition. In other cases, the municipality can find funding and/or partners who are willing to share in the investment required to repurpose the property. Since these lands and facilities were built with taxpayers' monies, the

municipality should be able to decide the best future for these lands.

In those cases where the municipality refuses the offer for the surplus school, the facility should be demolished by the Province and the land returned to the municipality. The decision to not maintain or close the school was not the decision of the municipality.

It should also be noted property taxpayers contribute over \$250 million annually to the Province for education. This amount is collected by municipal governments and transferred to the Province. It is estimated these payments represent close to 20% of the Province's education costs. It is unfair to ask property owners for more.

**Proposed Action:**

At this time, a resolution requesting that the Province recognize the municipal right to exercise an option is suggested, with an additional request being suggested that compensation from the Province be provided to municipalities for environmental remediation of surplus school sites.

**Surplus School Resolution**

**WHEREAS** the Education Act says municipalities have the option to assume a surplus school, and municipalities are being told they have no choice but to assume responsibility for it; and

**WHEREAS** municipalities have had no control over the school lands and buildings and may be faced with significant costs to address environmental concerns and to demolish the buildings; and

**WHEREAS** many of the schools have not been maintained nor do they meet building codes,

**WHEREAS** NSFM has obtained a legal opinion stating that municipalities should have the choice – but not the obligation – to acquire surplus schools,

**THEREFORE** be it resolved that the Department of Education provide all municipalities the option to not to have schools conveyed to the municipality; and

**FURTHER BE IT RESOLVED** that the Province pay for any environmental clean-up and to cost share in any renovations required to make school buildings usable for other purposes.

## 10. SUSTAINABILITY & INFRASTRUCTURE FUNDING SUPPORT

### Issue Identification

Numerous funding resources exist for municipalities to make their operations more efficient, strengthen their infrastructure planning initiatives and increase their resiliency to our changing climate. However, despite the availability of programs, a significant number of Nova Scotia's municipalities lack the capacity and/or time to access them.

As a provincial association, NSFAM is well positioned to support municipalities in accessing available funding to foster the adoption of innovative and strategic approaches to managing their operations and infrastructure. NSFAM could play a key role in identifying appropriate projects and sources of funding, and opportunities to partner with other municipalities on initiatives that are mutually beneficial.

### Background Information

Over the next 10 years, Nova Scotia will receive \$828 million in federal infrastructure funding through the *Investing in Canada Plan*. This program will offer funding for green infrastructure, public transit infrastructure and community, culture and recreation infrastructure. To access the funding, municipalities will have the added requirement of applying a "climate lens" to applications for major infrastructure projects, where they will need to undertake an assessment of how projects will reduce carbon pollution and better withstand the impacts of climate change.

In addition to the *Investing in Canada Plan* opportunities, the Federation of Canadian Municipalities (FCM) has funding to support sustainability, infrastructure and climate change initiatives. Its main funding program is the *Green Municipal Fund*, which supports projects that improve air, water, soil and reduce greenhouse gas emissions.

Although these programs are available to communities across the country, Nova Scotia's municipalities are often under represented as funding recipients. To position our municipalities to take advantage of these opportunities, NSFAM could support municipalities (which may otherwise not have to the in-house capacity) in securing funding for sustainable infrastructure planning, green innovation and climate change initiatives.

NSFAM could create an in-house position, which would be funded from the Province and NSFAM membership dues. NSFAM would focus on helping municipalities identify and access funding to support initiatives designed to mitigate current and future climate risks as well as those that lead to the adoption of new and sustainable approaches to infrastructure planning.

Through the development of resources, training opportunities and knowledge sharing events, NSFAM could help streamline the application process for municipalities and position them to be successful applicants. Recognizing that local leaders know what is best for their communities, NSFAM could work with municipalities to identify innovative solutions to make their communities more sustainable that also fit within the program requirements. To make the most of available resources, NSFAM would also look for opportunities for municipalities to partner in circumstances where they would benefit from regional or collaborative applications. This would not only ensure that funding programs are as impactful as possible, but also make limited resources go farther.

### **Impact on Municipalities**

NSFAM could play a facilitating role in helping municipalities secure funding that they otherwise would not have the capacity to access. This support would help municipalities make the most of programs that mitigate current and future climate risks and enhance infrastructure planning and service delivery.

### **Proposed Action**

To provide this support to municipalities, the suggested approach is to secure \$125,000 to cover the cost of creating a Sustainability & Infrastructure Funding Support position within NSFAM (funding for the position would cover salary, benefits, resource development, coordination of events, travel, etc.). Because this position would provide value to both municipalities and the Province, in terms of meeting shared goals relating to environmental and infrastructure sustainability, NSFAM would seek half of the funding from the Province of Nova Scotia and the remaining half through membership dues. It should be noted that there has been some support for this plan expressed in the legislature.

The main services that could be provided through this position include:

- Coordinating knowledge sharing and educational opportunities about existing funding programs and resources
- Assisting municipalities in preparing to apply for eligible funding programs
- Supporting municipalities in seeking innovative project ideas and applications to facilitate strategic infrastructure and sustainability planning
- Facilitating networking opportunities to share best practices and successes among municipalities
- Facilitating collaboration among municipalities where it creates economies of scale and shared benefits to develop regional/collaborative applications

- Liaising with Infrastructure Canada, the Province of Nova Scotia, FCM and other organizations to remain current on existing resources and opportunities

Upon securing support for this work, NSFAM would seek input from municipalities and the Province of Nova Scotia to identify and agree upon the key services that would be most beneficial to access funding resources. NSFAM would seek to establish this position as an ongoing initiative; however, the work could be reviewed in 3 years to ensure it continues to provide maximum value to both municipalities and the Province.

## **Sustainability & Infrastructure Funding Support Resolution**

**WHEREAS** the Province of Nova Scotia and NSFAM recognize common goals relating to municipal sustainability to make municipal operations more efficient and increase climate resilience; and

**WHEREAS** the Province of Nova Scotia and NSFAM are supportive of wise investments in infrastructure to support sustainable service delivery at the right level and cost to tax payers; and

**WHEREAS** the Province of Nova Scotia and NSFAM recognize the importance of regional cooperation since the impacts of climate change do not recognize boundaries and enhanced collaboration will support municipalities in making their communities healthier, safer and more prosperous; and

**WHEREAS** municipalities have direct or indirect influence of close to 50 percent of the nation's greenhouse gas emissions and are responsible for more than half of Canada's public infrastructure; and

**WHEREAS** NSFAM recognizes that some municipalities lack the resources to access existing funding opportunities that would allow them to develop innovative and strategic initiatives to make their operations and infrastructure more sustainable; and

**WHEREAS** NSFAM is uniquely positioned to support municipalities in making the most of existing funding opportunities and resources;

**THEREFORE BE IT RESOLVED** that the NSFAM write the Province requesting \$62,300 to cost share the funding for a Sustainability & Infrastructure Funding Support position within NSFAM; and

**THEREFORE BE IT RESOLVED** that the NSFAM increase its membership dues to cover the remaining \$62,500 to support a Sustainability & Infrastructure Funding Support position.

# Issues to be Monitored

## 11. CLIMATE CHANGE

### Current Progress:

Over the last year, our municipalities have expressed increasing concerns about climate change and their need for support in preparing for its impacts, both through mitigation and adaptation efforts. Given recent studies and media attention to the climate change issues, many of our members are struggling with how best to address this complex issue.

Although all municipalities completed Municipal Climate Change Action Plans in 2013, our members feel they lack capacity and resources to use them in a meaningful way to address this complex issue. We would also note that since the plans were completed, municipalities have had two elections resulting in significant change in their councils so that many of our elected officials are unaware of the plans and the processes used in developing them. For these reasons, the plans remain underutilized.

In addition to all this, there are many processes in place or soon to be in place that would benefit and/or require municipalities to apply a climate change lens. These include the requirement for municipalities to undertake an assessment of how projects will reduce carbon pollution and better withstand the impacts of climate change under the Investing in Canada Infrastructure Program, the development of provincial minimum planning standards, and the proposed legislation for coastal projection to help ensure that new construction happens in locations that are less likely to be impacted by rising sea levels, storm surges and coastal erosion.

Municipalities are struggling on a number of levels:

- understanding the needs and opportunities to address climate change impacts;
- capacity to integrate climate considerations into asset management planning;
- capacity to apply for funding;
- expertise to oversee implementation of plans and processes; and
- lack of experience and capacity to develop joint initiatives with neighbouring municipalities.

In our experience, it is important to bring our members together to help them understand the issues and opportunities around sustainable infrastructure planning, green innovation and energy reduction initiatives; to share information on successful initiatives; to develop

toolkits and resources; to provide information and assistance to access funding programs; and to facilitate regional approaches. NSFAM is positioned and has in-house expertise to provide this type of support. However, with our staff time now allocated to other initiatives and priorities, we do not have the capacity to address these needs.

As an organization, we feel that providing municipalities with the ability to tackle climate change will not only help them save operating costs and make their infrastructure more resilient but will have many cascading benefits. Through their efforts, municipalities will make their communities more prosperous, livable, healthier and safer. As well, because climate change impacts do not recognize boundaries, developing adaptation and mitigation initiatives will encourage and enhance regional cooperation.

#### **Consideration for 2019 Resolutions:**

We believe the Province and NSFAM have common goals relating to sustainability to help municipalities make their operations more efficient and increase climate resilience, and we both see the importance and value of investing wisely in infrastructure to support sustainable service delivery at the right level and cost to tax payers.

NSFAM recommends continuing to monitor the situation for any opportunities to discuss how we might enhance the work we do on the administration of the GTF fund to not only create reporting efficiencies, but allow us to meet common goals relating to climate change and long-term infrastructure planning, and municipal ability to access funding. We believe this discussion and our continued collaboration will not only help us meet shared goals but will enhance the effectiveness of our ability to support municipalities.

## **12.ACCESSIBILITY**

#### **Current Progress:**

Accessibility is one of the most significant issues facing municipalities. In the 2019 budget the Province allotted \$1M for accessibility related issues, and in our press release that followed, we noted that municipalities are looking for a substantially greater amount of financial assistance to help us become compliant with the Provincial accessibility legislation. Municipalities are being asked to ensure their communities are accessible by 2030. The legislation covers the built environment and includes information as well as other areas that may impact municipalities.

Federal infrastructure program funding does not appear to include renovation projects for existing facilities to become accessible, unless they are part of a bigger project. Provincial funding to date has been quite limited. Costs will not only be incurred with respect to built assets but they could also involve website changes and changes at public meetings to ensure the information can be shared with all persons with disabilities. Municipalities want to comply with the legislation, but costs will become an issue.

**Consideration for 2019 Resolutions:**

Financial assistance from the Province to support their legislation is needed, but it is unclear how much assistance will be required until more details emerge. Beyond including a request in our funding resolution, NSFAM recommends continuing to monitor the situation until enough information for a specific call to action becomes available.

### **13. DOCTOR RECRUITMENT – 2017 RESOLUTION**

**Current Progress:**

NSFM has continued to be involved in the NSHA Physician Recruitment and Retention Advisory Committee. As a part of this committee work, NSFAM has participated in a process-mapping subcommittee with representatives from NSHA, the Department of Health and Wellness, Doctors Nova Scotia, the College of Physicians and Surgeons, and Dalhousie Medical School. This work has identified three opportunities for municipal involvement in the recruitment and retention process.

The first area of involvement is site visits. Between April and December of 2018 NSHA recruiters took potential doctors on 108 site visits. NSHA recruiters tell us that these visits benefit greatly from the presence of charismatic municipal elected officials, but that, for many of the site visits, no municipal representation was present. NSHA would like to partner with NSFAM to make sure that recruiters can partner with elected officials in making site visits more successful.

The second area of involvement is to provide information after new physicians settle in a community. The NSHA has told us that municipalities can provide important support to newly settled doctors by identifying a help line to call when things go wrong. This is especially true of physicians who are relocating to Nova Scotia from other provinces or countries, who may have no experience with frozen pipes, applying for business licenses, or where to access recreation services. In many cases CSRs may already be trained to



answer these questions.

The third area of involvement is marketing and advertising. Each of the parties at the Recruitment and Retention Advisory Committee have encouraged municipalities to do more to market themselves to potential doctors. The Queen's Health Foundation in Liverpool is a good example of successful marketing in this vein.

Physician recruitment became a priority resolution in 2017. Although it was not, strictly speaking, within the municipal mandate, the issue was and remains a critical concern for many Nova Scotians. Since the time of the 2017 resolution the Province has undertaken multiple steps to support greater success in recruitment. Some of these steps include an extra \$200,000 in funding for physician recruitment in the 2019 budget, and an annual increase of approximately \$4.8 million by the 2023-24 academic year to ensure that 16 additional seats are provided for Nova Scotians at the Dalhousie Medical School.

**Consideration for 2019 Resolutions:**

Despite the efforts described above, the problem is not yet solved, and while it is possible that a more specific request could be put forward, staff are not clear on what that request should be. At this point it is recommended that NSFMC continue to work with the Nova Scotia Health Authority and monitor the progress on the issue.

## **14. INTERNET AND CONNECTIVITY**

**Current Progress:**

The Partnership Framework commits the Province to working with municipalities to having all communities able to access high-speed internet connections to support economic development, education and health outcomes. The Province has announced \$193 million in funding for internet expansion and has assigned provincial responsibility to Develop Nova Scotia. The roll out of this provincial approach is underway, and the federal government has committed \$1.7 billion to internet funding in the 2019 budget.

Despite these generous commitments, best estimates suggest that providing adequate levels of broadband and cell phone service to Nova Scotia's communities will cost far more than the funding provided, and we know that municipal governments won't be able to make up the difference. Yet without improvements to broadband and cellular connectivity it will be difficult for our communities to attract and retain residents and

businesses.

Money has not started to flow yet from either the fund administered by Develop Nova Scotia or the federal government. To help municipalities better prepare to leverage any available funds to the greatest advantage, NSFM offered a workshop on internet and connectivity to members on October 11<sup>th</sup>, 2018, in Truro. Many organizations attended the workshop, including Develop Nova Scotia, who presented information on their anticipated program roll-out. There were also several presentations from telecommunications companies and municipalities.

**Consideration for 2019 Resolutions:**

At this point it is recommended that NSFM continue to monitor the situation.

## **15.AFFORDABLE HOUSING**

**Current Progress:**

NSFM issued a statement of municipal concern on affordable housing in 2017. The statement included two separate plans of action: one federal, and one provincial. The NSFM statement of concern was timely. On the federal front, many long-established federal housing programs were set to expire. The FCM had also been busy undertaking a significant amount of advocacy work to ensure that these programs, or some equivalent, would be renewed.

Shortly after the NSFM statement of concern was issued, the Government of Canada introduced a 10-year, \$40-billion National Housing Strategy (NHS). While this figure may appear generous, the new federal strategy does not specifically address the concerns of NSFM requesting that federal housing programs allow joint applications from municipalities with the Province of Nova Scotia, or that they provide an alternative way of ensuring Nova Scotians receive a fair share of the federal funding for housing.

NSFM is currently in the process of addressing the provincial element of the 2017 statement of concern. In 2017, NSFM recommended that a joint provincial/municipal working group be established to review the current housing strategy, to clarify the role and tools available to municipalities to address housing issues including a review of the legislative changes proposed, to develop guides for municipalities on the tools available to them to address these issues, and to review the current Statement of Provincial Interest

with respect to housing.

In response to this recommendation, the Province has established a joint committee to address these issues. NSFAM and AMANS staff and members are participating in this committee along with staff from CMHC, DMAH, and the NS Department of Seniors. It is intended that the work of this committee will be submitted to the Ministers Roundtable under the Department of Municipal Affairs and Housing and the NSFAM Partnership Framework.

**Consideration for 2019 Resolutions:**

At this point NSFAM recommends continued participation in the joint provincial/municipal housing committee.

## **16.CODE OF CONDUCT**

**Current Progress:**

2017 amendments to the *Municipal Government Act* now require councils to adopt a code of conduct to guide behaviour. A model template for a Code of Conduct was prepared by UNSM over a decade ago and earlier this year was updated to reflect the 2017 MGA amendments. The revised draft of the updated Code of Conduct template is currently under review by key stakeholders.

Questions have been raised about the value of a code if there are no consequences for those who act inappropriately. The issue was identified in consultations around the review of the Municipal Government Act and at NSFAM meetings, including ones around the need for transparency with expenses and hospitality for elected officials. Changes to the Municipal Government Act would be required to increase options for sanctions. Processes to deal with complaints vary across municipalities and are often in response to a complaint - not described in policy.

**Proposed Action:**

NSFAM recommends continuing to monitor the situation for responses from key stakeholders, and for any further conduct-related input from members.

## 17. IMMIGRATION

### Current Progress:

Improving immigration could help to solve Nova Scotia's demographic woes and bolster local economies. Forecasts show the numbers of senior citizens will continue to increase in Nova Scotia, while many young Nova Scotians continue to move away to pursue economic opportunities. Accordingly, the dependency ratio—the number of children and seniors per 100 persons in the workforce—is going up, leaving a higher burden on working taxpayers.

Statistics show negative population growth for most NS municipalities over the past 20 years, and projections for the future show the same. Immigration can be an 'interrupter,' and help restore balance to the dependency ratio. Nova Scotia attracts few international immigrants compared to the rest of Canada and has a lower immigrant retention rate than many other provinces. International immigrants coming to Nova Scotia primarily settle in urban centres such as Halifax, and rural Nova Scotian communities are left especially disadvantaged by these changes.

### Proposed action:

No resolution is recommended at this time. It is recommended that NSFM continue to investigate the issue of immigrant attraction and retention, especially as these subjects pertain to rural municipalities and towns. Consultations will be made with Immigration Nova Scotia, the Immigrant Settlement Association of Nova Scotia (ISANS), the Regional Enterprise Networks and municipalities throughout the province. It is hoped that themes will emerge from these meetings, that partnerships will be built, leading to a concrete action plan for the attraction, settlement, integration, and retention of immigrants.

## 18. LIBRARIES

### Current Progress:

Libraries are an essential part of the community and contribute to social and economic growth. Funding for libraries comes from municipal taxes, library boards and provincial grants. Provincial funding for libraries has been frozen for years yet demands for library services are increasing. More funding is necessary.

During last fall's resolutions meetings, we explained that The Library Boards Association of

Nova Scotia (LBANS) had been meeting over the summer of 2018 with the Province to address the funding issue, and that they had been developing solutions for the Province to consider. At that time, we recommended that this work continue and that NSFAM monitor the situation.

In late January and early February of 2019 NSFAM began to hear concerns about a new library funding model being proposed by the Department of Communities, Culture, and Heritage. Some municipal units reported that they would be required to increase library funding by as much as 41%. At that time the NSFAM Board requested that a letter be sent to the Minister of CCH to express procedural concern regarding the funding review, and later met with the Deputy Minister to discuss these concerns, and to ask that NSFAM and AMANS be directly involved in any discussions about library funding going forward.

**Proposed action:**

No resolution is recommended at this time. It is recommended that NSFAM continue to monitor the issue of library funding.





