

Approved by Council – June 24, 2013

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# KENTVILLE TOWN COUNCIL

## MINUTES

**May 27, 2013**

**PRESENT**

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

Also present were staff Police Chief Mark Mander and Finance Director Deb Crowell.

Audience guests included delegates from Goosnargh Whittingham Whitsuntide Festival, President of the Apple Blossom Festival, Rose Stevenson-Davidson, members from KDCL, members representing the Kentville Police Services and Chris MacNeil from Service Nova Scotia and Municipal Relations.

Absent with approval - Councilor Eric Bolland

**MEETING CALLED TO ORDER AND ROLL CALL**

Mayor Corkum called the meeting to order at 7:00 p.m. and CAO Phillips reported that, except for Councilor Eric Bolland, all members of Council were present, along with the Town Solicitor, the Town Clerk and himself.

**APPROVAL OF THE AGENDA**

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

**that the agenda be approved with the inclusion of:**

***11. In Camera - Personnel***

**MOTION CARRIED**

**NOTE**

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

**PRESENTATIONS**

**(a) Greetings to Goosnargh and Whittingham**

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**Whitsuntide Festival Delegates**

Mayor David Corkum welcomed the delegates from England who have come to the Annapolis Valley, to bring greetings to its twin Apple Blossom Festival. He reiterated past contacts with this group, one of which involved Councilor Bentley and his wife who visited the GWW Festival last year. Gifts, greetings and hospitality have been exchanged between the Annapolis Valley's Apple Blossom Festival and that of the GWW.

The Chairman of the GWW (David A. Butters) introduced the members of his group and spoke of the exchange to date between the twin blossom festivals.

Mayor Corkum presented the group with a picture of the Town of Kentville which included a commemorative plaque, along with books on the history of Kentville (Devil's Half Acre) and Town pins.

**APPROVAL OF THE MINUTES**

**(a) Minutes – April 29, 2013**

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

**that the Minutes of April 29, 2013 be approved as circulated.**

**MOTION CARRIED**

**(b) Minutes – May 13, 2013**

It was moved by Councilor Nola Folker-Hill and seconded by Councilor Tony Bentley

**that the Minutes of the Special Meeting of Council, held on May 13, 2013, be approved as circulated.**

**MOTION CARRIED**

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

**(a) Kentville Police Services**

Mayor David Corkum noted that over the last many weeks Council has addressed the reduction in staff at the Kentville Police Services. This decision has been based on the need to reduce costs in that department and to balance the Operating

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Budget in a sustainable way. He added that Police Chief Mark Mander verified that the reduction of numbers would not affect front-line police officers, nor would it adversely impact personal safety and protection of property in Town. He asked all citizens to become educated with the facts.

On a personal note he added that the tactics used by the APA members, in an effort to move their cause forward, were unprofessional and bordered on harassment to both himself and his wife, who answered telephone calls to his home during his absence. He felt that this was inappropriate and totally undeserved, as he makes himself available to whomever and whenever possible.

**REPORTS AND  
RECOMMENDATIONS**

**(a) Council Advisory Committee**

**(1) 2013-2014 Town of Kentville Operating Budget**

Councilor Bill Boyd noted that at a recent CAC meeting, Finance Director Deb Crowell introduced the proposed Operating Budget, noting that some major drivers were considered in the preparation of this document. She added that Council’s taxation goals have been met and that the General Tax Rate would be reduced by \$.04 cents per \$100, and further, the Commercial Tax Rate would be decreased by \$.03 cents per \$100 with this budget. She added further information on how the tax dollar is spent, how revenue is identified, how current rates equate to past years and how these rates relate to other municipalities. Following this, she proposed that the budget be accepted.

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

(Recorded vote 5 for – 1 against (Nola)

**that the proposed 2013-2014 Operating Budget for the Town of Kentville be approved as follows:**

<b>Revenue</b>	<b>\$11,876,400</b>
<b>Expense</b>	<b>\$11,876,400</b>
<b>General Tax Rate</b>	<b>\$1.71 &amp; 2/5 C/\$100 assessed value</b>

**And further**

**that the proposed tax rates for the year April 1, 2013 to March 31, 2014 be ratified as follows:**

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	<i>Residential (per \$100)</i>	<i>Commercial (per \$100)</i>	<i>Industrial (per \$100)</i>
<b>Municipal base rate</b>	<b>\$1.36 and 2/3 c</b>	<b>\$3.37 and 4/5c</b>	
<b>Fire area rate</b>	<b>4 c</b>	<b>4c</b>	
<b>Hydrant area rate</b>	<b>8 c</b>	<b>8 c</b>	
<b>Economic Development Levy</b>	<b>3/4 c</b>	<b>7 and 1/2 c</b>	<b>6 and 1/3 c</b>
<b>Total Residential</b>	<b>1.49 and 2/5 c</b>		
<b>Total Commercial</b>		<b>3.57 and 2/5 c</b>	

Councilor Bernie Cooper read the Resolution regarding the 2013-2014 Municipal Property Tax Rates, the 2013/2014 Economic Development Rate and the 2013/2014 Area Rates (as attached).

**MOTION CARRIED**

*(Note: A recorded vote indicated that Deputy Mayor Pearl, Councilor Boyd, Councilor Bentley, Councilor Cooper and Mayor Corkum voted for the motion and Councilor Folker-Hill voted against the motion.)*

Points from Discussion

- Everyone was supportive of KDCL, however, there was no support in having it as part of the residential rate.
- The budget being presented is as a result of council’s wishes I having money left in the budget for economic development, but not to be ear-marked specifically for KDCL as that relationship has not been clarified.
- There would be no release of funds to KDCL until the agreement has been signed.
- During the CAC meeting, the proposal to approve the budget as presented (including KDCL’s proposal) was defeated. However, the issue was addressed later

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during that meeting, under the Operating Budget (New Business), where the budget was reintroduced with the new proposal in which rates were levied against residential, commercial and industrial assessments. This was approved to be recommended to a Council.

- The draft minutes of CAC, the CAO, the Director of Finance, the Solicitor and the Town Clerk all recollect that that Operating Budget be recommended as presented.
- 3 councilors believe the residential component of this budget should have been removed.
- There was an opportunity to make an amendment during the discussion on funding for KDCL, however, this was not done and it was flatly turned down.
- Rather than hold the budget up for how this \$25,000 will be dealt with, it would seem advisable to move forward.
- The method by which the police services reduced their budget by \$100,000 is not the only option and others should have been explored.
- Mark Pearl wanted to go on record to show support of KDCL, however, felt that some language in the budget makes him uncomfortable, as it relates specifically to KDCL and if a deal is not struck with this organization, than that may have serious consequences.
- Folker-Hill did not want to see any reference in the budget that related to KDCL.
- CAO Phillips expressed his opinion that the budget could be passed as presented, without any amendments.
- Council gave direction to staff to maintain the ¾ cent in the residential tax to be used for economic development. The CAO has discussed the reduced amount with KDCL.
- \$87,000 is in the budget from commercial and industrial which, considering the amount of the year remaining, will allow work to proceed, even if the residential component is removed.
- With the Police issue which also affects the budget,

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the statistics should be questioned as given by Stats Canada, as some disputed others.

- The most recent officer was hired in 2006 and with crime and population increasing, the Town should ask what the proper ratio of policing to citizens is.
- The union was prepared to make some concessions that would lead to sustainability and some of the suggestions should be tried.
- A significant surplus was realized at year end, much of which was generated through the police department, but was not allowed to be used for police expenses.
- Council has the final say on the Police Budget.
- Mayor Corkum added that the Council has agreed that there are too many police officers, and this has been agreed with by the Chairperson of the Police Board.
- Statistics must be reviewed, along with the financial impact created by previous union contracts. No one enjoys making a decision to reduce staff, but it is accepted that the Town of Kentville is overstaffed in that department.
- The Chairperson of the Board has done a great deal of work to maintain the staff levels of the Police Department and she should be congratulated for sharing this information with Council.
- The cost of policing has become a national crisis, however, the rate is \$408 per capita for policing here in Kentville, while in the rest of Nova Scotia, it is \$207 per capita.

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

**that the budget be tabled until the next Council meeting.**

**MOTION DEFEATED**

**(2) 2013-2014 Capital Budget and 20142018**

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### Capital Investment Plan

Councilor Bill Boyd noted that at a recent meeting of Council Advisory Committee, Finance Director Crowell introduced the Capital Plan proposed 2013-2014 Capital Budget, along with the for 2014-2018 Capital Investment Plan. She noted that Council considered the costs of maintaining and improving current infrastructure, increasing efficiencies, constructing new services and providing quality of life services. To this end, the proposed Capital Budget for 2013-2014 amounts to \$1.54 million and involves 43 single-year projects.

Director Crowell presented a review of the various projects and the percentage of the budget for each, the funding sources provided, and the proposed projects by nature and by type. Projected capital costs were considered for 2015-16, 2016-17 and 2017-18. Lastly, she noted that debt servicing has been significantly reduced from last year's projection, and the plan proposed will reap long-term benefits to the Town and community as a whole.

Therefore, it was moved by Deputy Mayor Peal and seconded by Councilor Cooper

**that Town Council approves the proposed 2013-2014 Capital Budget for the Town of Kentville, along with the related funding sources, as follows:**

<b>2013-2014</b>	<b>\$1,538,200</b>
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**and further,**  
**that the 5-year Capital Investment Plan also be approved as follows:**

<b>2014-2015</b>	<b>\$1,856,500</b>
<b>2015-2016</b>	<b>\$1,886,500</b>
<b>2016-2017</b>	<b>\$1,694,000</b>
<b>2017-2018</b>	<b>\$1,533,000</b>

**MOTION CARRIED**

### **(3) KVFD Area Rate Budget 2013-2014**

Councilor Bill Boyd noted that at a recent meeting of CAC, CAO Mark Phillips reported that a Public Meeting was recently hosted by the Kentville Volunteer Fire Department to present the annual Fire Area Rate Budget. This document identified the Area Rate Revenue totaling \$528,300, with

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corresponding Area Rate expenses of that same amount. Funding sources for the budget were \$170,200 from the Town of Kentville, \$251,200 from the County of Kings, a \$6,800 grant-in-lieu from Kentville, a \$29,400 grant-in-lieu from Kings County and the transfer from Area Rate Surplus of \$70,700.

Expenses were identified as Capital Loans at \$451,300, Area Rate Purchases at \$40,500, a Transfer to Area Rate Reserves of \$16,000 and Area Rate Fees of \$20,500. This balanced budget represents an area rate from the Town of 0.401/\$100. This is a 1 cent reduction from last year.

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

**that the 2013-14 Area Rate Budget from the Kentville Volunteer Fire Department be accepted and that the area rate of .0401/\$100 be included in the Town's 2013/14 Operating Budget.**

### MOTION CARRIED

#### Points from Discussion

- The County's withdrawal of financial support of the Administrative position does not affect this area rate budget.
- Further discussions on the administrative position may take place at the County Council level and the Town will learn more as that unfolds.
- The county's withdrawal will affect the Operating Budget, however, it is difficult to react to this situation until all information is available.
- Funding of the administrative position may be shared with the county or not provided at all.

#### **(4) Transfer to Operating Reserve - \$100,000**

Councilor Bill Boyd noted that at a recent CAC meeting, Finance Director Debra Crowell reported on the major variances affecting the revenue and expenses as of March 31, 2013. She noted that the surplus is currently reporting at \$215,700, which results from revenue being over budget at \$181,500 and expenses being under budget by \$34,200. She further noted that of this amount, \$90,000 is being transferred into the 2013-2014 Operating Budget, leaving \$125,700



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Of this \$125,700 balance she is proposing that \$100,000 be transferred to the Operating Reserve, leaving a surplus of \$25,700 in the Town's Operating Fund.

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

**that Town Council approves the transfer of \$100,000 of the 2012-2013 current surplus from the Town of Kentville's Operating Fund, to the Town of Kentville's Operating Reserve.**

**MOTION CARRIED**

### **(5) Chapter 93 – Yard Sale Bylaw**

Councilor Bill Boyd noted that at the April 8, 2013 meeting of Council Advisory Committee, Director Bev Gentlemen noted that in some areas of Town, residents who are having yard sales, leave their sale articles on display for extended lengths of time, covering the items with a tarp during inclement weather. This practice has drawn complaints from area residents.

Therefore, staff has reviewed the Town's current Vending Bylaw, as it relates to yard sales and subsequently has learned that this document is a bit ambiguous in the area of yard sales. Further, the definition of a yard sale and its operation do not conform to other vending types of activities, and therefore, in consultation with the Town's solicitor, it was thought that a stand-alone bylaw should be created to address this specific issue. Subsequently, a draft bylaw (as attached) was prepared and presented for review.

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

**that First Reading be given to adopt Chapter 93 – Yard Sale Bylaw.**

**MOTION CARRIED**

### **(6) Rescind Old Policies**

Councilor Bill Boyd noted that at a recent meeting of Council Advisory Committee, Town Clerk Harmes made reference to several documents which are currently active policies in the

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Town's records, which she felt should be rescinded. These relate to financial issues and their irrelevance has been confirmed by the Finance Director.

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

**that the following policies be rescinded:**

**Policy # 1 – Tax Exemption**

**Policy # 2 – Grant to Sponsoring body of amount similar to license fee for exhibitions and circuses**

**Policy # 13 – Charges for Sundry Services**

**Policy # 16 – Tax Bills**

**Policy # 18 – Insurance Coverage**

**MOTION CARRIED**

### **(7) Ten Percent Shift**

Councilor Bill Boyd noted that at a recent meeting of CAC, Danny Cavanagh the President of CUPE Nova Scotia, provided Council with information about a project this organization is promoting which encourages consumers to shift ten percent of their spending, to locally-owned businesses and services. The Ten Percent Shift Campaign is anticipated to increase economic activity through this simple change in spending habits.

Mr. Cavanagh presented factors from economic research and documented trends, which support the philosophy that this shift in thinking and purchasing can greatly impact the growth and development of independent businesses. It is believed that this not only creates, what economists call the “multiplier effect,” but also enhances loyalty from both the entrepreneur and the community, and has long lasting effects in strengthening many health and social aspects of daily life.

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

**that Town Council supports the Ten Percent Shift Project and, if possible, link the project website with the Town's.**

**MOTION CARRIED**

### **(8) Housing First Meetings**

Councilor Bill Boyd noted that at a recent CAC meeting,

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correspondence was reviewed regarding an invitation to meetings scheduled by Housing First and their request for Council to appoint a representative on this committee.

As meetings were scheduled for the following 2 days, Council members were not available on this short notice, as conflicts in their schedule existed.

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

**that, if possible, staff attend the conference on May 13 and 14<sup>th</sup> with Councilor Bernie Cooper attending future meetings.**

**MOTION CARRIED**

### **(b)Fire**

#### **(i) Department Report**

CAO Phillips noted that although a formal report has not been received, statistical information continues to be passed along to the Finance Department. He asked that at the next meeting, Councilor Boyd pass along the concerns that the town has regarding the lack of reports from the KVFD.

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

Councilor Bill Boyd reported that there will be a meeting this Wednesday and hopefully the issue of reports and other financial matters will be addressed.

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

Deputy Mayor Mark Pearl reported that the Management Meeting has been included in Council's agenda package and pointed out that the budget approval process continues with the expectation of a surplus position. He added that the Board Orientation Program has begun with tours, visits and presentations on various aspects of the service, with more to follow in the future. Further to last month's report, work continues on the development of a Polystyrene Recycling Program and is expected to receive Board approval shortly. The Compost Give-away and the "Last Re-Sort" reuse centre continue to be popular.

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Lastly, he gave some statistics on the processing of recyclables and organics, along with residuals to Chester, following which, it was moved by Deputy Mayor Pearl and seconded by Councilor Bill Boyd

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

**MOTION CARRIED**

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

Deputy Mayor Mark Pearl reported that as this organization has been implementing management changes, the written monthly report to participating partners has not available. However, he reported that Brian Taylor has been hired as an Interim Manager, who brings a wealth of experience and skills to the job. Bell Communications want to rent space for a communication tower at their New Minas location, however, some concern exists as there is an eagle's nest in the area.

Also, a local business man is interested in entering into an agreement with Kings Transit for a bus shelter service. An RFP has been sent out for 3 new busses, a policy review committee has been established; the board room is being moved to the second floor, a permanent manager's recruitment committee has been established; some of the initiatives of the strategic plan are being examined; and a citizens group is being considered. The ridership numbers have shown an increase, as has the revenue for the core area.

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

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

**MOTION CARRIED**

**(h) Councilors' Report**

Councilor Bill Boyd had nothing further to add.

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Councilor Tony Bentley had nothing further.

Councilor Nola Folker-Hill attended all meeting and the unvailing of the new uniform for the Town Crier, which was a pleasant event.

Councilor Bernie Cooper attended all meetings.

Councilor Eric Bolland – (absent)

Deputy Mayor Mark Pearl had nothing further to report.

### **(i) Mayor's Report**

Mayor Corkum noted some events and meetings that he attended in a report, but added that a great group of young people from Quebec came to Town Hall today for a visit.

## **CORRESPONDENCE**

### **(a) Manning and Associates**

CAO Phillips reported that a letter had been received from this local law firm, in which concern was expressed regarding the loss of a police constable in the Town's Police Force. Mr. Manning felt that the police force provided a professional service to the community and the loss of one of their members would impact the town and the police force itself, on many levels.

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

**that the letter be received.**

**MOTION CARRIED**

## **NEW BUSINESS**

**(a) none**

## **PUBLIC COMMENTS**

### **(a) Bill Denyar, President of KDCL**

Bill Denyar thanked Council for approving the economic development portion of the Town's Operating Budget. He felt that the board is confident that they can work with the funds being provided and that there would be a good collaborative effort between KDCL and the Town.

He further announced that he has decided to step down as President and would like to pass along the torch to someone

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new and has confidence in the work being done. He added that has a new company dealing with economic development and raising money for the CEDIF program. He will be working with Frances Schagan in that new company and more will follow.

Mayor Corkum responded by thanking Bill for his years of service and the effort he put forward to re-establish KDCL and enhance the business community in Town.

### ADJOURNMENT

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

**that the meeting adjourns at 8:43 p.m. to go In Camera for a personnel issue.**

**MOTION CARRIED**

### IN CAMERA

#### **(a) Personnel Issue**

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

**that the In Camera Meeting adjourns and that the Council Meeting resumes.**

**MOTION CARRIED**

### COUNCIL ADJOURNMENT

It was moved by Councilor Bill Boyd and seconded by Councilor Nola Folker –Hill

**that the Council meeting adjourns at 9:44 p.m.**

**MOTION CARRIED**