

APPROVED – APRIL 30, 2007

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# COUNCIL ADVISORY COMMITTEE

## March 26, 2007

### PRESENT

Mayor David Corkum, Deputy Mayor Larry Honey, Councilor Dennis Kehoe, Councilor Bernie Cooper, Councilor Nola Folker-Hill, Councilor Mark Pearl, Councilor Eric Bolland, CAO Boyd, Solicitor Peter Muttart, Recording Secretary Carol Harmes

CAO Bill Boyd reported that all Council members were present.

### APPROVAL OF THE AGENDA

It was moved by Councilor Eric Bolland and seconded by Councilor Nola Folker-Hill

**that the Agenda be approved with the addition of**  
**7 (e) NKEC Hockey**  
**7 (f) Budget Dates**

**MOTION CARRIED**

### PRESENTATIONS

(a) **UNSM – Peggy Crawford, Municipal Sustainability Coordinator**

Peggy Crawford, the newly appointed Municipal Sustainability Coordinator with UNSM, wished to address Council regarding the new position she holds and to congratulate the Town for its efforts in the Anti-Idling Campaign. She added that every municipality will be impacted with climate change and municipal government has the capacity to make some changes.

Her new position, created by UNSM, is for a 2 year term and is funded through the NS/Canada Gas Tax Agreement, with Service NS and Municipal Relations, and HRM. Her goals are to be a contact for municipalities striving for sustainability and to work with other stakeholders (i.e. community groups).

Energy audits and alternate energy sources are high priorities, and all municipalities will be required to develop an Integrated Community Sustainability Plan by 2010. The Province is preparing some templates for use and she is working on a website which will include this information and other case studies undertaken by communities. Also, some funds are available to municipalities and/or community groups and she is available to help answer questions on these funding sources.

#### Points from Discussion

- Sustainability can be very difficult for municipalities, as the Province interferes with municipal sources of revenue (i.e.

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- property assessments and property taxes)
- Also, the standards of roads and bridges are set by the province, but must be maintained by the units.
  - And further, mandatory education costs are always uncertain, as the units never know if there will be an increase or a cap on this funding.
  - Sustainability includes ecological, economical and social issues for the long term.
  - A major concern is that most municipalities touch the coast and would be affected with rising sea levels. (possible levels might reach to 88 centimeters.)
  - The spiraling costs of energy are also a concern. (i.e. rising street lighting costs, energy inefficient vehicles, poorly insulated buildings, etc.)
  - Future funding may become available for rising seawater (i.e. Cornwallis River) and surveys are presently being conducted with Environment Canada.
  - HRM is creating a plan for sustainability issues (i.e. energy efficient power sources, emissions, etc.)

**APPROVAL OF THE  
MINUTES**

It was moved by Councilor Dennis Kehoe and seconded by Councilor Bernie Cooper

**that the Minutes of February 26, 2007 be approved with the insertion of a word on page 4 and a word change on page 13.**

**MOTION CARRIED**

**BUSINESS ARISING  
FROM THE  
MINUTES**

**( a ) Valley Community Fibre Network**

Jennifer Taylor, the VCFN Business Development Officer with Kings CED, and Erin Beaudin the Project Leader for VCFN, wished to provide Town Council with an update on the status of this project and to answer some questions previously asked.

Ms. Beaudin reiterated the terms and conditions under which the Town can partner with VCFN, stating that the current inter-municipal agreement would apply and that the Town would have to contribute to the ongoing operational deficit for 1/3 of any debt incurred. This would mean the Town would be responsible for 7.95% of this municipal portion or 2.95% of the total operational deficit. Also, the projected connection costs to the Town would be \$29,000. April 13<sup>th</sup> would be the deadline for the Town to commit to this project.

She stated that Aliant has rodded the duct structure in front of the Town Office and this would allow fewer costs to the Town in

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connecting. Further, the Town would sign onto the two operating agreements (one for the authority and another for Acadia and NSCC). She added more detail on the operating budget and answered questions.

### Points from Discussion

- This infrastructure will further green technology.
- This will attract and maintain companies in the area and will be an asset for the new school, residents and health care.
- The Provincial initiative, recently publicized, will use networks like VCFN's and will provide an opportunity to partner with the Province, in order to fulfill their commitment by 2009.
- Opportunities exist for schools, residents and health care users.
- As a customer instead of a partner, a founding (capital) partner would receive more economical benefits. As a customer, the Town would *not* be linked into the connectivity with other municipal units. There would be a sharing of resources and a shared cost, less than \$1500 per year until break-even in three years.
- Inflation costs have been built in for consumers and their costs would be significantly higher than the partner's costs.
- The Town does not need that type of speed; there are no advantages for hooking up to this; and Kentville takes on a potential liability by becoming a partner.
- Hook up for the Town would be approximately \$500 plus some incidental costs.
- It is important that the Town participates and share in agreements with other units, even in cases where the immediate benefits are not obvious.
- The business model at this point is that VCFN will provide the dark fibre and any potential carrier will be able to bid on this service.

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

**that a recommendation be made to Town Council that Kentville becomes a founding partner with the VCFN.**

**MOTION DEFEATED**

### **(b) CP Land – Guiding Principles**

At the previous meeting of CAC, Brian Desloges presented those guiding principles established for the development of the CP Lands.

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As KCDC has asked that Council ratify these, the matter has been brought to this meeting, once again.

Therefore, it was moved by Councilor Dennis Kehoe and seconded by Councilor Nola Folker-Hill

***Recommendation to  
Council***

**that a recommendation be made to Town Council that the following Guiding Principles, submitted by the Kentville Community Development Committee, be received and recommended to the Planning Department in consideration for future development of the Kentville Futures Site.**

- 1. A second bridge crossing is needed to accommodate access to new commercial and residential properties and help circulate additional traffic volumes and flow through the CP development area. The new bridge will also provide connections to existing water and sewer services on the north side of the Cornwallis River. The second bridge should be addressed as integral and coincidental with development of the CP Lands.**
- 2. A new flood control dyke is required to be constructed along the Cornwallis River. This flood control dyke and its associated lands, while on the CP lands, is a necessary flood control measure to protect the downtown and should be constructed independently of the development of the CP Lands.**
- 3. The CP Lands should be developed along the principle of a development "gradient". Specifically, new downtown style commercial uses should be developed adjacent to the existing downtown core. Moving west, commercial development would change seeing a reduction in height and density from the existing traditional downtown core eventually changing to a multi-family residential use and density to create a new population base within the downtown core area.**
- 4. The preferred development mix is a minimum 60% multi family residential development with the remaining 40% used for commercial opportunities. This mix is based on a strong desire to provide residential development within the downtown core,**

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**but more importantly to maintain a vibrant existing downtown core that is complimented by new commercial rather than see a shift from and abandonment of existing older buildings to new more modern opportunities on the CP lands.**

- 5. With the need to develop a flood control dyke along the Cornwallis River, the lands associated with this dyke should be dedicated as Parkland and Open Space. These dyke lands should be developed by the Town and remain as a river walkway and park system. All municipal sidewalks and residential development should connect to this new River Park. No other parks are necessary within the development areas proposed.**
- 6. Development of a road network that will allow for maximized development of the CP Lands.**
- 7. Developers will be required to start construction of their specific development project within 12 months, dated from the time of purchase of the property.**
- 8. Timing requirement for the sale of land (time to get information out and RFP timeline) is 60 days for response.**
- 9. Work towards expropriation or potential purchase of the Welton property. The RFP will be issued, excluding the Welton property.**
- 10. If and when the KEED property and their new residential proposal should ever revert back to Town ownership, it should be included in the CP Lands parcel and would be only considered for commercial development with the same density and character as the existing downtown.**

**MOTION CARRIED**

**(c) Kings Para Transit Agreement – update**

In February, CAO Boyd wrote to the NS Community Services Deputy Minister asking what was provided for the medical transportation for patients in the Kentville area. The response was that the Employment Support and Income Assistance Program and the Social Works Department at Valley Regional Hospital both

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provide assistance in this regard.

On another note, a letter of appreciation was sent to all municipal units, in which it was pointed out that this organization was pleased to have had the opportunity to present its budget, along with Kings Transit Authority, and to have received comments from members of the various councils.

### Points from Discussion

- Although the Province pays towards the transportation costs, it does not provide the vehicles.
- This service should be provided as a private enterprise.
- About 70% of Kings Para Transit's funding has been received from the province.
- The request for funding should be discussed during budget deliberations.

### **(d) Indoor Soccer Facility – Financial Status**

Financial Statements for the year ended June 30, 2006 were received from the Valley Sports and Multipurpose Facilities Association.

### Points from Discussion

- There are some questions needing clarification.
- The organization appears to be posting a deficit of \$61,624 and their capital fund balance shows \$26,310.
- These should have been audited financial statements based on the amount of money involved, and the partners should have insisted on this.
- There is no budget figure available to indicate if they intended to post a deficit or not. Perhaps these budget figures could be made available.
- There is a lot of information that is not specifically detailed, and it is unfair for the Town to make assumptions.
- Perhaps Director Crowell could sit in on the meeting with Mark Phillips and members of this organization at tomorrow's meeting and ask some financial questions.
- The agreement may involve providing regular financial statements, however, it might be inappropriate for the Town to demand answers.

## **FINANCE**

### **(a) Projections**

Director Debra Crowell reported that the financial projections to March 31, 2007 indicate that the Town could realize a deficit of \$24,100, as compared to last month, which projected a deficit of \$84,500. She elaborated on various aspects of the attached

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information, pointing out areas which were adjusted.

It was moved by Councilor Dennis Kehoe and seconded by Councilor Eric Bolland

**that the Projections Report, as presented by the Finance Director, be accepted.**

**MOTION CARRIED**

**(b) TBR – Kentville Futures Site 2006-2007**

Finance Director Crowell reported that in order to continue remediation of the Kentville Futures Site, a temporary borrowing resolution is required.

Therefore, it was moved by Deputy Mayor Larry Honey and seconded by Councilor Dennis Kehoe

***Recommendation to Council***

**that a recommendation be made to Town Council that TBR 06/07-04 – Land – Kentville Futures Site in the amount of \$500,000 be approved.**

**MOTION CARRIED**

**(c) Insurance Claims - February**

Director Crowell reported that there are two outstanding claims with undetermined costs and two claims that have been settled. In addition, the report contained statistics on new claims and those remaining open at this point in time. A discussion took place regarding the large insurance settlement of a sewer backup claim on Prospect Avenue. It was generally felt that the Town was not liable for this damage, although the claim was settled from the Town's insurance policy, with subsequent increases in premiums anticipated.

**(d) CPI Salary Increases**

Director Crowell reported that the CPI factor is based on the average CPI for the province, for the period March the prior year to February the current year, as posted by Statistics Canada. She added that for this period, the average cost of living is 1.8%.

Therefore, it was moved by Councilor Dennis Kehoe and seconded by Councilor Mark Pearl

***Recommendation to Council***

**that a recommendation be made to Town Council that the cost of living increase be granted to non-union employees of the Town, effective April 1, 2007 for the**

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rate of 1.8% .

**MOTION CARRIED**

**(e) Withdrawal Capital Reserve – Various**

Director Crowell reported that late invoices have arrived, relating to capital construction for 2006-2007, and that these cost additions must now be funded. She indicated the list of items needing funding and stated that currently, the Town's Capital Reserve contains \$171,449 (unrestricted \$169,846; Kentville Futures – Nil; Restricted - \$1,603) and after the withdrawal, the Capital Reserve will have a balance of \$156,940 (unrestricted - \$155,337; Kentville Futures – Nil; Restricted - \$1,603)

It was moved by Deputy Mayor Larry Honey and seconded by Councilor Bernie Cooper

*Recommendation to  
Council*

**that a recommendation be made to Town Council that funds in the amount of \$14,509.28 be withdrawn from Capital Reserve to fund capital constructions costs for 2006/2007.**

**MOTION CARRIED**

**NEW BUSINESS**

**(a) Sewer Bylaw**

Over the last several months, the Town's Engineer has been working with the solicitors to draft a Sewer Bylaw, respecting the regulation of connecting to and discharging into the sewers of the Town of Kentville. A review of this document was given, noting that it consisted of a section for definitions, connections, use of sewers, sampling and analysis, spills, reports, maintenance access points, disconnection, fees, offences, costs and repeals. For clarification, several schedules were also attached which related to spills and charges.

Solicitor Geoff Muttart stated that this document replaces an old presently existing bylaw which is very out of date. He proposed several additional amendments (for purposes of clarification,) which had been recommended since this document was recently sent to Council. He further pointed out that whereas many controls relating to sewerage could be found in the MGA, they are not repeated in this bylaw, as this document serves to supplement those issues in the Municipal Government Act.

Points from Discussion

- The Town must take a more direct approach in identifying the effluent in waste water streams, monitoring it, controlling the amount of industrial waste which is clogging

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the system, and enforcing penalties (or law suits) to correct these abuses to the system.

- The costs to upgrade the filtration of some of these industrial waste flows would be quite significant for many users of other systems, and therefore, some of these companies have chosen to pay the penalties.
- With higher charges and penalties now proposed in this bylaw, some industries will oppose these amendments.
- This is not a tax, but an attempt to recover some costs relating to the infrastructure. Many manufacturers are overloading the system.
- The BOD levels of some operations are up towards 1800 but should be registering around 200.
- This compliance will prove to be difficult for several industries and council must be prepared to deal with these complaints.
- Perhaps an option would be for the Town to consider a user fee based on the amount of BOD in the system.
- Grease is a big problem affecting many aspects of the facility maintenance, so must be removed at the source.
- A public meeting, which would be a voluntary session, should be held to allow explanation from the Town and feedback from the users.

It was moved by Councilor Dennis Kehoe and seconded by Councilor Mark Pearl

*Recommendation to Council*

**that a recommendation be made to Town Council that First Reading of the Sewer Bylaw be given.**

**MOTION CARRIED**

It was moved by Councilor Dennis Kehoe and seconded by Deputy Mayor Larry Honey

*Recommendation to Council*

**that a recommendation be made to Town Council that a public input session be held between first and second reading of this bylaw.**

**MOTION CARRIED**

**(b) KWC – Rules and Regulations**

A draft amendment to the Rules and Regulations Governing the Supply of Water by the Kentville Water Commission was presented by Director Hal Henderson. He outlined a number of changes which would allow clarification or updating, and stated that this document will have to go to the UARB and a public hearing

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

*Recommendation to Council*

**that a recommendation be made to Town Council that the KWC Rules and Regulations amendments be accepted, as proposed.**

**MOTION CARRIED.**

**(c) FCM Resolution – Climate Change**

A resolution regarding Climate Change, for the Federation of Canadian Municipalities, was received and reviewed by members of CAC.

Following this, it was moved by Councilor Eric Bolland and seconded by Councilor Dennis Kehoe

**that this matter be tabled until May to allow for a preview by the Environmental Advisory Committee.**

**MOTION CARRIED**

**(d) Kings Transit Authority Budget**

At a budget presentation meeting on February 28<sup>th</sup>, Council was given the opportunity to review various aspects of this budget and to ask questions relating to it. It was noted that the Town contributes 20% towards this budget, which represents \$67,035 of the \$335,176 budget proposed.

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

*Recommendation to Council*

**that a recommendation be made to Council that the Budget for Kings Transit Authority be approved.**

**MOTION CARRIED**

Council was asked to support a resolution approving the Kings Transit Authority's Strategic Plan (for the purchase of 2 new feeder busses from the Federal Tax Fund). As this document was not currently available, Councilor Pearl promised to circulate it prior to the April Council meeting and to place it on the next CAC agenda.

**(e) NKEC**

Councilor Mark Pearl noted that our local high school won the Provincial Hockey Championships for the second time in three

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years, and in keeping with past recognition of such achievements, he recommended that Council congratulate the team members.

Therefore, it was moved by Councilor Mark Pearl and seconded by Councilor Eric Bolland

***Recommendation to Council***

**that a recommendation be made to Council to publicly recognize the achievement of the Northeast Kings Educational Centre's Hockey Team for winning the Provincials this year.**

**MOTION CARRIED**

**(f) Budget Dates**

CAO Boyd stated that some meeting dates must be established to deal with the budgets, so any Council member with meetings in addition to those regularly scheduled, should advise the administration office.

**CORRESPONDENCE**

**(a) Movie Gallery New Minas**

A request was received from the Movie Gallery asking for financial support for the Helen Keller Foundation which provides research and care for individuals with who are deaf or blind.

It was moved by Councilor Dennis Kehoe and seconded by Deputy Mayor Larry Honey

**that a letter be sent to the Movie Gallery stating that the Town does not feel it appropriate to make a donation of tax payers dollars for fund raising efforts such as this.**

**MOTION CARRIED**

**(b) Valley Wildcats Major Midgets**

A letter from the president of the Valley Wildcats Hockey Club thanked the Town for providing excellent facilities and staff, during their year of operation. It was agreed that this letter be sent to Council.

**(c) Caohmin Consulting**

This email correspondence from Kevin Riles, stressed the importance of hiring a consulting firm to attend to the details associated with Request for Proposals in projects as complex as the development of lands in downtown Kentville. He also included a package of information and references for the Town's consideration.

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**(d) KCA – Minister of Education**

Mayor Corkum stated that he wrote to our MLA Mark Parent asking to arrange a meeting with the Minister, and that a letter was received from Minister Karen Casey stating that the project is being reviewed. There is some confusion regarding what is being done, as some sources have indicated that the approval has been given for a new school, while there appears to be nothing in writing.

He reminded Council that the Superintendent of AVRSB, Norman Dray, will be coming to Council in April and there may be discussion again at that time.

Councilor Nola Folker-Hill suggested that all Council members are becoming proficient with the use of their computers, and there seems to be no need for hard copies of the reports and information. Everyone agreed that, effective April 1<sup>st</sup>, if anyone required hard copies, they would request these from the Administration Office.

**ADJOURNMENT**

As there was no further business to discuss, the meeting was adjourned at 8:50 p.m.