

APPROVED – OCTOBER 12, 2005

KENTVILLE TOWN COUNCIL

September 14, 2005

PRESENT

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

MEETING CALLED TO ORDER

Mayor David Corkum called the regular meeting of Town Council to order at 7:05 p.m.

PUBLIC MEETING

Re: Willard and Alice Goodwin Rezoning

CAO Boyd reported that the Public Meeting regarding this rezoning will be held prior to the next regular meeting of Town Council on October 12, instead of this evening, as deadlines in advertising have not been met.

APPROVAL OF THE AGENDA

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

that the Agenda be approved with the addition of:

6 (i) ii - Spring Leaf Collection

7 (a) - Order of Canada

MOTION CARRIED

APPROVAL OF THE MINUTES

(a) August 10, 2005

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

that the Minutes of August 10, 2005 be approved with:

the inclusion on page #10, Item (d) of the name "Deputy Mayor Larry Honey" as a member of the Parks and Recreation Advisory Committee,

and further,

on Page 3 Business Arising (a) 2005-2006

Operating Budget that the words "potential deficit" be substituted for the word "issue" in the motion, so as to provide clarification.

MOTION CARRIED

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(b) August 29, 2005

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

that the Minutes of the Special Meeting of Council on August 29, 2005 be approved, with the addition following the motion, “*the Public Meeting was not held due to time restraints.*”

MOTION CARRIED

BUSINESS ARISING FROM THE MINUTES

(a) none

REPORTS AND RECOMMENDATIONS

(a) Council Advisory Committee

(i) 2005-2006 Operating Budget

Councilor Mark Pearl reported that at a recent meeting of Council Advisory Committee, Finance Director Debra Crowell reiterated that although the 2005-2006 Operating Budget was approved in June, the proposed Deed Transfer Tax Bylaw (which would have enabled a source of revenue), was defeated. Therefore, this resulted in a shortfall of approximately \$178,000 in the budget.

To address this potential deficit, Director Crowell prepared a report (copy attached) in which she proposed four options for Council’s consideration.

- Option 1 was to do nothing and declare a deficit;
- Option 2 was to cut spending (which to meet the financial shortfall, would involve either cutting staff or a whole item of service);
- Option 3 was to transfer funds from capital gains (however, this would lower interest income);
- Option 4 was to combine the options.

Following consideration of each proposal, members of CAC felt that a combination of these options would be the most viable, as this would not place the financial stress of the entire shortfall in one area only.

Therefore, it was moved by Councilor Mark Pearl and seconded by Councilor Nola Folker-Hill

that staff be directed to look for ways to reduce expenditures, so as to lower the potential deficit,

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and further,

that at the end of the next fiscal year, staff look at options relating to transfers, which could further lower the deficit.

MOTION CARRIED

(ii) TBRs – Capital Program 2005 – 2006

Councilor Mark Pearl stated that at a recent meeting of Council Advisory Committee, Director Crowell reported that TBRs for the capital program were requested and resolutions were prepared for Council's authorization.

Therefore, it was moved by Councilor Mark Pearl and seconded by Deputy Mayor Larry Honey

that Town Council authorizes the temporary borrowing resolutions, as below, and that these be forwarded to the Minister of Service NS and Municipal Relations:

TBR 05/06-01	Police Station	\$ 35,000
TBR 05/06-02	Various	\$ 600,000
TBR 05/06-03	Generator	\$ 66,400
TBR 05/06-04	Recreation	<u>\$ 104,000</u>
Total TBRs		\$ 805,400

MOTION CARRIED

(iii) TBR – Park Street Paving - \$98,400

Councilor Mark Pearl reported that at a recent meeting of Council Advisory Committee, Director Crowell reported that the attached TBR has expired and must be replaced with current authorization.

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

that Town Council authorizes the temporary borrowing resolution noted below, and that this be forwarded to the Minister of Service Nova Scotia and Municipal Relations for approval.

**TBR97/98-03 – Park Street Paving -
\$98,400**

MOTION CARRIED

**(iv) Outstanding Accounts Receivable –
Fire Services**

Councilor Mark Pearl reported that at a recent meeting of Council Advisory Committee, Director Crowell stated that in 2004, Council wished to adjust the formula (as paid by the County for fire services), to recover all costs, and at that time sent a bill for \$220,708 to the County of Kings. As the County paid only that amount relating to their policy (\$149,789), a balance of \$70,919 remained. Interest, since that time, has brought the balance owing to \$106,441.19 and arrears notices continue to be sent every month for the outstanding amount.

She further added that as the Inter-Municipal Fire Services Agreement has been signed and now controls the amount paid by each partner, Council must decide whether or not this outstanding amount should be pursued or forgiven.

During a discussion and debate on this issue, it was agreed that the invoice had been sent to the County to reflect the *true* costs for the delivery of this service, and although the amount remains outstanding in the Town's Accounts Receivable, it would be unlikely that these funds would be collected. Furthermore, writing off this amount would show a spirit of co-operation for the newly signed Inter-Municipal Fire Agreement.

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

that Town Council writes off the \$70,919 plus interest, which was invoiced to the County of Kings for expenditures relating to the provision of fire services for 2004.

MOTION CARRIED

Points from Discussion

- The bill should be sent to the County for payment and not written off.
- A policy was in effect (with the old formula) and the county paid in accordance with that.
- With the new partnership arrangement involving all units in Kings, expenditures such as these will be included in the future.

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(v) Debenture Funding – Fall 2005

Councilor Mark Pearl reported that at a recent meeting of Council Advisory Committee, Director Crowell stated that NS Municipal Finance Corporation advised that debenture funds will be issued this fall based on the pre-approved resolutions, as attached.

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

that Town Council authorizes the attached resolutions for Pre-approval of Debenture Issuance, as follows:

Police Station	-	\$1,200,000
Recreation	-	\$ 56,000
Public Transportation	-	<u>\$ 400,000</u>
Total request	-	<u>\$1,656,000</u>

MOTION CARRIED

Points from discussion

- The maximum interest rate is 6% and Municipal Finance should charge rates that more accurately reflect present day rates.
- There is no choice but to accept this rate, along with the condition that the funds must be borrowed from the province.
- This is long-term debt and the Province guaranties that the rate is capped at 6%.
- Perhaps borrowing outside should be considered, or the Town should carry temporary debt through the bank.

(vi) Signing Officers – 2005

Councilor Mark Pearl stated that at a recent meeting of Council Advisory Committee, Director Crowell reported that with the recent change in executive officers, new banking documents must be signed by official signatories for the Town.

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

that Town Council approves the attached Resolution Re: Bankers and Signing Officers (for Municipal Corporations), and forwards it to the

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Royal Bank of Canada upon completion.

MOTION CARRIED

(vii) Community Fibre Network

Councilor Mark Pearl stated that at a recent meeting of Councilor Advisory Committee, CAO Boyd reported that several months ago a presentation was made to Council regarding the implementation of a Community Fibre Network from Halifax to Middleton. At the same time, a request was made for the Town to enter a partnership agreement with other municipal units, which would include funding for the project.

Council felt more information was needed prior to making the \$30,000 commitment, and subsequently asked not only for a business plan, but also sought an objective opinion on the feasibility of this type of infrastructure. Subsequently, a presentation was given by the CAO of Annapolis County, who supported the network installation, but recognized that funding options are now limited to the proposed partners.

Following a discussion on this project, some councilors felt that financial support from the stakeholders was now in jeopardy; that sufficient financial information was still unavailable; and that a commitment by the Town may cause financial limitations on other projects. Further, they felt that this service should be provided by the private sector and sold to municipalities; that the community economic benefits were questionable; that the benefit to the ordinary tax-payer was dubious; and, finally, that municipalities would be paying twice (once through Provincial Income Tax to some stakeholders, and again from the property tax which they collect).

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

that a letter be written to Kings CED and the Community Fibre Network Committee, advising them that the Town of Kentville is not interested in being a stakeholder in this project.

MOTION APPROVED

Points from Discussion

- Businesses need high speed internet, but this

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- proposal would not meet those needs.
- Kings CED should pursue another type of service (Aliant and Eastlink) as this Fibre Network proposal would not serve our community to its best advantage.
 - Federal Government money may be available for this project.
 - The Town's representative on the Kings CED Committee should pass along information on other alternatives.
 - A recent article in the NS Business Journal related to the issue of Fibre Network (high speed internet) and comments were made this information was not only timely, but also a good resource.

(viii) Kings Historical Society – Request for Additional Funding – 2005

Councilor Mark Pearl reported that at a recent meeting of Council Advisory Committee, a request from the Kings Historical Society was reviewed, in which this organization asked the Town to exempt them from taxes. They pointed out that although the Town does provide a \$5,000 grant annually, the Society still finds itself having to pay almost half of this back in taxes. This puts financial stress on the organization.

During discussion, it was noted that this group is deemed by Council to provide a service which would normally have to be provided by the Town, and therefore, the MGA would allow a total tax exemption. Although too late this year, the request could be considered in future years.

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

that Kings Historical Society be contacted and advised that it is too late this year for additional financial funding, however, arrangements should be made earlier next year to do a presentation to Council.

MOTION CARRIED

(a) Finance

(i) Director's Report

As per the attached report, Finance Director Debra Crowell stated that the final tax bills are due September 30th and that

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as of August 31st, the overall revenue exceeds the average, as it relates to a benchmark of 42%. She added that net taxation revenue is over-budget at \$24,986, although, appeals may affect this figure. Other revenue sources were identified, as were expenditures. She further noted that overall expenditures are below the average, although some departments have exceeded their guidelines because of annual payments and bulk ordering. Lastly, she reported that 47.9% of taxes have been collected to date.

It was moved by Councilor Nola Folker-Hill and seconded by Councilor Dennis Kehoe

that the report prepared by the Director of Finance be received.

MOTION CARRIED

(c) Planning and Development

(i) Director's Report

As per the attached report, Director Bev Gentleman stated that 12 permits were issued during July with a total building value of \$529,834. Further, she noted that the rezoning application from the Goodwins will be given a Public Meeting next month; that the Wellhead Protection Committee met on September 6th to review the proposed changes to prohibitive land uses, and to identify those specific areas. Work continues with the Kingshire Development Agreement (which is nearing completion) and computer updates are being initiated so as to allow CityView to link with Archview. This will allow provincial information to be downloaded to the Town's program.

It was moved by Councilor Dennis Kehoe and seconded by Councilor Nola Folker-Hill

that the report prepared by the Director of Planning and Development be received.

MOTION CARRIED

(ii) Committee Report

Mayor David Corkum reported that PAC had its first meeting and that he has been nominated as the new Chairman. He added that Director Gentleman is doing a good job, and has had what appears to be a productive meeting with Ian Maxwell regarding his development.

(iii) Request from KEED Development

Solicitor Muttart reported that a request has come forward from KEED Development to Council to amend the agreement between the two parties. This amendment would reflect three aspects of the development of Lot A as indicated in the attached letter.

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

that Town Council agrees to the proposed amendment regarding time frames, as they relate to the development of Lot A, as per the Agreement, and as follows:

- **Equipment to be on-site by October 31, 2005**
- **Completion of Phase 1 residence before December 31, 2006**
- **Completion of community service centre on or before July 31, 2007**

MOTION CARRIED

(Note: This is a one year extension of existing time lines.)

(d) Fire

(i) Chief's Report

A report was received from Acting Chief Paul Jackson, in which he reported that there were 11 alarms in Kentville for August (with vehicles travelling a distance of 102 kilometers) and 22 alarms in the County (for vehicles travelling a distance of 924 kilometers). Mutual aid calls involved haz-mat in Windsor, Odor and Smoke in New Minas and Water Rescue in Aylesford. 36 calls were received for the month, with one being a fire to a hay wagon and another to Avery's in downtown Kentville.

Lastly, he reported that Chief Ripley remains on sick leave and that he is Acting Chief while Darren Coxhead is Acting First Deputy and Stephen Leslie is Acting Second Deputy.

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

that the report from the Acting Fire Chief be

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received.

MOTION CARRIED

(Note: It was noted that more complete statistics are required regarding mutual aid, as this information will be important during future negotiations relating to formulas.)

(ii) Governance Committee Report

Councilor Dennis Kehoe reported that there has been no meeting since July, however, the next meeting is scheduled for next week.

(e) Parks and Recreation

(i) Director's Report

As per the attached report, Director Mark Phillips stated that ice scheduling at the arena continues to be good and that Minor Hockey is operating camps and tryouts, while the Figure Skating program is running a fall session. Regular hours will begin in October. He added that the OHS Committee will review a report on a recently conducted assessment of the Town's operation.

Director Phillips added that although soccer and minor ball have ended for the season, school teams have kept the fields busy. At the pool, drainage issues are being addressed, the hanging baskets are being removed from the downtown area. Further, he added that tenders are being received for the Entrance Sign, and work continues with the Ducks Unlimited project.

Other items mentioned were the Healthy Living Tax Incentive program, the camp and summer programs, work with the Harvest Festival and Pumpkin People and the fall programs.

It was moved by Councilor Mark Pearl and seconded by Deputy Mayor Larry Honey

that the report prepared by the Director of Recreation be received.

MOTION CARRIED

Points from Discussion

- Question: With Occupational Health and Safety, what is the liability of Council to ensure the Town is conforming to regulations? Should a councilor be on

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that committee?

- Council has the obligation to appoint the appropriate officers and they must carry out their obligations.
- Any negligence on their part would create a liability situation for the Town.
- That committee is very well run and there is excellent communication with administration and when necessary, with council.
- Council should receive regular updates.
- Committee members must react to any issues identified during inspections that could create hazards.
- Council would set policy and ensure that a committee is in place, but it should not be necessary to become actively involved.
- A copy of this report is available for viewing at the administration office.

(ii) Committee Report

The committee will meet next Wednesday evening.

(f) Police

(i) Chief's Report

As per the attached report, Police Chief Mark Mander stated that August was another busy month and that some items stolen from vehicles over the summer months have been confiscated, and several people have been apprehended.

He added that at the Avery' Farm Market fire on August 24th, Cst. Sehl, MacNeil and Cpl. Brown performed a rescue of residents in apartments above the store. Cst. Sehl and MacNeil were treated for smoke inhalation. Lastly, he noted that 68 hours of foot patrol were also performed during the month.

It was moved by Councilor Nola Folker-Hill and seconded by Councilor Bernie Cooper

that the report from the Police Chief be received.

MOTION CARRIED

(ii) Board Report

Councilor Nola Folker-Hill reported that there was a meeting on September 8th and members are starting to review the policies and procedures relating to this service. She added that those police officers who performed the

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rescue at Avery's will be recognized for their effort.

(g) Transportation Services

(i) Director's Report

As per the attached report, Director Hal Henderson stated that the capital projects are well underway and on schedule, and that work continues on the CP lands under the direction of Site Manager Gibbons and Senior Remediation Advisor Tom Windeyer. Piles of asbestos and creosote will be taken to Valley Waste, the steel will be sold for scrap, the concrete will be chipped and made into small stone, and the brush will be chipped and used as ground cover. Final projections are expected in October.

The Cornwallis River Bridge received some repairs to abutments and during the temporary closure of one lane, the KVFD relocated 3 vehicles on standby on the north side of the bridge.

Lastly, he added that fall clean-up will be on October 3rd and leaf pick-up will be in mid November.

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

**that the report prepared by the Director of
Transportation Services be received.**

MOTION CARRIED

(ii) Committee Report

The committee will meet next week.

(h) Water Commission

(i) Director's Report

As per the attached report, Director Hal Henderson stated that the capital works projects continue on schedule. He added that the Wellfield Planning Advisory Committee met on September 6 to review the amendments to the LUB and MPS, and it is hoped that the amendments can be sent to the respective PACs very shortly. Following first reading, the Public Hearings will be scheduled.

Director Henderson added that the Town expects Ministerial approval from DEL any day, and that a McGee Lake Source Water Protection Plan (to identify possible risks to water

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sources) has recently been drafted.

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

that the report for the Kentville Water Commission be received.

MOTION CARRIED

(ii) Commission Report

There was nothing further to report.

(i) Valley Waste Resource Management Authority

(i) Representative's Report

A written report has been received from Chairman Larry Eaton, in which he stated that the next regular meeting will be on September 21st. He further added that work continues on the Service and Facilities Review report and that he attended a provincial meeting in Halifax on September 7th for the Regional Chairs Committee.

It was moved by Councilor Nola Folker-Hill and seconded by Councilor Bernie Cooper

that the report from the town's representative on the Valley Waste Resource Management Authority be received.

MOTION CARRIED

(ii) Spring Leaf Collection

Councilor Dennis Kehoe reported that he understood that the Town of Hantsport has asked for a second leaf collection and he is unaware of any request that this municipal unit pay for this additional service. He asked if our representative could point out that when the town of Kentville asked for an additional green cart pick-up, this would be provided only if an additional fee was paid.

(Note: CAO Boyd was asked to relay this request to Mr. Eaton)

(j) Kings Community Economic Development

(i) Representative's Report

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Councilor Eric Bolland reported that he attended a meeting some weeks ago and was brought up-to-date on issues; however, at that meeting, most of the discussion involved the Community Fibre Network. He added that a 2 day workshop on economic development has been set for September 28 and October 26 and likely some members of the Town will be attending those sessions.

(k) Kings Transit Authority

(i) Representative's Report

CAO Boyd pointed out that a previously received report (attached) was circulated; however, updated information can be expected soon. Councilor Mark Pearl reported that there will be a meeting on September 20th; however, added that during a recent discussion with Brian Hackett, it appears that ridership was up. Some of this increase is due to student use of the transit system.

He added that KTA was approached by KCATS with a proposal to work in conjunction with them. The Authority has requested more financial information prior to any formal discussion.

(m) Councilor's Reports

Councilor Dennis Kehoe had nothing further to report.

Councilor Bernie Cooper attended all meetings and participated in the "Run for Parkinsons."

Councilor Eric Bolland reported that he attended KCED, the KWC and met with the Mayor, the CAO and Scott Brison regarding Town issues, and he will attend the Terry Fox Run.

Councilor Mark Pearl reported that he has been bringing himself "up to speed" with KTA and as an alternate for VWRM, and with the Recreation Committee. He also stated that there is an Investment Advisory Committee meeting soon.

Councilor Nola Folker-Hill reported that she is waiting for the first meeting with SAC; that she will be attending the Police Conference in Pictou on September 29 and 30th; and will attend UNSM in October.

Deputy Mayor Larry Honey reported that he attended the Wally Byam reunion in Kentville and stated that this club (Airstream Trailers) was started 50 years ago, and met at Palmeters Gift Shop. A marker was placed to commemorate the anniversary. Also, he added that as Deputy Mayor, he welcomed the Swim Provincials and attended the Roads and

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Highways symposium in Truro. At this meeting some ideas were put forward, so that the municipal, provincial and federal governments could identify their responsibilities, and take ownership for these. This meeting was organized by the NS Chambers of Commerce, as a major lobbying effort. He also attended the KPSC and noted that REMO is being reviewed by the CAOs.

(n) Mayor's Report

Mayor David Corkum made reference to the attached report and noted that he was very busy. He thanked Councilor Bolland for arranging a meeting with Scott Brison and this led to discussion about the brown field clean-up of the CP lands and the second river crossing. Further, meetings are being arranged with Mark Parent and Roger Larkin regarding the bridge.

He added that he threw out the first pitch at the AAA Midget game.

(p) Chief Administrative Officer's Report

CAO Boyd reported on the Kentville Futures, giving an update; regarding the EMO Planning Committee, he elaborated on the new generator and technology, and some scheduled training. With CUPE, he stated that negotiations continue, with the next meeting to be held on September 26th. He noted that a council rep is needed on this committee, and suggested that perhaps the chairman of Transportation Services will be available. Finally, he added that a new human resource manual for Kings County units is being considered.

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

that the report from the CAO be received.

MOTION CARRIED

CORRESPONDENCE

none

NEW BUSINESS

(a) Order of Canada Award.

Councilor Nola Folker-Hill reported that Dutchie Mason recently received the Order of Canada Award. She felt that as he grew up as a Kentville resident, a letter of congratulations should be sent to him from the Mayor.

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ADJOURNMENT

Upon a motion by Deputy Mayor Larry Honey, the meeting adjourned at 8:35 p.m.

Mayor

Secretary