

VILLAGE OF NEW MINAS
REGULAR COMMISSION MEETING
MARCH 14, 2011
7:00 p.m., Civic Center

The regular monthly meeting of the Village Commission of New Minas was held on Monday, March 14, 2011 at 7:00 p.m. in the Civic Center.

In attendance: Chair Dave Chaulk
Vice-Chair Dale Pineo
Commissioner Dean Hatt
Commissioner James Redmond
Commissioner Maynard Stevens
Clerk Treasurer Terry Silver

Also in attendance: Councillor Eric Smith, District 11
Mrs. Carolyn Smith, Resident
Warden Diana Brothers
Supt of Public Works Peter Pothier
Assistant Superintendent of Public Works Gerard Hamilton
Mr. Gordon Silver, Resident

CALL TO ORDER – Commissioner Dave Chaulk, Chair

Chair Chaulk called the meeting to order and welcomed everyone.

APPROVAL OF AGENDA: March 14, 2011

It was moved by Commissioner Redmond, seconded by Commissioner Hatt that the Agenda of the regular Commission meeting of March 14, 2011 be approved as presented. MOTION CARRIED

APPROVAL OF MINUTES: February 14, 2011

It was moved by Commissioner Stevens, seconded Vice-Chair Pineo that the minutes of the regular Commission meeting held February 14, 2011 be approved as circulated. MOTION CARRIED

BUSINESS ARISING FROM THE MINUTES

a) Boundary Expansion – Update

T. Silver advised that she has responded to the letter from the NS Board of Public Utilities, answering a number of questions. This response was also forwarded along to the Municipality of the County of Kings as directed by the Board. She stated that the Board is in the process of setting up a pre-hearing conference call with the parties, and she will advise the Commission when that date is set.

b) Bylaw #1 – Update - T. Silver advised that Bylaw #1 has been approved and signed and returned by the Minister, so it is now in force.

c) Proposed Facility – Update - The Commissioners reviewed a written report on the status of the proposed facility.

**It was moved by Commissioner Redmond, seconded by Commissioner Stevens that the Clerk be directed to have an appraisal carried out on the Civic Center property.
MOTION CARRIED**

INFORMATION SESSION – Ben Sivak, Planner, Municipality of the County of Kings, Warden Diana Brothers

The Chair welcomed Warden Brothers and Mr. Sivak, and thanked them for coming.

Warden Brothers thanked the Commission for giving them the opportunity to speak at this meeting. She asked the Commission to ask themselves this question: “What do we want New Minas to look like”? She elaborated on the 2050 planning project, and stated it is the County’s intention to look at land use in the long term. She stated the Land Use Bylaw includes New Minas’ Sector plan, and that Council has never looked at the entire picture (i.e., the County MPS/LUB including the Village’s Sector Plan), since its inception in the late 1970s – 1982, even though there have been numerous amendments. Warden Brothers stated that it is now time for this process County Council is anxious to work with the Village to make it happen.

Warden Brothers noted she is aware that the Village has made application to expand its boundaries, and although Council has not discussed it, she would like to urge the Village Commission to put the application on hold until the County can meet with the Village to look at the overall plan for the area.

Mr. Sivak gave a presentation briefly outlining the County's long range plan for their "Kings County 2050" project. A copy of Mr. Sivak's written presentation is attached to the original minutes. This presentation suggested that the Village work with the Municipality on a long-term plan for New Minas and the surrounding area, rather than "deal with the Village boundary issue first" (referencing the Village's application to expand the boundary south of Highway 101). He stated that New Minas is the major "hub", and planning cannot effectively be carried out for Kings County without New Minas and vice versa. He stated that Council is looking for feedback from the Village in their process over the coming months, and this meeting tonight is starting this process. Ben noted that the 2050 Plan is in its initial stages, and the goal is to provide sustainable development, and he respectfully suggested the Commission to work with the County to incorporate the areas within the boundary expansion in the 2050 Plan. He said the information gathered during the 2050 planning process would further help the Village in its expansion quests in the future. In other words, the discussions would include both expansion and developing growth centers instead of just expanding.

Warden Brothers stated she and Council look forward to more dialogue and working together to better utilize resources. She asked the Commission if they didn't think it would be better to have the Council work with them to expand the boundaries and to encourage the process along. She stated the County's planning team and PAC would have insight and expertise that would serve the Village well in their application to expand the boundaries once the planning process is complete. She commented that she considers New Minas to be the "Crown Jewel"; it's a big part of the County and she feels it is very important to work as a unit.

Warden Brothers apologized that the Commission has not been contacted prior to this evening. She emphasized again that this request this evening would greatly benefit both the County and the Village, as the views would be united rather than isolated. She stated that if the Commission agreed to postpone or withdraw its application to the UARB, Council will make New Minas a priority in the 2050 plan.

Warden Brothers thanked the Commission for their time and asked the Commission to consider their request to postpone or withdraw their application to the UARB at this time, and further work with the County to expand the boundaries in the future after the 2050 plan is in place.

Commissioner Dean Hatt asked Warden Brothers if she had any idea why the Village and the County have not been able to work together over the years. He said there have been many unresolved issues over the years, and wondered if another 20 years will pass before the planning and other issues are resolved.

Warden Brothers stated that planning for Kings County has not been brought forward to Council formally since she came on Council in 1994. She said she and her Council want to go forward. There are 7 Villages in Kings County and Council is committed to making sure Villages have value.

Commissioner Hatt stated that that the petitioners in the expansion area came to the Village.

Warden Brothers stated that she understands that and she's not saying it's (expansion) is the wrong thing to do, but it is just "putting the cart ahead of the horse". She explained that the County still has to go through all the planning process, even if the UARB approves the expansion application, and she asked, "doesn't it just make sense to have the planning in place and move forward with the expansion application?" She said hopefully the plan would be adopted by Council and the application for boundary change could commence immediately after that. She stated that the County could include the expansion of the boundaries, and Ben clarified that would be from a planning perspective; that the UARB would still have to deal with any boundary expansion. She stated the County is merely offering their services, on a professional level and urged the Commission to accept this offer.

Chair Chaulk reiterated Commissioner Hatt's comments that there has certainly been an adversarial relationship with the County since his coming on the Commission in 2003, and it is his opinion that the Council over the years has not been pro-active with Village issues; eg: the sewage treatment facility – Council did not deal with the Village's concerns, as a major partner, until they threatened to pull out. He noted there have been other issues over the years.

Warden Brothers stated she could only comment on those things that she is aware of and she noted that the Village is very well represented by their two Councillors. She said it is their mandate to come and promote on behalf of the Village, and they do. She commented that the organizational review carried out by the County recently was very disruptive. She said she has a very pro-active Council and they are there for our services. She said that although they have not discussed this process, they would certainly respect the Village's decision either way. But, she noted, their suggestion is definitely the "better way", and they need to move forward.

Chair Chaulk agreed that there needs to be a collective process, and he is all for a better spirit of cooperation.

Mr. Sivak stated that the timing is critical: the landowners are looking to move forward, the twinning/interchange project is in the near offing. If there are future plans for, say an industrial park for example, and this happens without thinking about the impact on Commercial Street, servicing, and traffic issues, then the planning process could be impacted.

Chair Chaulk asked what advantage there would be to waiting (for the expansion), since planning things have to be done anyway, such as development, traffic, etc., and Council has to make the ultimate decision on any planning. Warden Brothers stated she has a concern that this could turn adversarial, where if the Village chose the approach she is recommending, the process would flow smoother.

Commissioner Redmond asked again for clarification to Chair Chaulk's question: i.e., what difference does it make if New Minas' boundary expands or doesn't expand – the process for County Council remains the same. Warden Brothers answered that there are number of issues that will have to be dealt with, including traffic flow, commercial development, etc., and the County will do all that for the Village for free in their 2050 plan. Commissioner Redmond stated

that it would be reasonable to assume that this would happen as a matter of process anyway, regardless of the Village's boundary area.

Warden Brothers stated that one of the major landowners in the subject area had an application on file with Council and it was deferred to the 2050 planning process. She went on to say that if the Village Commission has any concerns about any issues at all, they must make sure the politicians know... they want to know. Commissioner Redmond stated he was glad to hear that; he was not necessarily sure that that is always the case. Warden Brothers stated she doesn't know what went on before she became Warden, but wanted to assure the Commission she will do her utmost to insure there is cooperation and communication. Commissioner Redmond stated that is the Commission's stand as well, and he feels it is of the utmost importance for the Council and Commission to work together. Warden Brothers welcomed the Commissioners to come to her privately to talk about things. She emphasized that Council does not function against New Minas. Chair Chaulk begged the Warden's respect and reminded her she has been a Councillor for 17 years; she should be apprised of what is going on. Warden Brothers commented that this is not always the case.

Warden Brothers thanked the Commission for inviting her. She stated she would still respect the Commission's decision whatever they decided. Commissioner Redmond stated that regardless of the outcome of this issue, the Commission is anxious to continue to work together with the Council on all issues, including planning.

Mr. Sivak stated that proceeding with the UARB application would postpone the 2050 planning for the Village, because staff time and expertise would be diverted to working on the UARB hearing. Commissioner Redmond stated he really cannot understand why the Village's boundary application could possibly have any impact on the overall 2050 planning. He also stated that he has heard rumblings that there is a fear amongst County Councillors that the Village has discussed applying for Town status. He stated unequivocally that this Commission has never formally discussed going to Town status. Warden Brothers stated that was the furthest thing from her mind, and Commissioner Redmond has been misinformed.

Chair Chaulk asked Mr. Sivak if the 2050 plan could theoretically make a recommendation to expand the Village's boundary to the subject area. Mr. Sivak stated that there is a potential for that.

Commissioner Hatt asked why the developer told the Commission awhile ago that he could not get anywhere with the County? Warden Brothers stated she feels that it was because the PAC's recommendation on the application was to defer it to the 2050 plan. She stated she really could not comment on the feelings of the developer. Commissioner Hatt asked how long it would take the 2050 plan to be implemented. Mr. Sivak stated that generally speaking, approximately three years. He stated that the first year they would work on the "vision", the second year would be dedicated to plan development, and to have a draft in place. Also year 2 would include considering any boundary change for New Minas. Year 3 would be finalizing the plan.

Clerk Silver stated that the property owners in the expansion area came to the Commission to petition on their behalf. She said the Warden's suggestion to delay or withdraw the application would mean these same people would have to agree in the future, after the process, to be petitioned again or be willing to wait. With all the guarantees being discussed, can the County guarantee that the Commission will still have the required 2/3 positive response to the petition in the future? Warden Brothers responded that she would not want the Commission to make a decision that it was not comfortable making, but she would suggest the Commission contact the UARB to inquire whether a postponement is possible.

Chair Chaulk stated he agrees that both things could be done together. The Village could continue with their application, and the 2050 planning process would continue on regardless of where the Village's boundary lies.

Chair Chaulk thanked Warden Brothers and Mr. Sivak for their attendance and information. He stated the Commission wants to have a better spirit of cooperation, they do not wish to have an adversarial approach, and they want to cooperate on all issues relating to the County. He stated we are all in it for the same reason: to make our communities better places.

Warden Brothers and Mr. Sivak asked the Commission if there was any objection to their leaving the meeting at this point, and since no one had an objection, they left the meeting, while asking Councillor Smith to bring back the Commission's decision to Warden Brothers the next day.

Chair Chaulk asked the Commission to comment on the next steps for the boundary expansion process. Councillor Redmond stated he wished to have a bit of time to discuss it with the Village's solicitor. Commissioner Stevens, Commissioner Hatt and Vice-Chair Pineo agreed they wanted to discuss it with the Village's solicitor, and Chair Chaulk concurred that they should include the solicitor in their discussion. The Clerk was directed to set up a meeting with the solicitor and advise the Commissioners.

COMMITTEE REPORTS

a) Water Commission Report – Commissioner Maynard Stevens

Commissioner Stevens advised there was no meeting of the Water Commission and no report was available.

b) Area Advisory Committee – Commissioner Dean Hatt

Commissioner Hatt advised there was no meeting of the New Minas Area Advisory Committee in February, and no report was available.

c) Recreation Advisory Committee – Vice-Chair Dale Pineo

Vice-Chair Pineo advised there was no Recreation Advisory Committee meeting in March, therefore, no report is available.

d) Transportation Advisory Committee – Commissioner Dean Hatt

Commissioner Hatt advised there was no meeting of the New Minas Transportation Advisory Committee in March.

Commissioner Hatt reported on information he has received from Fred Whynot, former Area Manager Kings District, on a request from Mr. Joe Rafih to install a crosswalk near the Scotia Bank.

It was moved by Commissioner Hatt, seconded by Vice-Chair Pineo, that the Village Commission not proceed with the request to install a crosswalk near the Scotia Bank due to the restrictions by NS Department of Transportation and Infrastructure. MOTION CARRIED

The Clerk will advise Mr. Rafih of this decision.

NEW BUSINESS

a) Motion to call meeting of Electors to Borrow money – Proposed Facility

It was moved by Vice-Chair Pineo, seconded by Commissioner Redmond that a meeting be called of the electors to seek permission to borrow up to \$3,000,000 for the purpose of building a facility and to provide bridge funding. MOTION CARRIED

b) Future of Committees – Recreation Advisory Committee and Transportation Advisory Committee – Chair Chaulk

Chair Chaulk stated as Chair of the Commission, he is required to attend all meetings. He has noticed lately that there is less and less for the Recreation Advisory Committee and Transportation Advisory to discuss at meetings. Also, it is becoming more and more difficult to encourage citizen members to sit on these volunteer committees.

It was moved by Vice-Chair Pineo, seconded by James Redmond that the New Minas Recreation Advisory Committee be disband. MOTION CARRIED

Commissioner Stevens voiced his dissent with disbanding Committees because he feels it is important to have citizens taking part in recreation matters in the Village.

The Clerk was directed to request the Recreation Director to attend the Commission meetings from this point forward to provide a monthly report on Recreation services and to answer questions if necessary.

Commissioner Hatt stated that he feels the same is true for the Transportation Advisory Committee.

It was moved by Commissioner Hatt, seconded by Commissioner Redmond that the New Minas Transportation Advisory Committee be disband. MOTION CARRIED

c) Request to Kings County to carry out MPS/LUB Review for New Minas Sector Plan

Clerk Silver referred to a report to the Commission. She stated that at the meeting she attended with Warden Brothers and Chair Chaulk, it was recommended by Warden Brothers that the Commission submit an application to the County for a complete Sector Plan review.

It was moved by Commissioner Redmond, seconded by Commissioner Stevens that this item be tabled. MOTION CARRIED

It was agreed that this item be incorporated into the discussions during the upcoming meeting with the Commission's solicitor.

d) Request from Habitat for Humanity

The Commission reviewed a letter from Habitat For Humanity.

It was moved by Commissioner Hatt, seconded by Vice-Chair Pineo that the Village Commission purchase "a table of 10" for the upcoming Habitat for Humanity Auction. MOTION CARRIED

e) Request from Apple Blossom Festival – Booster Contribution

It was moved by Commissioner Redmond, seconded by Vice-Chair Pineo, that the Village's contribution of \$2,000 for the 2011 Apple Blossom Festival Booster Club be approved. MOTION CARRIED

e) Request – pre-approval for Vehicle Purchases in 2011/2012 Capital Budget

The Commission referred to a report on the buyout of leased vehicles and the request to purchase another vehicle for the fleet.

It was moved by Vice-Chair Pineo, seconded by Commissioner Stevens, that the staff be authorized to buyout the leases for three vehicles coming up now, as outlined in the report (attached). MOTION CARRIED

Superintendent of Public Works was asked to elaborate on the justification to add a vehicle to the Village's fleet. Peter Pothier commented on the items in the report, and listed the following items verbally:

- Village staff now carrying out the majority of the work themselves instead of hiring contractors
- Staff able to do own repairs on equipment as much as possible, instead of sending to outside mechanics
- The Village's parks have increased in numbers and volume.
- Village's services are expanding, with water and sewer services having been extended to the Prospect Road west area, new subdivisions in Greenwich, Canaan Heights subdivision, etc.
- In the past, the Village has had an opportunity to rent a vehicle on a day-to-day basis as needed, and for a very good daily rate. This opportunity is no longer available.
- Staff has been using their own vehicles when Village-owned vehicles are not available for various reasons. This is not a good practice and should not continue.
- The Village has a very aggressive hydrant maintenance program where they are fully serviced every 2 years, along with regular on-going maintenance.
- The demand for another vehicle is 100% of the time from April 1st to December 31st, and occasionally from January 1 to March 31st. The rental cost for nine months would be prohibitive – much more economical to own our vehicle.

Peter stated the reason this request is coming prior to the budgeting process is because it has to be ordered now to have it by July 1st.

It was moved by Commissioner Redmond, seconded by Commissioner Hatt, that staff be authorized to order and purchase a two-wheel drive truck, per report (attached) as a capital expenditure in the 2011/2012 Capital Budget. MOTION CARRIED

OTHER ADDED ITEMS

- a) Spring Debenture Funding Request – Municipal Finance Corporation

It was moved by Commissioner Redmond, seconded by Commissioner Stevens that the following resolution be adopted:

BE IT RESOLVED that the Village Commission of New Minas request the opportunity to take out a Debenture of up to \$3,000,000 for the spring Debenture Issue, as follows:

WHEREAS Section 91 of the *Municipal Government Act* provides that a municipality is authorized to borrow money, subject to the approval of the Minister of Service Nova Scotia and Municipal Relations;

MOTION CARRIED

REGULAR COMMISSION MEETING
March 14, 2011

PUBLIC DISCUSSION PERIOD

ADJOURNMENT

On motion of Commissioner Redmond, the meeting adjourned.

Dave Chaulk, Chair

Terry Silver, Clerk Treasurer