

**REGULAR MONTHLY MEETING
NEW MINAS VILLAGE COMMISSION**

**MONDAY, JULY 15, 2002
7:30 P.M.**

In Attendance:

Marvin Messom, Vice-Chairman
James Redmond
Les Barrett
Wayne Merrill

Councillor Dan Watters

H. Heidi Foshay Kimball, Solicitor

Absent:

Chairman Ted Nicholson

Call to Order:

Vice-Chairman Messom called the meeting to order at 7:30 p.m.

Opening of Tenders – Snow Removal

Three tenders were received for snow removal for the 2002/2003 season:

1) William Milligan -	\$58,625.00 + HST of \$8,793.75 or	<u>\$67,418.75</u>
2) Harvey Hanna -	\$75,000 + HST of \$11,250.00 or (Based on 3-year price)	<u>\$86,250.00</u>
3) PK Construction -	\$68,980.00 + HST of \$10,347.00 or	<u>\$79,327.00</u>

The Solicitor arrived at the meeting at this time.

AFTER A BRIEF DISCUSSION LES BARRETT MOVED THE TENDER OF WILLIAM MILLIGAN IN THE AMOUNT OF \$58,625.00 PLUS HST BE ACCEPTED SUBJECT TO HIM MEETING ALL OF THE REQUIREMENTS INCLUDING EQUIPMENT, INSURANCE, WCB AND SAFETY CERTIFICATES. SECONDED BY JAMES REDMOND. MOTION CARRIED.

Approval of Minutes:

- **Regular Monthly Meeting June 17, 2002**

ON MOTION OF JAMES REDMOND AND LES BARRETT SUBJECT MINUTES OF MEETING BE APPROVED AS CIRCULATED. MOTION CARRIED.

REPORTS:

- **Recreation Advisory Committee**

Les Barrett, Chairman, Recreation Advisory Committee, noted that all of the programs are up and running with a decline in the preschool registration but the other camps are over. On a question from Wayne Merrill concerning this problem, Les Barrett responded that with a camp such as preschool we can draw from those leaders to accommodate the children registered in the sports and day camps.

Greg Messom has completed an evaluation of the three maintenance employees and those evaluations clarify best where there is productivity or lack of it.

These evaluations will be used to determine any additional increase in wages, following a 3-month assessment.

Plans are underway for the biggest Celebration Days ever. Eight entertainers have been booked from 2 p.m. until dusk for August 10 and he has spoken to Doris Pinch concerning a chicken BBQ and there will be some other concession booths as well. He has spoken to an Oland's representative with the possibility of a beer tent which could be offered to a service club to look after.

A 12-page publication will be produced similar to the Apple Blossom Festival brochure.

Les mentioned that he hopes to take some time this week to get some major sponsors for Celebration Days. He has estimated that total costs if we are funding it ourselves could amount to \$8,500 - \$9,000, but this amount could be offset by donations in the vicinity of \$4,000 to \$5,000.

Before arrangements are complete for the beer tent Les said he would get back to the Commission.

LES BARRETT MOVED THE ADOPTION OF THE RECREATION ADVISORY COMMITTEE REPORT. SECONDED BY WAYNE MERRILL. MOTION CARRIED.

- **Area Advisory Committee**

James Redmond, Chairman, Area Advisory Committee, reported that the Committee at the June 18 meeting forwarded the application of Kent Co-Op for amendment of an existing development agreement to allow for expansion to the Planning Advisory Committee for consideration July 2.

The Committee also endorsed the development agreement of Asset Management to allow a multi-unit residential development on Prospect Road and recommended it be forwarded to PAC for consideration on July 2.

A public hearing will be held August 1, 2002 for both proposed development agreements.

JAMES REDMOND MOVED THE ACCEPTANCE OF THE REPORT OF THE AREA ADVISORY COMMITTEE. SECONDED BY WAYNE MERRILL. MOTION CARRIED.

- **Clerk's Monthly Report**

The Clerk's Monthly Report was presented.

ON MOTION OF LES BARRETT AND WAYNE MERRILL THE CLERK'S MONTHLY REPORT AS PRESENTED BE ACCEPTED. MOTION CARRIED.

- **Water & Sewer Commission**

Marvin Messom, Chairman, Water & Sewer Commission, reported on the June 26, 2002 meeting.

George Baker was in attendance at the meeting and indicated the present depreciation rates are insufficient to recover capital costs over the expected life of the Utility's assets. Mr. Baker is of the opinion that an increase in the service charge would be sufficient, leaving the present consumption rate as is. He was instructed to proceed with his study assuming an increase of the present service charge for all residential and commercial users.

Nothing Fancy Furniture Store will be installing a fire hydrant at their cost and to our specifications this weekend.

A fence was erected around the Bonavista Pumping Station by Clinton Swindell.

Outstanding arrears now stand at approximately \$24,000.

The deeds for the rights-of-way for the water system have now been signed.

Mr. Whalen of A & W, who was requesting reimbursement of \$800.00 for the September 30, 2001 billing, was denied his claim in Small Claims Court on July 15.

Recommendation Additional Manpower Water Utility

The Chairman read the following motion from the June 26 Water Commission meeting:

“BOB HORNE MOVED THE COMMISSION RECOMMEND TO THE VILLAGE COMMISSION THAT GERARD HAMILTON BE HIRED FOR THE UTILITY AT A STARTING SALARY OF \$12.00 PER HOUR, SUBJECT TO REVIEW IN 6 MONTHS AT \$13.00 PER HOUR AND \$14.00 PER HOUR AFTER ONE YEAR'S EMPLOYMENT. FURTHER, MR. HAMILTON BE OFFERED THE SAME INCENTIVES OFFERED PETER POTHIER WHEN HE ACHIEVES HIS LEVELS. SECONDED BY ROD MACINNIS. MOTION CARRIED.

JAMES REDMOND MOVED AN AMENDMENT TO THE MOTION ADDING THAT GERARD HAMILTON BE PAID TIME AND A HALF FOR ALL HOURS WORKED OVERTIME AND A MINIMUM OF 3 HOURS FOR A CALLOUT WHEN HE TAKES MR. POTHIER'S PLACE. FURTHER, MR. HAMILTON BE REIMBURSED 25.2 ¢ PER KM FOR THE USE OF HIS OWN VEHICLE. SECONDED BY ROD MACINNIS.

UPON QUESTION BEING CALLED FOR ON THE AMENDMENT THE MOTION WAS CARRIED."

Les Barrett questioned what Peter Pothier does on a daily basis and is he doing what he should be doing. We have a student working for the summer locating service boxes. He indicated that there are always two people in the Water Utility vehicle and asked if Peter was hired to administer the Water Utility and have other people doing the labour. He also suggested that Peter might not like working on his own.

Marvin Messom said the recommendation to hire another person came from the Engineer for safety and health reasons. Peter cannot be expected to work 24 hours a day, seven days a week.

Les Barrett said he was not against hiring an additional person but is it necessary to pay somebody the suggested \$12 - \$14 mentioned in the motion for an unqualified person.

Wayne Merrill said he was against paying somebody that kind of money. If he is qualified that is fine but at this point in time he is not apprenticed. He went on to say that he felt the hiring of a student this summer to find the water shut-offs was a good idea.

Les Barrett stated that Mr. Hamilton has been working with the Recreation Department for \$8.00 an hour and now the suggestion is he should be hired with no qualifications to do the job.

MARVIN MESSOM MOVED THE COMMISSION ACCEPT THE RECOMMENDATION OF THE WATER & SEWER COMMISSION TO HIRE GERARD HAMILTON FOR THE UTILITY AT A STARTING SALARY OF \$12.00 PER HOUR, SUBJECT TO REVIEW IN 6 MONTHS AT \$13.00 PER HOUR AND \$14.00 PER HOUR AFTER ONE YEAR'S EMPLOYMENT; FURTHER, MR. HAMILTON BE OFFERED THE SAME INCENTIVES OFFERED PETER POTHIER WHEN HE ACHIEVES HIS LEVELS AND HE BE PAID TIME AND A HALF FOR ALL HOURS WORKED OVERTIME AND A MINIMUM OF 3 HOURS FOR A CALLOUT WHEN HE TAKES MR. POTHIER'S PLACE, AS WELL AS 25.2¢ PER KM FOR THE USE OF HIS OWN VEHICLE. SECONDED BY JAMES REDMOND.

ON QUESTION BEING CALLED FOR ON THE MOTION, JAMES REDMOND AND MARVIN MESSOM VOTED AYE; VOTING NAY WERE LES BARRETT AND WAYNE MERRILL, RESULTING IN A TIE VOTE.

The Solicitor was asked for her opinion with regard to whether the Chair has two votes.

The Solicitor read the following section from “Organizing Business Meetings”:

“If the vote is a tie the motion is defeated unless the Chair exercises the right to vote. The Chair’s right to vote varies with the group. In some cases, the Chair does not vote unless it is to break a tie. In others, the Chair has two votes. One is a regular vote and the other a tie-breaker. When the Chairperson has two votes, the regular vote must be cast first. In other words, the Chair does not vote once and count that as two votes. The Chair does not have to cast the tie-breaking vote immediately but instead, may choose to reserve judgment to a later time. Experts recommend that in most cases, the Chair’s tie-breaking vote should be in favour of the status quo.”

Marvin Messom chose to talk to the Chairman first before casting the tie-breaking vote on the motion.

The motion was made contrary to Robert’s Rules of Order and was ruled invalid. (Copy of letter dated July 29, 2002 from Solicitor Heidi Foshay Kimball attached to office copy of minutes.)

Marvin Messom, referring back to the June 26 minutes noted sewer charges from the Town of Kentville have been determined to be \$7,770.45 for this year.

The 2002/2003 Estimates were presented and approved.

MARVIN MESSOM MOVED THE ACCEPTANCE OF THE REPORT OF THE WATER AND SEWER COMMISSION. SECONDED BY WAYNE MERRILL. MOTION CARRIED.

BUSINESS ARISING FROM THE MINUTES:

Update – Bylaw Vendors, Peddlers and Hawkers

Councillor Watters indicated the Bylaw is on the agenda for the Council meeting tomorrow and suggested there should be no problem with policing of the Bylaw.

Copy Letter G. R. Saunders: Noise, Speeding

Copy of a letter addressed to Staff Sergeant Holland of the RCMP was received from Don Saunders concerning noise and speeding in the Village.

OTHER BUSINESS:

Lorraine MacPherson re Park Fence

The Clerk advised Mrs. MacPherson requested this item be put on the agenda. She has requested that when the fence is installed she and her husband would like to be present.

Marvin Messom said when the fence was initially installed, it was on their property. The fence was taken down but because of the playground activity they want it reinstalled.

Municipality of the County of Kings – Asset Management Agreement

Correspondence was received indicating the proposed development agreement was presented to Council for consideration July 2 and a public hearing concerning this matter will be held August 1, 2002.

Municipality of the County of Kings – Kent Co-Operative Ltd. Agreement

Correspondence was received indicating the proposed development agreement was presented to Council for consideration July 2 and a public hearing concerning this matter will be held August 1, 2002.

Evangeline Trail Tourism Association

Correspondence was received from ETTA inviting the Village to invest in the Evangeline Trail Visitors Guide 2003.

JAMES REDMOND MOVED THAT WE NOT INVEST IN THE EVANGELINE TRAIL VISITORS GUIDE 2003. SECONDED BY LES BARRETT. MOTION CARRIED.

Rotary Club of New Minas Sunrise – The Tidy Village Award

An invitation was received from Frieda Burger of the Rotary Club of New Minas Sunrise to participate in the Tidy Village event again this year.

The Clerk was instructed to notify Mrs. Burger that the Village looks forward to participating again this year in their project.

Municipality of Kings Re Variance Aalders Avenue Property Line, Shopping Centre (Gardens Mall)

A letter was received from John Warden, Development Officer, notifying the Commission of the granting of a variance from the Land Use Bylaw of the Municipality of Kings pertaining to New Minas only under the provisions of Section 235 of the Municipal Government Act to the Standard Life Assurance Company.

He also advised an application is pending for the construction of a shopping centre on Lot 1 of the Gardens Mall. The existing shopping centre on this property is to be demolished and a new shopping centre constructed.

Approval Estimates 2002/2003

The Estimates were reviewed by the Commission and,

ON MOTION OF JAMES REDMOND AND LES BARRETT THE BUDGET FOR 2002/2003 BE APPROVED AS PRESENTED; THE TAX RATE SET AT 38 CENTS PER ONE HUNDRED DOLLARS (\$100) OF ASSESSMENT FOR THE 2002/2003 YEAR. MOTION CARRIED.

NEW BUSINESS:

Annapolis Valley International Children's Games Association

Councillor Watters conveyed sincere appreciation from Jody Hutchinson to the Village for the financial assistance given to the International Children's Games to be held in Taipei.

Sidewalks

Wayne Merrill indicated he would like to recommend the next piece of sidewalk to be done should be from Commercial and Prospect from the Senior Citizens' Complex to Perrier Drive.

With regard to concrete curbing, Les Barrett indicated he contacted the Contractor concerning concrete curb and the quote from Transportation would appear to be the best we are going to get.

It was agreed that the Clerk contact Bob Bieren of Transportation advising him we are unable to pay the difference between asphalt and concrete curb and they proceed to repair the asphalt at no cost to us.

James Redmond pointed out that in future when we are repaving sidewalks or constructing new sidewalks concrete curb be installed at that time.

Water Pressure

Wayne Merrill noted that for the first time in 18 years he has had sufficient water pressure at his residence on Cloverleaf Drive.

CORRESPONDENCE:

Cards of Thanks

Cards of thanks for hospitality shown by the Village during Apple Blossom Festival weekend were received from Queen Annapolis 70th Erinn Freeman, Princess Kingston Nancy Cantin, Princess Windsor Brandi Gavel, Princess Coldbrook Rebecca Leachman, Princess Kentville Lindsay Young and Princess New Minas Emily Fisher.

PAYABLES:

UPON MOTION OF JAMES REDMOND AND LES BARRETT FINANCIAL STATEMENTS BE ACCEPTED AND ACCOUNTS PAYABLE BE APPROVED AS FOLLOWS:

VILLAGE	\$99,104.77
TRUST FUND	779.16
FIRE DEPARTMENT	3,228.50
RECREATION DEPARTMENT	<u>26,901.08</u>
	\$130,013.51

MOTION CARRIED.

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NMVC Regular Monthly Meeting
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Date of Next Regular Monthly Meeting

Monday, August 12, 2002 at 7:30 p.m.

Adjournment

The meeting adjourned at 9 o'clock p.m.

APPROVED:

CHAIRMAN

CLERK-TREASURER