

**Committee of the Whole  
Unapproved Minutes  
March 9, 2016 at 7:00 p.m.**

1. **PRESENT:** Mayor Michael Tompkins, Deputy Mayor Pat Power, Councillor Byron Mersereau, Councillor Paul Paquette, Councillor Sherman Hudson, CAO<sup>1</sup> Gregory Barr, DoF<sup>2</sup> Melony Robinson (left after the financial items), Executive Assistant Amy MacManus as Recording Secretary, member of the public (left after the presentation), and presenters Peter Davies, Lloyd Smith and Gary Long (left after presentation)
2. **REGRETS:** N/A
3. **CALL TO ORDER:** Mayor Tompkins called the meeting to order at 7:25p.m.
4. **ADDITIONS TO AGENDA:**
  - Under Section 9, Presentations: Removal of Christine Igot - Pool presentation
  - Under Section 11, New Business: Removal of Item 7 - Request to Cut Sidewalk at 438 St. George Street (request has been withdrawn)
  - Under Section 10, Business Arising: Library Update
  - Under Section 11, New Business: MPS/LUB Amendment Request
  - Under Section 11, New Business: Annapolis County Water Utility Update
  - Under Section 13, In-Camera: Sale of Property – Jacob Tanner Developments
  - Under Section 13, In-Camera: Sale of Property
  - Under Section 13, In-Camera: Litigation
5. **APPROVAL OF AGENDA:**  
**MOTION CoW2016-03-09-01**  
It was moved by Councillor Paquette, seconded by Councillor Hudson to approve the agenda as amended. Motion carried.
6. **APPROVAL OF COMMITTEE OF THE WHOLE MINUTES:**
  - i. Committee of the Whole - February 3, 2016

**MOTION CoW2016-03-09-02**

It was moved by Councillor Hudson, seconded by Councillor Paquette to approve the minutes from February 3, 2016 with the following amendments:

- On page 2, the Mayor's surname be corrected to "Tompkins";
- Under Section 11, Item 3, Municipal Strategy Planning (MPS) Policy Amendments: that the actual amendments requested to the MPS Policy be listed in the minutes;
- Under Section 11, Item 8: That the words "payment plan" be removed and replaced with "arrange for payment".

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<sup>1</sup> Chief Administrative Officer

<sup>2</sup> Director of Finance

Motion carried.

**7. PUBLIC INPUT: N/A**

**8. ROUND TABLE:**

Councillor Paquette: A resident of Fortier Mills received an assessment from Property Valuation Services Corporation (PVSC) that did not seem to be for their residence. CAO Barr relayed that the matter has been rectified with PVSC and that the paperwork was for that residence. There have been several instances of flooding along the path where the benches are located in Fortier Mills as well as along the boardwalk. It seems that there is more flooding this year than previous years. There is a duplication of efforts being done between the Biosphere representatives and Community Mapping; Councillor Paquette is going to arrange for the professors involved to meet so that they both go forward without the duplication continuing. A neighbour complained that work at 438 St. George Street has commenced though a Development Agreement has not been granted and it appears the work will be completed before the Development Agreement process wraps up. A resident queried about the status of the dog park.

Councillor Hudson: One of the firemen spoke to him regarding a rotted light pole in the Fire Hall parking lot.

Deputy Mayor Power: She was delighted to see that the Farmers Market roof is being fixed.

Mayor Tompkins: The ARRA Recreation Open House was extremely well attended. It is great to see the space being utilized.

**9. PRESENTATIONS: N/A**

- The Nova Scotia Guild of Town Criers – Peter Davies

Town Criers Peter Davies, Lloyd Smith, and Gary Long presented on a proposal to hold an International Town Crier Competition in the Annapolis Valley. The presenters made a funding request. Council posed questions to the presenters.

**10. BUSINESS ARISING:**

- i. Gas Tax Submission of Intention

DoF Robinson asked Council to identify which projects they will spend this year's Gas Tax. The intentions have to be submitted to the government by March 16, 2016. Council discussed and provided DoF Robinson with a list.

**MOTION CoW2016-03-09-03**

It was moved by Councillor Paquette, seconded by Councillor Hudson to recommend to Council that the template for the Advanced Project Information on Gas Tax Fund Projects Nova Scotia be completed to indicate the preferred areas of investment in the following percentages: 50 percent local roads, 25 percent waste water, and 25 percent tourism and trails infrastructure, and the inclusion of last year's unused funds in the same percentages. Motion carried.

ii. Request to Write-Off – Water Utility account #511

**MOTION CoW2016-03-09-04**

It was moved by Councillor Hudson, seconded by Councillor Paquette to recommend to Council to approve that all interest and subsequent charges to account 00000511.00 for \$251.98 in interest and \$526.10 in regular water charges total \$ \$778.08 be written-off as of the date of the date of water shut off, December 23, 2013. Motion defeated.

Council discussed the above motion. It was decided to stop any future charges but not write-off the outstanding charges, including interest, and once the property sells, calculate the interest owing at that point. Council directed DoF Robinson to contact the County of Annapolis to have a note put on the property's file that if it goes to tax sale, the Town is owed for the outstanding bill.

iii. Library Update

Deputy Mayor Power relayed that the Library's Annual General Meeting was held last night. The Library is onboard to relocate to ARRA but they need to know whether the space for the Library in ARRA is guaranteed regardless of if the proposed ARRA development project goes through. Council discussed and will discuss further at the next Council Meeting.

iv. Annapolis County Water Utility

Mayor Tompkins relayed that the County is combining all of their water utilities into one (all four). Councillor Mersereau explained the history of water utility in Annapolis County.

**11. NEW BUSINESS:**

i. Appointment of a Returning Officer for Municipal Election in October 2016

**MOTION CoW2016-03-09-05**

It was moved by Councillor Paquette, seconded by Councillor Hudson to recommend to Council to appoint Melony Robinson as the Returning Officer for the October 2016 Municipal Election for the Town of Annapolis Royal. Motion carried.

**MOTION CoW2016-03-09-06**

It was moved by Deputy Mayor Power, seconded by Councillor Paquette to recommend to Council that the Department of Municipal Affairs be advised that the Town of Annapolis Royal elects to use the list of electors from the most recent Provincial or Federal Electors. Motion carried.

ii. Transfer of Surplus Balances

**MOTION CoW2016-03-09-07**

It was moved by Councillor Paquette, seconded by Councillor Hudson to recommend to Council to transfer the full accumulated surplus balance and any annual surplus balance to the operating reserve fund at year end. The accumulated surplus at year end (March 2015) was \$248,341 and it is to be transferred by March 31, 2016. Motion tabled until further information obtained.

Council discussed the above motion. They requested that DoF Robinson find out the consequences if the Town does not agree to make the transfer.

ii. Consumer Price Index

**MOTION CoW2016-03-09-08**

It was moved by Councillor Paquette, seconded by Councillor Hudson to recommend to Council that all non-unionized eligible\* employees with satisfactory performance evaluations receive a cost of living increase 1.2% (CPI Dec 2015 Stats Canada), effective April 1, 2016.

\*Eligible employees are those who have reached the one year mark as of April 1<sup>st</sup>, 2016. Otherwise the increase is effective on their one year anniversary date.

Motion tabled until DoF Robinson reconfirms which cost of living increase was utilized in previous years to make the motions.

#### **MOTION CoW2016-03-09-09**

It was moved by Councillor Paquette, seconded by Councillor Hudson to extend the meeting until 10p.m.. Motion carried.

#### iii. Financials

- a) Town Operating January 2016 - Income Statement
- b) Town Operating January 2016 – Balance Sheet
- c) Water Operating January 2016 – Income Statement
- d) Water January 2016 – Balance Sheet
- e) Capital Water January 2016 - Balance Sheet
- f) General Capital January 2016 – Balance Sheet
- g) Capital Reserve January 2016 - Balance Sheet
- h) Operating Reserve January 2016 – Balance Sheet
- i) Year End Forecast

No questions from Council.

#### iv. Aged Receivables

- a) Aged Receivables Water
- b) Aged Receivables Taxes

No questions from Council. Some discussion of Bridgetown's finances.

#### v. Strategic Planning Public Survey Results

It was decided the item will be discussed at another time due to time constraints tonight.

#### vi. Emergency Management Office (EMO) Training

CAO Barr asked Council who they want to attend the Emergency Management Training. Council directed CAO that he is to attend.

#### vii. Police Service Review – Terms of Reference

Council discussed, Councillor Mersereau stated a change to the draft that was submitted to Council.

#### **MOTION CoW2016-03-09-11**

It was moved by Councillor Mersereau, seconded by Councillor Hudson to recommend to Council to approve the establishment of a Policing Service Review Committee and the mandate and other terms of reference for the Committee as set out in the February 16, 2016 draft terms of reference document included in the briefing package provided to this meeting, with the provision under the Heading "TERM" amended to the following:

"It is intended the term of appointment shall extend until such time as the mandate has been fulfilled at which point a final report will be presented to Council". Motion carried.

**MOTION CoW2016-03-09-12**

It was moved by Councillor Mersereau, seconded by Councillor Hudson to recommend to Council to appoint the following to serve on the Policing Service Review Committee:

Voting Members:

- Mayor Michael Tompkins
- Deputy Mayor and Board of Police Commissioners Chair, Pat Power
- Councillor and Board of Police Commissioners Secretary Byron Mersereau
- Board of Police Commissioners Member Jane DeWolfe

Non-Voting Members:

- Chief Administrative Officer Gregory Barr
- Police Chief Burt McNeil
- A Representative of the Nova Scotia Department of Justice (name to be advised)

Motion carried.

viii. Annapolis County Water Utility  
Addressed in Section 10, Business Arising

ix. Request for Amendment to the Municipal Planning Strategy(MPS)/Land-Use By-law (LUB)

CAO Barr explained what is involved to amend the MPS and LUB in order to proceed with the condo development at ARRA. CAO Barr also outlined that the recommended method of proceeding with the Jacob Tanner Development is by Development Agreement.

**MOTION CoW2016-03-09-13**

It was moved by Councillor Mersereau, seconded by Councillor Hudson to recommend to Council to initiate an MPS/LUB amendment to enable consideration of redevelopment or reuse of the ARRA property. Motion carried.

**12. CORRESPONDENCE:**

- Housing Nova Scotia

Council directed staff to send out the request to see if anyone in town has any interest in the position.

- Proposed Bike Rental Business

Council discussed the proposed bike rental business with a location request for ARRA. Council requested a more detailed business plan and made a suggestion of having at least some of the bikes available for rent or drop-off in the centre of town.

**MOTION CoW2016-03-09-02**

It was moved by Councillor Hudson, seconded by Councillor Paquette to move in-camera at 10.02p.m.. Motion carried.

**13. IN-CAMERA:**

**MOTION CoW2016-03-09-02**

It was moved by Councillor Hudson, seconded by Councillor Paquette to move out of camera at 10:45p.m.. Motion carried.

**14. ADJOURNMENT:**

Mayor Tompkins adjourned the meeting at 10:45a.m..

DRAFT