

**DRAFT MINUTES**  
**TOWN OF ANNAPOLIS ROYAL**  
**REGULAR COUNCIL**  
**July 17, 2006**  
**9:30 a.m.**

The regular meeting of the Council was held on Monday, July 17, 2006 in the Council chambers at Town Hall. In attendance were Chair Mayor John Kinsella, Deputy Mayor Jane DeWolfe, Councillors Sherman Hudson, Ron Boulding, Doug Shaffner, and Phil Roberts, CAO Amery Boyer, Jackie Longmire as Recording Secretary, Carolyn Sloane for the Spectator and Town residents Dean Taylor and Anne Campbell. Also in attendance for the purpose of a presentation regarding the ATV Bylaw were: Lisa Wong, Brian Keevil, Barb Dexter, Woody Hudson, Chris Rice and Recreation Director Grant Potter.

Regrets: Director of Finance Melony Robinson.

**CALL TO ORDER**

**APPROVAL OF REGULAR COUNCIL MINUTES**

**June 19, 2006**

***Motion # 1***

***It was moved by Councillor Boulding, seconded by Councillor Hudson, to approve the regular Council minutes as amended dated June 19, 2006. Motion carried.***

**ADDITIONS/DELETIONS TO AGENDA**

Under Presentations add:        {a} ATV Bylaw - concerned business owners

**APPROVAL OF AGENDA**

**July 17, 2006**

***Motion # 2***

***It was moved by Councillor Shaffner, seconded by Deputy Mayor DeWolfe, to approve the agenda as amended dated July 17, 2006. Motion carried.***

**PUBLIC HEARINGS        None**

**PRESENTATIONS**

{a} ATV Bylaw - Concerned business owners

Lisa Wong, owner of Charlie's Place Restaurant, began by saying she has been hearing several complaints since Fall of 2005. She said her business has dropped by 60% because of the lost revenue from recreational vehicle users. She said she was informed by ATV club member, Woody Hudson about a rally that had been planned to go through Annapolis Royal but that has been diverted to New Germany because of the ATV Bylaw. She said her business lost hundreds of dollars in sales because the ATV riders are not coming. She said that she has been in business for 22 years and has never come to Council with many of her concerns but she felt that this concern needed to be brought to Council's attention and addressed.

Brian Keevil, owner of Ye Olde Towne Pub, said that he is aware that pubs in other areas of the Valley are doing big business with ATV clubs and riders. He said that as a rule most the ATV riders are well behaved and the noise from the machines is minimal. An employee of Charlie's Place agreed with all that had been said. She said she has been working there for 14 years and she sees how the new ATV Bylaw has affected their business. She stressed that all of Annapolis Royal needs the extra business.

Woody Hudson, a representative of Mid Valley ATV club, said he has been speaking to Frank James of the Trail Society about a compromise. He said it is possible to fence the trail so that walkers are kept separated from off road vehicles. He said other trails have posted speed limit and if the riders must cross the highway, they are able to get assistance from the RCMP. He said the trail systems that run through other Towns and even large portions of the Province are becoming increasingly popular and it is a disadvantage that the trail comes to an end in Annapolis Royal.

Dean Taylor was in attendance to discuss another matter but felt it necessary to offer a few words during this discussion. He described unpleasant encounters that he has had with ATVs in Town and said that while most are respectful of the rules and regulations there are always the select few that would cause a problem. Lisa Wong said she is aware that there are two sides to the story and she was speaking to Michael Thompson who also described an unpleasant experience. She said there must be some way to compromise, even if the ATVs were permitted on the trails during certain times.

Council expressed concerns over legalities involved in crossing the road or travelling on the side of the road to reach destinations that cannot be reached through the trails. Council was informed that the ATV clubs receive tremendous support from the RCMP and they are willing to provide police escorts for such crossings. Mr. Hudson asked if a permit could be issued for one day, to try out the process on Town trails to see how it would work. Mayor Kinsella said that the Town has a letter of authority for a walking trail only and the trails are not designed for ATV traffic. He talked about the public process that the bylaw went through before it was passed. He said it is unfortunate that no comments were received during the process. Lisa Wong said she was not invited to the meetings. Mayor Kinsella said the meetings were well advertised as was information regarding the ATV Bylaw, invitations were not forwarded to anyone. Public meetings were held so that all concerns could be discussed. He said organized events may be possible but Council would have to have time to weigh the pros and cons and safety issues would also have to be addressed. The possibilities of having ATV parking lots located at the barricaded section of the trail was discussed. ATV's would be permitted to park there and could walk into Town for lunch, shopping, etc.

Mayor Kinsella extended thanks to those who attended and voiced their opinion. He said Council would take the information under advisement but he could make no promises.

{b} Dean Taylor, a resident of the Town, attended the meeting. Mayor Kinsella asked if he had something that he would like to discuss as he was not on the agenda. Mr. Taylor said he just had a few comments that he would like to pass along. He said the Town is looking great with the

flowers baskets and barrels. He also said that he did believe business was down all over the Town and he specifically mentioned the B & Bs. He said he believes that the price of accommodations is too high and visitors are choosing to stay in other areas. He realizes that the Town has no control over the pricing but he said the Town may have some influence. He also mentioned new businesses that have opened in Town and have purchased homes in other areas and saved thousands of dollars on comparable homes. Councillor Roberts mentioned the small town survey book that was recently published that lists Annapolis Royal as one of the most expensive towns, in terms of house prices.

Councillor Boulding said the prices were fair and comparable to other attractive areas. He said, as a B & B owner, his most expensive room is the most popular. He also said that he has heard some of his guests from the US and the UK comment on the very affordable housing costs in the area.

Mayor Kinsella said that Council has made some efforts to reduce expenses to potential home owners by restricting B & Bs in residential areas. Real estate agents are not permitted to advertise or price a home in the residential area as a potential B & B; he said this may help keep the cost of homes down. He said that prices in Annapolis Royal do reflect the cost of housing across the country.

Mr. Taylor was thanked for his time. His comments will be considered by Council.

#### **BUSINESS ARISING FROM MINUTES**

<b>Item</b>	<b>Decision / Action</b>	<b>Responsibility</b>	<b>Target</b>
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			Date
{a} Sewer Bylaw	<p>CAO Boyer was asked to give an update on the situation with the Sewer Bylaw. She said she has been in contact with the County and staff there appear to appreciate the seriousness of the issue. They have been asked to go door to door to investigate sump pump connections and are reluctant to do that. CAO Boyer said she informed them that the alternative is to pay for a larger sewer system. CAO Boyer said each new hook up would now be treated on an individual basis in an attempt to avoid interfering with any new development. She said the spikes during heavy rain should begin to decrease as the sources of infiltration are closed off. Gradual improvement will be noticed and the system should be operating properly by the end of 2007.</p> <p><b><i>Motion #3</i></b>  <b><i>It was moved by Councillor Roberts, seconded by Deputy Mayor DeWolfe, second and final reading of the Town of Annapolis Royal's Sewer Bylaw. Motion carried.</i></b></p>		
{b} Unsightly Premises	<p>An update was offered by CAO Boyer. She said the police have been taking pictures of the properties and the next step would be an order from Council. Councillor Boulding and Councillor Roberts have both volunteered to assist the CAO with the review of the photographs and drafting the orders. It was noted that the property owners have been given ample time to address the issues and the Town is prepared to clean up their properties and invoice each property owner, if necessary.</p> <p><b><i>Motion # 5</i></b>  <b><i>It was moved by Councillor Shaffner, seconded by Councillor Boulding to proceed with the orders from Council regarding the unsightly premises, based on a recommendation from the CAO. Motion carried.</i></b></p>		
{c} R.C. Lawrie Enterprises Ltd.	<p>A letter has been sent to Rob Lawrie addressing the concerns of PHAC regarding his new development. Each concern was clearly identified in the letter. No response has been received. CAO Boyer said that the engineer and the developer are working on the sewer issue and she does not expect the problem to halt the development.</p>		
{d} Goddard College	<p>CAO Boyer said Goddard College will be presenting a proposal to the</p>		

	Annapolis Valley School Board with regard to making use of some excess space at Annapolis Royal Regional Academy. She said a budget will also be forwarded to Nova Scotia Business Inc. and ACOA identifying any financial assistance that may be required. CAO Boyer said that Annapolis Royal seems like the perfect location and staff will be assisting Goddard College with all questions, concerns and requests.		
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**MOTION(S) OF RECONSIDERATION:** none

**MOTION(S) OF RESCISSION:** none

**OTHER NOTICE(S) OF MOTION:** none

#### NEW BUSINESS

Item	Decision / Action	Responsibility	Target Date
{a} Water Reports	Reports have been reviewed and found to be within acceptable limits.	CAO	
{b} Application for changes to Heritage Property located at 446 St. George Street.	The application is for a deck to be built on the side of the residence. No problems were noted with the application. <b><i>Motion #5</i></b> <b><i>It was moved by Deputy Mayor DeWolfe, seconded by Councillor Hudson, that approval be granted for the application for changes to Heritage Property located at 446 St. George Street.</i></b>		
{c} Policy Recommendation regarding sewage treatment plant capacity and impact on development from Kevin Skebo, SGE Acres.	Presently the Town's sewage treatment plant is operating at full capacity during wet periods. The Town is committed to development and until the plant capacity is improved, all future town developments will be reviewed on an individual basis. CAO Boyer said she agrees with the policy recommendation. Councillor Roberts suggested that a public education campaign be launched to alert the public of the seriousness of the situation. CAO Boyer said a flyer mail drop could be done for all water users including the County. She also said she is expecting a response from the County regarding the installation of flow metres by September 1, 2006.		
{d} Draft letter to the Minister of	<b><i>Motion #6</i></b>		

Canadian Heritage and Status of Women	<i>It was moved by Deputy Mayor DeWolfe, seconded by Councillor Roberts to forward a copy of the draft letter in support of Canada's Museums, under the signature of the Mayor. Motion carried.</i>		
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## RECOMMENDATIONS FROM COMMITTEES, BOARDS, COMMISSIONS

Item	Decision / Action	Responsibility	Target Date
{a} Recommendations from Committee of the Whole	<p><i><b>Motion #7</b></i>  <i>It was moved by Deputy Mayor DeWolfe, seconded by Councillor Roberts, approval of the application for changes to Heritage Property located at 399 St. George Street. Motion carried.</i></p> <p><i><b>Motion #8</b></i>  <i>It was moved by Councillor Roberts, seconded by Councillor Hudson,</i></p>		

	<p><i>approval of the application for changes to Heritage Property located at 278 St. George Street. Motion carried</i></p> <p><b>Motion #9</b>  <i>It was moved by Councillor Roberts, seconded by Councillor Hudson, to write off interest in the amount of \$9.33 charged to roll # 3253325. Motion carried.</i></p> <p><b>Motion #10</b>  <i>It was moved by Councillor Boulding, seconded by Councillor Hudson, approval of the request from King's Theatre for financial assistance in the amount of \$2,900.00 to assist with the expense of the public washrooms. Motion carried.</i></p> <p><b>Motion #11</b>  <i>It was moved by Councillor Hudson, seconded by Councillor Boulding, to proceed with the development agreement with R.C. Lawrie Ltd pending response to the letter requesting specific changes to the exterior of the proposed structure. Motion carried.</i></p> <p><b>Motion #12</b>  <i>It was moved by Councillor Shaffner, seconded by Councillor Boulding, approval of the proposed signage for "Royal View Row."</i></p>		
<p>(a) Recommendations from Committee of the Whole - continued</p>	<p><b>Motion #13</b>  <i>It was moved by Deputy Mayor Dewolfe, seconded by Councillor Boulding, to designate 6 Grange Street as a Town Heritage Property. Motion carried.</i></p> <p><b>Motion #14</b>  <i>It was moved by Councillor Roberts, seconded by Councillor Boulding, approval of the application for changes to Heritage Property located at 260 St. George Street. Motion carried.</i></p> <p><b>Motion #15</b>  <i>It was moved by Councillor Boulding, seconded by Councillor Hudson, to have the Heritage Designation Committee Task Force review the Ontario Heritage Tree Alliance form and develop a Heritage Tree Nomination form that is unique to Annapolis Royal. Motion carried.</i></p>		

	<p><b><i>Motion #16</i></b>  <b><i>It was moved by Councillor Hudson, seconded by Deputy Mayor DeWolfe, approval of the application for changes to Heritage Property located at 222 St. George Street. Motion carried.</i></b></p> <p><b><i>Motion #17</i></b>  <b><i>It was moved by Councillor Shaffner, seconded by Councillor Boulding, approval of the application for changes to Heritage Property located at 164 St. George Street. Motion carried.</i></b></p> <p><b><i>Motion #18</i></b>  <b><i>It was moved by Deputy Mayor DeWolfe, seconded by Councillor Roberts, approval of the Heritage Tree Designation application for the elm tree located at 616 St. George Street, with the understanding that there will be no financial obligation from the Town. Motion carried</i></b></p>		
(b) Board of Police Commissioners	<p>Deputy Mayor DeWolfe said a meeting of the Board was held on Wednesday, July 12, 2006. A meeting is planned for the Review Committee to meet with the representatives of the Department of Justice on August 16, 2006. Status quo will be reviewed and a recommendation will be made to the Minister. It was noted that another new consultant has been appointed to this area. Alana MacMullin will be the Department of Justice consultant for the Annapolis Royal Police Department.</p> <p>CAO Boyer said that as the audit recommendations are being completed it becomes clear that the Department of Justice evaluated the ARPD at a standard that is not up to date. It has proved to be a very frustrating and time consuming process.</p> <p>A notice of retirement has been received from Constable Dave Allen. He will be retiring in June, 2007 with 35 years of service.</p>		
(c) Mayor's Report	<p>The Mayor attended Canada Day celebrations at Upper Clements Park and in Bridgetown. He thanked Councillor Roberts for attending the event in Annapolis Royal that he was unable to attend because of his work schedule.</p> <p>He spoke of Shaw Wood meetings but said the situation with the Digby</p>		



	<p>Ferry closure has taken precedence. A working group has been established and they will be meeting with representatives from Bay Ferries. Mayor Kinsella is forwarding copies of all correspondence that he receives regarding this issue to Jim Thurber of the Municipality of Digby.</p> <p>Mayor Kinsella offered a brief update to Council regarding the Digby Ferry. He said the ferry is actually leased for \$1.00 a year and the wharf dues are \$500.00 a year. The ferry service is highly subsidized by the Federal Government and Bay Ferries is not permitted to seek any future subsidies. In 2011, the Princess of Acadia will probably not pass inspection. Mayor Kinsella said that the group needs to ensure that the ferry service continues even if it is not Bay Ferries that operates the service. CAO Boyer said that a “Save the Ferry” button is now on the Town website and all updates will be posted as they become available.</p> <p>Mayor Kinsella also attended the Mayors’ and Wardens’ meeting in July and a Memorial Bench Dedication Ceremony for Kenneth Irvine Erb.</p>		
(d) King’s Theatre	Councillor Roberts said there was nothing to report at this time.		

## CORRESPONDENCE

Item	Decision / Action	Responsibility	Target Date
{a} None			

## OTHER BUSINESS

{a} Councillor Roberts said a Twinning Committee meeting was held on July 11, 2006. A visit to Royan was discussed and is being planned for the Fall of 2007. Town Crier Peter Davies will be visiting Annapolis, Maryland in the Fall of 2006 and he will host a meeting to organize a visit to Annapolis Royal in the Fall of 2007.

Councillor Roberts said the Green Team is doing well and have 46 completed surveys to date. They are distributing leaflets and surveying on the

handling of organics.

{b} An e-mail poll was conducted a few weeks ago regarding the appointment of the new Building/Fire Inspector. The results of that poll were never recorded in the minutes.

***Motion #19***

***It was moved by Councillor Roberts, seconded by Deputy Mayor DeWolfe, to appoint Wilbert Doucette as the new Building/Fire Inspector for the Town of Annapolis Royal. Motion carried.***

**IN CAMERA**

**QUESTIONS**

**ADDED ITEMS**

**NEXT MEETING**

August 14, 2006 at 9:30 a.m.

**ADJOURNMENT**

***It was moved by Councillor Roberts that the meeting adjourn.***

<b><i>Action:</i></b>	<b><i>Date</i></b>	<b><i>Signature</i></b>
Reviewed by Mayor John Kinsella		
Changes made by Administrative Assistant		

<b>Approved for website by Mayor or CAO</b>		
<b>Forwarded for Website</b>		