

**Town of Annapolis Royal
Approved Minutes of the Regular Council Meeting
September 16, 2013**

1. PRESENT: Mayor Michael Tompkins, Deputy Mayor Pat Power, Councillor Sherman Hudson, Councillor Byron Mersereau, Councillor Paul Paquette, Erica McCurty and Jennifer Sheeran of Deloitte (Town Auditors), Margaret Tait Superintendent of Annapolis Valley Regional School Board, David Floyd, Engineer, Steve Schell Principal Annapolis West Education Centre, Director of Finance Melony Robinson, CAO Carol St-Amour and Recording Secretary Bourke,

2. REGRETS: None

3. CALL TO ORDER: Mayor Tompkins called the meeting to order at 6:00 pm.

4. APPROVAL OF COUNCIL MINUTES: July 15, 2013

MOTION 1

It was moved by Deputy Mayor Power, seconded by Councillor Mersereau to approve the minutes of the regular Council meeting held July 15, 2013 as presented. **CARRIED.**

5. ADDITIONS TO AGENDA:

Addendum

Business Arising; Item ix. Motion to Appoint Member of Council and Alternate Council Member to the Valley Waste Resource Management Board

Business Arising: Item x. Update of recruitment of Active Living Coordinator and Financial Agreement with Province

New Business: Item v. Letter from Chip Kerr and Susan Hay, Representatives of Hillside Drive – re: Request for Assistance

Reports from Committees, Boards and Commissions: Item 10. Board of Police Commissioners

In Camera: (c) Personnel Matter

6. APPROVAL OF AGENDA:

MOTION 2

It was moved by Councillor Mersereau, seconded by Councillor Hudson to approve the agenda as amended. **CARRIED.**

7. PUBLIC INPUT: None

8. PRESENTATIONS:

i. Erica McCurty and Jennifer Sheeran-Isenor- Deloitte : Presentation of Draft Consolidated Financial Statements March 31, 2013

Erica McCurty thanked the Director of Finance and Town staff for being prepared for the audit. Erica McCurty reviewed the Draft Consolidated Financial Statements of the Town of Annapolis Royal for period April 1, 2012 to March 31, 2013. She started with the Independent Auditors Report; discussed the highlights and scope of the audit and determined the statements are free from material misstatements noting there is no opinion on the attached Schedules. In conclusion the overall Draft Consolidated Financial statements are consistent with prior years.

Discussion was held regarding the Draft Consolidated Statement as of March 31, 2013.

Erica McCurty advised she had the opportunity to take a look at internal controls and made recommendations as follows:

- 1- the cash clearing accounts – recommendation to close the cash clearing accounts and the funds placed in the regular cash account; noting the Director of Finance has tried to close the accounts but the computer program will not allow it;
- 2- the Gas Tax audit requires an independent listing of eligible expenditures –recommendation that for every expenditure, to track it separately in a spreadsheet.

Councillor Hudson thanked both Erica and Jennifer for their work on the Town audit.
Erica McCurty and Jennifer Sheeran departed the meeting at 6:35pm.

MOTION 3 Consolidated Financial Statement as at March 31, 2013

It was moved by Councillor Hudson, seconded by Deputy Mayor Power to accept the Consolidated Financial Statements of the Town of Annapolis Royal as at March 31, 2013, as presented by the auditing firm Deloitte.
CARRIED.

ii. Annapolis West Education Centre (AWEC) re: Update on AWEC Renovations

David Floyd, Engineer for the Annapolis West Education Centre renovations advised it is a 6.9 million dollar project, Roscoe Construction has been awarded the tender, scheduled completion date of August 2014, includes a skilled trades addition (1 of 7 in the province), includes interior renovations, new front entrance will face Champlain Street, cafeteria will be equipped with new kitchen and appliances, new administration office, new library, new enlarged windows facing soccer field, shared science lab, shared gymnasium; the next phase includes student drop off, bus loop, and traffic flow. Mayor Tompkins advised there are two concerns with the original plans which include the drop off on Champlain Street and parking on the Town owned property area by the pool. Discussion was held regarding the closure of the ARRA school, showing the ARRA school to potential interested parties and communication between the school and the Town. An invitation was extended to the members of Council to attend a tour of the AWEC facility during construction.

David Floyd, Steve Schell and Margaret Tait departed the meeting at 7:02 pm.

9. PUBLIC HEARING: None

10. BUSINESS ARISING:

i. Water Utility Budget

Director of Finance Robinson reviewed the 3 year water utility budgets; and 3 year water capital budgets noting the Utility And Review Board requires the information filed by September 30th. Councillor Mersereau stated the way the Town has been operating for the last few years is to share operating and maintenance cost of the Granville Ferry Well with the County of Annapolis based on consumption; the information the Town has it will continue to be done the same way. Councillor Mersereau advised that the County of Annapolis sent the Town a bill which has not paid as there are new charges that have not been explained and because the Town is in a debate that could end up costing a bit of money, it might be prudent to change the legal fees Line item 02-25310Z from \$1,000 to \$6,000 for the current year 2013/14. Discussion was held regarding the water utility budget.

MOTION 4

It was moved by Councillor Mersereau, seconded by Councillor Paquette to approve the 3 year Water Utility Operating Budget as per the following amendments: Line Item 02-21500 Share Operating Maintenance Costs (Well Field) 2013/14 \$28,500.00 2014/15 \$29,500.00 2015/16 \$30,500.00; Line Item 02-25310Z Legal Expense 2013/14 \$6,000, Line Item 02-29330 Transfer to Capital Water 2013/14 \$50,000.00; 2014/15 \$80,000.00, 2015/16 \$80,000.00 and to approve the 3 year Capital Water Budget as per the following amendments Revenues Transfer from Operating 2013/2014 \$50,000.00, 2014/15 \$80,000.00 and 2015/16 \$80,000.00 and Expenditures Allowance for Infrastructure & Replacement Upgrades 2014/15 \$75,000.00, 2015/16 \$100,00.00. **CARRIED.**

ii. Capital Bank Transfer

Discussion was held regarding the additional costs to prepare the new police car for use. Discussion was also held regarding the Annapolis Royal Volunteer Fire Department vehicles and financial statements being submitted on an annual basis.

MOTION 5

It was moved by Councillor Mersereau, seconded by Councillor Hudson, taking into consideration that the original capital expenditure for the new police vehicle was capped at \$30,000.00, it was agreed that Council approve an increase to the capital budget allowance by \$8,000.00 for the purpose of outfitting the new police vehicle and further to approve the recommendation for the internal account transfer of \$20,000.00. **CARRIED.**

iii. Five Year Capital Investment Plan

MOTION 6

It was moved by Councillor Hudson, seconded by Deputy Mayor Power to approve the 5 year Capital Investment Plan with the following amendments to increase the 2013/14 budget \$8,000.00 for the new police vehicle and to increase the 2014/15 budget \$150,000.00 allowance for infrastructure noting the Town's portion will be \$75,000.00. **CARRIED.**

It was agreed to review the capital items during budget deliberations and to include discussion of a holding pond.

iv. Interest Write-off – Outstanding Water Utility Rental Account

MOTION 7

It was moved by Councillor Mersereau, seconded by Councillor Hudson to approve an interest write-off in the amount of \$36.54 for account # 192.03. **CARRIED.**

vi. Aged Receivables – Utilities and Taxes

Council had requested a review of the aged receivables for both utilities and taxes. Director of Finance Robinson advised that in most cases there is a payment plan process in place for arrears and further noting tax arrears are always paid out when a property sells.

vii. Vending By-law

Mayor Tompkins advised the fees for the Vending By-law will be listed in the Town's fee policy. Councillor Mersereau advised that prior to first reading of the Vending By-law, it would be appropriate to have another discussion with the Farmer's Market representatives regarding mobile vending fees for vending in the Farmer's Market.

It was agreed to direct the CAO to meet with representatives from the Farmer's Market by November 30th to discuss the Vending By-law, the Vending by-law will be scheduled to be considered for first reading in December and second reading in January.

viii. Website Audit Annapolisroyal.com

A report for information respecting the website audit was distributed with the agenda. CAO St-Amour advised WordPress is the computer application being used for the Town website noting it is not fully operational therefore some of the recommendations will require expenditures and could be discussed during budget deliberations for 2014/2015. Discussion was held regarding recognition for the volunteer work Adele MacDonald has done on the Town website.

ix. Farmers Market – Update

CAO St-Amour advised Deputy Mayor Power, Councillor Mersereau and herself met with representatives from the Farmer's Market and there is an interest in the expanded area, the Treasurer will provide financial statements to the Town, consideration is being given that the Farmers Market be responsible for the electricity costs, the Farmer's Market understood that there was coverage on the Town's insurance plan, the Town has 5 million dollars liability coverage. Mayor Tompkins advised the Town does not carry coverage for third party operations on the premises. CAO St-Amour will continue negotiations with the Farmers Market representatives.

x. Valley Waste Resource Management

CAO St-Amour advised Town Council is required to appoint a member of Council and an alternate to the Valley Waste Resource Management Board. Valley Waste representatives started the roll out of compost bins with residents last week. Meetings are scheduled to be held by Valley Waste Resource Management representatives. For residents two meetings are scheduled for September 18th at 2 pm and 7 pm and for businesses two meetings are scheduled for September 25th at 2pm and 7 pm.

Discussion was held regarding waste pickup at restaurants on the off week, the placement of 2 additional bins by the public works compound, placing Town logos on the 2 additional bins, streaming is already in place, the Town has the trucks with lifts to deal with the pickup, not increasing work for the public works department reducing the workload, only looking at a four month period of restaurant pickups for the public works department, fees for additional pickups. CAO St-Amour advised the bins when full weigh approximately 300 pounds, there is a lift once the bins are at the truck and the contents of the green bins will need to be different from what is required by Valley Waste.

MOTION 8 Valley Waste Resource Management

It was moved by Councillor Paquette, seconded by Deputy Mayor Power that effective October 9th for a one year trial basis, that a minimum of 2 community compost bins be placed at the public works yard for public use and serviced by the Public Works Department and, that businesses in Town may request an additional Town compost bin at their place of business, to be picked up by Public Works Department on the alternate week to the Valley Waste pickup at a cost to the business in the amount of \$25.00 per pick up per bin, businesses that sign on for the additional pickup whether the bin is full, ½ full or empty will be billed for every additional pickup unless the Town receives advance written notice of suspension of pickup, and this policy will be effective from June 15 to October 15 each year until revised. **CARRIED.**

MOTION 9

It was moved by Councillor Paquette, seconded by Councillor Mersereau to appoint Councillor Hudson as the Town representative to the Board of the Valley Waste Resource Management and further that Councillor Paquette be appointed the alternate. **CARRIED.**

MOTION 10

It was moved by Councillor Hudson, seconded by Councillor Paquette to approve the Town of Annapolis sign the agreement to become a member of the Valley Waste Resource Management Board. **CARRIED.**

xi. Active Living Coordinator

Discussion was held regarding the hiring of an Active Living Coordinator. Councillor Mersereau advised that he has some reservations regarding the wording of the Memorandum of Understanding. CAO St-Amour advised during recent discussions with Mike Trinacty, and taking into consideration the numbers based on the approved budget, if Council agrees to the Memorandum of Understanding the salary for the position would be increased to \$30,000.00 per year as recommended by the Province

MOTION 11

It was moved by Councillor Hudson, seconded by Deputy Mayor Power that approval be given to sign the Memorandum of Understanding with the Province to hire an Active Living Coordinator at a salary of \$30,000.00 per year. **CARRIED.**

11. NEW BUSINESS:

i. Town of Annapolis Royal – Financials

i.1 Town Operating April 1-August 31, 2013 – Income Statement

Discussion was held regarding the Town Financial Statements for the period April 1 to August 31, 2013. Director of Finance Robinson noted deed transfer revenues are higher than the budgeted amount. Councillor Mersereau requested a copy of the Hatch MacDonald study for the Department of Environment. Mayor Tompkins inquired when the climate change plan is due and Director of Finance Robinson advised it is due at the end of this year. Mayor Tompkins inquired when the repairs to the Town Office roof will be completed and Director of Finance advised the tenders were not called for. Councillor Hudson inquired with regards to when the paving will be done and CAO St-Amour advised it should be done by Thursday or Friday of this week as the company had a piece of equipment break.

i.2 Town Operating April 1-August 31, 2013 - Balance Sheet

i.3 Town Water Utility April 1-August 31, 2013 – Income Statement

i.4 Town Water Utility April 1-August 31, 2013 – Balance Sheet

i.5 Town Capital Water April 1- August 31, 2013 – Balance Sheet

i.6 Town General Capital April 1-August 31, 2013 - Balance Sheet

i.7 Town Capital Reserve Fund April 1-August 31, 2013 – Balance Sheet

ii. Reschedule Committee of the Whole to November 4th, 2013

MOTION 12

It was moved by Councillor Paquette, seconded by Councillor Mersereau that the November meeting of the Committee of the Whole be held November 4, 2013 and that the public be notified as required. **CARRIED.**

iii. Interest on Outstanding Accounts Receivable Invoices – Policy

CAO St-Amour advised the Town has not established an interest rate for outstanding accounts receivables.

MOTION 13

It was moved by Deputy Mayor Power, seconded by Councillor Paquette to approve the Account Receivable Policy for Non Tax and Non Water Revenue Policy Number 2013-5. **CARRIED.**

iv. Proposed Vending Fee Policy

Discussion was held regarding the proposed vending fees and it was agreed to add the vending fees to the existing Fee Policy, and further that the fees are subject to an annual review.

v. Letter from Chip Kerr and Susan Hay, Representatives of Hillside Drive – re: Request for Assistance

Considerable discussion was held regarding the waterline that supplies the Hillside Drive Subdivision. The Town received legal advice in 2006 indicating the Town should not assume responsibility and further the residents pay taxes to the County of Annapolis. Councillor Mersereau advised it is not unusual for a municipal unit to supply customers outside their borders and further referred to subdivisions made by developers noting the developers install the pipes/water lines to code and subsequently the Town takes over the maintenance of the water line and in return the users pay the base charges and utility usage same as any other utility user. Deputy Mayor Power suggested the residents of the Hillside Drive Subdivision form a cooperative and borrow the money.

It was agreed the residents of the Hillside Drive Subdivision need to approach the County of Annapolis as they are ratepayers to the County.

12. RECOMMENDATIONS FROM BOARDS, COMMITTEES AND COMMISSIONS
Planning Heritage and Advisory Committee meeting of September 3, 2013

MOTION 14

It was moved by Councillor Paquette, seconded by Councillor Hudson that the application to replace two doors at the rear and install vinyl inserts at 499 St George Street be approved, providing the replacements/ insert windows are the same size, shape and configuration as existing, with the exception the triple banked window in the rear will have one unit removed, and providing all conditions of the Land Use By-Laws are met. **CARRIED.**

MOTION 15

It was moved by Councillor Hudson, seconded by Councillor Mersereau that the application to enlarge a screened porch at 485 St George Street be approved, providing all the conditions of the Land Use By-Law are met. **CARRIED.**

MOTION 16

It was moved by Councillor Mersereau, seconded by Deputy Mayor Power that the application to build a storage shed at 19 St James Street be approved, providing all conditions of the Land Use By-Law are met. **CARRIED.**

Committee of the Whole meeting of September 4, 2013

MOTION 17

It was moved by Councillor Mersereau, seconded by Councillor Paquette that Council approve the application to attach a car port/shelter to the rear of the building located at 228 St. George Street, providing all conditions of the Land Use Bylaw are met; and further, Administration investigate properties and property right-of-ways for the lands in the area of 228 St. George Street. **CARRIED.**

MOTION 18

It was moved by Councillor Paquette, seconded by Councillor Hudson that Town Council table the decision to approve the encroachment for wheelchair access at 324 St. George Street until a recommendation is put forth from Planning Heritage Advisory Committee. **CARRIED.**

MOTION 19

It was moved by Councillor Hudson, seconded by Councillor Mersereau to instruct Public Works to remove the British flags from the power poles in Town as soon as possible. **CARRIED.**
Discussion was held regarding the removal of the flags.

MOTION 20

It was moved by Deputy Mayor Power, seconded by Councillor Mersereau that the Canadian flag, the Nova Scotia flag, and the Town flags are the only flags allowed to be flown on the flag pole in front of the Town Office as per the Flag Policy and no flags to be flown elsewhere on Town power poles. All nay votes. **DEFEATED.**

It was agreed to direct CAO St-Amour to provide a policy update to the Town Flag Flying Policy to include that flags may be flown on power poles as long as they are within guidelines of Canada Heritage rules and regulation and the rules of Flag Flying Etiquette and further the flags on the power poles be removed within a reasonable amount of time.

MOTION 21

It was moved by Councillor Paquette, seconded by Councillor Hudson that Council grant an extension for noise emission on October 25 and October 26, 2013 until 12 o'clock midnight each night for the operation of recorded music on the 25th and live acoustic music on the 26th, that the \$50 fee be waived as a one-time circumstance, and further, that the owners of Queen Anne Inn be required to notify adjacent land owners about the two evenings events. Mayor Tompkins voted nay. **CARRIED.**

MOTION 22

It was moved by Councillor Hudson, seconded by Deputy Mayor Power that Council approve Mayor Tompkins and CAO St-Amour to sign the Protocol for Regional Cooperation. **CARRIED.**

MOTION 23

It was moved by Councillor Mersereau, seconded by Deputy Mayor Power that Council authorize the CAO to sign the Master Services Agreement for "Paymentus" which provides payees the option of credit card payments with zero cost to the Town. **CARRIED.**

MOTION 24

It was moved by Deputy Mayor Power, seconded by Councillor Paquette that Council approve reduction in taxes for the following roll numbers and in the amounts listed for a total reduction in 2013/2014 taxes in the amount of \$9,760.50 as follows:

Roll Number	Amount
00479993	\$2,320.50
02355256	\$1,911.00
00092428	\$ 768.00
06445721	\$1,912.50
02045486	\$ 142.50
02045494	\$1,672.50
3611957	\$ 1033.50 as per the Town of Annapolis Royal Non-Profit Organization
Property Tax Reduction By- law and	
1033204	\$ 648.00 as per the Day Care Centre's Property Tax Reduction and
Exemption By-law. CARRIED.	

MOTION 25

It was moved by Councillor Paquette, seconded by Councillor Hudson that Council approve reduction in taxes for the following roll numbers and in the amounts listed for a total reduction in 2013/14 taxes in the amount of \$10,265.06 due to seasonal tourist business reductions:

Roll Number	Amount
92274	\$3,301.20
1408402	\$ 828.45
2466988	\$2,575.13
3144577	\$1,331.66
4542975	\$2,228.63 CARRIED.

MOTION 26

It was moved by Councillor Hudson, seconded by Councillor Mersereau that Council take out an advertisement in the 2014 Doers & Dreamers including the electronic copy at a cost of \$1,000. **CARRIED.**

Marketing and Economic Development meeting of September 10, 2013

MOTION 27

It was moved by Councillor Mersereau, seconded by Deputy Mayor Power that Council amend the Policy Establishing the Marketing and Economic Development Committee Item 5 to read "The Marketing and Economic Development Committee shall be composed of two Council Members, the Mayor as ex officio, 2 business representatives and 2 members at large. Councillor Paquette voted nay. **CARRIED.**

Councillor Paquette noted that the Marketing and Economic Development Committee make decisions and recommendations to Council for the allocation of ratepayers money and feels the members of the Committee should be ratepayers.

MOTION 28

It was moved by Deputy Mayor Power, seconded by Councillor Paquette that Council accept the resignations of Peter Davies and Paul Stackhouse from the Marketing and Economic Development Committee. **CARRIED.**

Discussion was held noting that members of the Marketing and Economic Development Committee are appointed each year in December. It was agreed to invite applications for members to sit on the Committee to serve the remaining term of this year and also who are prepared to allow their names to stand for nomination for the upcoming term with the same criteria as previously advertised for applicants

It was agreed to write a letter to Paul Stackhouse extending thanks for his time served on the Marketing and Economic Development Committee and it was noted a similar letter was sent to Peter Davies.

13. REPORTS FROM COMMITTEES, BOARDS AND COMMISSIONS:

1. Mayor's Report – Mayor Tompkins

Mayor Tompkins advised he attended the Natal Days Parade, the Sunset Ceremonies and was a participant in the dunk tank. Mayor Tompkins also attended a meeting of the Steering Committee of municipal units in the Valley and discussed regional policing. Mayor Tompkins noted there were two funding announcements, one for the Wharf Association and one for CARP.

2. Marketing and Economic Development Committee – Councillor Paquette

Councillor Paquette advised the Committee agreed to send out invitations through the Town Crier and email regarding organizations making a request for funding for the upcoming budget year. CAO St-Amour noted a formal process should be established and a draft copy of the process will be brought forward to an upcoming meeting of MEDC.

Councillor Paquette advised the Committee wants to schedule a two hour luncheon meeting with the B&B owners prior to October 15th as they are first contact with many visitors/tourists, an informal setting for the purpose of discussion of marketing ideas and achieving an increase of economic activity in Town.

Councillor Paquette advised the Committee has agreed to advertise for a new Town slogan and distributed copies of the advertisement. Councillor Mersereau suggested including Annapolis Royal in the slogan and Mayor Tompkins suggested including “firsts” for the Town.

It was agreed to advertise for a new “Town slogan” in the October Town Crier and on the Town website.

3. ARRA – Councillor Mersereau

Councillor Mersereau advised that since the last meeting of Council, there has been one interested party who viewed the property and further that another showing is scheduled for September 27th. Councillor Mersereau advised the Committee has assembled an extensive amount of material and will be compiling the information in a package for prospective buyers.

4. Planning Services – no report

5. REMO – Councillor Hudson advised there is a meeting of REMO scheduled for September 18th.

6. Planning and Heritage Advisory Committee – items were reviewed under Recommendations from Boards, Committees and Commissions

7. Traffic Flow Advisory Committee – Mayor Tompkins advised discussion was held regarding a 4 way stop at the post office and to remove parking time limits on Victoria Street between St. George and St. Anthony Street.

8. CAO's Report

CAO St-Amour provided a verbal report advising that she has attended meetings with Valley Waste Resource Management representatives and meetings with the Farmers Market representatives.

9. Water Report – It was noted the water reports have met the provincial requirements.

10 .Board of Police Commissioners – Deputy Mayor Power advised that the Board met in September noting the number of calls for police service during July 2013 was up to 84 calls. Deputy Mayor Power inquired as to the status of the portable speed monitor that was budgeted for the fiscal period 2013/14.

14. OTHER BUSINESS:

15. CORRESPONDENCE: (FOR INFORMATION ONLY)

- i. Letter from Paul Stackhouse re: resignation
- ii. Nova Scotia Economic and Rural Development and Tourism re: Regional Enterprise Networks

Deputy Mayor Power advised the Town is invited to the ordination of the Baptist minister Sunday September 22nd at 2:30 pm and was requested to give greetings on behalf of the Town. It was agreed that Deputy Mayor Power will attend the ordination.

16. IN CAMERA:

MOTION 29

It was moved by Councillor Mersereau seconded by Councillor Hudson to move in camera at 11:10 pm.

CARRIED.

MOTION 30

It was moved by Councillor Mersereau seconded by Councillor Hudson to come out of in camera at 12:49 pm

17. ADJOURNMENT

MOTION

It was moved by Councillor Paquette seconded by Deputy Mayor Power to adjourn the meeting at 12:50 am.

CARRIED.

<i>Action:</i>	<i>Date</i>	<i>Signature</i>
Reviewed by CAO		
Changes made by Admin		
Approved for website by CAO		
Sent to webmaster		