

DRAFT MINUTES
TOWN OF ANNAPOLIS ROYAL
REGULAR COUNCIL
September 20, 2010
9:00 a.m.

Present: Mayor Phil Roberts (Chair), Deputy Mayor Doug Shaffner, Councillors Pat Power, Sherman Hudson, and Holger Mueller-Sparenberg, Director of Finance Melony Robinson, and CAO Amery Boyer as Recording Secretary. Members of the public in attendance included Keith Chrysler, Wayne Currie, Chair, Annapolis West Health Foundation, Corinne Frantel, Nancy Dick, Wayne MacDonald, Secretary/Treasurer for the Annapolis West Health Foundation, Kent and Micheal Thompson, and Mr. and Mrs. Stephen MacDonald. Jackie Longmire joined the meeting at 9:30am.

Regrets: Councillor Kathie Fearon

CALL TO ORDER

A moment of silence was observed for Grant Potter, the Town's Recreation Director, who suffered a fatal accident on Thursday, September 16, 2010.

APPROVAL OF REGULAR COUNCIL MINUTES Moved by Councillor Pat Power, seconded by Councillor Hudson, approval of the minutes of August 16, 2010

ADDITIONS/DELETIONS TO AGENDA

Under New Business:

- h) Weather Monitoring Apparatus
- i) Contract Marketing Position
- j) Fire Inspection Report, Town Hall Building
- k) Violation of Noise By-law

APPROVAL OF AGENDA Moved and seconded approval of the agenda for September 20, 2010, as revised.

PRESENTATIONS

1. 9:00am – Annapolis West Health Foundation and Friends of the Community Health Centre

The Mayor pointed out that the ER¹ is scheduled to re-open on Thursdays at a date to be determined. Keith Chrysler, Co-Chair for the Friends of the Community Centre presented a five-page document stating the group's position. Wayne Currie reiterated the group's position that the emergency room at the Health Centre be kept open on a 24/7 basis as soon as staff complement permits this to happen. He stated that the position of the Foundation is that there is no need to wait for the Dr. Ross report. Keith Chrysler stated that the Health Centre emergency room was the only emergency room with scheduled closures that had no unscheduled closures. He stated that this was a credit to the physicians and staff of the Health Centre. He also pointed out that there are services provided at our Health Centre that are not available in Berwick or in Clare.

2. 9:20am – Stephen MacDonald re: taxes (Tab 3)

Stephen MacDonald stated that he needs the support of Council to continue in business. He wishes Council to assist him with his battle with the PVSC². He is asking for interest forgiveness and postponement of any further taxes until such time as his appeal has been heard. He stated that he took a property that was a liability to the Town and turned it into an asset. The property is taxed at 100% commercial and is now assessed at \$272,600.00. This assessment is much higher than other comparable commercial assessments in the Town and on the Town's main street. He stated that some of these properties do have a residential component. He stated that the rate of taxation is impossible. Melony Robinson asked him if his appeal was in process. He confirmed that it is. Councillor Mueller-Sparenberg stated that he feels Mr. MacDonald's pain. He also feels that the basis for assessments for commercial enterprises is not fair. Stephen MacDonald stated that there are ways that interest charges can be addressed by Council; it has the discretion under the Act. His issue is the astronomical amount that he has to pay, \$680.00 a month. He referred to Section 114(1) of the Act. The Mayor asked him if he had any idea when the appeal would be heard. Mrs. MacDonald stated that if everyone including the Town is appealing assessments, is there any opportunity for a united front?

3. 9:45am – Presentation to Jackie Longmire

On behalf of the Council and the staff, the Mayor presented a gift to Jackie Longmire.

BUSINESS ARISING FROM MINUTES

Item	Decision / Action	Responsibility	Target Date
(a) Water Utility Budget		Director of Finance	

¹ Emergency Room

² Property Valuation Services Corporation

(b) Basement renovations	Deputy Mayor Shaffner stated that since the engineers have become involved, there has been much discussion about the plans. The engineers are working on a tender now. It would appear that construction is a couple of months away.	Deputy Mayor Doug Shaffner	
(c) Status of New Public Works building	The engineers are finalizing the terms of the tender.	CAO	
(d) Waterfront Development Funding Update	The Town has asked the Canada Revenue Agency for a ruling to allow it to issue tax receipts for capital donations. Five decals are ready to be awarded to capital campaign contributors.	CAO	
(e) No Pets Policy (Tab 10)	<p>Signage locations were discussed:</p> <ul style="list-style-type: none"> 1) by the old Post Office 2) coming in from the parking lot <p>The sign should say “no pets in market area”. Kent Thompson suggested that the reference to regulations be placed at the top of the sign.</p> <p><i>Motion 1. Moved by Councillor Pat Power, seconded by Councillor Mueller-Sparenberg, that the no pets in the market policy be approved as drafted. Motion carried.</i></p>	CAO	
(g) Draft Reduction of Motor Vehicle Emissions Policy	Referred back to Environment Committee by Management Team.	CAO	

NEW BUSINESS

Item	Decision / Action	Responsibility	Target Date
(a) Water Tests	Water tests have been received and are within the required parameters.	CAO	

(b) Review and approval of CSIP ³	Moved by Councillor Hudson, seconded by Councillor Mueller-Sparenberg approval of the updated CSIP.		
(c) UNSM Conference	The Mayor asked members of Council to let the CAO know if they plan to attend. The deadline for registration is October 12, 2010. The Mayor would like to see 2 or 3 members of Council attend.		
(d) CAP Review	<p>Councillor Mueller-Sparenberg and CAO Boyer attended two meetings on capped assessments. He stated that the second regional meeting was the better one. He stated that the consensus is that capped assessment is unfair. Similar properties with the same assessment are taxed at different levels. He said that there needs to be a better way.</p> <p>Kent Thompson stated that the whole problem goes back to market value and assessment based on purchase price. This is stifling for business. Councillor Mueller-Sparenberg stated that businesses were never capped and that's unfair too. A new way needs to be found to assess businesses.</p>		
(e) WCB Annual Reports	It was noted that, with the exception of the Police Department, premium rates have decreased.		
(f) Staff recommendations re ADEDA ⁴	<p>Staff recommendations for changes at ADEDA were reviewed. Councillor Power stated that CAOs should have a say at ADEDA. She stated that many on the Board would not necessarily have the expertise that the CAOs could bring to the table. Councillor Mueller-Sparenberg stated that there are issues to be resolved. He stated that ADEDA's authority should come from the municipal units.</p> <p><i>Motion 2: Moved by Councillor Hudson, seconded by Councillor Power, that the staff recommendations be sent to the ADEDA Board with a copy to the other municipal units.</i></p>	Council	

³ Community Integrated Sustainability Plan

⁴ Annapolis Digby Economic Development Agency

<p>(g) Staff recommendation for tax rebates for the year 2010-2011 – not for profits as well as write off of taxes for Town-owned properties</p>	<p><i>Motion 3: Moved by Deputy Mayor Doug Shaffner, seconded by Councillor Hudson that the write-offs of taxes from commercial to residential taxes be approved for the not for profit organizations listed below:</i></p> <p><i>Roll No./Amount</i> <i>479993 \$3,859.90</i> <i>100943 \$ 290.00</i> <i>5596173 \$ 42.05</i> <i>92428 \$ 720.65</i> <i>6445721 \$ 915.68</i> <i>1033204 \$ 555.35</i> <i>2045486 \$ 137.75</i> <i>2045494 \$1,465.95</i> <i>3611957 \$1,202.05</i></p>		
<p>(h) Weather Monitoring Apparatus</p>	<p>Corinne Frantel is making an informal application to approve the move of the apparatus for weather station from Carol Littleton's property to the former Post Office property. A formal application is going to PHAC on October 4. She asked if a telephone poll could be conducted shortly after that date.</p>		
<p>(i) Contract Marketing Position</p>	<p>Linda Brown will be appointed as a Community Development Officer for the Town on a contract basis to March 31st, 2011.</p>		
<p>(j) Fire Inspection Report, Town Hall Building</p>	<p>The Fire Inspection Report was presented.</p>		
<p>(k) Violation of Noise By-law</p>	<p>At least a half dozen people pointed out that work on the court house went on into the late hours of the night and the early hours of the morning. It was noted that Town Hall received one complaint and Sandi Millet-Campbell resolved it with reference to the Town's Peaceful and Orderly Conduct By-law.</p>		

RECOMMENDATIONS FROM COMMITTEES, BOARDS AND COMMISSIONS

Item	Decision/Action	Responsibility	Target Date
1. Recommendations from Committee of the Whole	<i>Motion 4. Moved by Councillor Hudson, seconded by Councillor Shaffner that Councillor Power be appointed as the Town nominee to the Annapolis Valley Housing Authority subject to receipt of terms of office. Motion carried.</i>		
	<i>Motion 5. Moved by Councillor Mueller-Sparenberg, seconded Deputy Mayor Shaffner, that the language “or relatives of Town Council” be added to the list for employment of relatives under 2.03(a)(1) of the Town’s Human Resource Policy Manual). Motion carried.</i>		
	<p><i>Motion 6. Moved by Councillor Mueller-Sparenberg, seconded by Deputy Mayor Shaffner that a recommendation be made to Council that the following two accounts be written off.</i></p> <p><i>1. Roll #03303322 - \$58.71(interest)</i></p> <p><i>The property was sold on April 26, 2010 and the interim taxes were not included in the closing of the sale. The new owner had not received the invoice for the taxes and the lawyers are informing the new owners of this interim tax bill. As the new owners have not received a bill, the Director of Finance is suggesting that it does not seem fair to charge them interest.</i></p> <p><i>2. Water Account #113 – 89 Victoria Street</i></p> <p><i>The Director of Finance is requesting that the interest on this account be written off. The homeowner had sold the property and paid the final billing on time, but in error the homeowner applied the amount owing to a water account belonging to one of her other properties. After reviewing all the accounts the homeowner is paying the final billing amount and is asking Council to write off the interest of \$19.04 to clean up the active account.</i></p> <p><i>Motion carried.</i></p>		

	<i>Motion 7. Moved by Deputy Mayor Shaffner, seconded by Councillor Mueller-Sparenberg, that Council allow vacation carry-over of 4 days beyond the current six-month maximum for Constable Campbell in view of a special situation that has arisen. Motion carried.</i>		
	<i>Motion 8. Moved by Councillor Mueller-Sparenberg, seconded by Deputy Mayor Doug Shaffner, that the employment agreement language relating to legal aid recommended by staff be approved for all Police Department employment agreements. Motion carried.</i>		
2. Recommendations from PHAC	<i>Motion 9. Moved by Councillor Hudson, seconded by Councillor Mueller-Sparenberg, approval of the recommendation by Chris Millier on behalf of the ADPC that lands of David and Sheila Journeay located at 225 St George Street (PID 05003819) be rezoned from Residential Light Density (R1) to Commercial General (C1). Motion carried.</i>		
3. Board of Police Commissioners	<i>Motion 10. Moved by Councillor Power, seconded by Deputy Mayor Doug Shaffner, that the new municipal parking ticket with the noted changes be accepted. Motion carried.</i>		

REPORTS FROM COMMITTEES, BOARDS AND COMMISSIONS

(a) Board of Police Commissioners	No report.	Councillor Fearon & Deputy Mayor Shaffner	
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(b) Mayor's Report	The Mayor attended 4 meetings of the Friends of the Annapolis Health Centre, the 4 th involving Janet Knox from Valley Health. That meeting lasted about three hours. He attended the Heritage Snapshot at Fort Anne. On September 10, he attended Nova Scotia Day celebrations at Fort Anne with Minister Ramona Jennex. Both the Lieutenant Governor and the Minister enjoyed themselves very much.	Mayor Roberts	
(c) ADEDA	Councillor Mueller-Sparenberg reported that all reports have been forwarded to members of Council.	Councillor Mueller-Sparenberg	
(d) ADPC	Building Permit Report Fire Inspection Report		
(d) King's Theatre	No report.	Councillor Kathie Fearon	
(e) REMO	No report.	Councillor Sherman Hudson and Mayor Roberts	
(f) Historic Gardens	<p>Councillor Power stated that there is an RFP out for a five-year business plan for the Gardens. The expiry date is mid November. This is something that the Finance Committee has been asking for. Summer numbers have been good, a couple of months were even up. The Five Century House Tour went very well. Next week, there will be an art auction at the Gardens, weather permitting, and if not, indoors at the Legion.</p> <p>The Mayor reported that he has been liaising with the Gardens for the operation of the winter market. Trish Fry is asking Council if the Town can support the winter market by clearing snow from the visitor parking lot across the street from the Gardens on market days after snowfall.</p>	Councillor Pat Power	

{h} Twinning Committee	Dave Shelton and possibly the Town Crier from Annapolis, Maryland, plan to come to Annapolis Royal for the finale of the 300 th on October 5, 2010.	Mayor Phil Roberts	
{i} Hanse Society	Total revenues for the year were \$800,000, down from last year (\$846,000); however, the head count was up this year. There were only 67 days of operation compared to 70 last year. Plans are progressing for the adventure park next year.	Deputy Mayor Doug Shaffner	
{j} Environment Committee	No report	Mayor Phil Roberts	
{k} Planning and Heritage Advisory Committee	No report	Councillors Kathie Fearon and Sherman Hudson	

CORRESPONDENCE

Item	Decision / Action	Responsibility	Target Date
1. Letter from Annapolis West Health Foundation)	<i>Motion 11. Moved by Councillor Mueller-Sparenberg, seconded by Councillor Hudson, that a letter of support be forwarded to AVH, the Friends of the Annapolis Health Centre and the Annapolis West Health Foundation. Motion carried.</i>		
2. Single Address Initiative - PVSC ⁵	It was noted that members of Council do not have the document. This will be placed on the next Committee of the Whole agenda.		
3. Opening of the new Fire Hall in Bridgetown	Mayor Phil Roberts plans to attend.		

OTHER BUSINESS

⁵ Property Valuation Services Corporation

Moved and seconded that the meeting move into camera.

IN CAMERA

1. Update on NSPI appeal
2. CUPE negotiations
3. Personnel matters
4. Negotiations
5. Litigation

Moved and seconded that the meeting move out of camera.

Motion 12. Moved by Councillor Mueller-Sparenberg, seconded by Deputy Mayor Doug Shaffner that interest of \$1,712.83 on tax number 09924590 be written off as a one time measure provided that all taxes in the amount of \$ 4,157.15 be paid in full by September 30, 2010. Motion carried.

NEXT MEETING Monday, October 18th, 2010 at 9:00 am

ADJOURNMENT

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