

**COMMITTEE OF THE WHOLE**  
**MINUTES**  
**October 5, 2011**  
**9:00am**

**CALL TO ORDER:** Mayor Roberts called the meeting to order at 9:00 am.

**Present:** Mayor Roberts, Deputy Mayor Pat Power, Councillors Kathie Fearon, Sherman Hudson, Holger Mueller-Sparenberg, CAO<sup>1</sup> Amery Boyer, DOF<sup>2</sup> Robinson, Administrative Assistant Monica Mills as recording secretary and member of the public, Beth Fairn.

**Regrets:** Councillor Doug Shaffner

**APPROVAL OF COMMITTEE OF THE WHOLE MINUTES:** September 7, 2011

It was moved by Deputy Mayor Power, seconded by Councillor Hudson that the minutes dated September 7, 2011 be approved. Motion carried.

**ADDITIONS TO AGENDA:**

- Letter of Agreement between the Town of Annapolis Royal and CARP<sup>3</sup>
- STP Air Diffuser Replacement Quote
- Tax Exemption for the Boat Haul-up
- Governance workshop at ADEDA<sup>4</sup>
- Nomination for A Seafaring Maiden Bed and Breakfast
- Proposal from Brad Hall regarding a sculpture
- Letter to School Board Representative
- Letter from Michael Hyman

**APPROVAL OF AGENDA**

It was moved by Councillor Mueller-Sparenberg, seconded by Councillor Hudson that the agenda be approved with the above mentioned additions. Motion carried.

**PUBLIC HEARING:** none

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<sup>1</sup> Chief Administrative Officer

<sup>2</sup> Director of Finance

<sup>3</sup> Clean Annapolis River Project

<sup>4</sup> Annapolis District Economic Development Agency

**PRESENTATIONS:** none

**BUSINESS ARISING - COW**

ITEM	DECISION / ACTION	RESPONSIBILITY	TARGET DATE
1. User-Friendly Budget Format, Update	<p>Council discussed the quote for a simplified budget format from the Town's auditor. The quote is \$750.00 plus HST<sup>5</sup>. Programming could take a few months which would be in time for the next budget. The summary would display the totals, as opposed to a line-by-line description and the Water Utility and the general account would be combined.</p> <p><b>Recommendation 1:</b> It was moved by Councillor Mueller-Sparenberg, seconded by Councillor Fearon that the simplified version of the budget be recommended to Council for approval for the price of \$750.00 plus HST. Motion carried.</p>		
2. Single Tax Bill (Tab 1)	<p>Council discussed the possibility of a single tax bill. It would be implemented for the taxation year 2013 at the earliest. Councillor Hudson stated that the Town used to have one tax bill and in his opinion, two tax bills are more realistic for residents and taxpayers. Mayor Roberts stated that it must be noted that if Council decided on a single tax bill, then it would come into effect under a new Council. DOF Robinson stated that a single tax bill would require the Town using its line of credit, as there would be an issue with cash flow. Council discussed the possibility of automatic debit payment. DOF Robinson stated that the Town had attempted this, but there was little public take-up.</p>	CAO Boyer	

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<sup>5</sup> Harmonized Sales Tax

	Councillor Fearon suggested that the public be asked for their opinion in the next Town Crier. Council agreed.		
3. Public Health By-Law	CAO Boyer stated that the review of the Public Health By-law resulted from some complaints regarding dog feces. She had contacted Kings County Animal Control and was informed that dog feces are considered a public health issue. She added that conversations with the residents concerned have occurred and it was Council's decision as to whether to leave the by-law as is if the by-law should be amended or left as is. Council decided to leave the by-law as it is.	CAO Boyer	
4. Letter to Warden Reg Ritchie regarding the funding formula for the AR Volunteer Fire department (Tab 2)	For Council decision as to whether the letter is sent or not.  <b>Recommendation 2:</b> It was moved by Deputy Mayor Power, seconded by Councillor Fearon that a recommendation be made to Council to send the letter to Warden Reg Ritchie. Motion Carried.		
5. Policy on Conflict Resolution. (Tab 3)	Council discussed the new policy on Conflict Resolution. The key aspect of this policy is to limit Council's involvement in disputes between residents and taxpayers. Mayor Roberts suggested that the term "taxpayers" be included in the policy.  <b>Recommendation 3:</b> It was moved by Councillor Hudson, seconded by Councillor Mueller-Sparenberg that the policy on Conflict Resolution be recommended to Council for approval. Motion carried.		
6. Letter of agreement between Annapolis Royal from CARP	Council discussed the letter of agreement between the Town and CARP. CAO Boyer explained that one of the requirements for the gas tax is that the Town adopt a climate change plan. CARP provided a quote for the completion of milestone 4 and 5 of FCM <sup>6</sup> 's Climate Protection Program.		

<sup>6</sup> Federation of Canadian Municipalities

	<p>This letter of agreement, when signed, will constitute a contract.</p> <p><b>Recommendation 4:</b> It was moved by Councillor Fearon, seconded by Councillor Mueller-Sparenberg that a recommendation be made to Council to approve the signing of the letter of agreement with CARP to complete milestones 4 and 5. Motion carried.</p>		
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**NEW BUSINESS - COW**

ITEM	DECISION / ACTION	RESPONSIBILITY	TARGET DATE
1. Community Solar Project and COMFIT Conference (Tab 4)	<p>For the information of Council. CAO Boyer attended the COMFIT conference in Halifax. She reported that Halifax has implemented a new solar water heating project that coordinates federal and provincial rebate programs. She added that this could be an option for the Town; however, in order to do this, the Municipal Government Act would have to be changed as there is nothing in the Act that would allow this program to go forward. There was discussion at the conference about Statements of Provincial Interest that are embedded in municipal planning strategies that need to be reviewed. CAO Boyer stated that she would bring further information to the next Council meeting for Council's review.</p>		
2. Request to write-off interest in the amount of \$42.70 for roll number 02320053	<p>The interest was incurred due to an internal programming error; it would appear as a credit on the customer's next bill.</p> <p><b>Recommendation 5:</b> It was moved by Councillor Hudson, seconded by Councillor Mueller-Sparenberg that a recommendation be</p>	DOF Robinson	

	made to Council to approve the write-off of \$42.70 in interest for roll number 02320053. Motion carried.		
3. Award of three tenders.	<p>Council reviewed the three quotes for the audit tender. Council decided to table the decision until further information has been received.</p> <p>Council reviewed the two bids for the legal service tenders.</p> <p><b>Recommendation 6:</b> It was moved by Councillor Fearon, seconded by Councillor Mueller-Sparenberg that a recommendation be made to Council to accept the quote from TMC law for legal services. Motion carried.</p> <p>Council reviewed the five successful bids for the engineering service tenders. Council decided to table the motion until more information could be received.</p>		
4. Day Care By-law (Tab 5)	<p>To be repealed as business occupancy has been eliminated.</p> <p><b>Recommendation 7:</b> It was moved by Councillor Mueller-Sparenberg, seconded by Councillor Hudson that it be recommended to Council that the Day Care By-law be repealed. Motion carried.</p>		
5. Dogs By-Law (Tab 6)	<p>CAO Boyer explained that the Town of Annapolis Royal has an agreement with the County of Annapolis for animal control. She added that it would be beneficial to adopt language similar to the County's Dog By-law for consistency. Mayor Roberts suggested that a schedule of fees be included, as it was simpler to change the schedule rather than change the by-law.</p> <p><b>Recommendation 8:</b> It was moved by Councillor Mueller-Sparenberg, seconded by Councillor Hudson that Council approve the adoption of the County of Annapolis Dog By-law with the addition of a</p>		

	schedule of fees and that the Town of Annapolis Royal's current Dog By-law be repealed. Motion carried.		
6. Records Management and Destruction By-law (Tab 7)	<p>Council discussed the Records Management and Destruction By-law. CAO Boyer explained that the Town's insurers have stated that insurance contracts should be permanently retained. DOF Robinson added that the Town follows the Canadian Revenue Agency's policy on records management, as reflected in item #3. Mayor Roberts suggested that rather than noting a particular Canada Revenue Agency circular, the addition of "The Town abides by Canada Revenue Agency guidelines" would suffice.</p> <p><b>Recommendation 9:</b> It was moved by Councillor Hudson, seconded by Deputy Mayor Power that a recommendation be made to Council to approve the addition of the wording, "insurance contracts" to item #4 (i) of the Records Management and Destruction By-law and the change in item #3 of the wording to "the Town abides by Canada Revenue Agency guidelines". Motion carried.</p>		
7. Nova Scotia Community College Community Information Utility Feasibility Study (Tab 8)	For the information of Council. CAO Boyer explained that the Community Information Utility is moving forward and the current GIS system that is shared with Middleton and Bridgetown is intended to be the nucleus of the project.		
8. Christmas Closure / January Committee of the Whole rescheduling	Council discussed the possibility of closing Town hall for December 28th, 29th, and 30th for Christmas holidays. Previously, CAO Boyer worked these days but this year she will be away. Council decided to discuss this matter next month.	DOF Robinson	
9.. Quote for Audio-Visual equipment for Council Chambers (Tab 9)	There is a need for new equipment in Council Chambers for presentations and the cost would be in next year's budget. Deputy Mayor Power suggested that this topic be tabled for consideration during forthcoming budget discussions.		
10. STP Air Diffuser Quote	Council discussed the need for new STP air diffusers for		

	<p>the sewage treatment plant. The total would be approximately \$66,000- \$67,000 plus HST. The County would be responsible for 50%. CAO Boyer stated that she had applied for an emergency grant from the Province which could cut the cost from \$33,000 to \$16,000. Deputy Mayor Power asked if it was necessary to obtain quotes from other companies. CAO Boyer explained that due to the emergency nature of the situation that the Town was not obligated to obtain other quotes.</p> <p><b>Recommendation 10:</b> It was moved by Councillor Fearon, seconded by Deputy Mayor Power to recommend that Council approve the purchase of the STP Air Diffusers at a total cost of \$66,000 plus HST, with the County responsible for half of the cost. Motion carried.</p>		
11. Tax Reduction for Boat Haul up	Council discussed the possibility of exempting the Wharf Society and Boat Haul-up from the application process for the tax reduction for non-profit groups. Council decided against any exemptions.		
12. Governance workshop at ADEDA	Councillor Mueller-Sparenberg stated that there was a governance workshop at ADEDA and he found it very beneficial. CAO Boyer agreed, adding that many committees could benefit from this type of workshop. She added that it would be very beneficial for the Board of Police Commissioners, as they are governed by legislation. Deputy Mayor Power stated that she would bring the documents to the attention of the Board of Police Commissioners.		
13. Nomination for a Sea Faring Maiden Bed and Breakfast	Council discussed the request for a nomination for the Golden Hospitality award from A Seafaring Maiden Bed and Breakfast. CAO Boyer asked Council if they would like to nominate them. Council agreed with nominating A Seafaring Maiden Bed and Breakfast for the award.		

### **GENERAL / CORRESPONDENCE (FOR INFORMATION ONLY)**

- Proposal from Brad Hall requesting that the Town display an abstract sculpture titled, Tuning Fork. Council requested that staff explore possible locations for the sculpture and provide a report at the next council meeting.
- Letter to the School Board Representative regarding AWEC billing the Town \$1000.00 for the use of their gym. Council reviewed the draft letter and agreed that it should be sent.
- Letter from Michael Hyman regarding wind turbines in Annapolis County: Mayor Roberts suggested that the letter go to the Environment Committee for review.
- Letter of confirmation from Nova Scotia Utility and Review Board (Tab 10) For information.
- Request for funding from UNSM for Women in Local Government Bursary Program. (Tab 11) Council reviewed this and decided not to provide funding.

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### **GENERAL DISCUSSION**

- Mayor Roberts asked for an update on the ADPC<sup>7</sup> census. CAO Boyer stated that preliminary results should be in by October 7, 2011.
- Councillor Hudson asked for an update on the arrival of the new police constable. Deputy Mayor Power stated she would ask for an update at the next Board of Police Commissioners meeting.
- Councillor Mueller-Sparenberg updated Council on the progress of the new cenotaph.

**Motion:** It was moved by Councillor Hudson, seconded by Councillor Mueller-Sparenberg that the meeting move to in camera at 11:40am.  
Motion carried.

### **IN CAMERA**

- Personnel Matters (2)
- Negotiations/ litigation

**Motion:** It was moved by Councillor Hudson, seconded by Councillor Mueller-Sparenberg that the meeting move out of camera.

### **Recommendation 11:**

It was moved by Councillor Fearon, seconded by Councillor Mueller-Sparenberg that the Settlement Agreement reached between Michael Sider and the Town of Annapolis Royal and the Nova Scotia Human Rights Commission, which settles to the satisfaction of all parties the Human Rights Complaint of Michael Sider be recommended to Council for approval. Motion Carried.

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<sup>7</sup> Annapolis District Planning Commission



**Recommendation 12:**

It was moved by Councillor Fearon, seconded by Councillor Shaffner that the cost of living increase for the CAO position be approved retroactive to April 1, 2011. Motion carried.

**Recommendation 13:**

It was moved by Councillor Mueller-Sparenberg, seconded by Councillor Hudson that a letter be sent to the CAO stating that the position of CAO be made 50% as of May 1, 2012. Motion carried.

**NEXT MEETING:** November 9, 2011

**ADJOURNMENT**

It was moved by Councillor Hudson, seconded by Councillor Mueller-Sparenberg that the meeting be adjourned at 12:30pm. Motion carried.

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