

VILLAGE OF NEW MINAS
REGULAR COMMISSION MEETING
SEPTEMBER 14, 2009

The regular monthly meeting of the Village Commission of New Minas was held on Monday, September 14, 2009 at 7:00 p.m. in the Civic Center.

In Attendance:

Chair Dave Chaulk
Vice-Chair Dale Pineo
Commissioner Dean Hatt
Commissioner James Redmond
Commissioner Maynard Stevens
Clerk Treasurer Terry Silver

Also In Attendance:

Mr. Eric Smith, Councillor District 11
Mr. Gordon Silver, Resident
Mr. Gerard Hamilton, Assist. Supt Public Works/Operator
Mr. Jeff Kennedy, Resident
Ms. Michelle Coole, Resident
Mr. Brian Coole, Resident
Mr. Blair Coldwell, Resident
Mr. Don Zwicker, Resident
Mr. Joey LeBlanc, Resident
Mr. Mark Redmond, Resident
Mr. Stephen Schofield, Resident
Mr. Steve Dalziel, Resident

CALL TO ORDER – Commissioner Dave Chaulk, Chair

Chair Chaulk called the meeting to order and welcomed everyone.

APPROVAL OF AGENDA: September 14, 2009

It was moved by Vice-Chair Pineo, seconded by Commissioner Redmond that the Agenda for the September 14, 2009 regular Commission meeting be approved with the following additions: *OTHER ADDED ITEMS (a) Village of Pugwash Issue.*
MOTION CARRIED

APPROVAL OF MINUTES: Regular Commission Meeting July 13, 2009.

It was moved by Commissioner Stevens, seconded by Commissioner Hatt that the minutes of the Regular Commission meeting held July 13, 2009 be approved as circulated. MOTION CARRIED

PRESENTATION: Mr. Bill Butler, county of Kings re Vendors' Bylaw

Chair Chaulk advised that Mr. Butler has recently had surgery and it was decided that it would be more appropriate to have Mr. Butler attend the October 19th Commission meeting.

BUSINESS ARISING FROM THE MINUTES**a) Village of New Minas Sewer Bylaw, Bylaw #3 – Final Reading**

It was moved by Commissioner Stevens, seconded by Commissioner Redmond that the Village Commission of New Minas adopt the *Village of New Minas Sewer Bylaw, Bylaw #3* as presented at this meeting for the Final Reading. MOTION CARRIED

b) Update - No Smoking Policy Lockhart Ryan Park – Draft Bylaw

T. Silver advised that the No Smoking Bylaw has, in fact, been passed by County Council. She advised that no smoking signs will be erected in the parks throughout the Village.

COMMITTEE REPORTS**a) Water Commission Report – Commissioner Maynard Stevens**

Commissioner Stevens read the New Minas Water Commission report (copy attached to original minutes).

It was moved by Commissioner Stevens, seconded by Vice-Chair Pineo, to accept the New Minas Water Commission Report as presented. MOTION CARRIED

b) New Minas Area Advisory Committee – Commissioner Dean Hatt

Commissioner Hatt advised there has not been an Area Advisory Committee meeting since the last Commission meeting; however, there have been several meetings at the County of Kings for a development agreement application at 69 Cornwallis Avenue, and Commissioner Stevens had attended the last meeting. Councillor Stevens advised that the Development Agreement application for this property was denied by the County, and he felt County Council had listened to the New Minas Area Advisory Committee's recommendation, as well as public concerns about this application.

c) New Minas Recreation Advisory Committee – Vice-Chair Dale Pineo

Vice-Chair Pineo read the report of the New Minas Recreation Advisory Committee (attached to original minutes).

It was moved by Vice-Chair Pineo, seconded by Commissioner Hatt that the report of the New Minas Recreation Advisory Committee be accepted as read. MOTION CARRIED

d) New Minas Transportation Advisory Committee – Commissioner Dean Hatt

Commissioner Hatt advised there was no meeting of the New Minas Transportation Advisory Committee therefore no report.

e) Fire Services Task Force – Commissioner Redmond

Commissioner Redmond advised there was no meeting of the Fire Services Task Force, therefore no report.

NEW BUSINESS

a) Offer from Millett Trustees re Dyke Lands

T. Silver read her report (attached to original minutes) with regard to the offer from Millett Trustees to give a number of lots to the Village of New Minas, situated north of Lockhart Ryan Park, with no strings attached.

It was moved by Vice-Chair Pineo, seconded by Commissioner Hatt that the Village Commission accept the gift of lots of land, situated north of Lockhart Ryan Park, referred to as “dyke lands” from the Millett Trustees. MOTION CARRIED

b) Association of Nova Scotia Villages – AGM Scheduled for September 26, 2009 – Commissioner Stevens

Commissioner Stevens reminded the Commission that the Annual General Meeting of the Association of Nova Scotia Villages is being held in Port Williams on September 26, 2009, with a social being held September 25, 2009. He requested the Commission to appoint a voting delegate for this meeting, and stated as a member of the Board of Directors, he would also have a vote.

It was moved by Vice-Chair Pineo, seconded by Commissioner Redmond, that Commissioner Hatt be appointed by the Village Commission as its voting delegate. MOTION CARRIED.

Attendees will be Commissioner Stevens, Commissioner Hatt and Clerk Treasurer Silver

c) Municipality of the County of Kings/Request from New Minas Volunteer Fire Dept – Noise Bylaw

Chair Chaulk read a letter from the County of Kings (Attached to original minutes) requesting the Village's input insofar as the *Thunder in the Valley* event affects residents.

Commissioner Stevens stated that, although he is not a fan of 4-wheelers, he appreciates the economic benefits to the Village and the Fire Department this event brings, and would be opposed to it being forced to be re-located. He suggested the organizers may be interested in considering shortening the hours and this may accommodate the concerns. He stated there have been concerns expressed about the Village's water shed area.

Peter Pothier was asked for feedback on this concern. Peter stated that this issue has come up every year since he has been employed with the Village. In 2005, the Village hired its hydrologist and its engineer to view the site and consider any adverse affects this event could have on the Village's water source. At the same time, personnel from NS Department of Environment also viewed the site. None of these people have every had any concerns about an incident at this event causing any adverse affect on the Village's water source. The New Minas Fire Department is on-site during the entire event, and any spill that could occur is cleaned up immediately.

Commissioner Hatt stated he is baffled about the County's question. He stated the Village has been asked the same question every year and gives the same answer. He agrees there is local noise involved, but there are lots of cases where noise is associated with an event, and he sees this event as a very positive thing for the Fire Department, the ATV Club, the Lions Club and it brings in many people to support the businesses of New Minas.

Commissioner Redmond stated there are other events that take place that are just as noisy and last long into the night that are endorsed by the County. He stated, as the Fire Chief, this is a very necessary fund-raiser for the New Minas Fire Department and if the County of Kings should be prepared to provide the funds to the NMVFD that would be lost to them if the event were closed down. He said the volunteers of the Fire Department work hard to keep things afloat at this Fire Department, and this fund-raiser is critical. He also stated that the event provides a great training experience for the force.

Vice-Chair Pineo stated he agrees with the comments spoken. He said it is only 2 days, and he has spoken with many people about it. He noted that the Valley Bulldogs also raised over \$3,000 at the event.

Chair Chaulk asked what the hours are and Commissioner Redmond stated that the event runs daily from 9:00 a.m. to 7:00 p.m., however, these hours extend while participants unload and load their vehicles. Commissioner Redmond stated that noise is policed by the Fire Department as much as possible.

It was moved by Commissioner Stevens, seconded by Vice-Chair Pineo that the Village Commission sends a letter reaffirming its total support for the *Thunder in the Valley* event. MOTION CARRIED

d) Request from Michele Morgan-Coole

The Commission received a letter from Ms. Morgan-Coole, as well as a report from Peter Pothier, Supt of Public Works regarding the Coole's use of Village land on the east boundary of Lockhart Ryan Park (letter attached to original minutes).

Commissioner Stevens stated he had read all the letters and spoke with Ms. Coole, and Village staff and is not in favour of selling any Village land, particularly that which was donated for park purposes. He stated he would be in favour of entering into an agreement with Mr. and Mrs. Coole to give them turning space to exit their property onto Commercial Street, because there is a safety issue. He stated there should be stipulations, such as no sale of cars.

Vice-Chair Pineo stated he too has read the reports and wondered why it has become an issue. Peter Pothier was asked by the Chair to detail the events leading up to this point, and Peter reiterated the points he made in his written report stating the Village cannot continue to pay for labour and material to repair the park caused by Mr. Coole plowing snow and parking vehicles on the Village's land.

Commissioner Redmond agreed with Commissioner Stevens, and felt there must be certain stipulations, including if piling of snow continues to be an issue, then the agreement becomes null and void.

Commissioner Hatt stated he has seen the property and understands the issues around entering Commercial Street. He stated the snow should not be ploughed up on the Village's land at all, but felt the Village could work with the Coole's to give them a turn-around area so they could safely enter and leave Commercial Street. He stated he would be in favour of an agreement, but not to the sale of the land.

Chair Chaulk agreed that the land should not be sold, but the Commission should work out an agreement.

It was moved by Vice-Chair Pineo, seconded by Commissioner Stevens that an agreement for land use be written between the Village of New Minas and Brian and Michele Coole for a parking area/turning area on the west side of Lockhart Ryan Park which includes appropriate stipulations to ensure Village property protection. MOTION CARRIED

e) Notice of Surplus Property

The Chair read a Notice of Surplus Property notification from the NS Department of Transportation and Infrastructure Renewal for the gravel pit property off Jones Road.

It was moved by Commissioner Redmond, seconded by Vice-Chair Pineo that the Commission not approach the NSDTIR to purchase this property. MOTION CARRIED

OTHER ADDED ITEMS

a) Village of Pugwash issue

An email from the Village of Pugwash was reviewed by the Commission. The Village Commission is requesting support of other Villages in the province by opposing the change in the Village of Pugwash boundaries.

Chair Chaulk asked for more details, and felt he would need both sides of the story.

Commissioner Redmond stated that this could be a precedence-setter for other Villages.

It was moved by Commissioner Stevens, seconded by Commissioner Redmond that a letter of support be written to the UARB opposing the change in Village Boundaries pursuant to the application of the residents in the West Pugwash, Pugwash Point area. MOTION CARRIED

PUBLIC DISCUSSION PERIOD

Michele Morgan-Coole – Ms. Morgan-Coole asked for clarification of procedures. She stated she had requested to speak during the discussion regarding her request to purchase/lease land, but was denied. She acknowledged that her request received a favourable decision, but if it hadn't, the decision would have been made without her opportunity to defend her position. She stated Mr. Pothier had also written a letter to the Commission, but he was also allowed to speak to the Commission further. Chair Chaulk stated the Commission already had her position in her letter, and Peter was asked for feedback as a staff member for clarification. Ms. Coole suggested the Commission may want to re-think this procedure because if the Commission had decided against her request, she felt she would have had an unfair disadvantage.

Councillor Eric Smith – Councillor Smith stated that he supports *Thunder in the Valley* event 100% and complained that about 4 County Councillors would like to move the event to Aldershot. Councillor Smith adamantly supports the continuation of the event in New Minas to keep everything in this local area, and suggested the letter to the Council should have very strong wording.

Councillor Smith also stated that if the Millett Trust dyke lands are agriculture lands, County Council will ensure they are protected because all agriculture land in Kings County is protected by Council. Chair Chaulk stated that the Village is not currently in a position to discuss any development at this point.

Mr. Blair Coldwell – stated the well drillers entered the property where he lives 3 – 4 weeks ago and have been sitting still for the past 2 weeks. He asked why and how much longer the equipment would be sitting there. The Chair asked Peter Pothier for an update and Peter stated that once drilling is complete, samples are taken to determine the type of screens that must be put into place. The samples were submitted 2 weeks ago, but the report still has not been received. Once the report is received, the screens will be ordered, and would be expected approximately 2 weeks after the order is submitted. The Village must wait out the process.

Mr. Mark Redmond – spoke about the 4x4 really and reiterated comments made earlier in the meeting in terms of other events that take place in the Village during Apple Blossom time, as an example. He said he has to wonder why this keeps coming up year after year, when the Village has repeatedly stated they have no objection to the event taking place, and the experts have determined there is no environmental risk.

Mr. Redmond gave his comments on the meeting process, and suggested that a member of the public who has an item on the Agenda may be given the opportunity to make a one-time single comment, but certainly not be permitted to ramble on during a meeting.

Mr. Redmond's final comment was with regard to the Fire Services Task Force. He asked if any additional information has been forthcoming from the County in response to the Chair's letter of over a year ago. When he was told that the only response was the email from Mr. Bill MacKenna, he stated that it's his opinion that the County of Kings is not acting in the best interests of the people of New Minas or the New Minas Volunteer Fire Department.

Chair Chaulk stated that the Village Commission has no intention of giving up on this. He said the Commission has, and will continue to pursue this, as it has with other important issues, until a reasonable solution is realized.

Mr. Redmond said it's a sad state of affairs when the County will not even agree to meet with the people in the Village.

ADJOURNMENT

On Motion of Vice-Chair Pineo, the meeting adjourned.

Dave Chaulk, Chair

Terry Silver, Clerk Treasurer