

**VILLAGE OF NEW MINAS**  
**REGULAR COMMISSION MEETING**  
**MARCH 8, 2004**  
**7:00 p.m.**

The regular meeting of the Village of New Minas Village Commission was held in the Civic Centre on Monday, March 8, 2004 at 7:00 p.m.

**In Attendance**

Vice-Chair Marvin Messom (Chairing Meeting)  
 Chair Ted Nicholson  
 Commissioner Sherry Swanburg  
 Commissioner Dave Chaulk  
 Commissioner Wayne Merrill  
 Heidi Foshay Kimball, Village Solicitor  
 Terry Silver, Clerk Treasurer

**Also in Attendance**

Hon. David Morse  
 Lynn Spencer, Admin Assistant  
 Jenn Coolen, Recreation Director  
 Peter Pothier, Superintendent of Public Works  
 Gerard Hamilton, Assistant Water Operator  
 Greg Messom, Foreman  
 David Eisner, New Minas Volunteer Fire Department  
 Don Zwicker, New Minas Volunteer Fire Department  
 Mark Redmond, New Minas Volunteer Fire Department  
 Les Barrett, Citizen  
 Linda Lockhart, Citizen  
 Rebecca Crouse, Citizen  
 Bob Bieren, Department of Transportation and Public Works  
 Joe Kinsman, David Morse's Office

**Call to order**

Vice-Chair Messom called the meeting to order.

**Approval of Minutes –  
 Regular Session Feb 9,  
 2004/Special Session Feb.  
 16, 2004**

**It was moved by Commissioner Swanburg, seconded by Commissioner Chaulk that the minutes of the Regular Village Commission Meeting of February 9, 2004 and the Special Village Commission Meeting of February 16, 2004 be approved as circulated.  
 MOTION CARRIED**

**Additions/Deletions and  
 Approval of Agenda**

**It was moved by Commissioner Merrill, seconded by Commissioner Chaulk, that the Agenda be approved as presented. MOTION CARRIED**

**Presentation: Hon David Morse**

Vice-Chair Messom welcomed Hon. David Morse. Mr. Morse gave a presentation, at the Commission's request, on the traffic problem within the Village of New Minas. He gave a history of the Province and Commission's relationship with regard to a solution to the traffic problem. He referred to letters to the Commission from Bob Bieren, and noted that when the North Collector proposal had to be abandoned due to the Well Protection Strategy, there were few other options available. He welcomed input from the Commission for alternate solutions.

Bob Bieren advised that there are several steps being taken or at least considered by DOT, which include the Granite Street exit, access management for exit and egress, zoning changes for high density housing, sensors for lights, etc..

Mr. Morse answered questions from the Commission and the floor. When asked what the Province's options were, the following three were cited: Milne Avenue hook up with Valley View as a connector, Granite Drive (as the most satisfactory solution at this point), possibility of three lanes through Commercial Street with improvements to the street, better alignment of lights.

Vice-Chair Messom thanked Mr. Morse and Mr. Bieren for their presentation.

**It was moved by Commissioner Swanburg, seconded by Commissioner Chaulk, that the Commission will have a special meeting with regard to Hon. Morse's presentation, and make a recommendation. MOTION CARRIED**

**BUSINESS ARISING FROM THE MINUTES**

**(a) Overtime Policy Revision**

**It was moved by Commissioner Chaulk, seconded by Commissioner Swanburg that this item be moved to the April Agenda and that an informal meeting will be held in the interim to discuss the policy. MOTION CARRIED**

- (b) **Question and Answer Policy (Public Discussion Policy)Revision** It was moved by Commissioner Merrill, seconded by Commissioner Swanburg that the Public Discussion Policy be adopted as presented. **MOTION CARRIED**
- (c) **Compassionate Leave Policy** It was moved by Commissioner Chaulk, seconded by Commissioner Merrill that the Compassionate Leave Policy be adopted as presented, with the following change: Page 2, para 5, after “Department Head”, add “and Clerk Treasurer”. **MOTION CARRIED**
- (d) **Sick Leave Policy** It was moved by Commissioner Chaulk, seconded by Commissioner Merrill that the Sick Leave Policy be adopted as presented. **MOTION CARRIED**
- (e) **Canteen Options - Update** Greg Messom gave a detailed report on cost estimates with regard to Option 4 for the construction and relocation of the Canteen at Lockhart and Ryan field. He also explained in detail the reasons for recommending this site.
- It was moved by Commissioner Merrill, seconded by (Chair) Nicholson, to refer Option 4 as outlined in the Foreman’s report at the February, 2004 Commission meeting to the Budget Committee for 2004/2005. **MOTION CARRIED**

#### **COMMITTEE REPORTS**

- (a) **Recreation Advisory Committee – Commissioner Chaulk** It was moved by Commissioner Chaulk, seconded by Commissioner Swanburg that the Recreation Advisory report be approved as presented. **MOTION CARRIED**
- (b) **Water Commission – Commissioner Messom** It was moved by Commissioner Merrill, seconded by Commissioner Chaulk that the Water Commission contract the services of Marsh Adjustments. The adjustors will have the authority of making the decision on behalf of the Water Commission on matters of \$5,000 or less, with anything beyond that amount requiring the approval of Rod MacInnis as the Commission’s liaison. **MOTION LOST BY NON MAJORITY VOTE**

**It was moved by Commissioner Merrill, seconded by Commissioner Chaulk that the Agreement between the Village of New Minas and the Municipality of the County of Kings for construction of the Greenwich Water Service be approved. MOTION CARRIED**

**It was moved by Commissioner Merrill, seconded by Commissioner Swanburg that the report of the Water Commission be adopted as presented. MOTION CARRIED**

**It was moved by Commissioner Swanburg, seconded by Commissioner Chaulk that it be investigated to expand the boundaries of the Village of New Minas. MOTION CARRIED**

**(c) Area Advisory  
Committee –  
Commissioner Swanburg**

Commissioner Swanburg advised that there was no report Of the Area Advisory Committee.

**(a) Staff Volunteer Time –  
Commissioner Swanburg**

Commissioner Swanburg expressed concern with regard to Village Staff volunteering as fire fighters. She felt that a policy should be in place for the protection of the Village and its employees. She stated she felt it was honourable that staff would volunteer, but there needs to be a clear understanding of the procedure.

It was stated by other Commissioners that staff would use good judgment in situations, as is the practice in other organizations, and it is the Clerk Treasurer's duty to ensure that no problems arise. It was agreed that there is confidence in the staff and management to coordinate fire fighting and job requirements so that neither staff nor the running of the Village would be in any jeopardy.

**It was moved by Commissioner Swanburg that the Commission should develop a policy for volunteerism that clearly states the expectations of the employees and employer. MOTION LOST DUE TO NO SECONDER**

**(b) Memorial – Dan  
Watters – Commissioner  
Swanburg**

Commissioner Swanburg stated she didn't find out about the Commission's donation in Memory of the late Dan Watters until she (and all the Commissioners) received an email from the Clerk several days after the donation was

made, and suggested the Commission would want to consider something more. It was agreed that this will be discussed by the Commission.

Commissioner Swanburg also questioned the procedure of the Clerk Treasurer making this type of donation without first consulting with all the Commissioners. The Clerk Treasurer advised that this procedure would be standard but if the Commission wished to make recommendations with regard to the process, such as setting minimum or maximum amounts, then the procedure could certainly be changed. There was no further discussion.

**(c) Legal Services**

Heidi Foshay Kimball claimed an interest in this topic and excused herself from the meeting .

**It was moved by Commissioner Merrill, seconded by Commissioner Chaulk that the process to call for legal services for the Commission be postponed until such time as all pending legal issues are removed. MOTION CARRIED. 1 NAY – Commissioner Swanburg.**

The process to call for legal services will be discussed at that time. The Clerk advised that this type of procedure could take place given the unusual circumstances the Village currently finds itself in with regard to legal issues, and that her experience in another municipality was that the legal services were called on an as-needed basis, giving the municipality the opportunity to go to more than one law firm, depending on requirements.

Heidi Foshay Kimball was invited to rejoin the meeting.

**(d) Unapproved Minutes to Staff**

**It was moved by Commissioner Chaulk, seconded by Commissioner Merrill, that the current procedure of sending the staff copies of Unapproved Village Commission Minutes continue. MOTION CARRIED**

**(e) Staff Security – T. Silver**

The Clerk read her report (attached to original minutes) outlining measures the Commission staff will be implementing to ensure staff safety.

**(f) NS Municipal Finance Debenture Funding**

The Clerk advised the Commission that every spring and fall, a request from Nova Scotia Municipal Finance Corporation comes to all Municipal units for details with

regard to any expected funding requirements. The deadline for the spring request is April 5. No discussion took place.

- (g) Scotian Gold Capacity** Heidi Foshay Kimball gave the history of the Commission's Sewer Agreement with the County of Kings and other members, and the subsequent letter from her to the County of Kings. A letter has been received from Kings County challenging the Village's concerns.

**It was moved by Commissioner Swanburg, seconded by Commissioner Merrill that a meeting be set up between the Village's Engineer and legal counsel to discuss this further, and that a decision be made as soon as possible with regard to the capacity left by Scotian Gold. MOTION CARRIED**

#### **OTHER ADDED ITEMS**

There were no added items.

#### **CORRESPONDENCE**

- (a) Eileen Bishop – Apple Blossom Queen Picture Displays** **It was moved by (Chair) Nicholson, seconded by Commissioner Swanburg, that the Village will display Apple Blossom Queen pictures in the Civic Centre. MOTION CARRIED**

#### **15 MINUTE PUBLIC DISCUSSION PERIOD**

The public was invited to bring forth questions/comments to the Commission.

1. L. Barrett, Resident – complained to Commissioner Chaulk as the Recreation Advisory Committee Chair, that this is the second year that the Volunteer Banquet has not been held, and wondered why the current staff did not put more effort into carrying out this important function to recognize the volunteers.
2. L. Barrett, Resident – echoed Commissioner Swanburg's motion that there be a policy developed for Volunteerism, citing an example of Meals On Wheels as being a real problem if staff were to volunteer for this type of service.
3. L. Barrett, Resident – directed a comment to Commissioner Chaulk, stating that he (Mr. Barrett) is aware that the Commission currently has retained other legal services beyond that of the contracted law firm.
4. Mark Redmond, President of the New Minas Volunteer Fire Department – expressed his pleasure with the majority vote with regard to the issue of staff volunteer time. He stated this is an emergency service which depends entirely on

- volunteers, as well as the cooperation of those volunteers' employers to carry out this critical service.
5. Don Zwicker, New Minas Volunteer Fire Department – stated in his 25 years as a volunteer fire fighter, there have been more and more problems getting volunteers to come out to fires. It is necessary that all employers give their employees the benefit of using common sense and judgment when receiving a fire call. It is all relevant. Mr. Zwicker stated that the Fire Department appreciates Jennifer's membership on the Department and values her as a fire fighter.
  6. Jenn Coolen, Director of Recreation asked to respond to Mr. Barrett's comments with regard to the Volunteer Banquet. She stated that if Mr. Barrett had been to the Rec Advisory meeting when the decision was made, he would have understood that the reason for hosting a luncheon instead of a banquet this year was because the banquets in the past several years had not gone well. The committee chose to do a luncheon in honor of volunteers instead of doing nothing, and will explore new ideas for future years. She told Mr. Barrett that any input he would have at the meetings would be considered.

Vice-Chair Messom thanked all those who took the time to speak, and to attend.

#### **IN CAMERA SESSION**

Lynn Spencer, Jenn Coolen, Peter Pothier, Greg Messom were invited to speak at this session.

**It was moved by (Chair) Nicholson, seconded by Commissioner Merrill that the meeting go in camera. MOTION CARRIED**

**It was moved by Commissioner Merrill, seconded by (Chair) Nicholson that the meeting go out of the in camera session. MOTION CARRIED**

**Legal Representation – P. Pothier**      **It was moved by Commissioner Merrill, seconded by (Chair) Nicholson that the Commission supply legal representation for Peter Pothier with regard to a specific issue as stated by Mr. Pothier, and if the Commission's legal counsel deems any conflict of interest, the Commission will withdraw the offer and discuss it further. MOTION CARRIED**

#### **Commission's role in Administrative Duties**

Commissioner Chaulk asked the question if it would be the role of Commissioners to inquire and have input in the day to day operation of the Commission office, referring particularly to the excessive number of inquiries to the Clerk. It was suggested that inquiries could be placed on the Commission agenda. The Clerk Treasurer stated that she was hired to administratively carry out the operation of the Village,

and was asked specifically during her interviews if she was willing to perform these duties without the Commissioners' constantly having to monitor the operation. She stated that if the Commission members have changed their ideas in this regard, it is imperative that they advise her now.

It was the consensus of some of the members of the Commission that the Clerk Treasurer's role is the same as she understood at the time she was hired, and that the Commissioners would benefit from an orientation process. This will be worked on.

## **ADJOURNMENT**

**It was moved by (Chair) Nicholson that the meeting adjourn.**

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Marvin Messom, Chairman

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Terry Silver, Clerk Treasurer