

**VILLAGE OF NEW MINAS**  
**REGULAR COMMISSION MEETING**  
**OCTOBER 17, 2005**  
**7:00 p.m.**

The Regular meeting of the Village Commission of New Minas was held in the Civic Centre on October 17, 2005 at 7:00 p.m..

**In Attendance**

Dave Chaulk, Chair  
 Linda Lockhart, Vice-Chair  
 Les Barrett, Commissioner  
 Dale Pineo, Commissioner  
 Sherry Swanburg, Commissioner  
 Terry Silver, Clerk Treasurer

**Also in Attendance**

Blair Coldwell, Resident  
 Diane Burns, Resident  
 John C. Butters, Scouts Canada  
 Peter Pothier, Superintendent of Public Works  
 Blake Curry, Resident  
 John Mroz, Resident  
 Rod MacInnis, Resident  
 Mark Redmond, Resident  
 Allan Milton, Resident  
 Stephen Schofield, Resident  
 Dave Eisnor, Resident  
 Don Zwicker, Resident  
 Marvin Messom, Resident  
 Barb Messom, Resident

**CALL TO ORDER**

Chair Chaulk called the meeting to order.

Chair Chaulk recognized former Commissioners Rod MacInnis and Marvin Messom.

**APPROVAL OF MINUTES: September 12, 2005**

**It was moved by Commissioner Barrett, seconded by Commissioner Swanburg, that the minutes of the Regular Commission meeting held September 12, 2005 be approved as circulated. MOTION CARRIED unanimously**

**APPROVAL OF AGENDA:           October 17, 2005**

**It was moved by Commissioner Barrett, seconded by Commissioner Swanburg, that the Agenda for the October 17, 2005 meeting be approved as presented. MOTION CARRIED unanimously**

**BUSINESS ARISING FROM THE MINUTES :**

**1.       Meeting with Fire Department Executive – Chair Chaulk**

Chair Dave Chaulk stated that, pursuant to a motion made by Commissioner Swanburg and passed by the Commission, in early October, the Commission met with the Fire Department Executive to discuss how the relationship between the Commission and Fire Department can be improved.

Chair Chaulk said that when asked, the Fire Department representatives stated that the only issue is the Commission's cutting the honoraria to the Fire Fighters; everything else is working well, and has always worked well. They stated it is hoped that the total honoraria would be reinstated. Chair Chaulk stated that his stand on this issue has not changed: he was never in favor of reducing the honoraria, and still is adamant that it should be reinstated.

Commissioner Pineo echoed Chair Chaulk's opinion that he was never in favor of the cut to the honoraria for the Fire Fighters and wished to have it reinstated.

Commissioner Barrett stated that he attended the meeting on his own; not because it was a requirement. He said that there seems to be some feelings of discontent. He stated that it is his opinion that before any amount can be reinstated, two things must be considered: 1. Since the budget has been set and passed, increasing the honoraria amount would interfere with project expenditures. 2. It was his understanding that after the meeting with the Fire Department, the Commission was going to meet in private to discuss whether there would be any consideration to reinstate the honoraria. He stated he still has questions to be answered before he can make any decision, such as: is the Fire Department able to be self-sustaining?

Chair Chaulk stated that it was certainly not his intention to meet separately; this is a public issue and should be discussed publicly.

**It was moved by Commissioner Pineo, seconded by Commissioner Chaulk, that the original honoraria for the Fire Fighters be reinstated, and that the Commission relinquish control over how the Fire Department disburses the funds. MOTION LOST – 2 yea, Commissioner Pineo and Chair Chaulk, 3 nay Commissioner Swanburg, Vice-Chair Lockhart, Commissioner Barrett.**

Chair Chaulk stated that his feelings haven't changed and he had hoped that the meeting with the Fire Department Executives would help improve relations. He stated it has been confirmed that the only issue with the Fire Department is the Fire Fighters' honoraria and it should be resolved.

Commissioner Pineo stated that he welcomed an opportunity to improve the relations, and is anxious to do so.

Commissioner Swanburg read the following speech:

*“On Tuesday October 7<sup>th</sup>, 2005 the New Minas Village Commission met with Fire Chief Redmond and his executive. From my perspective, the intention of the meeting was to enhance communication between the New Minas Fire Dept and the Village of new Minas, along with gaining a better understanding of the financial management/ challenges of this organization.*

*While the Village of New Minas does not own the new Minas Fire Dept it would be incorrect to assume that the village of New Minas is not interested or concerned about the operation of this valuable service. I found the meeting with the new Minas Fire Department to be informative and important as it provided me with greater insight into the operations of this service. I am appreciative of the time that was given by those individuals who attended to answer questions from the Commission.*

*From this meeting it was my understanding that existing equipment for the most part was older and that any new equipment would be appreciated and most definitely put to good use. As a resident of New Minas and a Commissioner, I believe it is important to be appreciative of the good work all of our volunteers do. I would like to show my appreciation and thanks for a job well done to the New Minas Fire Department in the form of the following motion:”*

**It was moved by Commissioner Swanburg, seconded by Commissioner Pineo, to provide the amount of \$8500 for the fiscal year 2005 to buy such needed equipment for the fire department. A meeting with Fire Chief Redmond and his executive be held before the end of 2005 to determine the exact equipment needed along with purchasing particulars etc.. MOTION LOST 2 aye Commissioner Pineo, Commissioner Swanburg; 3 nay, Chair Chaulk, Vice-Chair Lockhart, Commissioner Barrett.**

Commissioner Barrett asked Commissioner Swanburg if she realized that with the Village's Assessment base close to \$285,000,000, the Fire Department can set an area rate on that assessment to raise money for equipment. He said that as a taxpayer, it is his opinion that there is the availability within the taxation process for renewal/replacement of fire fighting equipment. Commissioner Barrett reminded Commissioner Swanburg that the operation expenses of the fire department comes from an operating grant from the County of Kings of approximately \$100,000 per year, bringing \$220,000 into the Fire Department for operating and equipment expenses. He stated that New Minas is the only

Village in Kings County that has granted an honoraria, and the Commission did not eliminate the honoraria, it merely adjusted it and re-directed the funds.

Chair Chaulk stated he will not support the motion. He said he has nothing against supplying equipment to the Fire Department and not providing an honorarium to the Fire Fighters is still not solving the problem the Fire Department has with the Commission.

## 2. **Sidewalk Construction, Alders Avenue – Update**

Clerk Treasurer Silver advised that the tender has been awarded to Lafarge Paving for the construction of the sidewalk on Alders Avenue. She stated that she spoke with the contractor this day and was advised that construction will begin around November 15<sup>th</sup>. Superintendent of Public Works Peter Pothier was asked what impact the lateness of the season will have on the longevity of the product. Mr. Pothier stated that if the project is properly protected throughout construction, there should be no problem.

Silver stated that she had spoken with the contractor and was advised that, historically, their cut-off date for concrete construction is December 31<sup>st</sup>, and barring any major snowstorms, there should be no problem with project completion by that date.

## **COMMITTEE REPORTS**

### 1. **Water Commission – Vice Chair Linda Lockhart**

Vice-Chair Lockhart gave a report of the New Minas Water Commission, in which she highlighted the following:

- An application to install water and sewer for Prospect Road West of Highway 101 to be made
- Water Bills are now being generated by Village staff, with payments coming directly to the Village office.
- The Clerk will amend Water Commission Bylaw (Bill #32) for the Water Commission's consideration and forward to the Minister once feedback is received.
- Water Commission to take over the Canaan Heights Subdivision water extension
- An application for Canada/Nova Scotia Infrastructure funding for water system upgrades to be made as a 2<sup>nd</sup> priority to Prospect Road West

**It was moved by Vice-Chair Lockhart, seconded by Commissioner Pineo, that the report of the New Minas Water Commission be adopted as presented. MOTION CARRIED unanimously**

### 2. **Area Advisory Committee – Commissioner Pineo**

Commissioner Pineo advised that no AAC meeting had occurred in the past month, but one is scheduled for October 18, and a report will be forthcoming in November.

### 3. Recreation Advisory Committee

Chair Chaulk advised that the first meeting of the Recreation Advisory Committee was cancelled due to the absence of several members. It was felt that since the executive would be appointed at this first meeting, it would be inappropriate to hold it without all the members present. The meeting will be held on the first Tuesday of November.

### 4. Transportation Advisory Committee – Commissioner Barrett

Commissioner Barrett gave a report of the newly formed Transportation Advisory Committee. He highlighted the following:

- First meeting was held on September 20, 2005.
- The members elected Les Barrett as Chair, and Pat Saulnier as Vice-Chair
- The Village's Engineer will be contacted to do an assessment of the Cloverleaf Drive/ Milne Avenue/Marina Drive areas regarding flooding problems.

**It was moved by Vice-Chair Lockhart, seconded by Commissioner Pineo, that the Terms of Reference be adopted as presented. MOTION CARRIED unanimously**

**It was moved by Commissioner Barrett, seconded by Commissioner Pineo, to hire a person for 8 hour shifts for a designated number of days to monitor vehicular and pedestrian traffic on Aalders Avenue. MOTION CARRIED unanimously**

**It was moved by Vice-Chair Lockhart, seconded by Commissioner Swanburg, that a letter be written to Mr. Brian Ward of the New Minas DOT base requesting any information outlining the obligations and liabilities of the Village of New Minas regarding crosswalks and other DOT-owned property. A copy of this letter will also be forwarded to David Morse, MLA. MOTION CARRIED unanimously**

**It was moved by Vice-Chair Lockhart, seconded by Commissioner Swanburg to contact the Association of Nova Scotia Villages inquiring as to whether any of them have documentation regarding responsibility/authority for crosswalk maintenance. MOTION CARRIED unanimously**

**It was moved by Commissioner Barrett, seconded by Commissioner Pineo, that the Transportation Advisory Report be adopted as presented. MOTION CARRIED unanimously**

## **NEW BUSINESS**

### **1. Auditing Tender – Motion to accept**

**It was moved by Vice-Chair Lockhart, seconded by Commissioner Swanburg, that the firm of Morse and Brewster be awarded the Auditing Tender for the fiscal years 2005/2006, 2006/2007 and 2007/2008 at the rate of \$6,000 plus HST. MOTION CARRIED unanimously.**

### **2. Petty Traders Bylaw – Motion to Repeal**

**It was moved by Vice-Chair Lockhart, seconded by Commissioner Barrett, to request the Municipality of the County of Kings to repeal the New Minas Petty Traders Bylaw. MOTION CARRIED unanimously**

### **3. Request – Scouting**

Chair Chaulk referred to a letter he had received from Father Craig Christianson, requesting space in the basement of the Civic Centre for Kentville Scouts. He stated when he first received the letter it seemed like a simple request; however, after discussions, it seems much more complicated. He welcomed Diane Burns, New Minas Scouts and John Butters of Scouts Canada, and invited them to speak.

Mr. Butters gave a background on the sequence of events which led up to the request from Fr. Christianson to use the New Minas facility. He stated that last year and this year, interested parents and leaders are attempting to re-establish the New Minas Scout group; however, leaders are hesitant to offer their services until the conflicts are resolved.

Mr. Butters stated that they are working diligently on the issues and it is hoped that in the very near future, the New Minas group will be operating again. He continued that if the facility at the Civic Centre is turned over to a group, which in his opinion already has ample room in Kentville, the New Minas group will be scrambling for a meeting place. Mr. Butters said that although it was stated that there is not enough room in Kentville for the number of groups they currently have, his investigation has shown that there is ample room, and the problem seems to be that the meeting night is inconvenient for several identified leaders in 3<sup>rd</sup> Kentville, and it's the night, not the facility, that is causing the problem. He stated furthermore that one of the identified leaders who is having problems with the night in Kentville is not a leader this year.

Commissioner Barrett asked if the 3<sup>rd</sup> Kentville Group have been advised of this. Mr. Butters stated that three letters have gone out to parents, and certain concerned leaders would have seen the letters; indeed have made statements to other people which indicates the identified leaders are aware of this also; however, Mr. Butters stated he has not been informed officially of this.

Diane Burns added that the New Minas Scout group has been working for many months trying to re-establish the 1<sup>st</sup> New Minas Group, and the only obstacles are the conflicts between the local people. She stated that once these issues are resolved, it is hoped that the interested parents will continue with their desire to assist with the New Minas group. Chair Chaulk recognized Mr. Sam Milne as a long time supporter of the Scouting movement and he was asked for some input. Mr. Milne stated from what he had heard, it would appear to him that the Civic Centre should be open for Scouts; he believes that there is an agreement in place to that effect. He stated that the Village of New Minas was created through volunteerism. In the past, New Minas had a very active Scouting group and if people are asking to use the facility which was intended for that use, then they should be permitted to do so.

Commissioner Swanburg commented on Father Christianson's letter, and stated she doesn't understand what the problem is. Mrs. Burns stated that the bottom line is that the New Minas group cannot start up until the problems are resolved. She stated that access to the facility is not denied to the children of New Minas, in fact, it is the intention to hold the facility for their use once the disputes are settled. Commissioner Swanburg asked why 3<sup>rd</sup> Kentville couldn't use the facility until New Minas needs it, and the response was that this would be very awkward and wouldn't solve the problem stated by Fr. Christianson with regard to the Kentville facility.

Commissioner Pineo stated that the problem seems to be an internal one, and one which the Village Commission is not able to deal with.

Chair Chaulk stated that the issue seems cut and dry to him: 3<sup>rd</sup> Kentville currently has a facility and an identified leader is not able to be a leader on the night made available by the church; that person is not a leader this year. There are other facilities available in Kentville for the Kentville groups, and if Kentville scouts are given the Civic Centre facility, then the opportunity for New Minas group to use it when their group is re-established, which could be in the near future, will be compromised.

Commissioner Swanburg stated that she is still confused, and feels this will negatively impact the kids. Commissioner Pineo stated again that the Commission should not be involved in the politics of Scouts Canada, and they need to deal with their internal conflicts.

**It was moved by Commissioner Chaulk to turn down the request from 3<sup>rd</sup> Kentville in anticipation of the 1<sup>st</sup> New Minas group's being re-established. MOTION LOST due to no seconder.**

It was agreed that the Commission will discuss the request at its next regular meeting.

## **CORRESPONDENCE**

### **1. Letter from New Minas Volunteer Fire Department – Rejection of \$1,000 for Awards Banquet**

A letter was viewed from the new Minas Volunteer Fire Department in which they stated their rejection of \$1,000 offered to them by the Commission for the 2005 “Christmas Party” (copy of letter attached to original minutes). The letter stated that the Fire Department cannot accept tax payers money to help finance a Christmas party. The letter further states that the Fire Department does not have a “Christmas Party”, but an “Awards Banquet” to recognize the fire department service.

**It was moved by Vice-Chair Lockhart, seconded by Commissioner Barrett, that the letter from the New Minas Volunteer Fire Department be placed on file. MOTION CARRIED unanimously.**

## **PUBLIC DISCUSSION PERIOD**

### **Mr. John Mroz**

Mr. Mroz asked three questions, which he read from a prepared statement (attached to the original minutes). In essence, the questions are:

- Are the payments of any costs and/or potential damages covered 100% by the Village’s Insurance? If not, does the Village have an estimate of the potential costs for potential damages?
- What is the deductible applicable to each case?
- What safeguard is the Commission exercising to ensure that there are no conflicts of interest with regard to discussions/advice to legal counsel for the Commission’s part in the pending lawsuits?
- Have the protocols been reviewed and approved by the Village’s and Insurance Company’s solicitors?

Chair Chaulk answered that any particulars regarding the lawsuits cannot be discussed at this time because they are before the courts.

Terry Silver advised that the deductible for the cases referred to are both \$5,000, and the current deductible amounts for public liability actions is \$25,000 per case, this is due to changes in the Village’s Insurance policies.

Mr. Mroz was requested to leave his questions with the Clerk Treasurer for further consideration. Mr. Mroz agreed, and further stated that it is evident that just the cost of insurance in these cases have caused the Village a considerable financial hardship, and these costs will continue to escalate. He urged the Commissioners to consider these factors and what impact they are having on the ratepayers of New Minas.

**Marvin Messom**

Mr. Messom stated that he felt the Rotary Club should be sent a “thank you” from the Village Commission for it’s kind contribution to the Skatepark.

T. Silver stated that both she and Jennifer Coolen have forwarded a special Thank You, and she will gladly send another. The Commission agreed.

Mr. Messom asked Commissioner Barrett, as Chair of the Transportation Advisory Committee, to consider requesting the Department of Transportation to make all the traffic lights be flashing lights between 11:00 p.m. through 6:00 a.m.. Commissioner Barrett agreed to place this on the TAC Agenda.

**Mr. Rod MacInnis**

Mr. MacInnis asked if he understood correctly that the Commission pays \$300 to the Department of Transportation to paint the crosswalks. He was answered in the affirmative.

**Mr. Sam Milne**

Mr. Milne stated that he seems to have misunderstood the original discussion regarding the use of the downstairs gymnasium for Scouts. He stated that the Commission should be very careful in opening up the New Minas facility to scout groups from other areas. He stated it is his belief that there is an agreement which permits the use of that facility for New Minas Scouting, and this should not be compromised.

Mr. Milne then referred to the meeting between the Village Commission and the Fire Department Executive. He stated that Commissioner Barrett presented information from documentation, of which he should not have been in possession. He said he is concerned that as long as the Village is run by three Commissioners, it will be very difficult to “mend fences” that the three continue to break. He stated he is very disappointed that the Commission has come down to this.

**ADJOURNMENT**

**On motion of Vice-Chair Lockhart, the meeting adjourned.**

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**Dave Chaulk, Chair**

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**Terry Silver, Clerk Treasurer**