

**VILLAGE OF NEW MINAS**  
**REGULAR COMMISSION MEETING**  
**January 8, 2007**  
**7:00 p.m.**  
**Civic Centre**

The regular meeting of the Village Commission of New Minas was held in the Civic Centre on Monday, January 8, 2007 at 7:00 p.m..

**In Attendance:** Dave Chaulk, Chair  
Dale Pineo, Vice-Chair  
Les Barrett, Commissioner  
Dean Hatt, Commissioner  
Linda Lockhart, Commissioner  
Terry Silver, Clerk Treasurer

**Also in Attendance:** Eric Smith, Councillor District 11  
Peter Pothier, Superintendent of Public Works/Water Systems Operator  
Vince Forrestall, Recreation Director  
Alison Morash, Resident  
Ron Wright, Resident, Representative New Minas Baptist Church  
Todd Jones, Resident, Representative New Minas Baptist Church  
Pierre Cloutier, Resident  
Maynard Stevens, Resident  
Travis Tibbitts, Resident  
Mark Redmond, Resident  
Don Zwicker, Resident  
Robert Knowles, Resident, Representative New Minas Baptist Church  
John Mroz, Resident  
Rod MacInnis, Resident  
Audrey Herron, Resident  
Murray Herron, Resident  
Sam Milne, Resident  
Gerard Hamilton, A/Superintendent of Public Works/Water Systems Operator

**CALL TO ORDER – Chair Chaulk**

Chair Chaulk called the meeting to order and welcomed everyone to the meeting.

**APPROVAL OF MINUTES: Regular Meeting November 20, 2006**

**It was moved by Vice-Chair Pineo, seconded by Commissioner Lockhart, that the regular Commission minutes of November 20, 2006 be approved as circulated.**

**MOTION CARRIED**

**APPROVAL OF AGENDA: January 8, 2007**

**It was moved by Commissioner Barrett, seconded by Commissioner Hatt, that the Agenda for the regular Commission meeting of January 8, 2007 be approved as presented. MOTION CARRIED**

**BUSINESS ARISING FROM THE MINUTES:**

(a) Economic Development Committee – Update

The Clerk Treasurer explained that this item has been on the Agenda for several months and has come about as the result of the first phase of the Strategic Planning process carried out by the Commission. At the November, 2006 meeting, she was directed to investigate the feasibility of striking this Committee.

T. Silver stated she had polled all the Municipal units throughout Nova Scotia, and had several responses. She stated that generally, in an area like ours, the organizing of economic development is served very well by local Economic Development organizations – that would be Kings CED in this area.

It was also suggested that the Village contact other adjacent municipalities to consider the possibility of developing a regional economic and promotional partnership

**It was moved by Commissioner Barrett, seconded by Commissioner Lockhart, that this item be tabled to the next Commission to give the Commissioners time to review the Clerk's report. MOTION CARRIED**

(b) Parking – New Minas Baptist Church – Discussion on Terms

Chair Chaulk stated a letter had been received from the New Minas Baptist Church outlining their desire to move forward on the Lease agreement for the parking lot. Mr. Todd Jones was invited to speak, and reiterated the items in the letter.

It was agreed that the Clerk Treasurer will contact the Village's solicitor to compile a draft lease to begin the discussions.

(c) Circulating Information to Public by Commissioners

The Clerk Treasurer provided a written report on her research into how other municipalities deal with circulating information to the public by Commissioners. Chair Chaulk read the report (attached to original minutes). She stated that again, there were only several responses. She noted that most of the municipalities did not experience issues in this regard.

**It was moved by Commissioner Hatt, seconded by Commissioner Barrett that the Village's Code of Ethics Policy be amended to require that any Commissioner, in his/her role as Commissioner, have any written communication for public distribution first authorized by the Commission as a whole. MOTION DEFEATED**

Commissioner Barrett stated that the policy is adopted by the Commission, but like many policies, Commissioners do not have to abide by the Village's policies. Commissioner Hatt stated that Commissioners should abide by the Village's policies.

Vice-Chair Pineo stated he sees that there is a fine line between censorship and freedom of speech, and feels that this could be close to the line of censorship.

Commissioner Hatt stated he is not trying to stifle freedom of speech; indeed, Commissioners should be free to send out brochures, as long as they are not signed as a Commissioner, particularly if there are items in the communication that would potentially harm the integrity of Village Commission.

Chair Chaulk stated that he cannot support this motion. He stated he feels that each Commissioner should have the right to speak, and at the same time should exercise his/her moral responsibility to use good judgement in what he/she says.

**COMMITTEE REPORTS**

(a) Water Commission - Commissioner Linda Lockhart

Commissioner Lockhart gave the report of the Water Commission (attached to original minutes). She highlighted the following items:

- A *Source Water Protection Committee* has been struck pursuant to provincial regulations, with two citizen members having been chosen: Mr. Jack Bezanson and Mr. Christopher Shields.
- The County planner made changes to the Development Agreement for Jerry's RV and with these changes (as recommended by the Water Commission), the Development was agreed to by this Commission
- The Water Rate Study is progressing
- The Water Commission agreed to be responsible for sewer issues of a technical nature.
- The Village's Engineer reported on CBCLs report on the Regional Sewer upgrades, and he provided alternatives to the Regional Sewer

- Commissioner Lockhart, Chair of the Water Commission, was voted to represent the Village at the Regional Sewer Committee meetings. The Clerk Treasurer had recommended that an elected official should be the voting member of this Committee.

**It was moved by Commissioner Lockhart, seconded by Commissioner Barrett that the report of the Water Commission be approved as circulated. MOTION CARRIED**

(b) Area Advisory Committee – Commissioner Dean Hatt

Commissioner Hatt reported that there was no meeting in December, therefore no report was available.

(c) Recreation Advisory Committee – Vice-Chair Dale Pineo

Vice-Chair Pineo gave the report of the Recreation Advisory Committee (written report attached to original minutes). He highlighted the following items:

- V. Forrestall and L. Sequeria attended the Kieran Pathways Society meeting
- Presentation of the \$2,000 grant for playground equipment will take place at a special event sometime in February
- V. Forrestall reported on the VRCDA Annual meeting
- The Municipal Curling Challenge is taking place at the Digby Rink on February 17<sup>th</sup>. New Minas has one team entered.
- New Minas Rec Department is participating in the *Take the Roof Off Winter* program.
- V. Forrestall is working with local merchant Stephen Bishop to have the Village be partners in the *Light Up the Strip* program, with the hope it will become an annual event
- The RAC agreed to have staff organize the *Summer Active Challenge for Fit Families*
- The community events calendar received positive support from RAC

**It was moved by Vice-Chair Pineo, seconded by Commissioner Lockhart, that a letter of support endorsing Trail Development, emphasizing the fact that the trail should be used for non-motorized traffic only. MOTION CARRIED**

**It was moved by Vice-Chair Pineo, seconded by Commissioner Lockhart, that the Village Commission and Staff of the Village of New Minas celebrate and promote “Take the Roof off Winter”. MOTION CARRIED**

**It was moved by Vice-Chair Pineo, seconded by Commissioner Lockhart, that funds be placed in the 2007/2008 Capital Budget for a Community Events Sign. MOTION CARRIED**

**It was moved by Vice-Chair Pineo, seconded by Commissioner Lockhart, that the report of the Recreation Advisory Committee be approved as submitted. MOTION CARRIED**

(d) Transportation Advisory Committee – Commissioner Dean Hatt

Commissioner Hatt advised there was no Transportation Advisory Committee meeting in December, therefore, no report was available.

**NEW BUSINESS**

(a) Settlement – Swanburg lawsuits

Chair Dave Chaulk read the Press Release which was issued subsequent to a settlement with Sherry Swanburg for a Human Rights Claim and Civil Court Action. The Press Release reads as follows:

***“Joint Press Release”. Ms. Sherry Swanburg and the Village Commissioners of New Minas announce that following mediation, the parties have reached a mutually satisfactory resolution of the Human Rights and Civil Court Actions initiated by Ms. Swanburg. This resolution, reached in good faith by the parties, includes a one time payment of \$7,500 made to Ms. Swanburg by the Village of New Minas and releases the Village from any liability for the Human Rights claim and the Civil Court action. This payment is made and received without any admission or acknowledgement of blame or fault on the part of either party. This settlement acknowledges the desire of the parties to avoid the further costs of ongoing litigation.”***

**PUBLIC DISCUSSION PERIOD**

Mr. Pierre Cloutier

Mr. Cloutier asked the Commission if the \$7,500 settlement in the Swanburg matter is the end of these lawsuits, or are there other matters to come. Chair Chaulk stated that he is not in a position to discuss any of the details leading up to this settlement outside those in the Press Release. Mr. Cloutier asked where the Commission is with the other lawsuit. Chair Chaulk responded that that is on-going.

Mr. Cloutier asked for amounts of the pending lawsuits, and suggested they would likely be recorded somewhere. T. Silver stated all the details are outlined at the office of the Prothonotary in Kentville.

Mr. Cloutier stated he wished to register his outrage at this expenditure of tax dollars from the tax payers of New Minas.

Mr. Sam Milne

Mr. Milne asked how much the 06/07 Liability Insurance is costing the Village. T. Silver stated that it is (approximately) \$89,000. Mr. Milne stated that he is greatly disappointed that this cost must be borne by the ratepayers of New Minas.

Mr. Milne asked when the Village intends to extend water and sewer across the connector road to the residents of Prospect Road, and what has been done to help the residents in this area have municipal water and sewer.

P. Pothier stated that over the past two years, a lot of effort and consideration have been given to provide water and sewer to the residents of "Prospect Road West". T. Silver went on to state that in 2005, an application was made to the Canada Nova Scotia Infrastructure Program for Municipal Rural Infrastructure Funding (MRIF), with the extension of Prospect Road West being Phase I of this application. Unfortunately, because of the many projects required under the provincial Department of Environment to comply with the new water regulations, and the extent of the funding required for these projects, the decision was made by the Infrastructure people that the Prospect Road West extension would not be considered in this round of funding approvals.

Terry Silver stated also that the Village has been working closely with the County of Kings to secure funding under the Gas Tax Program. Again, Prospect Road West water and sewer extension was placed in the application for consideration. Because of limited funding, the County of Kings has taken this item off the immediate gas tax funding list, however, it has been added for future years (beyond 2010) if funding is available. She stated that the Water Commission is still trying to secure funding and will consider this a priority.

Mr. Pierre Cloutier

Mr. Cloutier asked the Commission to consider setting up a contact list for the Village staff to email notices of meetings. He suggested that people could be placed on a mailing list for such items as notices of meetings, being advised when the minutes are posted on the website, etc.. Commissioner Barrett asked if we are currently posting such things on the Village's website, and T. Silver answered that the regular meeting dates are posted, and the minutes are posted after they are approved by the Commission/Committees. Commissioner Barrett suggested that this could be rather time consuming for the staff, and the meetings are posted on the outside sign and on the website, it should be enough notice to the public. Mr. Cloutier suggested that this type of thing could be set up very easily and maintained without much effort or time at all from the staff, and it would provide an enormous level of communication to the public.

Chair Chaulk stated that staff is very busy, but will look into it and report to the Village Commission at the next meeting as to the feasibility of doing such a list serve.

**ADJOURNMENT**

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**Dave Chaulk, Chair**

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**Terry Silver, Clerk Treasurer**