

# New Minas Village Commission

## Minutes of Meeting

August 11, 2003

**In Attendance**

Chair Ted Nicholson  
Vice Chair Marvin Messom  
Sherry Swanburg  
Dave Chaulk  
Wayne Merrill  
Heidi Foshay-Kimball, Solicitor

**Meeting Called to Order**

Chair Nicholson called the meeting to order.

**Approval of minutes**

**On motion of Commissioner Messom and seconded by Commissioner Swanburg, the minutes of the Commission meeting July 14, 2003 be approved as circulated. Motion carried.**

**Approval of agenda**

Commissioner Chaulk requested the attendance at the UNSM conference be added to the agenda. Commissioner requested to discuss an issue. It was requested that the Clerk Treasurer provide an update on the Transient Traders Bylaw. Commissioner Swanburg requested that the Wellness Recreation Project item 13 be deferred until she and Commissioner Merrill had reviewed the information.

**On motion of Commissioner Messom and seconded by Commissioner Swanburg the agenda is approved as amended. Motion Carried.**

**Street Light West St.**

Commissioner Swanburg inquired who was responsible to pay for the light. Mr. Ramsay indicated the Village pays for the light. She inquired why the Village is paying for the light, which is not on a public road. The Commission agreed that the light should not be the responsibility of the Village and to request Nova Scotia Power Inc. to delete it from the Village bill.

**Robert Beirens  
Department of  
Transportation**

Mr. Bierens was present to discuss traffic issues in the Village. The Department is considering the request to “tee” Barron Dr. with Commercial Street. He said that there is no current long-range plan for traffic on Commercial St. He indicated that the Department is reviewing the need for traffic lights at Jones Rd. and Commercial St. He said that the Village Commission may bring issues to the attention of the Department, and suggested that the Commission should get a copy of the traffic study completed in the community of Coldbrook. Mr. Bierens will check to determine when the patching of Commercial Street and repair of the intersection at Highbury Rd. will be done.

**Collection of accounts  
– Village policy**

Mr. Les Barrett presented a letter and copy of an affidavit and invoice relative to a potential overpayment to a contractor. He inquired what the village policy is in collecting this account. The Chairman indicated that the Commission will review the request and respond to Mr. Barrett.

**Councillor Watters**

Councillor Watters inquired into traffic lights at the Big Stop, turning lane into Minas Vale Subdivision, and the status of Municipal Bylaw #42 – Livestock. Commissioner Messom will bring these issues to the Department of Transportation.

**Request for copies of  
legal service invoices**

Commissioner Swanburg advised the Commission that she had requested copies of the legal services invoices of Kimball Brogan for the period January 2003 to July 2003 and that the Clerk Treasurer had not provided them. She requested the Village Commission to permit her to acquire these. Mr. Ramsay indicated the he felt uncomfortable with the request and wanted the matter brought before the commission.

The Village Solicitor, Ms. Foshay-Kimball indicated that there is a client/solicitor privilege issue and cautioned the Commission against providing any information that deals with Commissioner Swanburg's legal action against the Village.

Commissioner Chaulk indicated he was concerned with a conflict of interest.

Commissioner Swanburg made it clear that she would be satisfied if all references to her legal action against the Village were marked off the invoices.

**On motion of Commissioner Messom and seconded by Commissioner Chaulk that copies of legal invoices for May, June and July be provided to Commissioner Swanburg and any references to her case be marked out by the Solicitor. Motion carried.**

**Recreation Committee  
Report**

Commissioner Swanburg presented the report of the Committee. She reported that the canteen has not met fire regulations and a decision will have to be made by the Village Commission regarding the future of the canteen service and building. She reported that the Recreation Committee recommends that there should be 5 citizen members on the committee, rather than 3.

**On motion of Commissioner Swanburg seconded by Commissioner Chaulk the Commission accept the report and recommendation for the number of members. Motion carried.**

It was agreed that the Village advertise for these vacant positions.

**Water Commission  
Report**

Commissioner Messom reported that the Commission had received and approved the budget for 2003/04 and the financial statement for 2003/03. He reported that the Chair and Vice Chair were elected at the recent meeting, and the Commission is requesting advice from the Engineer if the Commission can put in place a deposit system for water accounts.

**On motion of Marvin Messom, seconded by Sherry Swanburg the report of the Commission be approved. Motion Carried.**

**Area      Advisory  
Committee**

Commissioner Swanburg reported that no meetings of the Committee have been held, but that a meeting with Municipal planning staff was held to review the role and responsibility of the Committee.

**On motion of Commissioner Swanburg and seconded by Commissioner Messom the report be accepted. Motion carried.**

**Service club signs**

Mr. Ramsay indicated that Greg Messom had completed a preliminary report on the costs of the signs. The Commission requested that the project be completed as required.

**Flower      Cart  
crosswalk sign**

Mr. Ramsay indicated that the Village had received an estimate of \$19,000 to install the crosswalk sign at the new Flower Cart location, and that it would be eligible for infrastructure grant funding. The Commission requested that tenders be called for the project.

**Approval of accounts**

**On motion of Marvin Messom and seconded by Commissioner Merrill the accounts as presented be approved. Motion carried.**

**Draft Meetings and  
Procedure Policy**

The Clerk Treasurer presented a draft policy that outlined the procedures for meeting of the Commission and its Committees. It was agreed to change Chairman and Vice Chairman to “Chair” and “Vice Chair”. Mr. Ramsay indicated that the final policy would include the policy for in camera meetings.

**On motion of Commissioner Messom and Commissioner Swanburg the policy be approved as amended. Motion carried.**

**Canaan      Avenue  
subdivision**

A report was presented from the Clerk Treasurer regarding a proposed subdivision on Canaan Avenue, south of the village limits, in which the developer is requesting the Village to extend the sewer and water service to this area, at the expense of the developer. The letter is to be referred to the Water Commissioner requesting the Village Engineer to provide an impact study prior to a decision.

**Overland storm water  
issue**

A report from the Clerk Treasurer was presented with a recommendation to write to the Department of Transportation to correct problems of storm water flowing across private properties and into the regional sewer treatment plant due to improper ditching and culvert systems of the Department.

**On motion of Commissioner Merrill and seconded by Commissioner Messom, the Chair direct a letter to the local office and Minister of Transportation requesting the Department to correct the problem. Motion carried.**

**UNSM conference**

Commissioner Chaulk expressed a concern regarding the cost of sending delegates to the UNSM conference. He suggested that a minimal number

should attend, but give each Commissioner an opportunity to attend during their term of office. The Chairman provided an overview of the value of attendance at the conference.

**On motion of Commissioner Chaulk and seconded by Commissioner Messom, the village approve a policy of annual attendance at the UNSM conference by the Chair and two members. Motion carried.**

**Commissioner Merrill**

Commissioner Merrill inquired as to the increase of approximately 73% in insurance premium costs. Mr. Ramsay indicated that it was due to increased values of property owned by the Commission, as well as the number of claims filed with the insurer. Mr. Merrill inquired about the letter he had received from the Clerk Treasurer regarding a recent Recreation Committee meeting, indicating that there appeared to be confrontations between staff and committee members. Mr. Jack Hersey commented that his questions were not intended to be confrontational to staff.

**Pedlar Bylaw**

Mr. Ramsay indicated that application forms and licenses have been prepared by staff and reviewed by the Solicitor. Staff will be informing potential businesses regarding the need to have a license.

**Adjournment**

The meeting adjourned at.

**APPROVED**

\_\_\_\_\_

Chairman

\_\_\_\_\_

Clerk Treasurer