

MINUTES OF THE MUNICIPAL COUNCIL MEETING
FEBRUARY 8, 2005

Present: Chairman Mayor John P. Prall
 Deputy Mayor Michael E. Trinacty
 Councillor Donald E. Clarke
 Councillor Gary W. Whittier
 Councillor J. Richard Horsburgh
 Councillor Beth Easson
 Councillor Anna Ashford-Morton
 Ms. Linda Parker, Chief Administrative Officer
 Ms. Michelle Millett, Recording Secretary

In attendance: Jason Smith, Berwick Register
 Mr. Hartt MacKinlay, Western Kings Memorial Health
 Centre
 Mr. Bob Gordon, Western Kings Board of Trade
 Mr. Don Regan, Superintendent, Berwick Electric
 Commission
 Mr. Howard Beals, Royal Canadian Legion, Ortona Branch
 #69
 Mr. Tara Oak, Kings Eco Challenge
 Mr. Ron Reeves
 Mr. Jim Keith
 Mr. George Moody, Apple Dome/Century Century
 Committee
 Mr. Bob Best, Apple Dome/Century Century Committee
 Mr. Danny Lecky
 Mr. Barry Corbin
 Mr. Clarke Fraser, Western Kings Memorial Health Society
 Mr. Denton Graham
 Mr. Curt Palmer, Western Kings Memorial Health Society
 Mr. Tim VanZoost, Western Kings Memorial Health
 Society
 Mr. Paul Easson, Western Kings Memorial Health Society
 Mr. Ken Pineo, Western Kings Board of Trade

1. The Chairman called the meeting to order at 6:34 p.m. and welcomed the large audience.

2. **Approval of the Agenda**

Additions to the Agenda included the addition of presentations from the Western Kings Board of Trade and the Royal Canadian Legion, Ortona Branch #69 under Presentations as items (b) and (c). Ms. Redden was unable to attend the meeting and thus the Kings Housing Authority presentation was deleted from the Agenda.

Under Correspondence items 8(b), (c) and (d) were added with the addition of correspondence from the Town of Wolfville, Apple Capital Museum Society, and a letter from Mrs. Norma Cunningham.

Ms. Parker requested the addition of information regarding a meeting with Minister Barnett to be held on March 4, 2005 to the Agenda. For information, Mayor Prall relayed that starting in March, Municipal Council meetings would begin at 7:00 p.m. although the Committee of the Whole would remain with a start time of 6:30 p.m. The Agenda was approved as amended.

3. Approval of the Previous Minutes

The Chairman approved the minutes of January 11, 2005 as circulated.

4. Presentations

(a) Western Kings Memorial Health Society ~ Mr. Curt Palmer

Mr. Curt Palmer thanked Council for the opportunity to speak. He explained that a large number of the gallery included Board members of the Western Kings Memorial Health Society (WKMHS) in attendance to support the request for a full tax exemption for the Western Kings Memorial Health Centre (WKMHC).

Mr. Palmer relayed that the ability to promote health care in the WKMHC would be significantly affected were the society required to pay \$74,000 in taxes to the municipality. He explained that the funds to pay the assessed taxes were not available and it would not allow the WKMHS to fulfill their mission of the provision of health services in the Town and surrounding areas. Mr. Palmer relayed that without the provision of these health services the mission of the Society would be negated, the Society would disband, and the building would be sold.

Mr. Palmer gave a brief history of the hospital relaying that with the closure of the hospital in 1996 and the formation of the Society an anchor tenant was sought to provide income to upgrade and maintain the WKMHC. The anchor tenant was secured as the Annapolis Valley Regional School Board who housed their regional offices in the Centre. Mr. Palmer relayed that sixty of the one hundred and twenty people that work in the WKMHC daily are school board employees. In addition, an outpatient department, blood collection laboratory, and an X-ray laboratory are housed in the building. Mr. Palmer explained that three family physicians had been recruited to house their offices in the building, too. He relayed that eighty-five percent of the WKMHC includes the Victorian Order of Nurses, Annapolis Valley Regional School Board, and the District Health Authority offices.

Mr. Palmer opened the floor for questions and discussion ensued as to the reason for the change in taxable assessment. Councillor Horsburgh asked why the WKMHC had been suddenly assessed differently than previous years. Ms.

Parker replied that the Assessment Department had reviewed provincial legislation and determined that WKMHC should be classified as commercial taxable. She relayed that the criteria that determined the assessment included two pieces of legislation, the Hospital Act and the District Authority Act.

Councillor Ashford-Morton requested a copy of the budget for the Western Kings Memorial Health Society. Mr. Palmer relayed that he would provide a copy of last years financial statements for Council perusal, although this year's budget had not yet been completed.

(b) Western Kings Board of Trade ~ Mr. Bob Gordon

Mr. Gordon, Vice-President of the Western Kings Board of Trade (WKBT) relayed that he was appearing before Council in support of the Western Kings Memorial Health Society's (WKHMS) application for a full tax exemption. He explained the shock felt by the WKBT at the change in taxable status of the WKMHC. He relayed that taxes of \$74,000 had not been included in the budget process and requested that Council seriously consider a tax-exempt status for WKMHS.

Mr. Gordon noted that the community based, non-profit organization such as the WKMHC contributed to economic viability within the Town of Berwick. In conclusion, he urged a full tax exemption of property taxes for the continued economic growth of the community.

Mayor Prall thanked Mr. Gordon for his presentation.

(c) Royal Canadian Legion – Ortona Branch #69 ~ Mr. Howard Beals

Mr. Howard Beals spoke in support of the Western Kings Memorial Health Society and Centre. He requested Council's consideration of the Centre that had opened in 1922 as a memorial building erected in memory of sixty-six men who gave their lives in order that we could live in freedom. He relayed how in 1955 an extension was built to the Centre and again the community was reminded that this new facility remained a memorial hospital dedicated in memory of those who lost their lives in World War I and II, and the Korean War.

Mr. Beals explained that Legion members would be distressed if the plaques in memory of veterans housed in and on the hospital were disturbed. Mr. Beals relayed that these were not easy times to make decisions affecting tax exemptions, but requested that serious consideration be given to a full tax exemption for the WKMHS.

Mayor Prall thanked Mr. Beals for his presentation.

(d) Kings Eco Challenge – Kings Community Economic Development Agency ~ Ms. Tara Oak

Mayor Prall introduced Ms. Oak as the Project Coordinator for the Eco-Kings Action Team. Ms. Oak began her presentation with a federally funded video regarding the One-Tonne Challenge. She followed the video by discussing the local context of the One-Tonne Challenge that would engage each citizen to achieve a one-tonne greenhouse gas reduction through contributions such as an increase in individual waste diversion, energy efficiency, and a reduction of emissions from personal vehicles. She relayed that three areas in Nova Scotia had been selected to participate in this eco-challenge with Kings County being one of the three.

Ms. Oak discussed the Kyoto Protocol that beginning February 16, 2005 would require citizens and provinces alike to a legally binding obligation to reduce green house gas emissions. She explained that individuals and industry contribute to emissions in Nova Scotia.

Ms. Oak summarized Eco-Kings Action planned actions to encourage reduction of polluting gases. She explained that no funds were requested from Berwick at this time, although in-kind contributions were requested and had been secured. She did note that the next phase of the project might require a financial contribution from the Town.

Ms. Oak distributed information for Council and questions and discussion ensued. In conclusion Ms. Oak relayed that a behavioral change of citizens was the long-term goal of the project.

Mayor Prall thanked Ms. Oak for her presentation and Mr. Regan for his contribution to this project.

5. Business Arising

(a) MPS & LUB Amendment ~ Century Centre/Apple Dome Rezoning

Deputy Mayor Trinacty provided an overview of the rezoning process which included public consultation in considering the request to rezone the Easson property to allow for the construction of the new Century Centre/Apple Dome.

IT WAS MOVED and seconded that Council amend the existing MPS and LUB to facilitate the rezoning of the lands of W. and P. Easson from Residential to Parks and Recreation.

Motion Carried

6. Recommendations from Other Committees

(a) Committee of the Whole

Ms. Parker read the following motions from the January meeting of the Committee of the Whole.

(i) Apple Blossom Princess Committee

IT WAS MOVED and seconded that Council select Nicole Lee (Chair), Donna Lee, Freda Beattie, Pam Beattie and Edie Lee to form the 2005 Apple Blossom Princess Committee.

Motion Carried

(ii) Operating Line of Credit

IT WAS MOVED and seconded that Council renews the \$400,000 Operating Fund Line of Credit with the Royal Bank.

Motion Carried

(iii) Non-Taxable Portion of Council Honorarium

IT WAS MOVED and seconded that 1/3 of remuneration paid to Mayor, Deputy Mayor, Councillors and Commissioners pursuant to Town Policy #5.001 in the calendar year 2004 and 2005 is deemed a non-taxable allowance for expenses incident to the discharge of duties.

Motion Carried

IT WAS MOVED and seconded that Council amends Policy 5.001 by adding the following sentence: "Council shall annually pass a motion stating that 1/3 of the remuneration specified in Section 1 be deemed a non-taxable allowance for expenses".

Motion Carried

(iv) Temporary Borrowing Resolution ~ Fire Rescue Unit and BEC Penstock Project

IT WAS MOVED and seconded that Council approve the Temporary Borrowing Resolution in the amount of \$75,000 to provide interim financing for the new Fire Rescue Truck and Council approve the Temporary Borrowing Resolution in the amount of \$275,000 to provide interim financing for the new Penstock Project for the Berwick Electric Commission.

Motion Carried

(v) ETTA Emergency Funding Request

IT WAS MOVED and seconded that Council provide \$800 in support for Evangeline Trail Tourism Association's emergency funding request.

Motion Carried

(b) Recommendations from Planning Advisory Committee

Ms. Parker relayed that supporting reports for the recommended motions had not been included in the Agenda Package. She recommended that these items be deferred to March Council and the supporting reports would be provided within the Council Agenda Package for the full information of Council.

7. **New Business**

(a) **Western Kings Memorial Health Centre Application for Tax Exemption**

Councillor Easson declared a conflict of interest in regard to this Agenda item and left the room for the discussion.

Ms. Parker circulated a written staff report on the issue of providing a tax exemption to the WKMHS. Mayor Prall gave Council the option to defer this agenda item to the Committee of the Whole meeting in order to have the opportunity to review the report provided. Council wished to review the report at this time. Ms. Parker reviewed her report noting that Assessment Services had now classified the WKMHC as a commercial taxable property.

She reviewed portions of the Municipal Government Act (MGA) relevant to this issue and differential taxation options available to Council that included full, partial or no tax-exemption and their financial impact to the Town. Ms. Parker reviewed the Town of Berwick Tax Exemption By-law that mirrored provincial legislation and noted that currently there were three existing full tax exemptions.

Ms. Parker's report included Citizens Roundtable findings that citizen's believed the WKMHC a great strength to the community that added to the quality of life of the residents in Berwick and surrounding areas.

Councillor Horsburgh enquired as to the duration of a fully granted exemption. Ms. Parker replied that tax exemptions granted by Council are reviewed annually during the budget process. She also explained that when there was a change in use of a property granted either full or partial tax exemption the exemption automatically reverts to being taxable. Deputy Mayor Trinacty asked about an "area rate" and Ms. Parker explained that areas rates are in relation to specific areas of service usage and thus would not apply in this case. Councillor Whittier was in favor of granting a full exemption to the WKMHC.

IT WAS MOVED and seconded to instruct staff to prepare the necessary by-law amendments to reflect full tax exemption for the Western Kings Memorial Health Centre for first reading at Council's regular monthly meeting in March.

Councillor Ashford-Morton relayed that she had received calls from citizens requesting that this revenue opportunity be realized. She asked if the Municipality of the County of Kings could be approached to contribute funding towards the assessed taxes if a full exemption was not granted. She commented that the citizens in Kings County benefit from the services provided by the WKMHC. Ms. Parker was not aware of any legislation that would enable this request and reported that the Municipality of Kings County was nearing

completion of their budget process. She suggested that an option would be to lobby Kings County Council.

Deputy Mayor Trinacty had concerns with the timing of the request in regard to the budget process. He relayed that this was a dollar issue and that until the budget process is completed the impact could not be fully measured. Mayor Prall relayed that the benefits received from the existence of the WKMHC in the Town exceed potential tax dollar revenue. He reminded Councillors that were the Society to disband and the WKMHC shut down the impact to the Town would be enormous. Councillor Clarke also spoke in favor of a full tax exemption.

Motion Carried

Mr. MacKinlay provided WKMHS financial information for distribution to Council to provide information during their deliberations.

(b) Approval of Fire Fighters Roll

Mayor Prall reviewed the report.

IT WAS MOVED and seconded that Council approve the Roll of Fire fighters as submitted by Chief Palmer at the February meeting of Municipal Council.

Motion Carried

(c) 2005/06 Budget Process

Ms. Parker reviewed her report noting that this schedule had worked well for the past four years. She relayed that the first key step would be for the Management Committee and the Councillors to bring forward capital projects for inclusion in the process by March 11, 2005. She discussed the March 8, 2005 Issues Identification Session and that would allow staff, Council clarification on certain issues. She suggested that Councillor Ashford-Morton and Easson see her to further discuss the budget process if they have any questions.

(d) 2005/06 Valley Waste Resource Management Authority (VWRMA) Budget Approval

Councilor Horsburgh distributed a copy of the VWMRC 2005-2006 Draft Operating and Capital Budgets that had been presented at the joint Councils meeting in late January. He highlighted the budget noting that no questions had been asked about the proposed budget during the January 26, 2005 session due to a status quo bottom line from the previous year.

Councillor Horsburgh reported that municipalities would feel the largest impact in the following fiscal year due an increase in over twice the cost of waste disposal. He reported that a Waste Inspector had been hired by VWRMA to

inspect garbage as the area's rate of recycling had decreased from the outset of the VWRMA initiative. Ms. Parker relayed that the cost sharing formula between participating municipalities is currently under review by the Kings Partnership Steering Committee.

IT WAS MOVED and seconded that Council support and approve the proposed VWRMA 2005/06 Operating and Capital Budget provided by Councillor Horsburgh.

Motion Carried

(e) Discussion Session with SNSMR Minister Barnett

Ms. Parker explained that Minister Barnett had met previously with various municipalities and another session had been planned with invitations to seven municipalities for a meeting at the Old Orchard Inn Friday, March 4, 2005. Ms. Parker encouraged as many Councillors to attend the meeting as possible.

8. Correspondence

(a) Kings County Alternative Transportation Service Society

For the information of Council. Mayor Prall relayed that the Society was considering a blend of services with Kings Transit.

(b) Town of Wolfville

For the information of Council.

(c) Apple Capital Museum Society

Mayor Prall explained that the museum had requested funding in order to construct a new display to serve as an attraction and increase Visitor Information Centre visits that had decreased significantly over the past few years. Mayor Prall deferred the request to the budget process.

(d) Mrs. Norma Cunningham

Mrs. Cunningham invited Councillors to visit the Berwick Art Gallery in support of local artisans.

4. Presentations (con't)

(e) Housing Authority Report

Councillor Easson asked about the Housing Authority's Representative, Tracy Redden's presentation and impending end of term. Ms. Parker relayed that Mrs. Redden had been unable to attend this evening's meeting and noted there should be a recruitment process developed for citizen representatives. She suggested that a Councillor attend a few Housing Authority meetings until a process could be developed. Ms. Parker relayed that all citizen representatives would be up for renewal in October 2005.

9. Next Meeting Date

The next meeting of Council would be held March 8, 2005 at 7:00 p.m.

- 10.** Hearing of no further business the Chairman adjourned the Council meeting at 9:01 p.m.

John P. Prall
Chairman

Michelle Millett
Recording Secretary