

A regular monthly meeting of Middleton Town Council was held at the Town Hall on Monday, April 4, 2011 starting at 7:00 p.m.

PRESENT

Chairing the meeting, Mayor Calvin Eddy; Deputy Mayor Vera Errington; Councillors Lorne Brown, Dan Smith, Darren Boates, Melinda den Haan, and Marc Britney; Chief Administrative Officer, Clayton MacMurtry.

Solicitor Gillis arrived at 7:00 p.m. and left the meeting at 7:10 p.m.

11.04.01 CHANGES TO THE AGENDA

Mayor Eddy advised that the Proclamation for Volunteer Week would be added to the agenda.

CAO MacMurtry advised that item .05 Award of Tender – Patching/Paving, under Action Items, would be removed from tonight's agenda, explaining that he was out of the office last week and has not yet reviewed the tenders for a recommendation to Council.

The CAO also advised that the following items are to be added to the agenda:

Information/Discussion Items

- .01 Update on By-election
- .02 Compost Tea Information Session

PROCLAMATION

.01 Volunteer Week

Mayor Eddy proclaimed the week of April 10th to 16th, 2011 Provincial Volunteer Week in the Town of Middleton. The Mayor advised that David Diggins is this year's Provincial Volunteer of the Year and noted that Jennifer Coolen, Recreation Director, and Krista Toole, Recreation Administrative Assistant, attended the Provincial ceremony held today in Halifax. The Mayor also advised that the annual flag raising event, saluting Volunteer Week, will be held in the Centennial Park at 12:00 noon, April 18th, and the annual awards presentation will take place April 20th at Kings Theatre in Annapolis Royal.

11.04.02 SOLICITOR

Solicitor Gillis advised that he had no items for Council's attention, however, referencing the Brooklyn Road agreement between the Town and the County, requested clarification from the CAO on sewer and water connection fees.

CAO MacMurtry advised that these fees would be a capital contribution for construction costs collected by the County and shared with the Town. The CAO also explained that he contacted Bill Gates and was advised that the Utility and Review Board (UARB) does not regulate fees for these connections.

The Solicitor noted that the Town charges connection fees for water and these fees are regulated by the UARB.

Solicitor Gillis requested clarity on connection fees for this project and confirmed a time and date to discuss this item with the CAO.

11.04.03 MINUTES

It was **moved by Britney, seconded by Smith that the minutes of the regular Council meeting of March 7, 2011 be approved as circulated. The motion was carried.**

It was **moved by Errington, seconded by Boates that the minutes of the special Council meeting of March 14, 2011 be approved as circulated. The motion was carried.**

11.04.04 PRESENTATIONS BY PUBLIC

There were no presentations, verbal or written, for this meeting.

11.04.05 BUSINESS ARISING FROM THE MINUTES

Mayor Eddy requested an update on the Planning review.

CAO MacMurtry advised that representatives of Stantec Consulting will be present at the April 18th Committee of the Whole meeting and that a report will be circulated to Council.

Mayor Eddy noted that Councillor Brown requested signage on Commercial Street relating to parking issues due to the yellow curb lines being covered by snow. The CAO is to check with the Traffic Authority on this.

The Mayor requested an update on the fire rate.

The CAO advised that the County is currently doing a fire rate review. He noted that surrounding area fire departments feel they are too much part of a community and are not in favour of a change.

11.04.06 NEW BUSINESS**Action Items****.01 ADEDA Governance & Funding Agreement Approval**

It was moved by Britney, seconded by den Haan that, on recommendation from the Committee of the Whole, Council approve the Annapolis Digby Economic Development Agency Governance and Funding Agreement, which includes the new funding formula of forty percent (40%) from the Municipality of the County of Annapolis; thirty percent (30%) from the Municipality of the District of Digby; and thirty percent (30%) from the Towns of Annapolis Royal, Bridgetown, Digby, and Middleton, based on annual uniform assessment figures. The motion was carried.

.02 Bylaw Amendment – Public Safety, Chapter 18, First Reading

It was moved by Smith, seconded by Errington that, on recommendation from the Committee of the Whole, Council approve the first reading of the proposed amendments to the Public Safety Bylaw, Chapter 18. The motion was carried.

.03 Approval of Bills

It was moved by Errington, seconded by Boates that, on recommendation from the Committee of the Whole, the Council approve the payment of bills in the amount of \$447,606.12. The motion was carried.

.04 Council Resignation

It was moved by Britney, seconded by Smith that, on recommendation from the Committee of the Whole, Council accept the resignation of Councillor Lorne Brown, effective April 30, 2011, with regret. The motion was carried.

.05 Award of Tender – Patching/Paving

This item has been deleted from the agenda.

.06 ADEDA – Board Member Appointment

It was moved by den Haan, seconded by Britney that Council approve the appointment of John Bartlett as the Town's representative on the Annapolis Digby Economic Development Agency Board.

The Council expressed the need for Mr. Bartlett to be aware of Council's views, opinions, and goals. Councillors also felt that reports should be provided by the representative and requested that Mr. Bartlett be informed of Council's wishes.

The motion was carried.

.07 Fundyweb Broadband Board – Divestiture of Assets

Councillor Smith advised that he was unable to attend the last meeting of the Board and noted that he feels the motion continues to cover areas of concerns discussed, i.e. the question of whether assets can be sold without having to reimburse partnering units.

It was moved by Smith, seconded by Britney that, in accordance with Subsection 32 (1) of the Municipal Services Agreement – FUNDYweb Broadband Board, approval be given to divest the assets of FUNDYweb Broadband subject to appropriate arrangements being put in place to protect current system users and legal assurance that there are no re-payment encumbrances (other than vesting of assets and liabilities to the partners in proportion to ownership interests at the time of dissolution). The motion was carried.

Information/Discussion Items

.01 Update on By-election

CAO MacMurtry advised the time frame to set a date for the by-election, noting that election day must be on a Saturday and there are two advanced polls required. The CAO explained that he is working on dates and that a Council motion is required to set the date for the by-election. The CAO noted that it appears the by-election will be scheduled for around the middle of June.

.02 Compost Tea Information Session

The CAO advised that the Facilities Manager requested that Council be made aware of an information session being held at the Old Orchard Inn on April 12th on the Compost Tea Program. The CAO explained that the program is an environmentally friendly composting process and the Facilities Manager would like to investigate the program to possibly put one in place at the Rotary Park. The Facilities Manager is inviting any Council member, who may be interested in how the program works, to attend the workshop. The CAO noted that more detail and information is available from the Manager.

11.04.07 REPORTS

.01 Committee of the Whole

All items from the Committee of the Whole meeting of March 21, 2011 have been dealt with earlier in the meeting.

.02 Mayor

Mayor Eddy tabled his report for the month of March. A copy of the report will be circulated with these minutes.

.03 Managers

The Management reports have been circulated to all members of Council.

.04 Development Officer/Building Inspector/Fire Inspector

The reports for the month of March, and the Development/Building permit report for the year ending March 31, 2011, have been circulated to all Council members.

.05 RCMP

The RCMP report for the month of March was circulated to all Council members.

Deputy Mayor Errington and Councillor den Haan commented that they have observed the RCMP dealing with illegally parked vehicles at Commercial and Main Streets and noted they are pleased to see the RCMP working on this problem.

11.04.08 CORRESPONDENCE

A list of correspondence for the month has been circulated to all members of Council.

11.04.09 ANYTHING BY MEMBERS

Councillor Boates advised that he has received a number of inquiries from residents concerning the possibility of having stops signs erected at the east end of Connaught Avenue. The Councillor noted that the new three-way stop at Connaught and Maple Avenues has made a difference with speeding traffic, however, has not remedied the problem.

CAO MacMurtry is to investigate and put this item on a future agenda.

Councillor Smith advised that he attended the memorial dedication to the World War II 429 Squadron held recently. The Councillor noted that he was impressed with the ceremony and the reason for the monument, noting that he feels it is an honour to have it in Town and encouraged others to view the memorial.

Councillor Smith noted that he was recently made aware of the Village of Greenwood's intention to hold an open house to hear the public's views and input on budget issues and suggested that the Town consider doing the same.

There was discussion on an open house versus a public meeting; visual presentations; explanation of downloads and what portion of the budgets over which the Town has actual control; background required to provide informed answers to questions and concerns; date for event; advertising; the possibility of a facilitator being hired; actual format; and whether ADEDA could help the Town with this undertaking.

A number of Councillors commented that they feel this would be a worthwhile venture.

Councillor den Haan suggested that the Town's strategic plan may be helpful and noted that the Town of Antigonish has held such a public meeting and suggested that information could be obtained from Antigonish on how its meeting was conducted.

The CAO is to contact the Town of Antigonish and report back to the Committee of the Whole April 18th.

Deputy Mayor Errington advised that she has received many positive comments on the opening of the Heart of the Valley Care facility. She noted that a number of people were very surprised at how homey, not institutional, the facility is.

Councillor Smith stated that the attendance was overwhelming and noted that he feels Phase II and III should be encouraged.

Mayor Eddy advised that GEM Health Care wants to proceed with Phase II and III as soon as possible, however, approval is required from the Province before they can begin.

Councillor Smith suggested that a letter of support be sent from the Town.

Mayor Eddy advised that the Nursing Home Committee is still in place, and will remain so. He also advised that the Committee has met with the MLA and that he feels a letter of support should come from the Committee.

On question from Mayor Eddy, CAO MacMurtry advised that the sewage treatment plant project is on track, that the old plant will be dismantled next week, and that the Federal election may interrupt/delay the opening of the plant in May.

On question from Councillors Boates and Britney, the CAO explained what is involved in dismantling the old plant, what will be demolished, and what components will continue to be in use with the new plant.

Mayor Eddy noted that the Director of Works position has not yet been filled, that Council has discussed this on a number of occasions, that re-advertising has been suggested, and requested the Council's input on this issue. The Mayor stated that he is not settled with the idea of letting this position go unfilled, noting that he feels a Director is needed to see projects through and to run the day-to-day operations of the Department.

The CAO suggested contacting Laurie Emms, re-advertizing the position, contacting Derik DeWolfe concerning engineering for capital projects, and the possibility of budgeting for a Director for the construction season only.

The CAO was requested to investigate these suggestions.

There being no further business, it was **moved by den Haan, seconded by Smith that the Council adjourn at 8:00 p.m. The motion was carried.**

MAYOR

SECRETARY