

MINUTES OF THE VILLAGE OF PORT WILLIAMS COMMISSION
MEETING OF SEPTEMBER 16, 2008

MEMBERS PRESENT: Lewis Benedict, Kim Cogswell, Ernie Hovell, Doug Gates, Scott Leier

IN ATTENDANCE: Brian Tupper, Wayne Blenkhorn, Peter Muttart, Stanton Hancock, Janet Newton, Robin Whidden, Geneve Newcombe and Laura Wightman

The chairman, Lewis Benedict called the meeting to order at 7:32 p.m.

APPROVAL OF MINUTES:

It was moved and seconded that the minutes of the August 19, 2008 meeting be approved as circulated. **MOTION CARRIED.**

REPORTS:

Janitorial: Brian Tupper reported that minor repairs would be done around the building.

Hall Trustees: The next meeting will take place on October 2/08, as reported by Doug Gates.

Fire Department: Chief Philip Porter was not able to attend, but sent a message that the Fire Dept. had a meeting and would like to have a shower installed. Lewis Benedict reported that the Village had purchased the hose for the Fire Dept.

Lions Club: Reported by Brian Tupper that repairs to signage are being undertaken and new road signs have been ordered. October is CNIB month. A variety show is slated for the last Sunday of October. Work to entrance and some minor repairs are happening in the Lions Den.

Transportation: Stanton Hancock provided a report as attached. It was noted that the gravelling of the shoulder of Centennial St. is still to be done by the Dept. of Highways.

Recreation: Wayne Blenkhorn reported that they had their first meeting last week.

Issues were:

- A concerned citizens group, who would like a children's park established in the Port. A sub-committee was established and they are looking at 2 sections of land one owned by Earl Kidston behind the Community Centre and the other a small strip near the Benedict soccer field. Grants are going to be investigated.

-A Scottish dance group would like to utilize the Community Centre auditorium as they were burnt out in Grand Pre. They were requesting Tuesday nights; this was to go to the Trustees.

-Soccer and baseball are over and both had successful year.

-Work on the rink change house has begun. It being used as a hangout is some concern. Greg Coldwell donated siding and work is still needed on the eaves and roof.

-Landmark East requested the soccer field on Collins Road for use during the day for the fall as a part of their phys-ed program. Geneve Newcombe reported that there was no charge per the Recreation Committee, but she and Craig had come up with a small fee and that she had informed the school of the amount.

Kings County Councilor: Janet Newton reported that a meeting of Trails Committee would be held on Wednesday. Mr. Carty received his building permit and the building will be done in about 2 weeks. Bob Suffron, Recreation Department indicated that there could be a grant available for the playground.

Gas Tax Committee: Kim Cogswell reported they met on Thursday, Sept 4th and have to put together an Integrated Fed/Prov plan. Consultants had been hired and at present were in the information collection stage. They were looking at, what is the 25-year vision for Kings County. Most of villages were present. On 15th December they were going to have a Vision Plan prepared. They would like to meet with the Village Commission to find out what would be our 25-year vision. The budget had been \$50K and the project is to fall within budget. The next meeting is in October. The Village should consider how this Plan is this going to affect the Village's plan, as it will probably have an impact of how funding is distributed.

Secondary Planning Strategy Committee: Robin Whidden indicated that the next step would be to get the community involved.

Source Water Protection Committee: Scott Leier reported an interesting meeting was held on September 10th with members of Dept of Environmen, their water specialists and a representative of the County of Kings. Stockpiling of manure was the concern but it was evident after the meeting that there is no protection from our Land Use By-Law. A water protection plan is required so as to restrict what goes on in that area. Shubenacadie had one but there was legal action taken against them and they had to buy the land from the farm. Only if the land is owned, can the Village protect the water source. If the water protection act route was taken, the Village would have to police. Well field act cannot affect current activity as is grandfathered; only new building/activity can be regulated. The Village has to show due diligence in this regard, unfortunately, it has liability, but no control over the activity.

The Committee is going to compile some data and then meet with the property owners to see how to protect the watershed. If Village makes adjustments using the water protection act then it has to be careful or could result in other problems. Nitrate issues were discussed and also contamination of existing wells that could leach into the Village system. The specialists didn't think there was any real problem in this regard. The farmers can plant right up to the standpipe of well. Stockpiling of manure cannot be stopped.

Lewis Benedict indicated that the Village should try and purchase Zone A well site.

Peter Muttart was asked if there was a legal document that could be drawn up to say that the Village had done everything possible to protect the water. Peter felt that it would be the landowner who would be responsible if they polluted the water. He agreed that the meeting with the landowners would be a good step. The importance of having it recorded in the minutes with the landowners that they would not do anything to harm the water source was stressed as then can use these minutes in case something happens. Kentville has a water protection plan for Magee Lake, which has a protection Zone right around it. The plan was created to protect, but caused problems. Buying good idea, but cost would be very high. Possible to expropriate the land, but then there would be other problems arising. Concerning the Village liability, we are insured. It would probably be the owners that pollute the water not the Village.

Scott pointed out that the Village would have to prove that it was the nitrates from the stockpile of manure and it would be very difficult proving that it was the farmers' fault. In Peter's experience, it wouldn't be a problem to identify the source of contamination. Next meeting of the Source Water Protection is Sept 25th.

Public Works: Report attached.

Stanton asked whether the speed bumps should be put in again as the paving of the Community parking lot was to commence. **The consensus of the members was that no speed bumps were required.**

It was noted that the pothole on High Street had been fixed.

Correspondence was received from Jenni Fetterly (copy attached) re damage to her clothes as a result of flushing the water main. Geneve indicated she had seen all the items on Ms Fetterly's claim list (attached), which were brought down to the office. Only a few items had been left for the Commissioners to view. The letter indicated that the washing machine was repaired. It was questioned as to the type of repairs done to the machine. Clothes are all old looking. Stan indicated that normally you could see spots. In the water contract there is a clause that the Village is not responsible for damage.

The only method of advertising the flushing was in the Kentville Advertiser. **Sending the flushing notice with the water bills would ensure all received the announcement.**

Along with this, it was suggested that it should be put on public service announcements, which are free. Whether free or not, the need to let people know was expressed by most present. Perhaps Ms. Fetterly should check her homeowner's policy, which might cover this damage.

The importance of having Water Contracts for all residences, which would include the clause about not being responsible for damage due to flushing, was stressed.

Peter Muttart indicated that Village had no liability, but to watch the wording of the letter replying to Ms Fetterly as it could set a precedence. Because of the sensitivity of this problem, it was felt that more research was required in order to make a decision.

A search for Ms Fetterly's water contract will be conducted. **Tabled to next month.**

TREASURER’S REPORT:

Geneve Newcombe presented the financial statements for August.

Presentation of bills to be paid: In separate motions, it was moved and seconded that the Village Operating and Water Utility bills presented be paid. **MOTIONS CARRIED.**

Geneve indicated that letters were sent out regarding outstanding water bills. A few have indicated that they paid but we are showing that they haven’t. Need to write these off. There are still 4-5 water bills that we need to find information on as to whereabouts. Knock on door and find out who they are. Disconnection notices brought in lots of people. It was discussed about how we find out about the sale of a property in order to change our water accounts. The person who signed the contract is still liable until they notify the Village Office, even if they have sold the property. Lawyers chase sewer contracts, as these are liens, not water. It is also up to the new owner to come in. Property on-line was as possible source of information. The Village should be able to shut off water if it is not being paid for. New occupant cannot be responsible for old water usage. Sending out for collection is a possibility if water bills not paid. The Village Water Utility is now sending disconnection notices for over 90 days. Stanton should be the person to knock on the doors. A notice to the residences in question could be delivered with a water contract. If no one at home, it could be put on door to contact village office.

Budget: Water budget seems to be okay therefore only operating budget was presented. Moved and seconded that both the Village Operating and the Water Utility Budgets be approved. **MOTION CARRIED.**

BUSINESS ARISING FROM MINUTES:

Improvement of Website: All items discussed at the last meeting were to be done, except the addition of a separate page with dates of village commission meeting and list of events. Bulldog Computer Services indicated that adding pages was outside the service contract, but that a simple page of events could be possible. It was noted that this would not be up dateable by the Village. It was agreed that this be pursued.

OLD BUSINESS:

1. Sidewalks – who is responsible for damage if parking on sidewalks? Steps have been taken to resolve this matter of patrons of the Alpha Chiropractors clinic parking on the sidewalk area, but no resolution has happened. Now the question is who enforces the no parking on sidewalks. Research needs to be done to find out whether Provincial or Municipality is responsible. The Village contract/agreement with Province and Municipality should be reviewed. The County Planning Dept. re sidewalk construction and maintenance may provide the info concerning this matter.

2. Reserves - It was moved and seconded that the Village transfer funds to set up the Water and Village Operating reserves in their own account as suggested by the auditor, Bishop & Co. **MOTION CARRIED**

3. Emergency Measures Organization in Port Williams – Wayne Blenkhorn is heading up this. It was noted he was qualified for the job as he has been a disaster coordinator for them for 4 years, as well as the Red Cross contact for White Juan. Upgrading of equipment needs to be done to help react to an emergency situation. No meeting has been held. The EMO positions are probably the whole of the commission, but it should be put on our website what each persons role would be. There was a plan done for a comfort center in the community center.

NEW BUSINESS:

1. Tibbett's Electrical had a look at the pond's electrical and is concerned as the entrance is falling over and close to water. They gave an estimate of \$10,000 re new electrical and the siren by the well was also looked at. Throw pitch wanted a plug for PA system. Lewis Benedict is looking at grant money from the County (50/50 grant) to do this. He indicated that the pond electrical should be done because of liability. The use of the siren to warn people would be a good addition to EMO. Discussion was held on best possible location for siren. The fact that it is the highest point of land and has no neighbours was a plus. It was moved and seconded that upgrades to rink and installation of siren and installation of outside plug be done but not to exceed \$13K. **MOTION CARRIED.**
2. Association of NS Villages will be holding their 4th annual meeting on Sept 20th in Truro. Asked for attendees to this meeting. The Association needs help and Lewis would like to offer assistance either secretarial or treasurer, if it comes up.
3. Request for 3 main door keys; one key for the Library, one key to the person bringing in the books and one for the Annapolis Valley Regional Library Office. **AGREED.**
4. Multi-purpose user lost their keys to main door, multi purpose and kitchen. **Agreed** to replacement set and if they should find the original to bring back replacement set. Sylvia did real good job on keys. Having a Pin number for each person/organization to see who is coming and going was mentioned.
5. Seniors club advised that a remote is missing for microphone set up and it was under lock and key. The remote was used at the last annual meeting and nobody else has used it.
6. Shower for Fire Dept. – Bill O'Brien of Aspen Construction is coming in to fix things and he could look after this. He has other items in the fire dept, such as the washroom not being vented. Moved and seconded to proceed with shower. **MOTION CARRIED.**
7. As the Village had 2 new staff members Sylvia should be contacted to have her put this in the Port news. **AGREED.**
8. Meet and greet for new clerks and commissioners – a supper in November was suggested.

CORRESPONDENCE:

INFO ONLY:

- Letter from David Morse, MLA Kings South re paving of shoulder of Highway #358 between Port Williams and Greenwich. He indicated that he would ask Doug Stewart, Chief Engineer of Dept. of Transportation to flag this section for a possible pilot project. He also suggested that the County has an annual \$100,000- allotment for trails, which could possibly be used. Janet Newton will bring up at trail meeting.
- Email from Helen Machray, Executive Secretary to Hon. Barry Barnet, Minister of Health Promotion and Protection. She is forwarding our letter dated August 22, 2008 to the Hon. Murray K Scott, Dept. of Transportation and Infrastructure Renewal.
- Valley communications report for August re Volunteer Fire Department– 1 barn fire and 3 mutual aids.
- Public Hearings: a) Seaview Poultry Limited, Port Williams re expansion of the poultry facility. b) Agricultural District Review re amendment of agricultural land use policies and regulations in Bylaw 56, the Municipal Planning Strategy and Bylaw 75, Land Use Bylaw.
- Municipality of the County of Kings Activity Report – Building estimates for month of August 2008 were construction (residential) \$41,760 and renovation (commercial) \$40,000.

ACTION ITEMS:

- Letter asking for a small donation of \$200 and support to assist Bill Knowlton in his walk from Bridgetown to Halifax’s Province House as an awareness campaign of poverty in NS. Contact is Wendy Knowlton, Coordinator for “Eliminating Poverty One Step at a Time” with Annapolis Community Health Board. No action required.
- Email re Energy-Efficient Holiday Lighting Programs for Communities. Janet Newton volunteered to head a LED Holiday Light Consumer Exchange Program, which would encourage people to come to the Christmas Lighting. The Commission agreed to participate and accept Janet’s offer.
- Association of NS Villages registration form. See New Business.
- Letter from Bill McKennan, Director of Corp. Services, Municipality of Co. of Kings re amendment of global amounts allowable through the fire grant process. Vehicle repairs & maintenance increased to \$3,500 per vehicle; Firefighting clothing increased to \$350 per volunteer and Firefighting chemicals increased to \$2,000.

A motion to adjourn the meeting was carried.

Lewis R. Benedict, Chair

Laura Wightman, Clerk/Treasurer