

**DIGBY TOWN COUNCIL
REGULAR MEETING
DECEMBER 1, 2008**

MEMBERS PRESENT: Mayor Ben Cleveland
Deputy Mayor Mike Bartlett
Councillor Jean Brittain
Councillor Danny Harvieux
Councillor Brian Manzer
Councillor Ron Matsusaki
Councillor Peter Turnbull

STAFF PRESENT: Tom Ossinger, Town Clerk
Matthew Raymond, Deputy Clerk
Susan Rice, Recording Secretary

A. CALL TO ORDER

Mayor Cleveland called the meeting to order at 7:00 PM.

B. AGENDA

B.1 Additions/Deletions

There were two additions under delegation C.2 Walter Doede and C.3 Wharf Rat Rally.

B.2 Approval of the agenda

a) December 1, 2008

Moved by: Councillor Harvieux
Seconded by: Councillor Turnbull

That the agenda of December 1, 2008 be approved as presented.

MOTION CARRIED.

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C. DELEGATION

C.1 Dianne Theriault

Ms. Theriault, Chair of DATA, made a presentation to Council. Ms. Theriault updated the Council on what DATA has been working on. She informed that DATA got together and developed a strategic plan and came up with a three phase Tourism Marketing Plan for Digby and Area and a Tourism Product Development Plan. The Association is working on Phase I of the Product Development Plan which includes incorporation of committee, developing logo, and design and install a number of interpretative panels. Ms. Theriault presented her power point presentation to Council. DATA is hoping to be finished Phase I by the end of the year. Ms. Theriault informed Council on Phase II and III and what they consist of.

Ms. Theriault informed Council on how much the Town and Municipality have helped with funding and in kind support and is very grateful for the support but states DATA is in now a crucial point in our organization. Ms. Theriault states that it is time to have a fulltime Tourism Development Officer for the Area. There are two reasons we need a fulltime employee because without core funding there will be no more DATA and the funding from all sources will be used up by February 2009 and secondly if there is not a fulltime employee to put the strategic plan in place we will miss out on the next round of funding for Phase II and III.

In 2005, DATA put together a strategic plan. The Town and Municipality had a total budget of \$99,650.00 that is more than enough money to have a dedicated tourism person. DATA would like to see discussions to join the two units together regarding tourism. The Town Clerk received the handout of the oral presentation given by Ms. Theriault. Handout is attached. Council decided to bring this issue up at the Tourism Committee.

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C.2 Walter Doede

Mr. Doede made a presentation to Council regarding the Sewer Charge Bylaw and his concerns with it. Mr. Doede states that there is no logical approach to sewer rate because not all water goes into the sewer system. Regarding the increase of the sewer rate, the Mayor stated that Council had to react quickly with the sewer situation. Council will investigate the sewer rates from different municipalities. Walter stated Council that he would be glad to meet with them to discuss his background and also relay to Council some of his concerns that other residents ask him. He thanked Council for letting him speak.

C.3 Wharf Rat Rally

Peter Robertson presented a report to Council. Peter stated that the Wharf Rat Rally Committee would like to start the event September 2-7, 2009, because of some television stations from the United States will be broadcasting. The Wharf Rat Rally Committee asks the Town to close Water Street and Montague Row from Needs to Captain's Cabin. The Mayor stated that he will be attending a meeting with Peter Robertson and provincial delegates regarding the Wharf Rat Rally. The financial statements have not been prepared as yet but they are being worked on and when finished will bring to Council.

D. MINUTES OF PREVIOUS MEETING

D.1 NOVEMBER 3, 2008

Moved by: Deputy Mayor Bartlett
Seconded by: Councillor Harvieux

That the minutes of November 3, 2008, be approved as presented.

MOTION CARRIED.

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D.2 NOVEMBER 3, 2008 (New Council)

Moved by: Councillor Turnbull
Seconded by: Councillor Manzer

That the minutes of November 3, 2008, be approved as presented.

MOTION CARRIED.

E. BUSINESS ARISING FROM THE MINUTES

None.

F. REPORTS

**F.1 FINANCE COMMITTEE/ADMINISTRATION
COMMITTEE**

a) Accounts Payable

Councillor Brittain asked if the Town Clerk could present the budget for 2008/2009 for RCMP, Education, and Waste Check so that the new members of Council would know.

Moved by: Councillor Brittain
Seconded by: Councillor Harvieux

That the accounts payable in the amount of \$489,870.64 be approved for payment for the month of November.

MOTION CARRIED.

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b) Tax List

Moved by: Councillor Brittain
Seconded by: Councillor Bartlett

That the tax account #7095850 in the amount of \$2,046.79 and account #7096097 in the amount of \$3,475.26 be written off.

MOTION CARRIED

F.2 FIRE, POLICE, AND LICENSE COMMITTEE

Report for November 2008 was reviewed and accepted as presented.

F.3 STREETS, SEWER, AND PUBLIC PROPERTY COMMITTEE

No report was presented.

a) Dean Kenley – Extension of hours for three events

Deputy Mayor stated that he would like the town to approve the extension of hours for three events East Coast Classic, Scallop Days, and Wharf Rat Rally. Scallop Days is not putting on a dance because they lost money; therefore, it would be good to ask for help from other establishments. Councillor Brittain does not agree with them extending their hours to sell alcohol.

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Moved by: Deputy Mayor Bartlett
Seconded by: Councillor Harvieux

That Council send a letter of support to approve Dean Kenley's request to extend his hours of operation for the East Coast Classic, July 4-7, 2009, Scallop Days, August 6-9, 2009, and Wharf Rat Rally, September 3-6, 2009.

Ayes

Councillor Manzer
Deputy Mayor Bartlett
Councillor Harvieux
Councillor Turnbull
Councillor Matsusaki
Mayor Cleveland

Nays

Councillor Brittain

MOTION CARRIED.

b) Close down walkway behind Fundy Restaurant

Moved by: Councillor Turnbull
Seconded by: Councillor Harvieux

That Council approve Dean Kenley's request to close down the public walkway behind his property on Saturday, August 8, 2009, for Scallop Days and Saturday, September 5 and Sunday, September 6, 2009, for Wharf Rat Rally from 8 p.m. until 1 a.m. and if there is any damage to the property the owner is responsible to fix it up.

MOTION CARRIED.

F.4 TOURISM COMMITTEE

Report for November 2008 was reviewed and accepted as presented.

F.5 TIDEVIEW TERRACE

No report. The meeting last week was an orientation session for the new Councillors and to look over the bylaw. Warden Thurber and the Mayor will be meeting with the Department of Health on Wednesday to discuss some issues regarding Tideview.

F.6 DIGBY AND AREA RECREATION COMMISSION

Report for November 2008 was reviewed and accepted as presented.

F.7 LIBRARY BOARD

No meeting.

F.8 WASTE CHECK

Report for November 2008 was reviewed and accepted as presented.

F.9 PLANNING ADVISORY COMMITTEE

No meeting. There is a meeting December 9, 2008.

F.10 EMERGENCY MEASURES ORGANIZATION

No meeting.

F.11 WATER COMMISSION

Report for November 2008 was reviewed and accepted as presented.

F.12 INDUSTRIAL COMMISSION

No meeting.

F.13 DIGBY AREA LEARNING ASSOCIATION

No meeting.

F.14 SENIOR SAFETY BOARD

Report for November 2008 was reviewed and accepted as presented.

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F.15 PESTICIDE COMMITTEE

No meeting.

**F.16 ANNAPOLIS/DIGBY ECONOMIC DEVELOPMENT
AGENCY**

No meeting.

F.17 CLERK TREASURER'S REPORT

Report for November 2008 was reviewed and accepted as presented.

F.18 POLICE ADVISORY BOARD REPORT

No meeting.

G. CORRESPONDENCE

G.1 Letter from County of Annapolis

The Council received a letter from the County of Annapolis that was sent to UNSM regarding the resolution that was passed in regards to Broadening the Powers of Municipal Government for going into In Camera. The Council decided to move to the Streets Committee meeting.

H. NEW BUSINESS

H.1 Kids Help Phone

Councillor Harvieux asked if we ever made a donation to them and the Town Clerk stated no. There was no financial statement presented with the request for funding. The Town Clerk will contact the Kids Help Phone Committee to ask if we could get a financial statement sent to us. The Council decided to move to the Finance/Administration Committee meeting.

H.2 UNSM Code of Conduct

The UNSM Code of Conduct was presented to Council. The Town Clerk stated that two councillors had signed it and brought it in.

Moved by: Deputy Mayor Bartlett
Seconded by: Councillor Turnbull

That Council approve to move the UNSM Code of Conduct to the Streets meeting.

MOTION CARRIED.

H.3 Letter from Leo Zakhour

Deputy Mayor declared a conflict of interest.

A letter was presented to Council from Leo Zakhour owner of Recardo's regarding the new sewer rate on the water bill. Discussion ensued. Councillor Harvieux suggested that we gather information from other municipalities to see how they charge for sewer. The Deputy Clerk stated that he had looked into it. He received eight responses from 55 municipalities. Five of the municipalities based the sewer rate on the assessment rate, two units based it on the water consumption, and one municipal unit put a flat fee on each dwelling unit. The Deputy Clerk stated that there were some special cases with some municipalities with the commercial/industrial businesses. In Berwick, there are two industrial sites and an engineer comes and does a calculation to find out how much their sewer would be and another fish plant in Yarmouth uses a lot of water but does not go to the sewer; therefore, there is two meters one for the washrooms and another one for the ice machines. The Town Clerk informed Council the consumption rate for Leo Zakhour's building for September 2007, and September 2008 as well as the previous month's bills.

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The Town Clerk states that there is a pattern with the water consumption. Council stated that they see a problem and will have to look into this issue.

H.3 Ward Smith

A letter from Mr. Smith was presented to Council regarding the water consumption and Mr. Smith heats his house with hot water and the water he is consuming does not go down into the sewer. The Town Clerk stated that he spoke to Mr. Smith when he brought the letter in and also the Administrative Assistant spoke to him as well. We looked at his water consumption and it was very high and we both told him if we could check to see if he had a leak in his place and he said that he wanted a licensed plumber to check it out. The Town Clerk stated to Mr. Smith that we will change his water meter. The Town Clerk stated that the Utility Tradesman changed the meter and checked it at the shop and it was faulty.

I. QUESTION PERIOD

None.

J. ADJOURNMENT

There being no further business the meeting adjourned on motion of Deputy Mayor Bartlett and Councillor Brittain.

TIME: 8:45 p.m.

MAYOR

TOWN CLERK