

**GOVERNANCE AND DISTRICT BOUNDARY REVIEW COMMITTEE  
MINUTES  
APRIL 26, 2010**

PRESENT: Mayor Peter Kelly, Chair  
Councillors: Jerry Blumenthal  
Barry Dalrymple  
Peter Lund  
Linda Mosher  
Reg Rankin

REGRETS: Wayne Anstey

STAFF: Ms. Cathy Mellett, Acting Manager/Clerk  
Ms. Mary Ellen Donovan, Municipal Solicitor  
Mr. Paul Morgan, Sr. Planner  
Mr. Ken Lenihan, GIS Technician  
Ms. Alva Robinson, Data Analyst  
Ms. Linda Grant, Administrative Clerk Assistant  
Ms. Sherrill Murphy, Deputy Clerk

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**1. CALL TO ORDER**

The meeting was called to order at 10:05 a.m.

**2. APPROVAL OF MINUTES**

- An extract of the motions approved at the April 19, 2010 meeting was before the Committee.

Note was made that the motion relative to future Community Councils should read 'that the Chair will not vote if there is only four members present at a meeting'

**3. APPROVAL OF THE ORDER OF BUSINESS AND APPROVAL OF ADDITIONS AND DELETIONS**

**MOVED by Councillor McCluskey, seconded by Councillor Blumenthal that the agenda, as distributed, be approved. MOTION PUT AND PASSED.**

**4. CONSIDERATION OF DEFERRED BUSINESS**

**4.1 Discussion on Powers of Community Council and other Council Effectiveness Initiatives**

**4.1.1 Revised Table and Examples for discussion**

- A table of Powers of Community Council revised April 23, 2010 was before the Committee.

A review and discussion relative to the table ensued. With reference to area rates, Ms. Donovan advised that the Community Council could, if granted authority by Regional Council under the Charter, recommend area rates, but it would require Councils approval to implement the area rate. She went on to suggest that Regional Council would not lightly disagree with Community Council relative to these recommendations. She clarified that the power for Regional Council to extend this recommending power Community Council already exists in the Charter.

Mayor Kelly noted that Community Council would not want Regional Council to have veto power. Community Council would be doing the research on the localized issue and believe that Council should not have the ability to overturn that decision.

Ms. Donovan noted that under the present legislation (the Charter), Regional Council would be required to make the final decision on the area rate and the division of funding between the area rate and the general tax rate.

Councillor Mosher noted that this would only more confusion for the taxpayer. She further noted that there were standards already in place and that the intent was that

Community Council be able to deal with a particular situation in a community (i.e. weekly green bin pick up) without it requiring Regional Council approval.

Following a further short discussion, Ms. Donovan clarified that, in order for the Community Council to have final decision making authority a change to the Charter is necessary. She went on to indicate that she did not believe that Council could delegate its financial decision making authority and confirmed that she would determine if there were any restrictions to the types of services for which an area rate could be levied.

The Committee discussed the authority which exists in the Charter, but has not been delegated by Council to Community Council, centred around recommendations to the Regional Council (i.e. area rates, By-laws, and Planning and Development). The Committee indicated that Community Council should have final decision making authority with reference to area rates for local services (i.e. green cart pick up), planning & development matters relating to an MPS change which has only localized impact.

Ms. Donovan reminded the committee that a recommendation for a Charter amendment to provide more decision making power in regard to MPS amendments has been submitted to the Province by HRM. Based on a conversation with Service Nova Scotia as recently as April 25<sup>th</sup> the Province will not be bringing forward that amendment, as requested by HRM, to the fall sitting. More advocacy with the Provincial Government will be required.

In terms of By-laws, there is no desire to add to the already existing process for approval/amendment. However, there is a desire for By-laws to be flexible enough to address the diversity of HRM (i.e. sign by-law which provides for differing community needs, burning by-law, animal by-law). **The Committee agreed** that provision for Community Committees should not be promoted as this would only add another layer of governance and flexibility can be achieved using the current by-law process.

During discussion on Powers of Community Council beyond the current charter relative to Grants and Dangerous and Unsightly, the Committee recognized the potential for significant additional costs and the possible politicizing of the process. A majority of members did not agree that these areas should come under the authority of the Community Council.

**The Committee requested** a report which sets out which of the above require a policy change, a charter change, the budget impact of each, and which can be implemented speedily and those that will require additional time to implement.

## **5. CORRESPONDENCE, PETITIONS & DELEGATIONS**

**5.1 Correspondence** - None

**5.2 Petitions** - None

**5.3 Presentations** - None

**6. REPORTS**

**6.1 Overview of Possible Community Council Boundaries**

Consideration of this matter was deferred.

**7. ADDED ITEMS** - None

**8. NEXT MEETING DATE** - Wednesday, May 5, 2010

**9. ADJOURNMENT**

The meeting adjourned at 11.40 a.m.

Sherryl Murphy  
Deputy Clerk

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**Information Items - None**