

## **SPECIAL MEETING OF COUNCIL**

**April 8, 2002**

The meeting was called to order by the Chairman at 7:00 p.m., in the Conference Room, in the Administrative Centre, in Barrington, N.S. with the following members present:

- Warden Sterling Belliveau
  - Deputy Warden Eddie Nickerson (7:37 p.m.)
  - Councillor Angus Atkinson
  - Councillor Fred Bower
  - Councillor Louise Halliday
  - Councillor Dwayne Hunt
  - Councillor Wayne Smith
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- Brian Holland, Municipal Clerk
  - Stephen Feist, Municipal Advisor

### PURPOSE OF MEETING

The purpose of this meeting was to discuss various sections of the Municipal Government Act as it pertains to the administration of the Municipality.

### MGA RE: ADMINISTRATION

Stephen Feist, an employee of Service Nova Scotia and Municipal Relations, who is the Municipal Advisor for our area of the province, was asked to attend in order to discuss this matter. Mr. Feist circulated a brief summary of various sections of the Municipal Government Act which he reviewed with councillors.

He indicated that Section 23 stated that powers could be delegated by Council to committees with the exception of the power to expend funds.

There was also some discussion of sections 29 and 30 of the Municipal Government Act. He was asked if Council could delegate the CAO powers to a committee that consists of all councillors. He responded in the negative. Mr. Feist also indicated that the “committee of the whole” is not the same as council.

He suggested during his discussion that a study of the governance system of the Municipality could be done by an independent consultant at the request of Council.

He compared councillors to the board of directors of private companies who would make short and long term plans for implementation by the CAO.

He indicated that the power to expend funds considerably restricts the function of committees. Mr. Feist indicated that there are both advantages and disadvantages to the “committee” structure and also to the “council only” structure. The “committee of the whole” structure allows a separate meeting for discussion of issues just as the “committee” structure does.

Councillors indicated to Mr. Feist that the public doesn't seem to understand the distinction between committees and the council, especially when all councillors sit on the committees.

It was indicated that Solicitor's reports and recommendations must go directly to Council.

Mr. Feist indicated that the purpose of committees would be to provide a venue at which most of the discussion of issues would take place.

There was some discussion on the hiring and termination of the Chief Administrative Officer and the effective control of administration. Mr. Feist indicated that councillors are elected to determine policies and plans of the Municipality and not to administer daily operations. He indicated that the Chief Administrative Officer would provide consistency and continuity in the administration of the Municipality.

Mr. Feist indicated that in light of the discussions held this evening that now may be a good time to have an independent study done of the governance system in the Municipality.

The question was asked of Mr. Feist: "What is a 'private' council meeting and can members discuss issues privately among themselves?" Mr. Feist did not provide any definitive answer to this question. He was also asked if council can meet privately, without someone present to take the minutes. Again, Mr. Feist did not respond directly to this question.

#### ADJOURNMENT

**Moved** by W. Smith that the meeting adjourn at 8:32 p.m.

Motion carried.

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Warden

Secretary for the Meeting

**Copied for Councillors on April 9, 2002 by Sharon Brannen.**