

COMMITTEE OF THE WHOLE MEETING

April 19, 2005

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:

- Sterling Belliveau
 - Fred Bower
 - Louise Halliday
 - Donna LeBlanc-Messenger
 - Eddie Nickerson
 - Larry Stewart
 - Sean Strang
- Brian Holland, Municipal Clerk

ADDITIONS TO THE AGENDA

The following items were added to the agenda:

- Team Shelburne (Closed Session)
- Anthony Properties Letter
- Grading of Roads
- Walking Trail on Sherose Island

APPROVAL OF AGENDA

Moved by S. Strang and seconded by F. Bower that the agenda be approved as amended.

Motion carried unanimously.

APPROVAL OF MINUTES

Moved by S. Strang and seconded by F. Bower that the minutes of the last previous meeting held April 6, 2005 be approved as circulated.

Motion carried unanimously.

INTERVIEW RE: NOISE PROBLEM

Mr. Gary Goreham and Mr. Mark MacKenzie, residents of Barrington Passage, appeared before the Committee to express their concerns. Both of these gentlemen are property owners in the Barrington Passage area. Mr. Goreham is the owner of Causeway Interiors. Causeway Interiors has a large parking lot in front of its building. This parking lot is being frequented by young people in the area who are driving cars and trucks in and out of the parking lot on a regular basis, both during the day and during the evenings.

Mr. MacKenzie stated that the noise from “squealing tires” and from the youths congregating in the area has been a problem for the entire twelve years in which he has lived in this area. He stated that, recently, especially in the last few weeks, it has become worse than it has ever been in the past.

It was suggested that Mr. Goreham chain off his parking lot, however Mr. Goreham felt that it would not be advisable for him to chain off his parking lot if other merchants in the area are not doing the same with their parking lots. He felt that this may have some detrimental affect on his business. Mr. Goreham indicated to Council that he is taking corrective steps by putting curbs in the parking lot in order to reduce the speed of vehicles entering and exiting the parking lot.

It was suggested that Citizens on Patrol be made aware of this situation so that they can monitor it and advise the R.C.M.P.

Resolution COW050418

Moved by L. Halliday and seconded by D. Messenger that it be recommended to Council that the local R.C.M.P. Detachment be advised of the situation, in writing, and be requested to adequately address this situation and to inform Citizens on Patrol so that they may increase their vigilance of the area.

AFFIRMATIVE

Sterling Belliveau

Louise Halliday

Donna LeBlanc-Messenger

Eddie Nickerson

Larry Stewart

Sean Strang

NEGATIVE

Fred Bower

Motion carried.

Having completed their discussions with Council, Mr. Goreham and Mr. MacKenzie retired from the meeting at 7:37 p.m.

CLOSED SESSION RE: SOUTH WEST SHORE DEVELOPMENT AUTHORITY

Mr. Chris Atwood of the South West Shore Development Authority appeared before the Committee and requested to speak to the members in a Closed Session regarding the potential sale of Municipal property.

Having completed his discussion of this matter, Mr. Atwood retired from the meeting at approximately 8:15 p.m.

SOUTH SHORE TOURISM ASSOCIATION PROPOSED AMALGAMATION

Lynne Perry the Executive Director of the South Shore Tourism Association, and Doug Fawthrop the President of the Association, appeared before Council for the purpose of discussing a proposed amalgamation of the South Shore Tourism Association and the Yarmouth County Tourism Association.

Concern was expressed regarding the emphasis of the Association and the identity of the resulting association.

Mr. Fawthrop and Ms. Perry informed members that the tourist businesses on the South Shore, in Yarmouth and in the Valley are coming together to promote and market the area on a more consistent basis. They are attempting to develop this area as a destination for tourists and are beginning to promote it as Destination South West Nova. It is anticipated that some time in the future the entire area of South West Nova Scotia, from Halifax to Yarmouth, will be promoted as one tourist destination. Promotion of the area in this manner will provide many economies of scale for marketing and promotion and tourist attractions to the area.

Members were informed that the South Shore Tourism Association Meeting on April 21st is an opportunity for members to express their concerns above the proposed amalgamation.

Having completed their discussion of this matter, the representatives of the SSTA retired from the meeting at 8:58 p.m.

NOISE BY-LAW

It was suggested to members that they review the Noise By-Law in light of the information provided by residents of Barrington Passage this evening.

There also ensued some discussion regarding regional and local municipal police forces.

Information will again be circulated to members regarding the establishment of police forces so that they will be better informed on this matter.

MOWING OF MUNICIPAL PROPERTY

At the present time we do not have the equipment or the personnel to mow Municipal properties. It will be at least a month by the time a Property Services Supervisor and a Property Services Labourer are in place. Also the cost of purchasing adequate mowing equipment must be included in this year's budget, which will not be approved until June. As a result, it is recommended that the Municipality continue with contracting the mowing through Green Flamingo Landscaping who were the low bidders on the tender for the past two years. It is anticipated that this will be done up until at least the end of June.

Resolution COW050419

Moved by F. Bower and seconded by L. Stewart that it be recommended to Council that the Municipality continue with contracting out the mowing of Municipal properties as in the two previous years to Green Flamingo Landscaping until Municipal personnel and equipment are available to take over this task.

AFFIRMATIVE

Fred Bower
Louise Halliday
Donna LeBlanc-Messenger
Eddie Nickerson
Larry Stewart
Sean Strang

NEGATIVE

Sterling Belliveau

Motion carried.

Page 4, Committee of the Whole Meeting, April 19, 2005

BARRINGTON REGIONAL CURLING CLUB REQUEST

The Barrington Regional Curling Club had previously requested the use of tables and chairs which are being stored at the Arena. The Curling Club has requested the use of 300 chairs and 40 tables from April 25th to September 26th, 2005 at no cost. The Municipality has available 1000 chairs and 100 tables. It is believed that the request of the Curling Club can be accommodated with the exception of graduation being held at the Arena. At that time it is necessary for all 1000 chairs to be available for the graduation ceremonies.

Resolution COW050420

Moved by L. Stewart and seconded by D. Messenger that it be recommended to Council that an agreement for use of chairs and tables by the Barrington Regional Curling Club be prepared and forwarded to the Curling Club for signing, so that they may have the use of the chairs and tables as required, providing that:

1. Chairs are returned to the Arena by the Curling Club on Monday prior to the Graduation so that they can be used for the Graduation.
2. That the Curling Club will return the chairs and tables in the event that the Arena should be able to attract an event requiring a significant number of chairs and tables during the course of the summer.

Motion carried unanimously.

ARENA FUNDRAISING COMMITTEE

Members were provided with a document that has been supplied by our insurers indicating what constitutes a committee of Council.

There was some discussion regarding the Arena Fundraising Committee, and whether or not it meets the criteria to be a committee of Council.

This matter will be further considered by the Municipal Solicitor.

LANDS OF RUPERT CUNNINGHAM

Correspondence has been received from the Municipal Solicitor indicating that the Department of Natural Resources wishes the Municipality to contribute towards the purchase of the lands of Rupert Cunningham. It is the position of the Department of Natural Resources that they were not properly notified when the lands of Rupert Cunningham were sold to him by the Municipality. However, there has been no formal claim made to dispute this sale or the Court Order that was made vesting the properties in the Municipality prior to the sale of the property to Mr. Cunningham. It is the considered opinion of the Municipal Solicitor that the Municipality should resist paying the province anything towards the purchase price because:

1. A Court Order was obtained and on the face of it there is a presumption that it was obtained properly and that the Judge correctly followed the procedure and granted the Order.

2. The Crown has done nothing about this from as far back as 1986, and clearly since 1996, and has never taken formal steps to challenge the validity of the Order or the Deed executed to Mr. Cunningham.

Page 5, Committee of the Whole Meeting, April 19, 2005

Resolution COW050421

Moved by S. Strang and seconded by F. Bower that it be recommended to Council that the Municipal Solicitor be advised to inform the Nova Scotia Department of Natural Resources that the Municipality will not participate in paying the Province anything towards the purchase price of the lands of Rupert Cunningham at The Hawk.

Motion carried unanimously.

VIEWING TELESCOPES

Municipal Staff has obtained prices for the purchase of “viewing telescopes” which would be located at the tourist rest stops within the Municipality. Both coin operated and non coin operated telescopes will cost in the vicinity of \$3,300 to \$3,500 each, plus H.S.T. This does not include the cost of mounting these telescopes on site.

Due to the significant cost of these devices, and of the significant possibility of vandalism to them, it was the considered opinion of the Committee that this service not be pursued by the Municipality at this time.

MULTICULTURAL ASSOCIATION

Correspondence had been previously received by email from the Multicultural Association of Nova Scotia. The Association wishes to come to a meeting of Council to explore how they could work in partnership with individuals or groups and Council to develop a better understanding of multiculturalism within the community.

This matter has been referred to the Committee by Council.

Resolution COW050422

Moved by E. Nickerson and seconded by F. Bower that it be recommended to Council that the Multicultural Association of Nova Scotia be invited to make a presentation to Council at a future Council meeting.

AFFIRMATIVE

Sterling Belliveau
Donna LeBlanc-Messenger
Eddie Nickerson
Larry Stewart

NEGATIVE

Fred Bower
Louise Halliday
Sean Strang

Motion carried.

FIRE DEPARTMENT STATEMENTS

Fire Department Statements had previously been circulated to members for their information and review. The Financial Statements for all six volunteer fire departments have been completed by Redding and Drane. These statements were circulated so that members could review them and see the financial condition of the various fire departments.

There followed some discussion regarding these statements and the completeness and disclosure that is contained in them. No further action was recommended at this time.

Page 6, Committee of the Whole Meeting, April 19, 2005

WATER STUDY

A draft report of the Water Supply Study completed by CBCL Limited was circulated to members for their information. This report will be reviewed by members and further discussed at the Council meeting on April 25, 2005. It was also agreed by members that the Consultant should be requested to attend the meeting to answer any relevant questions.

RIVERSIDE PARK

Correspondence that had previously been received by Council regarding Riverside Park had been referred to Committee for their consideration. Riverside Park is an area of private property that was formerly owned by a Mr. Homer. This property is located on the river side of Petticoat Lane near the entry to that lane. The property is still privately owned to this day.

Information was obtained from our local historian Hattie Perry regarding this park. Mrs. Perry informed staff that this land has always been a privately owned park which was used by Mr. Frank Homer for his own private use.

Whenever the river is high the property which is very low is largely covered by water.

Resolution COW050423

Moved by L. Halliday and seconded by S. Strang that it be recommended to Council that the Municipality respond to the request of Lillian Scott-Perry indicating that Riverside Park being a privately owned property can not be suitably developed by the Municipality at this time.

Motion carried unanimously.

CLOSED SESSION OF COMMITTEE RE: SALE OF MUNICIPAL PROPERTY AND POTENTIAL LEGAL OBLIGATION REGARDING PURCHASE OF PROPERTY

Having completed their discussion in Closed Session, members returned to Open Session.

Island Electric Property

Resolution COW050424

Moved by L. Halliday and seconded by L. Stewart that it be recommended to Council that the Municipality advertise for sale the property formerly owned by Island Electric Limited in North East Point which was purchased at Tax Sale on September 20, 2004, for which the Municipality has no discernable use.

Motion carried unanimously.

Resolution COW050425

Moved by L. Halliday and seconded by L. Stewart that it be recommended to Council that the Municipality advertise for sale a small island adjacent to Veinot Island, in Cockerwit Passage off

Forbes Point, for which the Municipality has no discernable use.

Motion carried unanimously.

Page 7, Committee of the Whole Meeting, April 19, 2005

SCHEDULE OF FEES

The Schedule of Fees for the previous two weeks was circulated to members for their information and review.

GRADING OF ROADS

It was noted by a member that several dirt roads within the Municipality need to be graded.

Resolution COW050426

Moved by F. Bower and seconded by S. Strang that it be recommended to Council that correspondence be sent to the Supervisor at the Department of Transportation Office in Shelburne requesting that the following roads be graded:

- Goose Lake Road
- Ponds Cemetery Road in Port La Tour
- Lighthouse Road in Baccaro
- Old Schoolhouse Road in Baccaro
- Blanche Road

Motion carried unanimously.

ANTHONY PROPERTIES LIMITED CORRESPONDENCE

Correspondence has been received from Anthony Properties Limited regarding the relocation of doctors, and the discussion being held, in particular, with Dr. Mikhail.

Dr. Mikhail is located at the Causeway Professional Centre which is owned by Anthony Properties Limited. Mr. Anthony is requesting to know from Council whether or not they are aggressively pursuing Dr. Mikhail to move from his present location to the Community Health Centre, and whether or not Council will take this course of action in future.

Members then discussed what approach has been made to Dr. Mikhail regarding the sponsorship of other doctors in the community. Dr. Mikhail has been requested to sponsor other doctors who would be located at the Community Health Centre in order to bring additional doctors to the community.

Upon reviewing the minutes of the Community Health Care Advisory Committee, it was determined that Dr. Mikhail was approached both by letter and by members of the Committee requesting that he sponsor other international medical graduates to come to the area. There was at no time any mention made of Dr. Mikhail moving his office from his present location to the Community Health Centre.

Page 8, Committee of the Whole Meeting, April, 19, 2005

Resolution COW050427

Moved by L. Halliday and seconded by D. Messenger that it be recommended to Council that a letter of response be sent to Mr. Anthony indicating that the Municipality will continue to try to attract doctors to the Municipality and to the Community Health Centre, and also to inform him that the Municipality did not ask Dr. Mikhail, either through the councillors or members of the Community Health Care Advisory Committee or staff, to move from his present location to the Community Health Centre, and will not be aggressively pursuing such a move in the future. Mr. Anthony will also be informed that the Municipality would consider a move by Dr. Mikhail if the move is initiated by Dr. Mikhail but not by the Municipality.

Motion carried unanimously.

NATURE TRAIL AT SHEROSE ISLAND

It was brought to the attention of Committee that the Nature Trail at Sherose Island is in need of a clean up. There are many windfalls along the Trail as a result of the wind storms this past winter.

The Trail will be cleaned up as soon as possible.

ADJOURNMENT

The meeting was adjourned by mutual consent of members at 10:45 p.m.

Chairman

Secretary for the Meeting

Copied for Councillors on April 20, 2005 by Sharon Brannen.

