

COMMITTEE OF THE WHOLE COUNCIL MEETING

December 3, 2007

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

- Louise Halliday, Chairperson
 - George El-Jakl
 - Donna LeBlanc-Messenger
 - Eddie Nickerson
 - Wilford Smith
 - Larry Stewart
 - Sean Strang
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- Brian Holland, Municipal Clerk

ADDITIONS TO AGENDA

The following items were added to the agenda:

- S.W.S.D.A. Representative.
- Minister's Response.
- B.M.H.S. Property.
- Democracy 250.
- SCBDC Annual Report was deleted.
- Closed Session Re: Two Personnel Matters.

APPROVAL OF AGENDA

Moved by L. Stewart and seconded by W. Smith that the agenda be approved as amended.

Motion carried unanimously.

APPROVAL OF MINUTES

Moved by W. Smith and seconded by L. Stewart that the minutes of the last previous meeting held November 19, 2007 be approved as circulated.

Motion carried unanimously.

COMMUNITY HEALTH CENTRE

The addition of space to the Community Health Centre was again discussed by members. Alternatives for the location of doctors and other health professional providers was discussed by members. It was agreed that the District Health Authority would be asked to provide the square footage currently being used in Parsons Mall.

Members also agreed to discuss other possible locations with a local developer.

RECREATION ADVISORY COMMITTEE

A draft proposal for a Recreation Advisory Committee was previously circulated to Council with the agenda. It was the general consensus of members that they would like to have some written comments from the Recreation Director regarding this committee before making any decision in the matter.

Comments of the Recreation Director will be obtained and brought to the next meeting of the committee.

BUILDING OFFICIALS QUALIFICATIONS

Correspondence has been received from the Nova Scotia Department of Environment and Labour indicating that Municipal Building Officials will be required to be certified effective September 1, 2008. This certification will be done by providing them with a diploma from the Nova Scotia Building Code Training and Certification Board.

Our current Building Inspector already has completed the qualifications as required and will be applying early in the new year to obtain this diploma.

SMALL OPTIONS HOMES

This matter was referred to the Committee by Council. Christine Nickerson has expressed an interest in obtaining a licence to operate a Small Option Home. This licence must be obtained from the Department of Health and she is requesting Council to set up a committee to assist her in obtaining this licence and providing this type of Small Option Home to the community.

Moved by W. Smith and seconded by S. Strang that it be recommended to Council that due to the fact that setting up a committee will cost taxpayers and that Council believes the burden of this cost should not be born by the taxpayer in order to support a private business venture, Mrs. Nickerson be encouraged to pursue a community based committee if she so prefers and that the Municipality will again provide a letter of support if required.

After much discussion this motion was withdrawn.

Moved by L. Stewart that it be recommended to Council that since this is a private venture, Council recommends that Mrs. Nickerson set up a community based committee to deal with the issue.

After requesting a seconder three times and having heard none, the motion was declared lost by the chairperson.

Resolution COW071201

Moved by S. Strang and seconded by W. Smith that it be recommended to Council that Mrs. Nickerson be informed that Council supports the Small Option Homes alternative, and at this time recommends that she forms a community based committee to accomplish her purposes.

AFFIRMATIVE

Louise Halliday
Donna LeBlanc-Messenger
Wilford Smith
Larry Stewart
Sean Strang.

NEGATIVE

George El-Jakl
Eddie Nickerson

Motion carried.

PAYMENT OF COMMITTEE FEES

There was some discussion regarding the payment of committee fees to members, especially when the committees are inactive or dormant.

It was the consensus of members that a new policy should be drafted by staff which would include that committee members get paid \$25.00 per meeting attended, plus expenses, effective April 1, 2008 and that all committees also have the following phrase added to their policies:

“No member of any committee may speak or act on behalf of the Municipality.”

An amended policy will be drafted by Municipal Staff for the committee’s consideration.

MEAL ALLOWANCES

It was brought to the attention of members that the meal allowances currently in place are inadequate to pay for individual meals.

There then followed much discussion regarding the meal allowances.

Resolution COW071202

Moved by S. Strang and seconded by W. Smith that it be recommended to Council that Municipal Policy be amended to provide that councillors and municipal employees be provided a meal allowance of \$60.00 per day, with receipts required.

AFFIRMATIVE

George El-Jakl
Louise Halliday
Donna LeBlanc-Messenger
Wilford Smith
Sean Strang

NEGATIVE

Eddie Nickerson
Larry Stewart

Motion carried.

This amendment maintains the total allowance per day and removes the amounts designated per meal while still requiring that receipts be provided.

GEORGE SALISBURY REQUEST

Conflict of Interest

Wilford Smith declared a conflict of interest in the matter as he is one of the property owners involved and removed himself from the meeting table.

Members were informed that the Municipal Solicitor has provided advice in this matter indicating that the first thing Council must do is make a decision whether the application should be granted or not.

Council has the duty in making that decision to be fair to both parties concerned, therefore our Municipal Solicitor has recommended that Mr. Salisbury be requested to provide all supporting documents and deeds that he refers to in his letter, and then Council should write to the adjacent landowners over whom the right of way would go, providing them with a copy of Mr. Salisbury's application and supporting documents and asking them to provide written comments and state their position in this matter.

After receiving this material Council will then determine whether or not it wishes to hear the parties and witnesses. At that stage Council can then decide whether it should grant the right of way or not. If it chooses not to grant the right of way then the matter is at an end. If it chooses to grant the right of way then there is further detailed procedure to be followed in this process.

Resolution COW071203

Moved by S. Strang and seconded by D. Messenger that it be recommended to Council that the adjacent property owners be requested to provide written comments and state their position so that Council may hear information from both sides in this matter in order to determine the appropriate action to be taken.

Motion carried unanimously.

Wilford Smith then rejoined the meeting.

BARRINGTON BAY TRAIL VANDALISM

An email report was received from the local R.C.M.P. Sergeant indicating that during the last year only one damage complaint and one ATV complaint had been received regarding the Barrington Bay Trail. Sgt. Mooney indicates that there may indeed have been additional incidences but they have not been reported to the R.C.M.P.

SCHEDULE OF FEES

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

DIVERSION CREDITS

The Diversion Credits the Municipality received are based on the Data Call information provided to the Department of Environment and Labour through the Regional Waste Coordinator.

The Data Call Statistics for the previous year were reviewed in depth with the committee members. It is apparent from the amounts to be reported that the Municipality's diversion will be in the range of 33% for the 2006/2007 fiscal year, according to the formula used by the Department of Environment and Labour. As a result the Municipality has already received more than its share of Diversion Credits. Consequently, the Municipality is in the position, along with the Town of Clark's Harbour, that approximately \$9,245.00 will need to be repaid to the Region. It has been suggested to the Region that rather than having to reimburse the Region for this amount, the amount will be deducted from the following years payment of Diversion Credits when they are calculated.

The consensus of members is that they are generally in agreement with this method of reimbursement.

SOUTH WEST SHORE DEVELOPMENT AUTHORITY REP

A letter had previously been sent to the South West Shore Development Authority indicating that the Municipality is suggesting to the Authority that Councillor El-Jakl does not wish to serve on the committee anymore, and that the Municipality wishes to recommend that Warden Halliday be appointed to the Board of the Authority. In order to have a new member appointed to the Board the previous member that the Board had appointed should resign first. Councillor El-Jakl indicated that he would submit a letter of resignation to the Board so that they may then appoint a new member.

MINISTER'S RESPONSE RE: SHELBURNE PLACE

Correspondence has been received from the Minister of Economic Development indicating that the funds from the proceeds of the sale of Shelburne Place and the remaining maintenance funds are to be distributed in Shelburne County based on projects submitted by the municipalities for the use of these funds. The Minister advises that if municipal units wish to obtain these funds that they submit the appropriate projects.

B.M.H.S. PROPERTY

Members were informed that construction has been taking place at the former B.M.H.S. property in Barrington Passage. On Friday afternoon, while excavating a location next to the western end of the senior high school building, a small amount of oil was found in the ground next to the building. This matter has been referred to Steven Stoddart at the Tri-County Regional School Board and we are awaiting his response.

DEMOCRACY 250

Members were informed that the Democracy 250 initiative plans to have an essay contest for junior high school students and a poetry writing contest for senior high school students held across the province. Once public information has been provided regarding this initiative, Municipal Staff will then determine how we should proceed with a contest within the Municipality.

FLAG

At the present time the Municipality does not have any policy concerning the flying of flags on Municipal property.

Resolution COW071204

Moved by E. Nickerson and seconded by D. Messenger that it be recommended to Council that staff draft a policy for the flying of flags on municipal property which would include that only the Canadian, Nova Scotian and Municipal flags be flown on municipal property in future.

Motion carried unanimously.

CLAM POINT WHARF ROAD

It was indicated by a member that asphalt needs to be repaired at the end of the Clam Point Wharf Road where the road meets the wharf.

Resolution COW071205

Moved by E. Nickerson and seconded by L. Stewart that it be recommended to Council that a letter be sent to the Department of Transportation requesting that the asphalt at the end of the Clam Point Wharf Road be repaired as the problem is growing continually worse.

Motion carried unanimously.

DEPARTMENT OF TRANSPORTATION RE: THE HAWK POINT ROAD

The Department of Transportation had previously been requested to make repairs to The Hawk Point Road.

Resolution COW071206

Moved by E. Nickerson and seconded by L. Stewart that it be recommended to Council that the Municipality contact the Department of Transportation and confirm what is being done to address the previously reported situation regarding repairs along The Hawk Point Road.

Motion carried unanimously.

CLOSED SESSION RE: TWO PERSONNEL MATTERS

ADJOURNMENT

The meeting was adjourned by mutual consent of members at 11:44 p.m.

Chairperson

Secretary for the Meeting

On website December 4, 2007.