

COMMITTEE OF THE WHOLE COUNCIL MEETING

December 15, 2008

The meeting was called to order by the Chairperson at 7:00 p.m., 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
 - Cecil O'Donnell
 - Cathy Stoddard
 - Sean Strang
- Brian Holland, Municipal Clerk

ADDITIONS TO AGENDA

The following items were added to the agenda:

- 2009 Projects.
- December 22nd Meeting.
- Letter to Department of Natural Resources.

APPROVAL OF AGENDA

Moved by S. Strang and seconded by C. O'Donnell that the agenda be approved as amended.

Motion carried unanimously.

APPROVAL OF MINUTES

Moved by G. El-Jakl and seconded by S. Strang that the minutes of the last previous meeting held December 1, 2008 be approved as circulated.

Motion carried unanimously.

ELECTIONS DEBRIEFING WORKSHOP

A debriefing workshop for the 2008 municipal elections was held at the Holiday Inn in Truro on November 20, 2008. Our Returning Officer, Cathy Clark, attended the debriefing workshop in order to provide her input, and also to learn other considerations that came up during the elections across the province. The information from this workshop is available for councillors to consider if they wish to review the material. The workshop was held by Vi Carmichael, the Elections Officer, with approximately 40 Returning Officers, or designates, in attendance. Our Returning Officers' main consideration in this workshop of course was the qualification of candidates, as well as the provision of more meaningful boundary definitions to the Returning Officer in the form of maps, and directions using local landmarks and addresses. These matters will be further addressed at the next municipal election.

COMMUNITY MEETINGS

It was suggested that community meetings be held in various locations throughout the Municipality in order to give the public a greater opportunity to provide input into council considerations and decisions. Information was obtained from the Municipal Solicitor indicating that there is no restriction of councillors hosting meetings regarding municipal issues in their own districts. The consideration for holding these meetings is more one of governance than it is one of legality.

It was suggested that members read Chapter 5 in the Guide to Good Municipal Governments Handbook that had been provided to all councillors at orientation, and that this matter be further discussed.

Resolution COW081210

Moved by S. Strang and seconded by C. Stoddard that this matter be further discussed at the first Committee of the Whole meeting held in January 2009.

Motion carried unanimously.

NORTH EAST POINT BEACH

Members were informed that Mr. Art Lynds from the Nova Scotia Department of Natural Resources Parks and Recreation Division had visited North East Point Beach together with the Municipal Clerk. Mr. Lynds will recommend to the local Department of Natural Resources officials that a full plan for access to the beach be implemented, not simply a wheelchair access plan. He also indicated that wheelchair access is discouraged to any beaches owned by the Department of Natural Resources because of the inherent problems with having wheelchairs in the sand on the beach. What is commonly done in other areas is that a look-off point is established for handicapped access. A look-off point may be a boardwalk type or a wooden structure where handicapped individuals may view the beach but would not provide access to actually go on the sand or the sand dunes or the beach.

Resolution COW081211

Moved by D. Messenger and seconded by S. Strang that Art Lynds be requested to attend a meeting of the Committee of the Whole to discuss wheelchair access to North East Point Beach with committee members.

Motion carried unanimously.

COMMITTEES OF COUNCIL POLICY

A draft policy on Committees of Council was previously circulated to members for their information and review. This policy will replace By-Law No. 5, By-Law No. 31 and Policy No. 45. It will provide that all rules regarding Committees of Council will now be contained in one policy.

Resolution COW081212

Moved by G. El-Jakl and seconded by S. Strang that notice be given at the next Council meeting of consideration of Policy on Committees of Council.

Motion carried unanimously.

ACTIVITY FUNDS POLICY

A proposed Activities Funds Policy had previously been circulated to members for their information and review. This policy will provide for small grants of up to \$200.00 to local non profit sports groups from the Municipality.

Resolution COW081213

Moved by G. El-Jakl and seconded by C. O'Donnell that notice be given at the next subsequent Council meeting of consideration of the proposed Activity Funds Policy.

AFFIRMATIVE

George El-Jakl
Donna LeBlanc-Messenger
Cecil O'Donnell
Cathy Stoddard
Sean Strang

NEGATIVE

Louise Halliday

Motion carried.

CODE OF CONDUCT FOR ELECTED MUNICIPAL OFFICIALS

The Code of Conduct for elected municipal officials that is proposed by the Union of Nova Scotia Municipalities had previously been circulated to members for their review and consideration. It is proposed that this Code of Conduct be adopted by the Municipality as a policy of Council.

There then followed some discussion regarding various aspects of the Code of Conduct.

Resolution COW081214

Moved by G. El-Jakl and seconded by D. Messenger that notice be given at the next subsequent Council meeting of the proposed Code of Conduct Policy for elected municipal officials.

Motion carried unanimously.

In the interim, Municipal Staff will inquire of the Union of Nova Scotia Municipalities how many other municipal units have adopted this Code of Conduct.

IN CAMERA SESSIONS

Correspondence has been received from the Municipality of Annapolis regarding the proposed expanded powers of municipal government to hold in camera sessions. The Council of Annapolis County is opposed to broadening the powers of municipal government to hold in camera sessions.

After some discussion it was also apparent that committee members are also opposed to broadening the powers of municipal government to hold in camera sessions. It is suggested that broadening of these powers detracts from the transparency of municipal government decisions and that it is not in the spirit of the Municipal Government Act.

Resolution COW081215

Moved by S. Strang and seconded by G. El-Jakl that it be recommended to Council that a letter be sent to the Union of Nova Scotia Municipalities opposing Resolution 9A which was passed at its annual conference which broadens the powers of municipal government to hold in camera sessions.

Motion carried unanimously.

REPEAL OF BY-LAW NO. 6

By-Law No. 6 delineates the powers and authorities of municipal officers. The positions and authority of municipal officers is already delineated in Section 42 of the Municipal Government Act, as well as in Policy No. 53 of the Municipality. By-Law No. 6 is now redundant and no longer necessary.

Resolution COLW081216

Moved by C. O'Donnell and seconded by S. Strang that it be recommended to Council that first reading of repeal of By-Law No. 6 be presented at the next subsequent meeting of Council.

Motion carried unanimously.

SCHEDULE OF FEES

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

2009 PROJECTS

A summary of 2009 projects will be provided to the local news media by the Warden. This summary will include the Municipality's initiatives for environmental concerns, economic concerns and health care concerns in our community. Environmental concerns will primarily focus on the establishment of the first phase of the Cape Sable Island sewer system. Economic concerns will concentrate on the establishment of the business park in the Municipality, and health care concerns will concentrate on the expansion of Bay Side Home and continuing recruitment of doctors.

DECEMBER 22ND MEETING

Members will be given notice by email whether or not a meeting of the Committee of the Whole will be held on December 22nd. This will depend on the number of agenda items for the meeting.

LETTER TO DEPARTMENT OF NATURAL RESOURCES

Members were informed that a portion of the former CNR right of way near the train bridge that crosses the Barrington River is in need of repair. A portion of this right of way has “caved” in near this bridge and needs to be repaired for the safety of those walking along the former right of way.

Resolution COW081217

Moved by D. Messenger and seconded by G. El-Jakl that it be recommended to Council that the Department of Natural Resources be requested to repair the former CNR right of way near the bridge over the Barrington River, and that a guardrail be placed across this bridge for the safety of many people who walk this part of the right of way.

Motion carried unanimously.

IN CAMERA SESSION

Members then entered into Closed Session for the purpose of discussing the potential lease of municipal property.

During the Closed Session direction was given to the Municipal Clerk regarding further consideration of the potential lease.

Members then resumed Open Session of Committee.

ADJOURNMENT

The meeting was adjourned by mutual consent of members at 8:45 p.m.

Chairperson

Secretary for the Meeting

On website December 16, 2008.