

COMMITTEE OF THE WHOLE COUNCIL MEETING

February 16, 2009

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
 - Shaun Hatfield
 - Donna LeBlanc-Messenger
 - Cecil O'Donnell
 - Cathy Stoddard
 - Sean Strang
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- Brian Holland, Municipal Clerk
 - Don Harding, Municipal Solicitor

ADDITIONS TO AGENDA

The following items were added to the agenda:

- Strategic Planning.
- Ice Time Donation.
- Doctors.
- Ronald Chetwynd Boat.
- Closed Session Re:
 - Former B.M.H.S. Property - Legal Issues.
 - George Salisbury Request.
 - Lease of Municipal Property.

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 February 2, 2009 be approved as circulated.

Motion carried unanimously.

COUNCILLOR'S LIABILITY

The Municipal Solicitor was requested to attend the meeting this evening in order to discuss with members the various liability issues related to the performance of their duties and to their performance on committees, boards and commissions to which they may be appointed by Council.

The Municipal Solicitor informed members that he had been in discussion with the Municipality's insurance agent. The conclusion he has reached from that discussion is that Council members who serve on outside boards and committees that are not committees of Council are not covered by the municipal insurance policy. This means that each of the outside boards and committees must have their own insurance policies that cover the directors of their organizations.

Resolution COW090213

Moved by S. Strang and seconded by G. El-Jakl that it be recommended to Council that the Municipality request proof of insurance coverage for both councillors and employees who are appointed to outside boards and committees by Council.

Motion carried unanimously.

The Municipal Solicitor informed members that they have a "duty of care" that must be exercised when serving on any boards and committees including Municipal Council. As councillors and committee members, they may rely on the advice of professionals such as administrators, accountants and lawyers, but also must exercise an adequate standard of care in performing their duties. The provisions of the Volunteer Protection Act and the Municipal Government Act will provide some liability protection, however, this protection is only available in the case of members acting within the scope of their duties.

Some question also arose regarding the insurance coverage for public individuals on municipal committees.

Resolution COW090214

Moved by G. El-Jakl and seconded by S. Hatfield that it be recommended to Council that the Municipality determine what coverage is provided for public members on committees of Council.

Motion carried unanimously.

Having completed his discussion of this matter with Council, the Municipal Solicitor then retired from the meeting at approximately 7:45 p.m.

COMMUNITY MEETINGS

Members discussed the possibility of having meetings of Council or Committee of the Whole in various locations throughout the Municipality. Also discussed was the potential of individual councillors holding meetings in their own districts. The method of holding meetings in various communities was discussed by members. It was suggested that they be Committees of the Whole meetings and meetings be held four times per year.

Resolution COW090215

Moved by S. Hatfield and seconded by C. Stoddard that it be recommended to Council that Committee of the Whole meetings be held in the Wood's Harbour, Barrington, Port Clyde, and Cape Sable Island areas four times in the next year at the discretion of Council in order to obtain community input into municipal business.

Motion carried unanimously.

NOMINATING COMMITTEE

A meeting with the Nominating Committee consisting of all councillors was then held in order to determine which members would be on various councils.

After much discussion and deliberation by members a list of committees was agreed upon.

Resolution COW090216

Moved by S. Strang and seconded by G. El-Jakl that it be recommended to Council that a list of committees attached to the minutes be approved for the coming year.

Motion carried unanimously.

Resolution COW090217

Moved by G. El-Jakl and seconded by C. O'Donnell that it be recommended to Council that Councillor Hatfield also be appointed as the alternate on the Western Counties Regional Library Committee.

Motion carried unanimously.

SALTSCAPES EXPO

The Saltscapes Expo is being held in April at the Exhibition Park in Halifax. Our Visitor Information Centre Manager will attend the expo for a day promoting the Municipality. It is estimated that the attendance and promotion by the Visitor Information Centre will cost approximately \$500.00 and this will be included in the budget for next year.

Resolution COW090218

Moved by D. Messenger and seconded by G. El-Jakl that it be recommended to Council that an expenditure of \$500.00 to cover the cost of the Municipality's participation in the Saltscapes Expo in Halifax be approved.

Motion carried unanimously.

CAMPSITE LEASES

Council had previously approved the issuance of up to 30 campsite leases on Municipal property. There are presently 28 campsite leases in place and at least one more individual seeking to have a campsite lease. Council may wish to increase the number of campsite leases or may wish to limit them to 30.

Moved by G. El-Jakl and seconded by C. O'Donnell that it be recommended to Council that the number of campsite leases on municipal property be increased to 40.

There then followed some discussion of the motion.

Resolution COW090219

Moved by C. O'Donnell and seconded by S. Strang that the previous motion be deferred for consideration until after the Building Inspector has an opportunity to visit those campsites on municipal property in the spring.

Motion carried unanimously.

It was the consensus of members that the Building Inspector, when visiting the campsites, should also observe if there is a significant environmental impact on the area from these sites.

DEPARTMENT OF TRANSPORTATION TRAFFIC COUNT

Each year the Department of Transportation completes traffic counts. Correspondence has been received from the Department of Transportation and Infrastructure Renewal requesting municipal units to provide their requests for traffic counts before April 15, 2009.

Resolution COW090220

Moved by S. Hatfield and seconded by S. Strang that it be recommended to Council that no traffic counts be requested from the Department of Transportation for the coming year.

Motion carried unanimously.

WARDEN'S REPORT FOR COAST GUARD

Some discussion ensued regarding the mechanics of developing a Warden's Report to be placed in the local Coast Guard Newspaper. It was suggested that items be brought to the Municipal Office and then forwarded to the Warden sometime over the next two week period. These items will then be brought forward at the next Committee of the Whole Meeting so that members can determine whether or not they wish to publish a Warden's Report in the near future.

NORTH EAST POINT BEACH

This matter was referred to the committee from the previous Council meeting. It was suggested that the Municipality should further pursue gaining handicapped access to North East Point Beach.

It was suggested that the present boardwalk could be extended on the D.O.T. right of way to gain handicapped access to the beach area. The boardwalk could be extended on the former D.O.T. right of way where additional access and egress boardwalks would be unnecessary. It was suggested that permission be requested from D.O.T. for this purpose.

Resolution COW090221

Moved by S. Hatfield and seconded by D. Messenger that it be recommended to Council that the Municipality further investigate gaining access to the North East Point Beach area by extending the boardwalk from McGray Avenue down the former D.O.T. right of way toward the beach at municipal expense.

Motion carried unanimously.

PROJECT FINANCING

A memo had previously been circulated to members regarding the financing of the business park project and the C.S.I. sewer project for the current fiscal year. A Temporary Borrowing Resolution has been put in place with the Royal Bank to pay the business park expenditures. The expenditures on the C.S.I. sewer will be made from Gas Tax Funds that are currently being held in reserves by the Municipality. Transfers will be made to cover the expenditures for both of these projects between now and the end of the current fiscal year.

UNION CEMETERY REQUEST

The Union Cemetery in Smithsville is requesting a Community Grant from the Municipality to assist with the cost of repairs, tree removal, placement of loam and leveling, and straightening of tombstones. The projected cost of this project is \$2,450.00 for which a grant is being requested.

Resolution COW09022

Moved by C. O'Donnell and seconded by S. Strang that it be recommended to Council that a grant of \$1,000.00 be provided from the District 4 Community Grants Fund to the Union Cemetery in Smithsville for the purpose of repairs to the cemetery.

Motion carried unanimously.

SHAG HARBOUR INCIDENT SOCIETY REQUEST

An application for a Community Grant in the amount of \$1,200.00 has been received from the Shag Harbour Incident Society. There is \$750.00 remaining in the District 2 Community Grants Fund at the present time.

Resolution COW090223

Moved by S. Strang and seconded by D. Messenger that it be recommended to Council that a grant of \$750.00 from the District 2 Community Grants Fund be approved for the Shag Harbour Incident Society for the purpose of providing brochures for the museum and having documents and pictures enlarged and made into wall plaques.

Motion carried unanimously.

NEW HORIZONS FOR SENIORS PROGRAM

This matter was referred to the Committee of the Whole by Council. There will be a meeting to explain the next call for proposals for the Community Participation and Leadership Funding Program. This meeting will be held on Wednesday, March 18, 2009, from 10:00 a.m. to 12:00 Noon, at the Rodd Grand Hotel in Yarmouth. Local organizations are encouraged to attend this meeting and apply for funding under this program.

Resolution COW090224

Moved by G. El-Jakl and seconded by S. Hatfield that it be recommended to Council that the Municipality pay the expenses of members wishing to attend this meeting.

Motion carried unanimously.

VOLUNTEER OF THE YEAR

Nominations for Volunteer of the Year have been received for eight (8) individuals. These nomination papers were circulated to all members for their review and consideration. Members of the committee completed a selection form for the evaluation and selection of the Volunteer of the Year. The forms were then summarized and calculated to determine which volunteer received the most votes.

Resolution COW090225

Moved by S. Hatfield and seconded by G. El-Jakl that it be recommended to Council that Shelly d'Eon be recognized as the Volunteer of the Year for the Municipality of Barrington for 2009.

Motion carried unanimously.

SCHEDULE OF FEES

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

ROCK WALL AT LIGHTHOUSE ROAD IN BACCARO

Resolution COW090225

Moved by C. O'Donnell and seconded by S. Hatfield that it be recommended to Council that a request be made to the appropriate government department to have a rock wall constructed along the edge of Lighthouse Road at Baccaro Point in order to prevent further damage from the ocean.

Motion carried unanimously.

STRATEGIC PLANNING

The UNSM is partnering with Dalhousie University to offer two workshops on Strategic Planning. These workshops will be held on Thursday, April 23, 2009 and on Friday, May 1, 2009. Each workshop is limited to 25 participants.

Resolution COW090226

Moved by S. Hatfield and seconded by D. Messenger that it be recommended to Council that the Municipality pay the expenses of members wishing to attend the Strategic Planning Workshops at Dalhousie University in either April or May.

Motion carried unanimously.

ICE TIME DONATION

A request has been received on behalf of the B.M.H.S. girls hockey team who are hosting a fundraiser for the Melissa Nickerson Memorial Bursary Fund. The Municipality is being requested to donate free ice time in order to reduce the expenses for this fundraising event.

It has been the policy of the Municipality not to donate ice time at the Arena to local groups.

Resolution COW090226

Moved by S. Strang and seconded by S. Hatfield that it be recommended to Council that a donation equivalent to the cost of ice time for the fundraising event being held for the Melissa Nickerson Memorial Bursary Fund be provided 50% from the District 4 Community Grants Fund and 50% from District 6 Community Grants Fund.

Motion carried unanimously.

DOCTORS

Members were informed that the Ocean View Clinic at the hospital in Yarmouth is still taking patients and that this information should be passed on to the residents of the Municipality.

RONALD CHETWYND BOAT

The Municipal By-Law Enforcement Officer is currently in the process of dealing with Mr. Ronald Chetwynd who owns the property on which a complaint has been received. The complaint that has been received is that there is a boat on the property which is dangerous and unsightly. The By-Law Enforcement Officer has been dealing with the complaint according to the provisions of the Municipal Government Act and municipal policies. This matter will be brought forward to Council, when and if necessary.

CLOSED SESSION

Members then entered into Closed Session for the purpose of discussing legal advice received in regards to:

1. A request from George Salisbury for a right of way over private property.
2. To update members on legal action being taken in regards to the former B.M.H.S. property.
3. To update members and to request direction from members for potential lease of municipal property.

ADJOURNMENT

The meeting was adjourned by mutual consent of members at 11:10 p.m.

Chairperson

Secretary for the Meeting

On website February 18, 2009.

LIST OF COMMITTEES 2008/2009

COMMITTEE	CHAIRMAN	MEMBERSHIP
Committee of the Whole Council	Warden	All Councillors
Nominating Committee	Warden	All Councillors
Hiring Committee		Cathy Stoddard Sean Strang George El-Jakl Municipal Clerk Department Head
Planning Advisory Committee		Donna Messenger Cathy Stoddard George El-Jakl <u>Public Members:</u> Robbie Newell Cecil Swimm
Waterfront Development Committee		Shaun Hatfield Cecil O'Donnell Cathy Stoddard
Audit Committee		Sean Strang Warden Deputy Warden
Joint EMO Executive Committee	Mayor	Warden Donna Messenger Shaun Hatfield
C.S.I. Sewer Committee	Warden	All Councillors
Community Health Care Advisory Committee		Warden Donna Messenger George El-Jakl
Roseway Hospital Charitable Foundation		Warden Donna Messenger - (alternate)
South West Shore Development Authority		Warden Donna Messenger - (alternate)
Western Counties Regional Library		Donna Messenger Shaun Hatfield - (alternate)
Team Shelburne County		Warden
Continuing Care Steering Committee		Shaun Hatfield George El-Jakl Cathy Stoddard
Region 6 Waste		Sean Strang
Joint Police Advisory Board		George El-Jakl Cecil O'Donnell
Shelburne Industrial Commission		Sean Strang
Fire Services Committee		George El-Jakl Shaun Hatfield
Physician Recruitment Committee		Warden Donna Messenger - (alternate)

