

## COMMITTEE OF THE WHOLE COUNCIL MEETING

March 2, 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
- 
- Brian Holland, Municipal Clerk

### ADDITIONS TO AGENDA

The following item was added to the agenda:

- Federal Gas Tax Funding.

### APPROVAL OF AGENDA

**Moved** by S. Strang and seconded by G. El-Jakl that the agenda be approved as amended.

Motion carried unanimously.

### APPROVAL OF MINTUES

**Moved** by S. Strang and seconded by S. Hatfield that the minutes of the last previous meeting held February 16, 2009 be approved as circulated.

Motion carried unanimously.

### DEPARTMENTAL REPORTS

#### Recreation Department

Recreation Director, Anna Kenney, provided a written report and reviewed it for the Committee.

#### Arena

Arena Manager, Shelly Atwood, provided a written report and reviewed it for the Committee.

#### Property Services

Property Services Manager, Cameron Whiteway, provided a written report and reviewed it for the Committee.

### Building Inspection

A written Building Inspection Report for the month was provided by the Building Inspector and reviewed by the Municipal Clerk as the Building Inspector was unavailable for the meeting this evening.

Having completed their reports the department managers then retired from the meeting.

### R.C.M.P. REPORT

Sgt. Bob Forbes appeared before the meeting and provided written statistical reports for the months of January and February. He informed members that the criminal record checks that have been completed at the local detachment will now be completed by the provincial office. The change in process will require a 14 day "turnaround period". This change in process will free up more time for the local detachment members to concentrate on crime investigation and prevention rather than paperwork.

Mr. Forbes indicated that email was not a good means of contact with the local detachment as it sometimes does not get communicated promptly to him.

Sgt. Forbes also indicated that he would like to meet with the Manager and the Municipal Clerk to determine an appropriate course of action for the R.C.M.P. to take regarding alcohol in the dressing rooms at the Arena.

There will be significant changes in the local R.C.M.P. Detachment in the very near future. Cst. Mario Ross has been transferred to Yarmouth. Cst. Aaron Swim will be taking a position as the School R.C.M.P. representative in the local schools, both here and in Shelburne. Cst. Jonathan Saxby will be transferred to the street crime unit. A new constable, Scott Allaby, is stationed here. He is coming directly from the training depot in Regina. Also on March 26<sup>th</sup> Cst. Mike Drenth will be assigned here. He is also coming directly from the training depot in Regina. Another new member will be transferred here in the near future. Sgt. Forbes is trying to have this member who is to be transferred in to be an experienced officer.

Sgt. Forbes is also in the process of completing the annual performance plan for the detachment and will be forwarding a request to the Municipality for their input.

Having completed his report, Sgt. Forbes then retired from the meeting at 7:45 p.m.

### EMO COORDINATOR RE: PURCHASE OF GENERATOR

It has been proposed that the Municipality approve a Joint Emergency Preparedness Program Application to purchase a new generator. It is proposed that this generator be a 10 kilowatt unit that will be located at the Port Clyde Fire Hall. The information has been obtained from a local electrician, and also from the Emergency Measures Coordinator in Eastern Shelburne County recommending that this be the size generator purchased for the Fire Hall. It is also the size that has been recommended by the fire department. This will be a diesel generator which will be located on a permanent basis at the Port Clyde Fire Hall so that they can provide a "comfort centre". The cost of this equipment is approximately \$21,000.00 after rebate of H.S.T., and includes a steel enclosure and a transfer switch. The generator will be mounted on a cement pad which will be provided by the fire department. It is suggested that funding also be requested from the Municipality of Shelburne.

Resolution COW090301

**Moved** by C. O'Donnell and seconded by S. Strang that it be recommended to Council that a letter be sent to the Port Clyde Volunteer Fire Department suggesting that they approach the Municipality of Shelburne for funding in the amount of \$2,000.00 towards the purchase of a generator for their fire department, and that the Municipality of Barrington supports the purchase of this generator.

**AFFIRMATIVE**

Louise Halliday  
Donna LeBlanc-Messenger  
Cecil O'Donnell  
Cathy Stoddard  
Sean Strang

**NEGATIVE**

George El-Jakl  
Shaun Hatfield

Motion carried.

**Moved** by C. O'Donnell and seconded by S. Strang that it be recommended to Council that the Municipality submit an application to the Joint Emergency Preparedness Program and that the Municipality's contribution towards the purchase of generator being up to \$11,000.00.

Resolution COW090302

**Moved** by S. Hatfield and seconded by D. Messenger that the previous motion be amended to include that the Municipality's contribution of \$11,000.00 is contingent upon approval of the funding partners including the Joint Emergency Preparedness Programs' contribution of \$8,000.00, and a contribution from the Municipality of Shelburne in the amount of \$2,000.00.

The division was then taken on the amendment.

**AFFIRMATIVE**

Louise Halliday  
Shaun Hatfield  
Donna LeBlanc-Messenger  
Cathy Stoddard

**NEGATIVE**

George El-Jakl  
Cecil O'Donnell  
Sean Strang

Amendment carried.

The amended motion now reads:

“...that the Municipality submit an application to the Joint Emergency Preparedness Program and that the Municipality’s contribution towards the purchase of a generator being up to \$11,000.00 and that the Municipality’s contribution is contingent upon approval of the funding partners including the Joint Emergency Preparedness Programs’ contribution of \$8,000.00, and a contribution from the Municipality of Shelburne in the amount of \$2,000.00.”

The division was then taken on the amended motion.

**AFFIRMATIVE**

Louise Halliday  
Shaun Hatfield  
Donna LeBlanc-Messenger  
Cecil O’Donnell  
Cathy Stoddard  
Sean Strang

**NEGATIVE**

George El-Jakl

Motion carried.

It was the consensus of members that the purchase of the generator should be tendered once approval is received from all funding partners.

**WILFORD SMITH INTERVIEW**

Wilford Smith appeared before the meeting in order to discuss a request made to Council by Mr. George Salisbury for a right of way across Mr. Smith’s property. The property in question is owned by Mr. Smith and his sister, Mrs. Newell, who is unable to attend the meeting this evening.

Mr. Smith was asked if there had been any access agreement requested of him by Mr. George Salisbury. Mr. Smith indicated that Mr. Salisbury has never spoken to him or his sister about this matter. He indicated that they have some issues to settle first before an access agreement could be reached. Mr. Smith also indicated that he believes it is possible to reach some kind of an agreement regarding access to the property and that he and his sister would be willing to discuss access to the property with Mr. Salisbury if he approaches them regarding this matter. Mr. Smith indicated that he felt this is a family matter that should be resolved by the family members.

**Resolution COW090303**

**Moved** by S. Hatfield and seconded by C. O’Donnell that it be recommended to Council that a letter be sent to George Salisbury informing him that members have discussed this matter with Mr. Smith who has indicated he was willing to discuss access to Mr. Salisbury’s property and that it is suggested to Mr. Salisbury that he contact Mr. Smith to discuss the matter with him.

Motion carried unanimously.

REQUEST FOR PROPOSALS FOR WASTE COLLECTION

The Municipality has advertised for proposals for the collection and disposal of waste within the Municipality over the next five year period beginning May 1, 2009. As a result 3 proposals have been received. These proposals were opened by the Warden this evening. The following proposals were received:

- Rolex Trucking and Leasing, Initial Fee \$463,752.00 with subsequent increases each year for 5 years.
- Roger Smith (Brook Island Fisheries Ltd.), \$358,210.00 for each of the next five years
- Harold Newell & Son Trucking Ltd., \$364,312.00 for each of the next five years with a fuel adjustment clause, plus \$100.00 per ton for clean-ups

Resolution COW090304

**Moved** by S. Strang and seconded by G. El-Jakl that the Clerk-Treasurer, together with Councillors O'Donnell and Stoddard, review the proposals to ensure they are in compliance with the Municipality's Request for Proposal and make a recommendation to Council regarding acceptance or rejection of any one or all of these proposals.

Motion carried unanimously.

CAPE SABLE ISLAND SEWER

Previous Motion of Council

In August of 2007 Council had passed a motion providing that the Municipality would contribute \$300.00 per year per sewer unit from General Tax Revenues towards any sewer project in any district of the Municipality. It has since been expressed by different council members that the intention at that time was that the Municipality would pay any amount over and above \$300.00 per year per sewer unit towards any sewer projects in the Municipality, therefore it is necessary to amend the motion accordingly in order to reflect the true intent of Council.

Resolution C070816 passed by Council August 13, 2007 follows:

*"...that the Municipality contribute from General Tax Revenues towards any sewer projects in any district the equivalent of the commitment made by a previous Council to the Wood's Harbour Sewer System. This contribution from General Tax Revenues will be up to \$300.00 per sewer unit per year in any area."*

Resolution COW090305

**Moved** by S. Hatfield and seconded by C. Stoddard that it be recommended to Council that motion C070816 be amended to indicate that each property will be charged an annual sewer service charge of not more than \$300.00 per sewer unit in any sewer project in any district of the Municipality and that the balance over and above this amount will be paid from the General Tax Revenues of the Municipality towards such sewer projects.

Motion carried unanimously.

Community Meetings

It was suggested that the first community meeting to be held by the Committee of the Whole Council be at the Island & Barrington Passage Fire Hall in Centreville, and that the focus of this meeting be the proposed sewer on Cape Sable Island. It was suggested that a presentation on the Cape Sable Island sewer be made, and then those in attendance be permitted to make comments and ask questions so that there will be community discussion regarding the construction of a sewer on Cape Sable Island.

It was also suggested that a tour of the Sewage Treatment Plant at Brass Hill for residents, or an open house at the Sewage Treatment Plant at Brass Hill, may allay some of the fears of residents regarding sewage treatment plants.

Resolution COW090306

**Moved** by S. Hatfield and seconded by G. El-Jakl that it be recommended to Council that the first community meeting of the Committee of the Whole Council be held at the Island & Barrington Passage Fire Hall in Centreville focusing on the Cape Sable Island sewer project, and that all residents of the Municipality be invited, and also the representatives of CBCL Ltd., the engineering consultants on this project, will be invited to attend to respond to questions from the public.

Motion carried unanimously.

Resolution COW090307

**Moved** by S. Strang and seconded by S. Hatfield that it be recommended to Council that the issuance of a Request for Proposal for the design of the Cape Sable Island sewer system be deferred until after the public meeting to be held to discuss this matter.

Motion carried unanimously.

EARTH HOUR

Correspondence has been received from the Federation of Canadian Municipalities indicating that Earth Hour will be held this year at 8:30 p.m. on Saturday, March 28<sup>th</sup>.

Resolution COW090308

**Moved** by S. Hatfield and seconded by D. Messenger that the public be informed of the date and time of Earth Hour for 2009 through the Warden's Report which will be issued in the near future in the local newspaper.

Motion carried unanimously.

SEMI-ANNUAL FIRE DEPARTMENT MEETING

It was agreed that the Semi-Annual Meeting of Fire Departments will be held at the beginning of the Committee of the Whole Meeting to be held on Monday, March 30, 2009.

### PARKDALE CEMETERY REQUEST

Correspondence has been received from Parkdale Cemetery in Upper Port LaTour requesting assistance for the purchase of a lawnmower. The total cost of purchasing the lawnmower, including H.S.T., is \$440.69.

### Resolution COW090309

**Moved** by C. O'Donnell and seconded by C. Stoddard that it be recommended to Council that a grant of \$330.50 from the District 4 Community Grants Fund be provided to the Parkdale Cemetery for the purchase of a lawnmower.

Motion carried unanimously.

### WARDEN'S REPORT

The following items were brought forward to be published in the Warden's Report:

1. Encourage attendance at the community meetings that will be held during the coming year.
2. Hattie Perry has again been nominated for the Order of Nova Scotia.
3. Handicap access to the North East Point Beach is being sought by the Municipality.
4. Some preliminary investigations are being made into the possible establishment of a playground in the Stoney Island/Clam Point area.
5. A request has been made to construct a seawall along Lighthouse Road at Baccaro Point.
6. 6.6 kilometers of the Villagedale Road will be repaved in the coming year by the Department of Transportation.
7. An update on the progress of the business park in Barrington Passage.
8. C.S.I. Sewer Meeting.
9. Earth Hour.
10. Any questions or concerns, please contact your councillor or the Municipal Office.

### LETTER RE: DANGEROUS AND UNSIGHTLY PROPERTIES

An anonymous letter has been received at the Municipal Office regarding various dangerous and unsightly properties throughout the Municipality.

It was the consensus of members that anonymous letters should be brought forward to the committee for their consideration.

Resolution COW090310

**Moved** by S. Hatfield and seconded by G. El-Jakl that it be recommended to Council that Municipal Staff determine the validity of various complaints contained in this anonymous letter and follow municipal policy to deal with it based on the facts of the matter.

**AFFIRMATIVE**

Louise Halliday  
George El-Jakl  
Shaun Hatfield  
Donna LeBlanc-Messenger

**NEGATIVE**

Cecil O'Donnell  
Cathy Stoddard  
Sean Strang

Motion carried.

**FIRE DEPARTMENT CONCERNS**

Various fire department concerns were brought forward to the members. Local fire departments are currently considering the possibility of purchasing a "ladder truck" for the Municipality. This proposal may come forward at their semi-annual meeting.

The fire departments also wish to have additional water holes constructed. A request for these water holes will most likely be brought forward at the semi-annual meeting.

**REGION OF QUEENS' FEES**

The Municipality has contracts with the Region of Queens for the disposal of recyclables, organic waste and residual waste. A notice of increase of fee changes has recently been received. The cost of disposing of second generation solid waste will rise from \$70.59 to \$72.35 per ton. The cost of disposal of organic waste will rise from \$86.39 to \$87.39 per ton. The cost of recyclables processing will remain the same at \$159.62 per ton. These changes and rates will be incorporated in the Municipality's budget for the coming year.

**ARENA MATTER - KEMPTON GOODWIN**

Members were informed that Kempton Goodwin has been in discussion with the Arena Manager regarding circumstances surrounding his fine. He has asked the Arena Manager to request Council if they would arrange to have another hearing regarding this matter and to have Wes Deschamp in attendance.

Resolution COW090311

**Moved** by S. Strang and seconded by C. O'Donnell that it be recommended to Council that the Municipality respond to Mr. Goodwin indicating that they do not wish to bring in both Mr. Deschamp and Mr. Goodwin at the same time, and if he still wishes to meet with Council, separately, to address this matter again, a time will be arranged to meet with him.

Motion carried unanimously.

LIABILITY INSURANCE COVERAGE

Copies of the liability insurance coverage for directors and officers of outside boards has been received at the Municipal Office. Copies of insurance coverages have been received from Roseway Hospital Charitable Foundation, South West Shore Development Authority, Region 6 Solid Waste Management, and the Western Counties Regional Library Board. All other committees of Council are covered by the municipal insurance policy. The Western Shelburne County Health Care Charitable Society is a separate organization. Councillors are not required to serve on this body and therefore those serving on that particular body do so at their own personal risk. The only body that is not provided a copy of insurance coverage is the Shelburne County Industrial Commission. The chairman of the Shelburne County Industrial Commission has indicated to the Municipal Clerk, by telephone, that they do not have insurance coverage at this time for directors and officers.

Resolution COW090312

**Moved** by S. Strang and seconded by S. Hatfield that it be recommended to Council that the Council member from the Municipality of Barrington will not attend any future meetings of the Industrial Commission until such time as the appropriate insurance is put in place and that the public member also be notified that insurance coverage is not provided.

Motion carried unanimously.

YEAR OF THE LOBSTER

Correspondence had previously been sent as a result of a motion of Council requesting the Province to declare 2009 as the Year of the Lobster in Nova Scotia. Information has been received, by telephone, from the Premier's Office indicating that the Province does not make such declarations. Declarations of this sort are done by the Federal Government. The Provincial Government can, however, declare the Month of the Lobster if it is so desired.

Resolution COW090313

**Moved** by S. Strang and seconded by C. O'Donnell that it be recommended to Council that the Municipality request the Federal Government to declare 2009 the Year of the Lobster.

Motion carried unanimously.

Resolution COW090214

**Moved** by G. El-Jakl and seconded by S. Hatfield that it be recommended to Council that the Municipality invite the Premier, the Provincial Minister of Fisheries, our MLA, the Federal Minister of Fisheries and our Member of Parliament to the opening of Lobster Fest on June 4, 2009.

Motion carried unanimously.

ICE DOGS REQUEST

The Sea Star Ice Dogs will be hosting the Maritime-Hockey North Junior C Championship on April 2<sup>nd</sup> to 5<sup>th</sup> at the Municipal Arena. This tournament will include the host team, Barrington Sea Star Ice Dogs, plus teams representing Nova Scotia, P.E.I., New Brunswick and Nunavit. The host team is requesting local businesses and others to pay for advertising in a program for the tournament.

Resolution COW090315

**Moved** by S. Strang and seconded by G. El-Jakl that it be recommended to Council that the Municipality pay for a full page ad in the program for the Junior C Championship at a cost of \$200.00.

Motion carried unanimously.

TRAIL DEVELOPMENT

Members were informed of a public meeting to discuss the development of a multi-use trail from Port Clyde to Clement's Pond along the former CNR right of way. The meeting will be held on Thursday, March 12, 2009, from 7:00 p.m. to 9:00 p.m., at the Port Clyde Fire Hall. All councillors are invited to attend.

SALARY AND WAGE REVIEW

Each year Council is required by Municipal Policy to determine whether or not salaries and wages will be increased by an amount equivalent to the increase in the Consumer Price Index for the previous year. Also, every three years Council is required to do a general review of council and employees salaries and wages and to review the Municipal Personnel Policy.

The Deputy Warden was then requested to assume the chair for the discussion of this matter.

The Warden then addressed the matter of councillors' wages.

Resolution COW090316

**Moved** by L. Halliday and seconded by C. Stoddard that it be recommended to Council that councillors wages be frozen at their current rates until the end of this council's term and that municipal employees salaries and wages be reviewed as required by policy.

There then followed much discussion of the motion.

**Moved** by S. Hatfield and seconded by C. O'Donnell that the above motion be amended to reduce councillors wages by 3% for one year and councillors wages then be reviewed on an annual basis as required by policy.

The division was then requested on the amendment.

**AFFIRMATIVE**

Cecil O'Donnell  
Shaun Hatfield

**NEGATIVE**

George El-Jakl  
Louise Halliday  
Donna LeBlanc-Messenger  
Cathy Stoddard  
Sean Strang

Motion defeated.

The division was then requested on the main motion.

Motion carried unanimously.

It was agreed by consensus of members that due to the lateness of the hour, the Personnel Policy and the review of municipal employees salaries and wages would be deferred until the next meeting of the Committee.

**SCHEDULE OF FEES**

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

**FEDERAL GAS TAX FUNDING**

Each year the Municipality receives an amount that is determined by the Federal Government for Gas Tax Funding. 40% of the entire amount to be received by the Municipality will be received in the 2010 fiscal year. In order to receive this money it is necessary that the Municipality meet the requirements of the gas tax agreement. These requirements include the submission of a Capital Investment Plan each year and the completion of an Integrated Community Sustainability Plan by 2010. There is also a provision for Gas Tax Funding to continue to 2014, however, as yet it is unknown what the amount of the funds will be for the years after 2010.

**CLOSED SESSION**

Members then entered into Closed Session for the purpose of discussing the following items:

- possible sewage treatment plant site
- former B.M.H.S. property
- Rodney Shand leave of absence

RETURN TO OPEN SESSION

After completing their discussions in Closed Session, members then returned to Open Session of Committee.

ADJOURNMENT

The meeting was adjourned by mutual consent of members at 11:15 p.m.

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Chairperson

Secretary for the Meeting

**On website March 5, 2009.**