

COMMITTEE OF THE WHOLE COUNCIL MEETING

June 15, 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
-
- Brian Holland, Municipal Clerk

ADDITIONS TO THE AGENDA

The following items were added to the agenda:

- Invitations.
- Indoor Pool.
- Department of Transportation.
- Federation of Canadian Municipalities.

APPROVAL OF AGENDA

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

Motion carried unanimously.

CONFLICT OF INTEREST

Donna LeBlanc-Messenger indicated that she would declare conflict of interest during the discussion of the transient vendors topic.

BARRINGTON REGIONAL CURLING CLUB

Mr. Bob Cushing appeared on behalf of the Club to provide an update to members regarding the Club's activities and its current financial position.

Mr. Cushing provided an update of recent events at the Club, including their closing. He expressed appreciation for the cooperation of the Municipality and municipal employees in starting up the refrigeration equipment at the beginning of the season and shutting it down at the end of the season. He indicated that the Club is in a better financial position now than it was at the end of its previous year. During the year club membership was up slightly and the Club is trying to recruit members, especially in the Pubnico area. The Board of Directors all seem to be keen and interested in the operation of the Club. The volunteer effort of members continues to be strong. During the year the members replaced the roof on their "barbeque shed", and completed the storage shed. They have just recently completed the concrete floor in the storage shed. The floor was also sealed in the main lounge during the year.

Mr. Cushing also indicated that he felt that the maintenance requirements of the Club were better served by municipal employees than they had been served by hiring Fixair in past seasons.

Having completed his discussion of the Club with members of the committee, Mr. Cushing retired from the meeting.

APPROVAL OF MINUTES

Moved by D. Messenger and seconded by C. O'Donnell that minutes of the last previous meeting of June 1, 2009 be approved as circulated.

Motion carried unanimously.

FURNITURE AUCTION/TRANSIENT VENDORS

Conflict of Interest

Donna LeBlanc-Messenger withdrew from the table at this time and retired to a seat in the gallery.

Paul Smith, the General Manager of Wilson's Shopping Centre, appeared before the meeting at this time to reiterate their concerns with this issue. He indicated that their concern is the use of the Arena since it is a public building funded by taxpayers. He indicated that transient vendors affect the viability of their business and that they do not wish to have an auction happen again similar to what recently happened in early June. He indicated that this situation needs to be rectified within the law in order to protect the businesses in the area and that Council needs to do what is in the best interest of the taxpayers and the community. He also indicated that it is not the desire of their business to restrict taxpayers from buying from other businesses.

Resolution COW090601

Moved by G. El-Jakl and seconded by C. O'Donnell that Municipal Staff draft a policy to govern transient vendors for review of Council. More information will be provided regarding the CBRM by-law dealing with transient vendors.

Motion carried unanimously.

Having completed his address of this matter, Mr. Smith then retired from the meeting.

Also in attendance during the discussion were Gary and Dorothy Goreham, owners of Causeway Interiors, who also retired from the meeting at this time.

Donna LeBlanc-Messenger then returned to the table.

CAPE SABLE ISLAND SCHOOL

Correspondence has been received from the Tri-County Regional School Board regarding the renovation or alteration of the schools on Cape Sable Island.

Having read this letter it was the expressed opinion of several councillors that they are not satisfied with the response.

It was suggested that members discuss this matter with the newly elected MLA when he comes to Council. There are two issues in this matter. First is the decision itself, and second is the decision process that has been followed. It is believed that the Department of Education has made their decision regarding this matter based on the recommendation of the Tri-County Regional School Board.

Resolution COW090602

Moved by S. Hatfield and seconded by C. Stoddard that it be recommended to Council that the Municipality contact our MLA and express Council's concern with:

- a) the lack of due process in making this decision; and
- b) the validity of the decision itself.

Motion carried unanimously.

Resolution COW090603

Moved by S. Hatfield and seconded by C. O'Donnell that it be recommended to Council that two councillors attend, as soon as possible, a Tri-County Regional School Board meeting to address this matter with the Board.

AFFIRMATIVE

George El-Jakl
Shaun Hatfield
Donna LeBlanc-Messenger
Cecil O'Donnell
Cathy Stoddard

NEGATIVE

Louise Halliday

Motion carried.

For this purpose councillors will provide questions to the Municipal Office which will be compiled into a list for the members attending the School Board meeting.

It was agreed by members that the two councillors from Cape Sable Island would appear before the Board.

Resolution COW090604

Moved by G. El-Jakl and seconded by D. Messenger that it be recommended to Council that the Municipality pay the expenses of any councillors wishing to attend the School Board meeting in Yarmouth.

Motion carried unanimously.

POLICY NO. 54 "FIRE DEPARTMENT AND EMERGENCY SERVICES"

New information that has been provided by the six local volunteer fire departments to the Municipality under this policy was reviewed for the information of members. With the exception of the Island & Barrington Passage Volunteer Fire Department and the Barrington Volunteer Fire Departments who have provided all of the adequate information, the departments have been asked, in correspondence, to provide the additional information. If it is not forthcoming the monthly payments of operating grants will be withheld.

CHAMBA

The Clark's Harbour Area Minor Ball Association had previously asked for use of the canteen at the Centreville ball field which is owned by the Municipality.

Having investigated the cost of connecting electricity to the canteen and obtaining the appropriate insurance, the Association has decided that they will not pursue using the canteen.

TAX REDUCTION

Elizabeth Nickerson has submitted a Tax Reduction Application to the Municipality due to her house in Lower Wood's Harbour being destroyed by fire on March 17, 2009. The Municipality's policy provides, pursuant to the Municipal Government Act, for a reduction in taxes to be approved by Council. The reduction in taxes will be in proportion to the reduction in assessment which has been provided by the Property Valuation Services Corporation.

Resolution COW090605

Moved by G. El-Jakl and seconded by S. Hatfield that it be recommended to Council that a reduction in taxes in proportion to the reduction in assessment as provided by the Property Valuation Services Corporation be approved for Assessment Account #01740822, in the name of Elizabeth A Nickerson, at 6664 No. 3 Highway, Lower Wood's Harbour.

Motion carried unanimously.

SAFE GRAD REQUEST

Correspondence has been received from the Barrington Municipal High School requesting a contribution towards Safe Grad activities for the 2009 graduating class.

Resolution COW090606

Moved by D. Messenger and seconded by C. Stoddard that it be recommended to Council that a grant of \$300.00 be provided to Safe Grad from districts 1, 2, 3, 4, 5 and 7 Community Grant Funds in equal proportions of \$50.00 each.

Motion carried unanimously.

SOUTH WEST SHORE DEVELOPMENT AUTHORITY

A copy of correspondence to Mr. Rod Rose, Chairperson of the South West Shore Development Authority, from Mr. Ian Thompson, Deputy Minister of the Nova Scotia Department of Economic and Rural Development has been sent to the Warden of our Municipality. In this correspondence it is noted by Mr. Thompson that the South West Shore Development Authority was not incorporated under the Regional Community Development Act. The Authority will not qualify for Performance Based Funding in the 2009/2010 fiscal year unless it completes its incorporation under the Act by March 31, 2010. The letter also advises of the steps required to meet the provisions of the Act. The steps required include:

- That municipalities make a written submission to the Minister of Economic and Rural Development requesting formal establishment of the RDA in their area. This letter requires that the municipal partners spell out the items listed in Clause 6(3) of the Act; that is, the name of the agency, the regional community and the municipalities to be represented. There are no other matters as referred to in Clause 6(3)(k).

Members then briefly discussed these requirements in this letter from the Deputy Minister and the requirements under the Act.

Resolution COW090607

Moved by G. El-Jakl and seconded by C. O'Donnell that incorporation of the South West Shore Development Authority be deferred for further discussion to the next Committee of the Whole and that the Municipal Solicitor be requested to be present at that meeting to provide legal advice in the matter.

Motion carried unanimously.

In the interim members will individually review the Municipality's relationship with the South West Shore Development Authority.

MONTH OF THE LOBSTER

This matter had been referred to Committee from Council. Council has requested the Provincial Government to declare 2009 as the *Year of the Lobster* and make a special proclamation for this purpose.

Resolution COW090608

Moved by D. Messenger and seconded by G. El-Jakl that the MLA for Shelburne County be requested to attend the next Committee of the Whole meeting in order to discuss this matter with members and enlist his support in having this declaration made.

Motion carried unanimously.

PETITION FROM RESIDENTS

Members were informed that a petition has been received from residents in Barrington regarding a property which they believe to be dangerous and unsightly. This property will be investigated by the Municipal By-Law Enforcement Officer as required under the Dangerous and Unsightly Premises Provisions of the Municipal Government Act. Once this is done the appropriate actions will be taken.

Mrs. Rachel Nickerson will be informed of the action being taken as she is the lady who forwarded the petition to the Municipal Office.

SCHEDULE OF FEES

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

BUDGET ITEMS

Hill Road

Four residents of Hill Road have submitted a petition to the Municipality for paving of the road. Mr. Stuart Clare of the Department of Transportation has indicated that the cost of paving the road would be in the range of \$65,000.00. This would include ditching but would not include any widening of the road.

The Department of Transportation would pay 50% of the total cost and the Municipality would be required to pay the other 50%. On previous projects the Municipality paid one-half of the municipal cost and the local residents paid the other half which was paid over a number of years. It is suggested for this project that the Municipality pay \$16,250.00, plus taxes, and that the residents pay \$16,250.00, plus taxes.

Resolution COW090609

Moved by S. Hatfield and seconded by C. Stoddard that it be recommended to Council that the Municipality enter into an agreement with the Department of Transportation for the paving of Hill Road, providing that the four residents on Hill Road agree to pay 25% of the total cost, including the net amount of H.S.T. The 50% required to be paid by the Municipality and the residents will be paid for from municipal reserves, with half of that amount being recouped from the residents over a period of ten years.

Motion carried unanimously.

North East Point Beach Look-off

Members had previously discussed construction of a wheelchair access look-off at North East Point Beach. A permit has been submitted to the Department of Transportation for this purpose. It was suggested that the Municipality obtain a firmer price on the cost of completing this project and seek additional funding from other sources.

Resolution COW090610

Moved by S. Hatfield and seconded by D. Messenger that Municipal Staff obtain a firmer price on the construction of a boardwalk and look-off at North East Point Beach from a local contractor.

Motion carried unanimously.

Completion of Wood's Harbour Trail

This matter had also been referred for discussion during budget considerations.

Resolution COW090611

Moved by G. El-Jakl and seconded by C. O'Donnell that it be recommended to Council that the Municipality apply for funding from other sources and commit its portion of the funding required from municipal reserves in order to complete the sidewalk portion of the Wood's Harbour Multi-Purpose Trail.

AFFIRMATIVE

George El-Jakl
Louise Halliday
Shaun Hatfield
Donna LeBlanc-Messenger
Cecil O'Donnell

NEGATIVE

Cathy Stoddard

Motion carried.

Fire Holes

Members were informed that fire holes are being constructed as requested. The fire hole in Oak Park near the new Barrington Municipal High School has been completed. Approvals have been put in place for the fire hole at Baker's Flats and this will be constructed as soon as the tenders are returned at the end of this week. The fire hole at Hirtles Pond has been turned down by the Department of Natural Resources. This matter is being further pursued by the Island & Barrington Passage Fire Department. In addition, there are fire holes to be completed in Villagedale, Port Clyde, Port LaTour and Shag Harbour areas which will be addressed as soon as possible.

Low Income Tax Exemptions

Members were informed that this matter is being further researched in order to determine the appropriate amount to be used in this by-law. This matter will be further considered by members once the research has been completed.

Community Grants Policy

It was previously suggested by members that the Community Grants Policy be reviewed during budget considerations.

Resolution COW090612

Moved by G. El-Jakl and seconded by C. O'Donnell that the Community Grants Policy be considered at a separate meeting with the committee, conducted for this purpose only, which will be scheduled at a later date.

Motion carried unanimously.

Indoor Pool

The Shelburne County Recreation Society had previously made presentations to committee and to councillors regarding a Feasibility Study to be completed for the construction of an indoor pool in Shelburne County. It was suggested that this matter be considered during Council's review of the Municipal Capital Investment Plan.

Moved by S. Hatfield that it be recommended to Council that the Municipality support a Feasibility Study for an indoor pool in Shelburne County.

Having asked for a seconder for this motion three times, and having heard none, the Chairperson declared the motion lost.

Resolution COW090613

Moved by G. El-Jakl and seconded by C. O'Donnell that it be recommended to Council that the Municipality inform the Shelburne County Recreation Society that this is not the time for the Municipality to fund a Feasibility Study for this project. A Feasibility Study will be done, if necessary, when it is determined that the construction of an indoor pool is the top priority on the Municipality's Capital Investment Plan.

AFFIRMATIVE

George El-Jakl
Louise Halliday
Donna LeBlanc-Messenger
Cecil O'Donnell
Cathy Stoddard

NEGATIVE

Shaun Hatfield

Motion carried.

Invitations

The Warden informed members that the following invitations have been received:

- June 17th FAM Tour - The Warden will be attending a Development Authority meeting on the morning of June 17th and therefore the Deputy Warden will welcome members to the FAM Tour of Shelburne County at our local Visitor Information Centre
- Correspondence has been received from the Town of Lockeport inviting members to attend their July 1 celebrations.
- Correspondence has been received from the Shelburne County Historical Society inviting members to attend their garden party on July 19th. A copy of this invitation will be circulated to all members.

Department of Transportation

Some time ago it was requested from the Department of Transportation that a “hidden driveway” sign be erected near the property of Mr. Murray Huskins in Wood’s Harbour, and that the grass be cut along the shoulder of the road in that area. To date no progress has been made in this matter. Municipal Staff will communicate this matter to the Department of Transportation once again.

Federation of Canadian Municipalities

The annual FCM Conference will be held in Halifax in 2011. It is suggested that at that time the main course for the Sunday night’s supper at that conference should be lobster.

Resolution COW090614

Moved by G. El-Jakl and seconded by S. Hatfield that it be recommended to Council that the Municipality request the FCM to serve lobster as the main course during their Sunday night supper at their annual conference to be held in Halifax in 2011, as the fishing industry is the second largest industry in the province and a major contributor to the economy of the entire province.

Motion carried unanimously.

CLOSED SESSION

Members then entered into Closed Session for the purpose of discussing potential litigation regarding a recent overflow in the Wood’s Harbour sewer system.

Having completed their discussion of this matter, members then returned to Open Session.

ADJOURNMENT

The meeting was adjourned by mutual consent of members at 11:05 p.m.

Chairperson

Secretary for the Meeting

On website June 16, 2009.