

## COMMITTEE OF THE WHOLE COUNCIL MEETING

March 22, 2011

The meeting was called to order by the Chair at 6:30 p.m., in the Conference Room, in the Administrative Centre, in Barrington, N.S., with the following members present:

- Donna Leblanc-Messenger, Chair
- George El-Jakl
- Murray Atkinson
- Louise Halliday
- Shaun Hatfield
- Cecil O'Donnell
- Cathy Stoddard

### CLOSED SESSION RE: LEGAL MATTER

Councillors met in Closed Session at 6:30 p.m. to discuss a legal matter.

### REGULAR SESSION

At 7:00 p.m. the Regular Session of the Committee meeting began with the Deputy Warden in the Chair.

Also present was Brian Holland, Clerk-Treasurer

### ADDITIONS TO AGENDA

The following items were added to the agenda:

- Destination South West Nova Scotia Tourism Association.
- Shelburne County Early Childhood Development.
- Department of Transportation.
- Sou'West Metis Grant Request.
- Various Announcements.
- Business Occupancy Tax Write-Off.
- Tri-County Regional School Board Meeting.

**Moved** by G. El-Jakl and seconded by C. O'Donnell that the agenda be approved as amended.

Motion carried unanimously.

APPROVAL OF MINUTES

**Moved** by M. Atkinson and seconded by C. Stoddard that the minutes of the last previous meeting held March 7, 2011 be approved as circulated.

Motion carried unanimously.

BARRINGTON REGIONAL CURLING CLUB MONTHLY REPORT

Mr. Elwin Smith, President of the Barrington Regional Curling Club, appeared before the meeting to give a brief verbal report on the Club's operation.

Mr. Smith indicated the Club has had a relatively successful season and will be closing down operations in the next few weeks. The Club believes they are saving power on the lights due to the new ceiling that has been installed.

Mr. Smith completed his report and retired from the meeting at approximately 7:12 p.m.

SALTSCAPES EXPO

Correspondence has been received, by email, from Mr. Allan Nelson, Chair of the Shelburne County Tourism Development Committee, indicating that they do not presently have funding to pay for a booth and representation at the Saltscapes Expo that is being held April 29<sup>th</sup> to May 1<sup>st</sup>, in Halifax, at Exhibition Park. The Committee is requesting the municipal units in Shelburne County to provide funding for this purpose.

Resolution COW110311

**Moved** by G. El-Jakl and seconded by C. Stoddard that it be recommended to Council that the Municipality fund its pro-rated percentage of the cost of a booth at the Saltscapes Expo at Exhibition Park providing other municipal units in Shelburne County also support this tourism initiative, and that the funding be provided from the budget for Grants to Organizations for 2010/2011.

Motion carried unanimously.

SEAL ISLAND LIGHT MUSEUM

As a result of a previous motion of Council, correspondence had been forwarded to the Nova Scotia Government regarding the maintenance of the Seal Island Light. Our MLA's Office had been contacted in order to determine who should be approached for funding from the Province. It was indicated that the Community Museum Assistance Program should be contacted. As a result correspondence was sent to Mr. Paul Collins at the Community Museum Assistance Program. Subsequently, a letter has been received from Mr. Collins indicating that the Department does not offer capital support for development or repair of museum buildings or for the acquisition of artifacts and archival material.

As a result the Atlantic Canada Opportunities Agency has been contacted, as well as the Nova Scotia Department of Economic and Rural Development and Tourism. These departments have been contacted to try and source possible funding for the estimated \$85,000 cost of repairs to the light at the Seal Island Light Museum.

Resolution COW110312

**Moved** by C. O'Donnell and seconded by G. El-Jakl that it be recommended to Council that the Municipality again approach our MLA for funding suggestions for repairs to the Seal Island Light.

Motion carried unanimously.

Resolution COW10313

**Moved** by G. El-Jakl and seconded by M. Atkinson that it be recommended to Council that the Municipality continue to pursue funding from the Atlantic Canada Opportunities Agency and from the Nova Scotia Department of Economic and Rural Development and Tourism for repairs to the Seal Island Light.

Motion carried unanimously.

REGIONAL OF QUEENS - WASTE DISPOSAL FEES

Information is provided to councillors indicating that the fees for the disposal of waste at the Region of Queens Landfill will be increasing in the coming year. The fees for the disposal of recyclables and organics will be maintained at the current rates, however, the fees for the disposal of residuals will be increasing from \$74.01 per ton to \$75.62 per ton. These increases in fees will be incorporated in the Municipality's budget.

WHARF AT NORTH EAST POINT

Municipal Staff investigated the ownership of a wharf on the western side of Barrington Passage at North East Point. This wharf is an old wharf that is in a state of disrepair. Individuals and others have been called trying to determine who is the owner of the wharf, including DFO, the Department of Natural Resources and the Assessment Office. The wharf and immediate adjacent property to it in North East Point are assessed as *Owners Unknown*. Other properties adjacent to this property are assessed to Her Majesty the Queen or to the Department of Natural Resources and also to various private property owners. The Land Registration Office was advised by the Tuskent Office of the Department of Natural Resources in January of 2010 that they do not own the wharf parcel. Local individuals who were called also were unaware of who owned the wharf although they did indicate that people fishing from the wharf had kept it up over the years.

BAY SIDE HOME

Members were informed previously, by email, that correspondence had been received from the Municipal Solicitor indicating that the Municipality has no ownership interests in Bay Side Home.

COMMUNITY GRANT REQUESTS

Sou'West Metis Association

The Association is requesting approximately \$1,000.00.

Resolution COW110314

**Moved** by S. Hatfield and seconded by C. O'Donnell that it be recommended to Council that \$1,000.00 be provided to the Sou'West Nova Metis Association in equal amounts of \$250.00 each from Districts 4, 5, 6 and 7 Community Grant Funds.

Motion carried unanimously.

Archelaus Smith Historical Society

The Society is requesting a grant of \$1,000.00 for the purpose of purchasing a new computer and printer for research at the museum.

Resolution COW110315

**Moved** by M. Atkinson and seconded by C. O'Donnell that it be recommended to Council that a grant of \$865.00 be provided from the District 6 Community Grants Fund to the Archelaus Smith Historical Society for the purpose of purchasing a new computer and printer for historical research at the museum.

**AFFIRMATIVE**

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

**NEGATIVE**

Shaun Hatfield

Motion carried.

Old Kirk Cemetery

The Old Kirk Cemetery is requesting funding for the maintenance of the cemetery. They wish to buy a new ride-on lawnmower, topsoil and crushed stone for maintenance purposes. The total cost of the project is \$3,212.00 and they are requesting a grant of \$4,000.00.

Resolution COW110316

**Moved** by S. Hatfield and seconded by M. Atkinson that it be recommended to Council that a grant of \$750.00 be provided to the Old Kirk Cemetery Society from the District 5 Community Grants Fund.

Motion carried unanimously.

Society for the Preservation of the Greenhill Community Church

This Society is requesting funding for the purpose of paying for repairs to the furnace which were completed in September of 2010 and paid for in October of 2010. The amount being requested is \$205.85.

Resolution COW110317

**Moved** by C. O'Donnell and seconded by C. Stoddard that it be recommended to Council that a grant in the amount of \$205.85 be provided to the Society for the Preservation of the Greenhill Community Church from the District 4 Community Grants Fund for the purpose of paying for repairs to the furnace.

**AFFIRMATIVE**

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

**NEGATIVE**

Louise Halliday

Motion carried.

Centreville Cemetery

The Centreville Cemetery is requesting funding to help offset the cost of upgrading and repairs to the roadways within the cemetery and to fill in holes where old graves have caved in, and to put topsoil and grass over these areas. The total cost of the project is estimated at \$1,730.00 and this amount is being requested.

Resolution COW110318

**Moved** by M. Atkinson and seconded by S. Hatfield that it be recommended to Council that a grant of \$865.00 be provided from the District 6 Community Grants Fund for the purpose of upgrade and repairs to the Centreville cemetery.

Motion carried unanimously.

Newellton Community Hall

Resolution COW110319

**Moved** by M. Atkinson and seconded by S. Hatfield that this request be referred to next year's budget deliberations as it is a request for the coming fiscal year.

Motion carried unanimously.

REQUEST FOR LETTER OF SUPPORT FOR SHAG HARBOUR INCIDENT SOCIETY

The Shag Harbour Incident Society is applying for an ACCESS-ability Grant from Service Nova Scotia to construct a ramp to the entry of property currently owned by the Municipality which the Incident Society wishes to lease from the Municipality for the purpose of establishing a museum.

Resolution COW110320

**Moved** by S. Hatfield and seconded by G. El-Jakl that it be recommended to Council that a letter of support be provided to the Society for the purpose of their grant application, and that the letter include specifically that no lease agreement has been reached between the Society and the Municipality at this time.

Motion carried unanimously.

Resolution COW110321

**Moved** by L. Halliday and seconded by C. Stoddard that it be recommended to Council that the Municipality request a business plan from the Shag Harbour Incident Society for the establishment of their proposed museum on municipal property.

Motion carried unanimously.

REVIEW OF ACTIVITIES FUNDS POLICY

It was the consensus of members that no action be taken in this matter at this time.

QUEEN OF HEARTS DORY CLUB REQUEST FOR FUNDING

This matter was referred to the Committee by Council. The Queen of Hearts Dory Club had previously made a presentation to Council requesting funding for the establishment of a building on property at North East Point. The request from the Queen of Hearts Dory Club did not specify any amount requested from the Municipality.

Resolution COW110322

**Moved** by G. El-Jakl and seconded by M. Atkinson that it be recommended to Council that a letter be sent to the Queen of Hearts Dory Club requesting their business plan for their project, and a copy of their application to the Province for funding, and informing them that their request for funding would be considered during Council's budget deliberations.

Motion carried unanimously.

FIRE SERVICES ADVISORY COMMITTEE TERMS OF REFERENCE

This matter was referred to the Committee from a previous meeting. The Terms of Reference has been referred to the Municipal Solicitor for his comments for Council. Further consideration of the Terms of Reference will be deferred until the Solicitor's comments have been received.

DISTRICT PLANNING COMMISSION

Members discussed the significant cost of the District Planning Commission to the Municipality and the related benefits. Members discussed the cost benefit relationships for this service and questioned whether or not satisfactory service could be obtained for less cost from other sources such as private services or other planning commissions.

Resolution COW110323

**Moved** by G. El-Jakl and seconded by L. Halliday that it be recommended to Council that the Municipality provide one years' notice to the District Planning Commission of its intention to withdraw from the Commission and informing the Commission that it will be evaluating the cost of planning services in light of the current economic circumstances.

Motion carried unanimously.

BARRINGTON VOLUNTEER FIRE DEPARTMENT REQUEST

Correspondence has been received from the Barrington Volunteer Fire Department requesting the Municipality to pay for an excavator which was hired by the Department in order to put out a fire in Oak Park. The Fire Department has already paid the cost of the excavator and is requesting the Municipality to reimburse this amount to them.

**Moved** by G. El-Jakl and seconded by C. O'Donnell that it be recommended to Council that the Municipality advise the Barrington Volunteer Fire Department that payment for the excavator should be sought from the owners of the property.

Resolution COW110325

**Moved** by S. Hatfield and seconded by L. Halliday that the previous motion be deferred until comment has been received from the Fire Services Advisory Committee.

**AFFIRMATIVE**

Murray Atkinson  
Louise Halliday  
Shaun Hatfield  
Donna LeBlanc-Messenger  
Cecil O'Donnell  
Cathy Stoddard

**NEGATIVE**

George El-Jakl

Motion carried.

Resolution COW10326

**Moved** by C. Stoddard and seconded by M. Atkinson that this matter be referred to the Fire Services Advisory Committee for their comment and suggestion.

Motion carried unanimously.

The Warden indicated he would do this at their next meeting.

**BECKY MEYERS-ADAMS REQUEST**

Correspondence has been received from Becky Meyers-Adams requesting funding for the completion of a CD.

Resolution COW110327

**Moved** by L. Halliday and seconded by G. El-Jakl that it be recommended to Council that a letter be sent to Becky Meyers-Adams wishing her the best of luck with her promotion and informing her that the Municipality is unable to make a donation for this purpose at this time.

Motion carried unanimously.

**C.S.I. SEWER**

An Open House will be held on Saturday, March 26, 2011, from 10:00 a.m. to 2:00 p.m., at which engineers will explain the current proposal for a sewer on Cape Sable Island to residents of the area.

Members were also provided with a summary of costs on this project to date. Members were informed that to date the Municipality has spent \$215,312.00 on this project and received \$111,164.00 from the Building Canada Fund to reimburse costs of the project. The Project Manager, CBCL Limited, are nearing the maximum amount of their budget for project management.

This matter will need to be dealt with in the very near future in order to continue with CBCL or any other firm as project managers.

Councillors had met with representatives of the Municipality of Argyle to discuss their sewer system. This meeting was conducted on Wednesday the previous week. Councillors now wish to discuss with the Project Managers the information that they have obtained from their visit to Argyle. Concerns were expressed for potential deficiencies in a proposed system and possible resolutions.

It was the consensus of members that a meeting be arranged with the Project Managers on Friday, March 25, 2011, at 1:00 p.m., if at all possible, so members concerns can be discussed. Municipal Staff will make the arrangements for this meeting providing the Project Managers are available.

#### PUBLIC MEETING RE: MULTI-USE TRAIL DEVELOPMENT

The Woodland Multi-Use Trail Association will be calling a public meeting regarding the development of a multi-use trail from Wood's Harbour to Shag Harbour. It is anticipated that this public meeting is required to be held to explain the project to all of the adjacent property owners. All of the adjacent property owners will be notified by mailing flyers out to them.

#### Resolution COW110328

**Moved** by L. Halliday and seconded by S. Hatfield that it be recommended to Council that the Municipality pay the cost of mailing notices out for the purposes of the public meeting to be held regarding trail development on the former CNR right of way between Wood's Harbour and Shag Harbour.

Motion carried unanimously.

The public meeting will be held at the Wood's Harbour Fire Hall at 7:00 p.m. on April 7, 2011 and all councillors are invited to attend.

#### DISTRIBUTION OF FLYERS

Concern was expressed regarding the distribution of flyers within the Municipality. Flyers are distributed by agents of two different companies in pink plastic bags and in blue and clear plastic bags. These bags are simply thrown from the car into driveways and roadways by the distributors and as a result are causing littering problems within the Municipality.

Resolution COW110329

**Moved** by S. Hatfield and seconded by G. El-Jakl that it be recommended to Council that a letter be sent to the distributors of flyers within the Municipality expressing Council's concern regarding the littering problem that these flyers produce, and requesting them to provide better orientation for the local distributors of these flyers, and also indicating to them that the Municipality has a Community Litter Clean-up Program which is costing it in the vicinity of \$10,000.00 each year.

Motion carried unanimously.

Municipal Staff will also investigate litter by-laws currently in place in other municipal units across the province.

BIOSOLIDS PRESENTATION

An email has been received from Dr. Marilyn Cameron requesting that she be provided time to make a presentation regarding the distribution of biosolids on agricultural lands.

Resolution COW110330

**Moved** by G. El-Jakl and seconded by C. Stoddard that Dr. Cameron be invited to attend a meeting of either Council or Committee for this purpose.

Motion carried unanimously.

ARENA SPEED BUMP

It was suggested by a local resident that speed bumps be installed in the parking lot at the Arena in order to deter vehicles from speeding in the vicinity of the entry to the Arena where there are often children present and playing.

Resolution COW110331

**Moved** by G. El-Jakl and seconded by S. Hatfield that it be recommended to Council that speed bumps be installed in the roadway at the Arena before and after the main entry.

Motion carried unanimously.

INVITATION

An invitation has been received from the PC Party of Shelburne County to roast Mr. Bill Cox who is a long time resident, businessman and former mayor of the Town of Shelburne. Members are invited to attend the roast which will be held at the Royal Canadian Legion in Shelburne on Saturday, May 14, 2011, beginning at 5:00 p.m.

SCHEDULE OF FEES

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

DESTINATION SOUTHWEST NOVA

Correspondence has been received from Destination Southwest Nova for their annual funding request.

SHELBURNE COUNTY EARLY CHILDHOOD ASSOCIATION

Correspondence has been received from the Shelburne County Early Childhood Development Association for their annual funding request.

Resolution COW110332

**Moved** by G. El-Jakl and seconded by L. Halliday that the funding requests from Destination Southwest Nova and from the Shelburne County Early Childhood Development Association both be referred to the budget process for further deliberation.

Motion carried unanimously.

DEPARTMENT OF TRANSPORTATION

Numerous times in the past requests from Council have been sent to the Department of Transportation in Shelburne, to our local MLA, and to the Minister of Transportation for the Province to have gravel placed on the Lighthouse Road at Baccaro Point, and for upgrading and improvements for the guardrail at the Cape Sable Island Causeway, all to no avail.

Resolution COW110333

**Moved** by C. O'Donnell and seconded by C. Stoddard that it be recommended to Council that a request be made to the Federal Member of Parliament, The Honourable Peter McKay, that a small portion of the \$47,000,000 from the Building Canada Infrastructure Fund which is to be used for roads, bridges, water and wastewater be provided to be used in Shelburne County for projects which this fund is intended, and not to give this full amount to the City of Halifax for a convention centre.

Motion carried unanimously.

It was also indicated to members that 3 posts in the guardrail on the Causeway are currently in need of repair.

Resolution COW110334

**Moved** by S. Hatfield and seconded by G. El-Jakl that it be recommended to Council that correspondence be sent to the Nova Scotia Minister of Transportation and also to the local Department of Transportation Office requesting them to repair the posts on the Causeway and to install a metal guardrail on the Causeway. It is believed that the installation of a metal guardrail will more than offset the cost of repairing the posts for the current guardrail on the Causeway as these are frequently damaged.

Motion carried unanimously.

VARIOUS ANNOUNCEMENTS

Earth Hour is being conducted this Saturday, March 26<sup>th</sup>, from 8:30 p.m. to 9:30 p.m.

There is a Population Forum being held on Friday, April 29<sup>th</sup>, which all members are invited to attend.

Resolution COW110335

**Moved** by S. Hatfield and seconded by G. El-Jakl that it be recommended to Council that the Municipality pay the cost of councillors attending the Population Forum if they so wish.

Motion carried unanimously.

BUSINESS OCCUPANCY WRITE-OFF

Members are informed that Business Occupancy taxes, including interest, in the amount of \$6,698.00, in the name of Shawn Landry, are deemed to be uncollectible since Mr. Landry has filed for bankruptcy.

Resolution COW110336

**Moved** by G. El-Jakl and seconded by C. Stoddard that it be recommended to Council that since the Business Occupancy taxes in the name of Shawn Landry, in the amount of \$6,698.00, are deemed to be uncollectible, that they be written off by the Municipality.

**AFFIRMATIVE**

Murray Atkinson  
George El-Jakl  
Donna LeBlanc-Messenger  
Cathy Stoddard

**NEGATIVE**

Louise Halliday  
Shaun Hatfield  
Cecil O'Donnell

Motion carried.

TRI-COUNTY REGIONAL SCHOOL BOARD MEETING

The Tri-County Regional School Board will be conducting their regular meeting on Monday, March 28<sup>th</sup>, at 7:00 p.m. at the Board Offices in Yarmouth. At this meeting they will be making a decision regarding the future of the Cape Sable Island elementary schools.

Councillors wish to attend this meeting, however, the Municipality's regular Council meeting is scheduled for that evening at the same time.

It was the consensus of members that Council move their meeting to 3:00 p.m. in the afternoon of March 28, 2011 in order to allow for attendance at the Tri-County Regional School Board Meeting.

Arrangements will be made by Municipal Staff to change the hour of Council's meeting for Monday, March 28<sup>th</sup>, and the appropriate notice will be placed on the Municipal website and advertised on the radio as well, as this is an unusual time for the meeting.

ADJOURNMENT

The meeting was adjourned by mutual consent of members at 9:57 p.m.

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Chair

Secretary for the Meeting

**On website March 24, 2011.**