

## COMMITTEE OF THE WHOLE COUNCIL MEETING

June 20, 2011

The meeting was called to order by the Chair, at 7:00 p.m., in Conference Room, in the Administrative Centre, in Barrington, N.S., with the following members present:

- George El-Jakl, Chair
  - Murray Atkinson
  - Louise Halliday
  - 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:

- Sneakers.
- Sable Fish Packers.
- Ross Property Drainage.
- Warden's Meeting with Municipal Advisor.

### APPROVAL OF AGENDA

**Moved** by M. Atkinson and seconded by C. O'Donnell that the agenda be approved as amended.

Motion carried unanimously.

### APPROVAL OF MINUTES

**Moved** by C. O'Donnell and seconded by C. Stoddard that the minutes of the last two previous meetings held June 7<sup>th</sup> and June 13<sup>th</sup>, 2011 be approved as circulated.

Motion carried unanimously.

### 2010-11 FINANCIAL STATEMENTS, RESERVE FUNDS AND BAY SIDE HOME GRANT

These three matters were discussed together as they are interrelated and dependent upon each other.

Members were informed that as a result of information provided at the Audit Committee Meeting the Municipality will have a substantial surplus, and it has been suggested that \$150,000.00 be transferred from the Operating Fund to the Operating Reserve Fund. This will leave a surplus for the year in excess of \$19,000.00.

There then followed some discussion regarding the monies in Reserve Funds and their potential use.

Having consulted with the Municipal Solicitor, our Municipal Advisor and our Auditors, it was concluded that the Municipality can provide Bay Side Home with a grant as previously moved by Council in the amount of \$250,000.00. It is also concluded, however, that this grant cannot be provided from the Capital Reserve Fund. If it is provided from a reserve fund it must be provided from the Operating Reserve Fund.

Members were also informed that there is approximately \$46,000.00 remaining in the Capital Reserve Fund which was not used for the C.S.I. Sewer Project. It is anticipated that approximately \$15,500.00 of this money will be used for the final cost of the C.S.I. Sewer Project. It is suggested that the balance of these funds, which will be in excess of \$30,000.00, be contributed to the Fire Services Fund for future capital purchases of fire equipment.

Discussion continued regarding the provision of a grant to Bay Side Home toward its expansion.

Resolution COW110608

**Moved** by S. Hatfield and seconded by C. Stoddard that it be recommended to Council that \$150,000.00 be transferred from the Operating Fund to the Municipality's Special Reserve Fund Operating.

Motion carried unanimously.

Resolution COW110609

**Moved** by S. Hatfield and seconded by M. Atkinson that it be recommended to Council that the remainder of the funds previously designated for the C.S.I. Sewer Project that had not been used be designated for the Fire Services Fund.

Motion carried unanimously.

Resolution COW110610

**Moved** by S. Hatfield and seconded by C. Stoddard that the Gas Tax Funds be added to the next Committee of the Whole meeting for further discussion.

Motion carried unanimously.

### NOISE BY-LAW

Concerns have been expressed by members of the public regarding the Noise By-Law. Concern has been expressed as to how this would restrict noise generated by fishing boats and racing boats, as well as construction noises and noise generated from lounges and other businesses in the area. The Noise By-Law has again been referred to the Municipal Solicitor for review, in particular, in regards to business and commercial operations as well as noise generated from boats and motorcycles.

### Resolution COW110611

**Moved** by S. Hatfield and seconded by C. Stoddard that it be recommended to Council that Paragraph 7(2) be omitted from the Noise By-Law as it is not necessary.

Motion carried unanimously.

### COMPOSTING TOILETS

Information was provided to members, by email, regarding the use of compost toilets. Compost toilets are permitted by the Building Code as long as there is no running water in the building. If running water is connected to a building then it is mandatory that an onsite septic approval be obtained from the Department of Environment.

### SOUTH WEST SHORE DEVELOPMENT AUTHORITY BANKRUPTCY PROPOSAL

A bankruptcy proposal has been received from the South West Shore Development Authority. This proposal has been referred to the Municipal Solicitor for his comments and advice. Further action will be taken depending on the advice received from the Municipal Solicitor.

### WELLNESS PROGRAM

A draft Wellness Program was circulated to members. This program was drafted by the Municipal Recreation Coordinator and is anticipated to be put in place in the very near future for all employees and councillors.

### SCHEDULE OF FEES

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

### SNEAKERS

There are a pair of sneakers on a NSPI guide wire in Barrington Passage. Nova Scotia Power has been asked to address this matter.

SABLE FISH PACKERS

Sable Fish Packers has made application for reduction in taxes as a result of a fire on their property on May 26, 2011. Correspondence has been received from the Assessment Office indicating a reduction in assessment as a result of the fire. The property will be assessed again prior to the closing of the roll for 2012 to verify the status of the repairs to the damaged sections of the buildings. Once this is done an appropriate adjustment will be made to the taxes of Sable Fish Packers.

ROSS DRAINAGE

Mr. Bill Thurston has reviewed the library property and the Ross property adjacent to it to determine drainage issues. He has sent an email which was read to members for their information.

**Moved** by S. Hatfield and seconded by C. O'Donnell that it be recommended to Council that the Municipality contact the Rosses and construct an open ditch as a one time solution to their drainage problem. This will require the Municipality obtaining an easement from the Rosses to do this on their property and the ditch will be constructed on a "without prejudice" basis and a release of claim will be required from the Rosses.

Resolution COW110612

**Moved** by D. Messenger and seconded by L. Halliday that consideration of this motion be deferred until Municipal Staff can consult the original contractor who completed the earth work for the library, until staff further views the property, and until Mr. Thurston can again be contacted regarding further explanation of his email.

**AFFIRMATIVE**

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

**NEGATIVE**

Murray Atkinson  
Shaun Hatfield  
Cecil O'Donnell

Motion carried.

WARDEN'S MEETING WITH MUNICIPAL ADVISOR

The Warden met with Mr. Paul Wills, our Municipal Advisor, in order to discuss the process for evaluating the Clerk-Treasurer. Four different evaluation forms were obtained from the Municipal Advisor which will be copied and circulated to members.

This matter will be put on the next Committee of the Whole meeting for further discussion.

The Warden indicated that there must be a quorum in order for this evaluation to take place, and if there is no quorum obtained, then he will complete the evaluation and discuss it with the Clerk himself.

ADJOURNMENT

Having completed the business of the meeting, the meeting was adjourned at 9:47 p.m.

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Chair

Secretary for the Meeting

**On website June 21, 2011.**