

COMMITTEE OF THE WHOLE COUNCIL MEETING

October 17, 2011

The meeting was called to order by the Chair at 6:00 p.m., in the Conference Room, in the Administrative Centre, in Barrington, N.S., with the following members present:

- Cecil O'Donnell, Chair
 - Murray Atkinson
 - George El-Jakl
 - Louise Halliday (6:05 p.m.)
 - Shaun Hatfield
 - Donna LeBlanc-Messenger
 - Cathy Stoddard (6:45 p.m.)
- Brian Holland, Municipal Clerk

CLOSED SESSION

Members entered into Closed Session for the purpose of discussing a legal issue concerning the former B.M.H.S. property in Barrington Passage and a proposed lease agreement.

REPORT ON CLOSED SESSION

The Chair reported that it has been confirmed with the Atlantic Canada Opportunities Agency that the Municipality can rent space in the CED Centre, in Barrington Passage, for the purpose of a dentist's office. A lease agreement has been drafted and forwarded to the potential tenant.

Former B.M.H.S. Property

Resolution COW111019

Moved by G. El-Jakl and seconded by D. Messenger that it be recommended to Council that the Municipality respond to the Municipality's Solicitor that the Municipality will not enter into any settlement proposal concerning the former B.M.H.S. property.

Motion carried unanimously.

ADDITIONS TO THE AGENDA

The following items were added to the agenda:

- Notice
- Cats
- Chelsea, Quebec Visit
- Crow's Neck Beach
- Fire Services Coordinator

Moved by C. Stoddard and seconded by M. Atkinson that the agenda be approved as amended.

Motion carried unanimously.

APPROVAL OF MINUTES

Moved by M. Atkinson and seconded by D. Messenger that minutes of the last two previous meetings held October 3rd and October 12th, 2011, be approved as circulated.

Motion carried unanimously.

BARRINGTON REGIONAL CURLING CLUB

Mr. Elwin Smith, President of the Barrington Regional Curling Club, appeared before the meeting to provide a report to members. Mr. Smith indicated that the Club is now in a good financial position and that their fundraising efforts went well during the summer. They intend to open for curling on Saturday, October 22, 2011. The water filter has been installed and the water appears to be much cleaner as a result. The air exchanger has also been installed and the Club members will need to learn how to operate it in the near future. Unfortunately, it does not look like there will be any "Little Rocks" program this year. It is proposed that a youth day be held once a month to promote curling to the youth of the community.

Having completed his report, Mr. Smith retired from the meeting at 7:10 p.m.

DISTRICT PLANNING COMMISSION

The Senior Planner, Mr. Brad Fulton, appeared before the meeting for the purpose of meeting the Council members. He indicated that his circumstances at the District Planning Commission have changed considerably since he is now the only staff member working there. He also indicated that Barrington is a complex planning area.

Having completed his informal discussion with Council, he retired from the meeting at 7:15 p.m.

MUNICIPAL BY-LAW RE: WIND TURBINE GENERATORS

Mr. Randal Smith appeared before the meeting for the purpose of discussing the proposed amendments to the Municipal Land Use By-Law in regards to wind turbine generators. Mr. Smith indicated that he is part of a group that wishes to develop wind turbine generators within the Municipality, and would like to see the setback restrictions that are in the Land Use By-Law be amended. He indicated that there are a lot of long and narrow lots within the Municipality which could not be used as sites for wind turbine generators because of the setback regulations.

He indicated that his group has three potential sites being evaluated, one of which includes a Donaldson property in Barrington Passage. Mr. Smith indicated that these are community projects which would provide electricity generation up to 50 kilowatts. He indicated there could be 10 or 15 similar projects in future years. He also noted that the height of communication towers within the Municipality is not restricted.

Mr. Smith is requesting either a variance be provided, or a change in the by-laws to permit wind turbine generators with the current setback restrictions amended.

Mr. Fulton, who was still at the meeting, indicated that in order to accomplish what Mr. Smith is requesting, there would need to be an amendment to the Municipal Planning Strategy, Land Use By-Law and Subdivision By-Law. He indicated that in some other municipalities the abutting property owners were permitted to “sign off” on an agreement to allow development on adjacent properties that do not meet the required setbacks.

Resolution COW111020

Moved by S. Hatfield and seconded by D. Messenger that it be recommended to Council that the Senior Planner be requested to provide the Planning Advisory Committee information regarding the amendments requested by Mr. Smith, and invite Mr. Smith to the next Planning Advisory Committee meeting for the purpose of discussing these proposed amendments.

Motion carried unanimously.

Having completed his discussion of this matter, Mr. Smith then retired from the meeting at 7:40 p.m.

RCMP FALSE ALARM STRATEGY

The RCMP False Alarm Strategy was circulated to members for their information and review. The False Alarm Strategy indicates that RCMP will only respond once a single alarm has been verified and confirmed. In the case of multi alarms, or broken windows etc., the RCMP will respond immediately.

ANIMAL BY-LAW

Information has been obtained from other municipal units in the area regarding their animal by-laws. The by-law from the Region of Queens includes fines to be levied against owners of animals that are found to be roaming at large in the Municipality. The Animal By-law for the Municipality of Shelburne includes authority for the Municipality’s By-Law Enforcement Officer, or Animal Control Officer, to impound any animal found roaming at large within the Municipality. The cost of impounding such an animal would be charged to the owner of the animal and be required to be collected from the owner.

There then followed some discussion regarding this matter and discussion regarding the RCMP response to complaints regarding animals roaming at large.

There was no decisive action taken by members at this time.

UNSM CONFERENCE RESOLUTIONS

The UNSM Conference is being held November 1-4, 2011. The resolutions that will be considered at the conference have been circulated to members for their information and review. A number of the resolutions that may be of interest to members were highlighted so that members would be aware of these resolutions and could consider them prior to the meeting.

BUTLER ESTATES SEWER SYSTEM

A request has been received from Butler Estates Limited for the Municipality to take over the sewer system on Butler's Road which extends up into the property of Butler Estates. The information required under the Municipality's Subdivision By-Law has been provided to the Development Officer and has been reviewed by the Municipal Solicitor. The required easement has also been provided by Butler Estates Limited to allow the Municipality to maintain the sewer system. The Development Officer indicates that all requirements under Section 10.04 of the Subdivision By-Law for the Municipality of Barrington have been met by the Developer. The Developer has applied for subdivision approval, and prior to the subdivision approval being provided the private road in the subdivision would have to be topped with crushed stone. The owner is aware of this and will complete this prior to subdivision approval.

Moved by M. Atkinson and seconded by D. Messenger that it be recommended to Council that the Municipality take over the sewer system as requested by Butler Estates Limited.

Moved by G. El-Jakl and seconded by S. Hatfield that the motion be amended to include a clause stating: "once the road has been completed as required by the Subdivision By-Law".

Amendment carried unanimously.

The division was then requested on the amended motion.

The amended motion states as follows:

Resolution C111021

"...that it be recommended to Council that the Municipality take over the sewer system as requested by Butler Estates Limited once the road has been completed as required by the Subdivision By-Law."

Motion carried unanimously.

Resolution COW111022

Moved by D. Messenger and seconded by G. El-Jakl that it be recommended to Council that residents of Butler's Road be informed, in the immediate future, that the Municipality will be taking over the sewer line on Butler's Road and Butler Estates as requested, and that the residents of Butler's Road will be given a 30 day notice by the end of August 2012 requiring them to connect to the municipal sewer system on Butler's Road no later than September 30, 2012.

Motion carried unanimously.

SCHEDULE OF FEES

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

OAK PARK ROAD

Members were informed that the Oak Park Road is in a very poor state of repair. Students travel this road at least twice daily to and from the High School. The safety of school busses traveling this road was questioned by a member.

Resolution COW111023

Moved by G. El-Jakl and seconded by D. Messenger that it be recommended to Council that a letter be sent to the Minister of Transportation and Infrastructure Renewal requesting that maintenance be done on the Oak Park Road as soon as possible as it is believed to be in an unsafe state of repair.

Motion carried unanimously.

DEPARTMENT OF TRANSPORTATION CUTBACKS

Correspondence has been received from the District of Yarmouth requesting the other municipal units to provide instances of cutbacks on road maintenance in their area as a result of cutbacks in the Department of Transportation budget.

Resolution COW111024

Moved by S. Hatfield and seconded by G. El-Jakl that it be recommended to Council that a letter be sent to the District of Yarmouth indicating that there is a lack of satisfactory maintenance being done on all secondary roads within the Municipality.

Motion carried unanimously.

GOVERNANCE SURVEY

Information was provided to members. This information included an estimate of the number of electors for the next municipal elections to be held in October of 2012. Maps of possible district scenarios were shown to members for their information and review. A map of the General Service Areas contained in the Municipality, together with an estimated number of electors in each of the General Service Areas, was given to each member.

Resolution COW111025

Moved by G. El-Jakl and seconded by S. Hatfield that members be given time to digest this information and to further discuss it at the next Committee of the Whole meeting.

Motion carried unanimously.

REMEMBRANCE DAY WREATHS

Members were reminded that Remembrance Day wreaths will be laid at various locations throughout the Municipality on November 11th. Councillor O'Donnell has volunteered to lay the wreath at Forest Ridge Academy. The Warden will attend the supper at the Legion in Clark's Harbour. Councillor Halliday will lay the wreath at the memorial in Wood's Harbour. It was suggested that a wreath be provided to be placed at the cenotaph at Stoney Island. The schedule will be completed in the near future as soon as the wreaths have been obtained and circulated to members.

KEN SIMPSON LECTURE SERIES, MEMORIAL LECTURE SERIES FUND

Correspondence has been received from the UNSM requesting contributions be made to the Ken Simpson Memorial Lecture Series so that this series of lectures on municipal government can be provided every four years. Each municipal unit in the province is being asked to contribute between \$500.00 and \$1,000.00.

Resolution COW111026

Moved by L. Halliday and seconded by D. Messenger that it be recommended to Council that the Municipality include a contribution to the Ken Simpson Memorial Lecture Series in its budget considerations for next year.

AFFIRMATIVE

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

NEGATIVE

Shaun Hatfield

Motion carried.

The first lecture in this series is scheduled to be done in the fall of 2012, therefore including the funding in next year's budget will be adequate time to provide the required funding. It was also suggested that the lecture series be recorded on a DVD and circulated to all municipal units.

STUDENT SPONSORSHIP PROGRAM

It was the consensus of members that the funding for the Roseway Hospital Health-Care Professional Student Sponsorship Program be included in budget considerations for the next year.

NOTICE

Councillor Hatfield indicated that he may miss some meetings in the very near future. He will keep the Municipality informed of his attendance at meetings.

CATS

A member indicated that she had received calls from local residents regarding cats that had been left at a home which was vacated in the South Side area. These cats are now feral cats and it was questioned whether or not the Municipality could euthanize these cats.

There then followed some discussion regarding the euthanization of cats and the Municipality's legal ability and liability involved in doing so.

No definitive action was taken at this time.

VISIT TO CHELSEA, QUEBEC

Members were informed that the Department of Environment is willing to pay \$2,500.00 towards the cost of sending a municipal employee and a councillor to Chelsea, Quebec for the purpose of viewing how they address the on-site septic issues in their community. The Department will be sending representatives from Richmond County, Nova Scotia, at the same time.

Resolution COW111027

Moved by G. El-Jakl and seconded by S. Hatfield that it be recommended to Council that the Municipality respond to this invitation by indicating that there is no interest in attending at Chelsea, Quebec at the present time.

Motion carried unanimously.

CROW'S NECK BEACH

Concern was expressed for the local residents who are unable to access Crow's Neck Beach adequately.

Resolution COW111028

Moved by L. Halliday and seconded by C. Stoddard that it be recommended to Council that a letter be sent to the Nova Scotia Nature Trust asking them how they access Crow's Neck Beach, and if this access is a means that local residents may use.

Motion carried unanimously.

FIRE SERVICES COORDINATOR

It was suggested that two of the local fire chiefs as well as our Municipal Advisor, Mr. Paul Wills, attend the Hiring Committee Meeting for the purpose of advising members in the technical suitability of applicants.

Resolution COW111029

Moved by G. El-Jakl and seconded by M. Atkinson that it be recommended to Council that two of the local fire chiefs and our Municipal Advisor be present at the interviews conducted for the Fire Service Coordinator in order to advise members on the qualifications of the applicants and not to vote on a recommendation to Council.

AFFIRMATIVE

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

NEGATIVE

Cathy Stoddard

Motion carried.

ADJOURNMENT

The meeting was adjourned by mutual consent of members at 9:48 p.m.

Chair

Secretary for the Meeting

On website October 19, 2011.