

## COMMITTEE OF THE WHOLE COUNCIL MEETING

November 7, 2011

The meeting was called to order by the Chair at 7:00 p.m., in the 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:

- Villagedale Road Lights.
- Learning Centre Invitation.
- Crow's Neck Beach.
- Lighthouse Road, Baccaro.

### APPROVAL OF AGENDA

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

Motion carried unanimously.

### APPROVAL OF MINUTES

**Moved** by M. Atkinson and seconded by C. O'Donnell that the minutes of the last previous meeting held October 17, 2011 be approved as circulated.

Motion carried unanimously.

### HIRING COMMITTEE MEETING DATE

It was agreed by consensus of members that the Hiring Committee would meet to interview candidates for the position of Fire Services Coordinator, at 1:30 p.m., on Wednesday, November 16, 2011. It was also agreed that the short listing of candidates would be done and completed by committee members and returned to the Municipal Office no later than November 9, 2011 so that the applicants to be interviewed could be contacted in a timely manner.

COMMUNITY MEETINGS

It was the consensus of members that community meetings of the Committee of the Whole would continue to be held at various locations throughout the Municipality. It was suggested that a Committee of the Whole Council be held at Barrington Municipal High School, if possible, for the education of local students. Other community meetings will also be scheduled in various communities in the Municipality.

TOPICS FOR NEXT MEETING WITH MLA

It was suggested that feedback be obtained and circulated to members on the information provided by the MLA on subjects discussed at the previous meeting with him. It was also suggested that our MLA be asked about the rumor currently circulating in the community that there may be one elementary school for students from grades primary to six in the Municipality. It was also suggested that the state of local roads be discussed with our MLA.

POLICY NO. 33 "POLICY RE: RETURNING OFFICER"

It is suggested that Policy No. 33 be amended in paragraph 2 to change the wording so that the fees paid to the Returning Officer and to other elected officials hired by the Municipality be established by resolution of Council rather than by policy. This will allow Council to establish different fees for each municipal election by resolution rather than by amending the policy.

Resolution COW111101

**Moved** by S. Hatfield and seconded by C. O'Donnell that it be recommended to Council that notice of consideration of amendments to Policy No. 33 "Policy Re: Returning Officer" be given at the next Council meeting.

Motion carried unanimously.

PROPOSED FEES FOR ELECTION OFFICIALS

For each municipal election the Municipality must hire a Returning Officer, Deputy Returning Officers, and Poll Clerks. These officials must attend a training session in order to be able to conduct the election, and the Municipality must also rent local community halls as polling stations for the purpose of the election. The following fees are proposed for the coming municipal election for 2012:

- |                             |                                   |
|-----------------------------|-----------------------------------|
| - Returning Officer         | \$5,000.00                        |
| - Deputy Returning Officers | \$130.00 each                     |
| - Poll Clerks               | \$110.00 each                     |
| - Poll Staff Training       | \$45.00 for each training session |
| - Hall Rental               | \$100.00                          |

Resolution COW111102

**Moved** by L. Halliday and seconded by M. Atkinson that it be recommended to Council that the proposed fees for election officials be approved pending the amendment of Policy No. 33.

Motion carried unanimously.

2012 CAPITAL PROJECTS

The Municipality's Capital Investment Plan includes a project for the construction of sidewalks in Barrington Passage. In order to be able to have this project done in a timely manner it will be necessary to hire engineers to provide detailed drawings. In order to hire these engineers, a Request for Proposal needs to be issued in the near future so that engineers can be hired and prepare the necessary documents to determine how much of the sidewalk will be able to be paved, and to provide the subsequent detailed drawings to the Department of Transportation for approval. This preparatory work needs to be done prior to any actual construction taking place next summer.

Resolution COW111103

**Moved** by D. Messenger and seconded by M. Atkinson that it be recommended to Council that a Request for Proposal for engineering services for the construction of sidewalks in Barrington Passage be issued in the near future in order to obtain engineering services for this purpose.

Motion carried unanimously.

BY-LAW NO. 9 "PEACE, ORDER, MISCHIEFS AND NUISANCES

Members were informed that faxed correspondence has been received from Cpl Mario Ross at the local RCMP Detachment. In this correspondence he indicates that By-Law No. 9 was discussed by the Joint Police Advisory Board. He also indicated that under the Protection of Property Act, Section 7(b) states that: "a disturbing occupier of premises by disorderly behavior may be subject to a fine of \$227.41."

Resolution COW111104

**Moved** by S. Hatfield and seconded by C. O'Donnell that it be recommended to Council that municipal employees update the Municipality's current By-Law No. 9 bringing the language of the by-law up to date and including a reference to the Protection of Property Act.

Motion carried unanimously.

TREATMENT PLANT ROOF TENDER & ROBERTSON BUILDING ROOF TENDER

The Municipality had previously advertised for tenders for the replacement of the roofs at the Wood's Harbour and Brass Hill sewage treatment plants, and also for the replacement of the roof at the Robertson Building in Barrington Passage. Two sealed tenders were received for both projects. The tenders for the treatment plant roofs were opened first by the Chair. The tender results are as follows:

- Garian Construction Ltd., \$15,459.00, plus H.S.T.
- Rijak Projects Inc., \$27,185.00, plus H.S.T.

The tenders for the Robertson Building were then opened and the results of those tenders were:

- Garian Construction Ltd., \$18,450.00, plus H.S.T.
- Rijak Projects Inc., \$29,870.00, plus H.S.T.

Resolution COW111105

**Moved** by C. O'Donnell and seconded by S. Hatfield that Municipal Staff review the tenders and make a recommendation to Council at the Council meeting to be held next week.

Motion carried unanimously.

DISTRICT PLANNING COMMISSION

Information was circulated to members by email providing background to the Yarmouth-Argyle-Barrington District Planning Commission. A recommendation was also provided to members from the Clerk-Treasurer. It is recommended that the Municipality withdraw from the District Planning Commission as it has already given notice, and that the Municipality purchase planning services from consultants and professional planners, as required, and that the Municipality purchase mapping services from the Geomatic Centre in Amherst and from private service providers as required. It is also recommended that the Municipality maintain the current Map Search service directly with Mr. Steve Goldring for the use of the Development Officer and Municipal Office, and that the Municipality participate in the Community Information Utility that is currently being developed by the Nova Scotia Community College. It is believed that the required planning and mapping services can be purchased more economically and in a more timely manner from other sources than the District Planning Commission.

It was then discussed whether any further action would be required at this time. It was the consensus of members that Council wait until the new year to provide any further communication to the District Planning Commission.

COMMUNITY HEALTH CENTRE APARTMENT RENTAL

It is proposed that a rental rate be established for the apartment above the Community Health Centre. A new doctor will be coming to the area and renting this apartment beginning December 1, 2011. It was suggested to Committee that the Municipality recover the cost of utilities for this apartment from the doctor who will be living there. It is suggested that an appropriate rental rate would be \$500.00 per month.

Resolution COW111106

**Moved** by C. O'Donnell and seconded by S. Hatfield that it be recommended to Council that a rental rate of \$500.00 per month be set for the apartment at the Community Health Centre to be charged to the doctor who will be renting the apartment beginning December 1, 2011.

Motion carried unanimously.

DENTAL OFFICE

Conflict of Interest

Deputy Warden Messenger declared conflict of interest for the discussion of this matter as her husband may be a contractor doing the renovations to this building. Deputy Warden Messenger assumed a seat in the public gallery for the discussion of this matter.

Members were informed that Dr. Kim Mailman has again viewed the dental office and is preparing to have this space renovated. In order to have this happen the current tenants must be given notice to move as well as the adjacent tenants must be given notice to vacate their premises. The doctor is not yet able to commit to a lease as he has not completed the incorporation of a new practice for the site and has not yet finished financial arrangements.

**Moved** by C. O'Donnell and seconded by S. Hatfield that it be recommended to Council that the Municipality give appropriate notice to both of the tenants in the building in order to initiate the required moves to establish the dental office.

AFFIRMATIVE

Murray Atkinson  
Cecil O'Donnell

NEGATIVE

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

Motion defeated.

Deputy Warden Messenger then returned to her seat at the table.

C.S.I. SEWER PROJECT RE: GAS TAX RESTRICTIONS

Information had previously been circulated to members concerning the funding of the C.S.I. Sewer Project. Because the C.S.I. Sewer Project was funded by the Building Canada Fund there is a restriction on the Federal Government Funding allowed to be used for this project. The total federal funds spent on the project are not allowed to exceed 50% of the total eligible project costs. Restriction would not have been exceeded had the project been completed. However, since the project is not completed, the federal portion of funds spent on the project now exceeds 50%. The total eligible project costs are \$209,526.00. This means that the maximum federal contribution allowed at 50% is \$104,763.00. The combined federal funding on the project from both the Building Canada Fund and the Federal Gas Tax Funds is \$156,651.00. This means there is an excess of \$51,888.00 in federal funds spent on the project. It is proposed that the Gas Tax Funds of \$51,888.00 be returned to reserves and that this \$51,888.00 be taken from the unrestricted funds in the Special Reserve Fund Capital.

Resolution COW111107

**Moved** by D. Messenger and seconded by M. Atkinson that it be recommended to Council that the Municipality transfer \$51,888.00 from the unrestricted funds in the Special Reserve Fund Capital to the funds reserved for Gas Tax, and that Service Nova Scotia be informed of this transfer in order to comply with the federal funding restrictions placed on this project under the Building Canada Fund.

Motion carried unanimously.

POLICY 46 TAX REDUCTION

The Municipality's Policy No. 46 provides for a tax reduction as allowed by the Municipal Government Act for taxes payable on properties destroyed or partially destroyed by fire, storm or otherwise. Under this policy, Sable Fish Packers Ltd. has applied for a tax reduction as a result of a fire that occurred on their property on May 26, 2011. The Property Valuation Services Corporation has reassessed the property and equipment and indicates that the assessment has been reduced by \$99,400.00 as a result of the fire. A proportional reduction for the period May 26, 2011 to March 31, 2012 has been calculated, and for that period of 300 days will provide a reduction of \$2,148.67 to Sable Fish Packers Ltd.

Resolution COW111108

**Moved** by L. Halliday and seconded by C. O'Donnell that it be recommended to Council that a reduction of \$2,148.67 be provided to Sable Fish Packers Ltd. for the 300 day period from May 26, 2011 to March 31, 2012 as a result of the fire that occurred on their premises on May 26, 2011.

Motion carried unanimously.

SCHEDULE OF FEES

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

GOVERNANCE SURVEY

Members continued to discuss the Governance Survey and alternative changes to the number of councillors and the corresponding number of districts in the Municipality. A third alternative was presented to councillors by the Clerk-Treasurer. This third alternative included five municipal districts of which two would be on Cape Sable Island and three would be on the mainland. These districts would include a Western, Central and Eastern District on the mainland and West Bay and East Bay District on Cape Sable Island.

Members then reviewed these districts and further discussed the alternatives available.

Resolution COW111109

**Moved** by S. Hatfield and seconded by M. Atkinson that it be recommended to Council that the Municipality reduce the number of councillors to five in the future with a corresponding restructuring of five municipal districts; two on the Island, and three on the mainland, and that the Municipality have a Mayor elected at large by the public.

**AFFIRMATIVE**

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

**NEGATIVE**

George El-Jakl  
Cathy Stoddard

Motion carried.

VILLAGEDALE ROAD LIGHTS

A member expressed concern that many of the streetlights along the Villagedale Road are not working and that Nova Scotia Power should be notified.

Municipal employees will perform a check of the lights in this area and will notify Nova Scotia Power accordingly.

LEARNING CENTRE INVITATION

An invitation has been received from the Learning Centre this afternoon indicating that councillors are invited to attend the Literacy Action Week Celebrations being held at the Barrington Community Learning Centre. These celebrations will be held on Wednesday, November 9, 2011, at 10:30 a.m., at the Barrington Community Learning Centre, in Barrington Passage. The organization would like to see at least three (3) councillors attend.

CROW'S NECK BEACH & BACCARO LIGHTHOUSE ROAD

A member queried whether a response has been received from the Provincial Government regarding these two matters.

Correspondence has been received from the Nova Scotia Nature Trust regarding Crow's Neck Beach which will be brought forward to Council at their next meeting.

To date, no response has been received regarding the Lighthouse Road in Baccaro as this request has only been forwarded recently.

ADJOURNMENT

The meeting was adjourned by mutual consent of members at 9:15 p.m.

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Chair

Secretary for the Meeting

**On website November 9, 2011.**