

COMMITTEE OF THE WHOLE COUNCIL MEETING

January 21, 2013

The meeting was called to order by Councillor El-Jakl 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
- Jody Crook
- Shaun Hatfield
- Donna LeBlanc-Messenger
- Eddie Nickerson

- Brian Holland, Municipal Clerk

ADDITIONS TO THE AGENDA

The following items were added to the agenda:

- Health benefits for Councillors.
- Council Office.
- Litter Clean-up Program.
- Animal By-Law.

APPROVAL OF AGENDA

Moved by S. Hatfield and seconded by J. Crook that the agenda be approved as amended.

Motion carried unanimously.

APPROVAL OF MINUTES

Moved by E. Nickerson and seconded by J. Crook that minutes of the meetings held January 7, 2013 and January 19, 2013 be approved as circulated.

Motion carried unanimously.

CONFLICTS OF INTEREST

Councillor El-Jakl informed members that he would be declaring a conflict of interest during the discussion of the Chamber of Commerce Report on Property Taxation. Councillor El-Jakl is a director of the Barrington Area Chamber of Commerce.

BY-LAW AMENDMENTS

Information concerning proposed by-law amendments was circulated to members prior to the meeting.

Tax Exemption By-Law

Amendments are being proposed to the Tax Exemption By-Law that would remove properties that should no longer be on schedules contained in the by-law. The by-law would further be amended by adding the Shag Harbour Incident Society which is a local non profit historical society that operates the UFO Museum. This Society has requested the exemption and qualifies under the by-law.

Resolution COW13013

Moved by E. Nickerson and seconded by S. Hatfield that the proposed amendments to the Tax Exemption By-Law be forwarded to Council for first reading.

Motion carried unanimously.

Noise By-Law

Proposed amendments to the Noise By-Law were previously circulated to members for their review and consideration. Attached to the proposed amendments was a list of possible incidents of noise that may occur in the Municipality, and the sections of the by-law that cover these incidents.

It was suggested that the by-law be further amended to include a provision in Schedule A, Part 1, Paragraph 5. It was suggested that the discharge of a firearm for the purpose of a distress signal be included in this section, and the section be amended appropriately.

Resolution COW130114

Moved by J. Crook and seconded by E. Nickerson that Schedule A, Part 1, Paragraph 5 be amended to include the discharge of a firearm to be permitted when used as a distress signal. An appropriate amendment will be made before the by-law is brought forward to Council.

Motion carried unanimously.

Resolution COW130115

Moved by J. Crook and seconded by E. Nickerson that the amended Noise By-Law be forwarded to Council, including the amendment in Schedule A, Part 1, Paragraph 5, for first reading.

Motion carried unanimously.

Policy Amendments

Policy No. 8 "Annual Remuneration and Expenses for Councillors, Staff and Others"

It is proposed that a new paragraph 11 be added to this policy which would provide for councillors to attend Union of Nova Scotia Municipalities meetings and workshops without receiving prior approval of Council or Committee.

The proposed amendment would provide for this attendance providing there is no overnight stay required.

Resolution COW130116

Moved by S. Hatfield and seconded by D. Messenger that the proposed change to Policy 8 be amended to include that if accommodation is required because of the distance of the meeting location from the Municipality, or due to weather conditions, then prior approval of Council is not necessary, or if the member believes that there is not time enough to gain approval from Committee of the Whole, and the councillor believes that the meeting or workshop would be of a benefit to the community, and that the proposed change also include that a written or verbal report be provided to Council at the next Council meeting following the meeting or workshop.

Motion carried unanimously.

The draft paragraph 11 of Policy 8 will be amended accordingly, and the amended paragraph will then be brought forward to Council, and notice will then be given of the revised amendment to Policy 8 at the next subsequent Council meeting.

Policies 39 & 59

It is proposed that both of these policies be amended to provide for fewer councillors on committees. Since there are now five councillors, it is suggested that the number of committee members be reduced. The number of committee members on the Hiring Committee is contained in Policy 39, and it is proposed that that policy be amended to include no more than two councillors on the Hiring Committee.

Policy No. 59 defines the number of councillors on all of the Committees of Council. It is proposed that the number of committee members in paragraph 4(1) be changed to indicate that all standing committees shall consist of not more than two members of Council, and Paragraph 5 shall read: "Ad hoc committees may be appointed from time to time to deal with specific matters.". Also, on page 7 the policy will be amended to indicate that the Planning Advisory Committee shall consist of not less than five (5) members, not more than two (2) of whom shall be members of Council, and three (3) shall be non Council members residing in the Municipality.

Resolution COW130117

Moved by J. Crook and seconded by E. Nickerson that the proposed amendments to Policies 39 and 59 be forwarded to Council so that notice will be served at the next subsequent Council meeting.

Motion carried unanimously.

Policy No. 66 "Proposed Information Technology Policy"

This policy was circulated for the consideration of members.

Much discussion took place regarding the appropriate yearly allowance to be made for the provision of information technology to councillors. This technology would include the purchase and maintenance of a laptop, a blackberry or smart phone, a playbook and associated printers and supplies.

After much discussion this matter was deferred by consensus of members for further consideration later in the meeting.

Recreation Policy Amendment

It is proposed that the Recreation Policies governing use of municipal facilities and the operating policies for recreation facilities be amended. Draft amendments were circulated to all members for their consideration.

Resolution COW130118

Moved by S. Hatfield and seconded by J. Crook that notice be given to Council of the proposed amendments to the policy governing use of municipal facilities and to the Operating Policy for the Recreation Department.

Motion carried unanimously.

Healthy Eating Policy

A proposed Healthy Eating Policy had previously been circulated to members for their information.

Some question arose regarding the proportion of sales at the Municipal Arena that may be attributed to non healthy foods. It was requested that further information be obtained regarding the proportion of sales by product at the Municipal Arena, and possibly at other locations operated by the Municipality. At the same time there was some discussion regarding the promotion of healthy eating alternatives at the Arena and other municipally operated locations. This is presently being done to some extent and will continue to be done in the future. Promotional materials may also be obtained for use in municipal facilities to promote healthy eating. This policy will be further discussed at a subsequent meeting of committee once additional information is obtained.

Policy No. 62 "Arena Policy"

It is proposed that paragraph 5 of the Barrington Municipal Arena Policy be amended to state that: "Rental rates for ice and non ice times will be set by resolution of Council.". This will be done based on a recommendation from the Arena Manager, and on the budget that is approved. Rates will be set during the budget process, and further that in the paragraph titled "Rental Rates (non ice times)", the Arena will be available for rental during non ice times, and the remaining paragraph will be deleted.

Resolution COW130119

Moved by E. Nickerson and seconded by J. Crook that notice of these amendments be provided to Council at the next subsequent Council meeting.

Motion carried unanimously.

PROPOSED CIVIC ADDRESSING MOTION

A draft civic addressing motion was circulated to members for their review. This motion, if satisfactory, will be forwarded to the Union of Nova Scotia Municipalities for their consideration at their conference in the fall of 2013.

Resolution COW130120

Moved by S. Hatfield and seconded by D. Messenger that it be recommended to Council that the draft Civic Addressing motion be submitted to the UNSM for consideration at their convention in the fall of 2013.

Motion carried unanimously.

FINANCIAL CONDITION INDEX

It was agreed by consensus of members that the review of the Financial Condition Index be postponed to a later meeting of Committee.

LED STREET LIGHT PROGRAM

Information has been received from the Union of Nova Scotia Municipalities regarding the purchase or rental of LED street lights in municipal units across the Province. It is proposed that a half day workshop be held to present a template for business around purchasing versus leasing the LED lights. Municipal employees will attend this workshop in order to bring the information back so that the Municipality's situation can be evaluated. Further information will be coming forward after this has been done.

MEETING WITH LIBERAL CAUCUS

Correspondence has been received from the Provincial Liberal Caucus indicating that they would be willing to meet with representatives from the Municipality, in Halifax, at a later date.

Resolution COW130121

Moved by E. Nickerson and seconded by S. Hatfield that it be recommended to Council that the Liberal Caucus be contacted and determine a meeting date in Halifax, and that those councillors wishing to attend this meeting have their expenses paid. It was suggested that the meeting be held in either late February or early March, and that physician recruitment and the Liberal Party's policy in regards to Nova Scotia Powers' restraint on rate increases be discussed at the meeting.

Motion carried unanimously.

REMUNERATION FOR NEXT COUNCIL

Members agreed that this matter should be discussed, however they did not wish to defer until late in the term of current Council. As a result it was agreed by consensus that it would be included in Strategic Planning discussions that are taking place this winter and spring.

FUTURE OF JOINT SERVICES

Members were reminded that the Municipality is providing joint services for the Shelburne County Senior Safety Coordinator and Senior Services Coordinator, and also for the Shelburne County Tourism Coordinator. The Seniors Services are funded from the Province and the municipal units. The Tourism Coordinator is funded solely through the municipal units of Shelburne County.

Resolution COW130122

Moved by D. Messenger and seconded by J. Crook that it be recommended to Council that correspondence be sent to the other municipal units in Shelburne County asking them to indicate what is their vision for sharing of these services in the future and do they have any interest in continuing with the current service provision method.

Motion carried unanimously.

TAX REFORM - NOVA SCOTIA CHAMBER OF COMMERCE

Conflict of Interest

Councillor El-Jakl declared a conflict of interest at this time and retired from the meeting table.

The Warden then assumed the Chair.

Members discussed the proposal which had been circulated by the Nova Scotia Chamber of Commerce. This proposal deals with the property tax burden and the discrepancy they identify between residential and commercial tax burden.

It was the consensus of members that this is a larger issue that needs to be dealt with across the Province by all 54 municipal units.

Resolution COW130123

Moved by S. Hatfield and seconded by D. Messenger that it be recommended to Council that a letter be sent to the Union of Nova Scotia Municipalities requesting them to analyse the Chamber of Commerce proposal and provide the appropriate advice to municipalities.

Motion carried unanimously.

It was also agreed that copies of this letter would be forwarded to other municipal units in the Province.

Councillor El-Jakl then returned to the meeting and resumed the Chair.

PC CAUCUS INVITATION

Members were provided with a copy of an invitation from the PC Caucus to the Warden. The Warden is invited to attend a meeting conducted by the PC Caucus with municipal mayors and wardens in order to discuss issues of the municipalities. This meeting is scheduled to be held on Friday, February 8, 2013, from 3:00 to 4:00 p.m., at the Halifax Marriott Harborfront Hotel. The Warden informed members that he would be visiting in Halifax on that day in any case, and would like to attend the meeting on behalf of the Municipality.

It was the consensus of members that the Warden attend the meeting and the issues he may wish to bring up should include: Nova Scotia Power Inc. rate increases, physician recruitment and provincial electoral boundaries, if necessary. A response will be sent to the PC Caucus from the Municipal Office.

SPRUCE DRIVE PETITION

Councillor Hatfield informed members that he has been approached by residents of Spruce Drive requesting that a portion of the road be paved. A petition has also been received at the Municipal Office from property owners of Spruce Drive requesting that the Municipality apply under the J-Class Provincial/Municipal Cost Sharing Program to have the D.O.T. section of Spruce Drive subdivision paved in the upcoming year of 2013. This petition has been signed by twelve (12) residents of Spruce Drive.

Resolution COW130124

Moved by S. Hatfield and seconded by E. Nickerson that it be recommended to Council that the paving of the Provincial portion of Spruce Drive be forwarded to the Nova Scotia Department of Transportation requesting funding under the 50/50 cost sharing program.

Motion carried unanimously.

Resolution COW130125

Moved by J. Crook and seconded by E. Nickerson that having reached the hour of 10:00 p.m., the committee continue until the business of the meeting has been completed.

Motion carried unanimously.

PROVINCIAL ELECTORAL BOUNDARIES

Members were informed that the letter that had previously been drafted and circulated to municipal units was approved by all of the mayors and wardens, and has subsequently been sent to the leaders of the Nova Scotia Liberal Party and the Nova Scotia Progressive Conservative Party.

Members were also informed that information had not been forthcoming concerning the estimated cost of obtaining an injunction or the probability of being able to obtain an injunction.

It was agreed by consensus of members that the Municipal Clerk would attempt to get this information from alternative legal sources. The information that is obtained will be forwarded to members.

HEALTH BENEFITS FOR COUNCILLORS

Correspondence has been received from the Union of Nova Scotia Municipalities indicating that life insurance, disability coverage and health and dental coverage may be obtained for municipal councillors through the Union of Nova Scotia Municipalities. The information on this program was circulated to members for their information and review. The program requires full participation by municipal units. The UNSM is suggesting that the municipalities pay 100% of the premiums for councillors.

Moved by S. Hatfield and seconded by E. Nickerson that it be recommended to Council that the UNSM councillors' coverage be adopted by the Municipality.

NEGATIVE

Jody Crook
George El-Jakl
Shaun Hatfield
Donna LeBlanc-Messenger
Eddie Nickerson

Motion defeated unanimously.

Resolution COW130126

Moved by E. Nickerson and seconded by D. Messenger that it be recommended to Council that municipal employees obtain information on the insurance coverage provided by the local Chamber of Commerce for consideration of members.

Motion carried unanimously.

COUNCIL OFFICE

The staff at the office being rented by the District Health Authority in the Municipal building has been contacted regarding use of part of that office by municipal councillors. The DHA Staff indicated that the property rentals are administered by Mr. Bob Jenkins, in Yarmouth, and he is the gentleman who should be contacted regarding this matter.

Resolution COW130127

Moved by E. Nickerson and seconded by D. Messenger that it be recommended to Council that the Warden and Clerk meet with Mr. Bob Jenkins regarding office space in the Municipal building.

Motion carried unanimously.

Some question arose concerning the rental rate and the rental revenue received from this space. This information will be obtained and circulated to members by email.

COMMUNITY LITTER CLEAN-UP

The Community Litter Clean-up Program will need to be advertised in the very near future so that it can be scheduled to be completed during the spring months prior to budget approval.

Resolution COW130128

Moved by D. Messenger and seconded by J. Crook that it be recommended to Council that \$10,000 be included in the budget for the coming fiscal year for the Community Litter Clean-up Program, and that the local Tim Horton's operator and the local McDonald's Restaurant operator be requested to provide a contribution to this program.

Motion carried unanimously.

ANIMAL BY-LAW

Members discussed the Animal By-Law in relation to recent complaints received about the proliferation of cats in the area. At the present time the Municipality does not have any kennel, nor will the SPCA accept any cats. As a result the Municipality cannot take possession of any cats in the community as it has no means of disposition of the animals.

Members continued to discuss this situation for some time.

It was agreed by consensus of members that this matter be deferred to a future meeting of Committee.

Councillor Hatfield excused himself from the meeting at 10:50 p.m.

INFORMATION TECHNOLOGY POLICY CONTINUED

It was the consensus of members that an amount of \$2,050.00 be provided for the provision of information technology to each councillor over the four year period of their term. The policy will be redrafted to accommodate this proposed amendment and presented to the next Committee of the Whole.

ADJOURNMENT

Having completed the business of the meeting, the meeting was adjourned at 10:56 p.m.

Chair

Secretary for the Meeting

On website January 23, 2013.

