

COMMITTEE OF THE WHOLE COUNCIL MEETING

March 18, 2013

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:

- Lindsay (Eddie) Nickerson, Chair
- Jody Crook
- George El-Jakl
- Donna LeBlanc-Messenger

Member Shaun Hatfield was absent due to vacation.

- Brian Holland, Municipal Clerk

Also in attendance were twelve (12) members of the public.

ADDITIONS TO THE AGENDA

The following items were added to the agenda:

- Barrington River Bridge.
- Community Health Centre.

APPROVAL OF AGENDA

Moved by G. El-Jakl and seconded by J. Crook that the agenda be approved as amended.

Motion carried unanimously.

APPROVAL OF MINUTES

Moved by G. El-Jakl and seconded by J. Crook that minutes of the meeting held March 11, 2013 be approved as circulated.

Motion carried unanimously.

BARRINGTON REGIONAL CURLING CLUB MONTHLY REPORT

John Joyce, President of the Barrington Regional Curling Club, appeared before the meeting for the purpose of presenting a verbal report. He indicated that the Curling Club would be closing sometime between April 5th and April 8th. Mr. Joyce informed members that there are “solid” bookings for activities during the summer at the Curling Club. He also indicated that the machinery had been working well during the course of this season. When asked, Mr. Joyce informed members that they have experienced energy savings and he will bring comparative usage figures to the next meeting for members. Mr. Joyce indicated that there were 85 members of the Curling Club this year, and that compared to 98 members for the previous year.

Having completed his discussion of these matters, Mr. Joyce then retired from the meeting.

DEPARTMENT OF TRANSPORTATION

Mr. Jason MacIntosh, the Shelburne Operations Supervisor for the Department of Transportation, appeared before the meeting for the purpose of discussing various issues. The following issues were discussed with Mr. MacIntosh:

- Work along shoulder of the road along Highway #330, in Centreville and Newellton.
- Repairs to McGill's Road.
- River Road Intersection.
- Traffic Lights in Barrington Passage.
- Sharp turn at intersection of Stoney Island Road and Sable Sands Lane.
- Sharp turn on Highway #3 in Bear Point.
- Ditching of the Provincial portion of Spruce Drive.
- Lights at the Acadian Sea Plants property in Charlesville.
- Grading of the Upper Clyde Road beyond the chipsealed section.
- Grading of Symond's Lane.
- Trees near Highway #330 in North East Point at Civic address #369.
- Baccaro Lighthouse Road.
- Widening the shoulder of the road at Crow's Neck Beach.
- Other road maintenance issues.

Mr. MacIntosh explained how various issues would be addressed by the Department of Transportation, and what the best process would be to handle those. He also indicated which issues would not be able to be addressed in the immediate or near future due to funding restrictions.

Mr. MacIntosh also indicated that the Department is now trying to put "brine" on roads before significant snow storms in order to reduce the amount of ice and snow on the road.

Having completed his discussion of these matters, Mr. MacIntosh then retired from the meeting at approximately 8:15 p.m.

OLD COURT HOUSE HEATING

Members were provided with written information concerning the cost of providing additional and alternative heating for the Old Court House.

It was suggested that the Municipality investigate possible conversion grants provided by Nova Scotia Power.

The following items were brought to the attention of members:

1. Generally the building is drafty.
2. There is a space under the front door that needs to be sealed.
3. The upstairs fire exit door is drafty and needs to be sealed.
4. The old furnace in the basement produces an odor.
5. It is believed that the basement section is mouldy.
6. There are two fuel tanks still on the property, one of which is full. These need to be removed.
7. Heaters are not working. Electric heaters do not provide satisfactory heat because the space is too open.

The Manager of the Cape Sable Historical Society indicated there would be more activities in the building, and that it would be used two or three times per week if there was more heat in the building. She also indicated that the Historical Society has restored parts of the building by refinishing the hardwood floors, and painting hardwood floors in some sections. It had been indicated to her that this building has been restored to as close to its original 1843 condition as most of the museums in the province.

Resolution COW130309

Moved by J. Crook and seconded by D. Messenger that further consideration of this matter be deferred until an April Committee of the Whole meeting in order to give members an opportunity to view the building.

Motion carried unanimously.

GOOSE LAKE ROAD

A proposed draft by-law to provide for a charge on the Goose Lake Road had been circulated to members for their information and review. The intention of this by-law is to enable the Municipality to place a maintenance charge on property owners in the Goose Lake area. This maintenance charge is proposed to be in the amount of \$100.00 a year. The proceeds of this charge, collected annually, will be provided to the Goose Lake Association, who in turn will enter into an agreement with the Municipality to maintain the various private roads in the Goose Lake area, including the Goose Lake extension, Kenney Crescent, Lake View Drive, Gander Lane and Scotia Drive. All property owners will be required to pay this charge. The charge will be applied to all owners of taxable property within the charge area. This means that individuals or companies that own more than one property in the area will be required to pay an annual charge on each individual property.

Members then discussed the charge together with some of the residents of the Goose Lake area and members of the Goose Lake Association.

Resolution COW130310

Moved by J. Crook and seconded by G. El-Jakl that Municipal Staff determine the possibility of applying a portion of the camp site lease proceeds, and the proceeds of a charge for wood cutting permits, for the purpose of maintenance of the private roads in the Goose Lake area, in consultation with the Municipal Solicitor.

Motion carried unanimously.

The Goose Lake Association in their correspondence to the Municipality has also requested compensation for prior years that they have continued to maintain their private roads in the area.

There will be further consideration of this matter at a subsequent meeting once legal advice is obtained.

LETTER FROM MUNICIPALITY OF LUNENBURG

Correspondence has been received from the District of Lunenburg expressing their condolences on the loss of the five fishermen in the Woods Harbour area. The Council of the District of Lunenburg is asking the Municipality to extend their sincere sympathies to the families of these five young men, and to the communities where they lived.

Resolution COW130311

Moved by D. Messenger and seconded by J. Crook that it be recommended to Council that a response be sent to the District of Lunenburg indicating that their sentiments will be forwarded as requested.

Motion carried unanimously.

Resolution COW130312

Moved by J. Crook and seconded by G. El-Jakl that it be recommended to Council that condolences from the Municipality of Barrington be sent to each of the families of the five fishermen who were lost at sea, by letter to the parents, spouses and grandparents of each of the fishermen.

Motion carried unanimously.

PROCLAMATION OF DAY

Members discussed the possible proclamation of a day for lost fishermen. Members were also informed that a petition is being circulated in the community for the proclamation of a Mariners Day. This proclamation is being requested of the Nova Scotia House of Assembly.

Members then discussed when ceremonies might be held in each community at their fishermen's memorial. Ceremonies are already being held on an annual basis in the Woods Harbour and Cape Sable Island areas.

Resolution COW130313

Moved by G. El-Jakl and seconded by D. Messenger that it be recommended to Council that a letter of support be sent to the Nova Scotia Government for the proclamation of Mariners Day on February 18th, as requested in the petition being circulated in the community, and that a copy of this letter be sent to other municipal units in the area requesting their support.

Motion carried unanimously.

MAYOR/WARDEN DISCUSSION

It was the consensus of members that discussion of this matter be deferred until an April meeting of the Committee in order that all members may be present.

PROPOSED NOISE BY-LAW

The comments provided by the Municipal Solicitor regarding the proposed Noise By-Law were previously circulated to members for their information and review.

Members do not wish to make any further changes to the proposed by-law and consequently it will be brought back to the next Council meeting for second reading.

EMPLOYEE ASSISTANCE PLAN

Members were informed that the Municipality's Employee Assistance Plan is now up for renewal. This plan provides counselling to employees, and also for employee family assistance counseling in various areas including; in person counseling, telephonic counseling, video counseling, e-counseling and other services. The cost of the plan is approximately \$638.00 annually, and will be renewed for another three year period, effective April 1st.

Moved by G. El-Jakl and seconded by D. Messenger that it be recommended to Council that the Warden and Clerk be authorized to enter into an agreement for the Employee and Family Assistance Program provided by Shepell.fgi.

The division was then recorded on the motion.

AFFIRMATIVE

George El-Jakl
Donna LeBlanc-Messenger

NEGATIVE

Jody Crook
Lindsay (Eddie)Nickerson

Motion defeated.

CONTINUANCE OF MEETING

Having reached the hour of 10:00 p.m. it was:

Moved by G. El-Jakl and seconded by J. Crook that the meeting continue until the business of the meeting has been completed.

Motion carried unanimously.

OWNER UNKNOWN PROPERTIES

Members were informed that the Provincial Government has four Owners Unknown properties. These properties were claimed in 2010, and in subsequent years taxes have been billed on the properties but have not been paid. As a result the Municipality will be unable to collect the taxes on these properties. Instead, the Municipality will be able to claim Grants in Lieu of taxes on these properties for these years. It will now be necessary to write off the outstanding amount of taxes on these properties in the amount of \$1,684.41, plus interest. The claim will be made for the corresponding Grants in Lieu of taxes.

Resolution COW130314

Moved by J. Crook and seconded by D. Messenger that it be recommended to Council that the taxes on four Owners Unknown properties having assessment account numbers 08454892, 08454833, 08454841 and 08454949, in the total amount of \$1,684.41, plus interest, be written off as uncollectible.

Motion carried unanimously.

BUTLER'S ESTATES LIMITED REQUESTS

Correspondence has been received from Butler's Estates requesting that the Municipality consider partnering with Butler's Estates in extending the trunk sewer line up Albenia Lane, and also upgrading the 20 foot right-of-way to a public road. The correspondence was circulated to members for their information, together with a map of the Albenia Lane area, as well as a memo from the Municipality's Development Officer concerning this request, and a memo from the Clerk-Treasurer concerning their request.

Members then discussed the possibility of working with Butler's Estates in regards primarily to the sewer line. The potential for extending the sewer line up the Albenia Lane right-of-way was discussed at length with various possibilities being considered.

Moved by D. Messenger that it be recommended to Council that the Municipality partner with Butler's Estates to extend the sewer line to the end of the Butler's Estates property on Albenia Lane, providing that the Municipal standards are met and all necessary easements are obtained, and that the construction be done at the expense of Butler's Estates, and that any Nova Scotia Environment approvals that are required are obtained.

Having asked three times for a seconder for this motion and having heard none the Chair declared the motion lost.

There was then some question concerning how far the 8" sewer line would be extended up Albenia Lane by Butler's Estates, and what easements would be required.

Resolution COW130315

Moved by G. El-Jakl and seconded by J. Crook that it be recommended to Council that Butler's Estates be informed that the Municipality is willing to take over an 8" sewer main on Albenia Lane, providing the design and construction of the sewer main meets the engineering requirements of the Municipality, is done at Butler's Estates expense, includes any and all necessary easements for the maintenance of the sewer line, and has any necessary approvals required by Nova Scotia Environment.

Motion carried unanimously.

Resolution COW130316

Moved by G. El-Jakl and seconded by J. Crook that it be recommended to Council that the Municipality deny the request of Butler's Estates Limited to partner, or take ownership of the right-of-way or road at Albenia Lane.

Motion carried unanimously.

NOVA SCOTIA LIGHTHOUSE PRESERVATION SOCIETY

Members were informed that correspondence has been received from the Nova Scotia Lighthouse Preservation Society. This correspondence provides information for submitting business plans to the Department of Fisheries and Oceans. Local community groups who wish to take over lighthouses from DFO are required to provide such a business plan. This information includes a disc containing a template for such a business plan. Information is provided to the Municipality so that any local groups who may require it can be provided it through the Municipality.

It was suggested by members that a link be put on the Municipality's website to the Nova Scotia Lighthouse Preservation Society for this purpose.

Resolution COW130317

Moved by G. El-Jakl and seconded by D. Messenger that the information provided by the Nova Scotia Lighthouse Preservation Society be forwarded to the Shelburne County Tourism Coordinator.

Motion carried unanimously.

MEDAL OF BRAVERY

Members had discussed at a previous meeting that a nomination be made for medals of bravery from the Nova Scotia Government for various people involved in the search of the Miss Ally.

There was some discussion about who should be nominated for the medal.

Resolution COW130318

Moved by J. Crook and seconded by D. Messenger that it be recommended to Council that the four divers who took part in the search for survivors of the Miss Ally tragedy; including, Donald Mahaney, Gary Thurber, Thomas Nickerson and Tommy Hennigar, be nominated for medals of bravery from the Province of Nova Scotia.

Motion carried unanimously.

Resolution COW130319

Moved by G. El-Jakl and seconded by J. Crook that it be recommended to Council that correspondence be sent to all of the boat owners and fishermen aboard the boats who took part in the search for survivors aboard the Miss Ally, thanking them for this contribution to the community, recognizing their efforts and concern in this matter.

Motion carried unanimously.

WAIVER OF PENSION PLAN WAITING PERIOD

It was the consensus of members after some discussion of this matter that the requirement for a waiver remain as currently contained in the Pension Plan.

BARRINGTON BAY BRIDGE

Members were informed that correspondence has been received from the Department of Natural Resources concerning the Barrington Bay Bridge.

The railway bridge over the Barrington River has been evaluated by engineers for the Department of Natural Resources. The recommendation of the engineers is that the bridge be closed down immediately as it is unsafe, and that the bridge subsequently be removed if necessary.

The Department of Natural Resources is willing to provide a grant to the Municipality in the amount of \$85,000.00, if the Municipality is willing to obtain a Letter of Authority from the Department of Natural Resources for the purpose of removing and replacing the bridge. The Municipality may then subcontract the work to the Woodland Multi Use Trail Association. The Secretary-Treasurer of the Trail Association has been contacted and has indicated the Association would be willing to complete this work. The bridge is located within an area that the Trail Association is applying for a Letter of Authority which would allow them to construct a multi-use trail there.

Resolution COW130320

Moved by G. El-Jakl and seconded by J. Crook that it be recommended to Council that the Municipality enter into an agreement with the Department of Natural Resources to obtain a grant of \$85,000.00 towards the demolition of the existing Barrington River bridge and to rebuild and reinforce the abutments, and installation of a single span trail superstructure as recommended by the draft engineers report on the bridge, and this Letter of Authority not extend beyond the time required for the completion of the project.

Motion carried unanimously.

COMMUNITY HEALTH CENTRE

Members were informed that patients are often waiting outside in the weather to see the doctor at the Community Health Centre when open public clinics are held there.

It was the consensus of members that Dr. Blair and his staff be consulted regarding this matter. This will be done by Municipal Staff in the near future.

DEPARTMENT OF TRANSPORTATION TEMPORARY COUNT PROGRAM

This matter had been deferred to this meeting of the committee from a previous committee meeting.

At this time it was suggested that certain volume traffic counts could be used as a basis for determining snowplowing operations on Cape Sable Island.

After some discussion no motions were forthcoming in this matter; consequently, the deferred recommendation to Council will now be brought forward at the next Council meeting.

ADJOURNMENT

The meeting was adjourned by mutual consent of members at 11:25 p.m.

Chair

Secretary for the Meeting

On website March 20, 2013.