

## COMMITTEE OF THE WHOLE COUNCIL MEETING

August 12, 2013

The meeting was called to order by the Warden, 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
- Jody Crook
- George El-Jakl
- Shaun Hatfield
- Donna LeBlanc-Messenger
  
- Brian Holland, Municipal Clerk

### ADDITIONS TO THE AGENDA

The following items were added to the agenda:

- Letter Re Sikh's Landing.
- Wild Turkeys.

### 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 S. Hatfield that minutes of the committee meeting held July 15, 2013 be approved as circulated.

Motion carried unanimously.

### POLICY AMENDMENTS

#### Guidelines for Funding and Awarding a Bursary

The proposed amendments to paragraph 5 in the Guidelines for Funding and Awarding a Bursary were discussed and reviewed by members.

It was the consensus of members that the current paragraph stating: "The Bursary will be presented by the Warden or an alternate appointed by him or her." should remain, and an additional sentence stating: "The Bursary will be paid to the school from which the recipient graduated." would be added. The purpose of having this sentence is to provide for the Municipality to pay the bursary through the school and not directly to any individual as this is prohibited by the Municipal Government Act. The school will be consulted to confirm that this is the normal procedure.

Council Meetings and Proceedings Policy

Proposed amendments to the Council Meetings and Proceedings Policy were discussed and reviewed by members. The purpose of these changes is to update the policy to current practices and to provide for changes desired by members.

The first amendment will be in paragraph 1(c) which will be replaced by the following:

***Regular Council meetings will be held on the 4<sup>th</sup> Monday of each month with the exception of the month of June when the Annual Meeting will be held, and in December when the meeting will be held on the 2<sup>nd</sup> Monday.***

The next amendment will be in paragraph 5(d). A new paragraph will be added stating:

***Recordings of meetings, both audio and video will be posted on the Municipal website and shall be removed from the website and erased after the official minutes of the meetings have been approved. No recordings shall be kept after the minutes of the meeting have been approved.***

The next amendment will be in paragraph 6(1)(d) and will read:

***Declarations of conflict of interest. (Members declaring conflict of interest will be required to leave the room during the discussion of the matter in conflict.)***

Paragraph 6(1)(l) will contain the words:

***Committee Reports***

Paragraph 6(1)(p) will be changed to read:

***Additions will be made to the agenda upon approval of a majority vote or unanimous consent of members.***

The first sentence in paragraph 6(1)(p) will be deleted.

The next amendment will be, to the section, 2 paragraphs later, that states: “...or to bring before Council any matter they may have”, will be omitted.

The next amendment will be in paragraph 6(3). The new paragraph will read:

***Individuals/delegations addressing Council or committees of Council shall first complete Form “A” attached which will contain the information required in order to make a presentation to Council. The completed form must be provided in advance so that councillors may have an opportunity to prepare.***

The remainder of the paragraph will be deleted.

The next amendment to this policy is in paragraph 8(9) to be titled:

**Notice of Motion:** (will be inserted, and the following paragraph will follow:

***Any notice of motion is to be given at a meeting prior to the meeting at which the motion is actually being considered. Members would receive the Notice of Motion with a written copy of the motion so that they may have time to consider its implications and carry out any required research. (the next two sentences will be deleted, and the paragraph will end with this sentence) Waiver of Notice would have to be approved by vote of the meeting, and then, if approved, the motion may be voted on at the same meeting without any further notice being given.***

The form at the end of the policy, Form "A", will be amended to omit the paragraph now contained at the bottom. It will also be noted on the form that individuals or groups making presentations are required to address their comments and questions to the Chair of the meeting only.

Having completed their review of this policy, it was also the consensus of members that the policy be referred to the Municipal Solicitor, and that he be requested to comment on the potential risk involved for both councillors and the Municipality in relation to paragraph 5. The risk referred to is the potential liability that may arise as a result of keeping both audio and video recordings of meetings instead of erasing them once the official minutes are adopted. Correspondence will be sent to the Municipal Solicitor requesting his opinion in this matter.

#### Policy on Committees of Council

Amendments were made to this policy in order to make it consistent with the Council policy. Paragraph 9 is amended to read:

***Individuals/delegations addressing committees of council shall first complete Form "A" attached, which will contain the information required in order to make a presentation to committee. The completed form must be provided in advance so that councillors may have an opportunity to prepare.***

The remainder of that paragraph will be deleted.

The next amendment is in paragraph 14 where the word ***Benefits*** is added between the words ***Annual Remuneration and Expenses***.

Also, a paragraph 18 has been added which reads:

***Committee Meeting proceedings shall be the same as proceedings for Council Meetings as outlined in Policy 52 "Council Meetings and Proceedings Policy.***

Also, under Standing Committees, Committee of the Whole Council, at the top of page 5, the paragraph will read:

***The Committee shall consist of all members of Municipal Council. The Committee shall meet the second and third Monday of each month with the exception of the month of December when a Council Meeting will be held on the second Monday. Additional meetings may be held as required by circumstances.***

Form "A" that is attached to the policy will be revised to be consistent with the Form "A" attached to the council policy.

Social Media Policy

A draft of a new Social Media Policy was circulated to members. This policy had also been circulated to all department managers. There had been no comments received from the department managers regarding this policy.

There then followed some discussion regarding the possible contrary views of municipal employees and/or councillors compared to decisions taken by Council. It was agreed that this policy should be further researched in order to determine if certain opinions of both councillors and employees are to be incorporated into this policy.

Resolution COW130801

**Moved** by G. El-Jakl and seconded by J. Crook that the *Guidelines for Funding and Awarding a Bursary*, and *Policies of Committees of Council* be amended as agreed, and forwarded to Council for notice of amendments.

Motion carried unanimously.

The policy on *Council Meetings and Proceedings* will be amended accordingly and information obtained from the Municipal Solicitor and then returned to the Committee of the Whole again for further consideration.

The *Social Media Policy* will be returned to Committee of the Whole for future consideration as well.

DRAFT BY-LAW GOOSE LAKE PRIVATE ROADS MAINTENANCE AND IMPROVEMENTS

Conflict of Interest

Deputy Warden Messenger declared conflict of interest as she is a part owner of properties in the Goose Lake area and retired from the meeting room.

A Draft By-Law respecting the maintenance and improvement of private roads in the Goose Lake area was circulated to members for their information and review. This proposed by-law puts in place a uniform annual charge, of \$100.00 per year, on property owners in the Goose Lake area. The funds received from this charge will be used to maintain the private roads in the Goose Lake area. It is proposed that this by-law be put in place as soon as possible, and that an agreement be entered into with the Goose Lake Association pursuant to this by-law for the maintenance of the roads.

Resolution COW130802

**Moved** by J. Crook and seconded by S. Hatfield that it be recommended to Council that the proposed by-law respecting the maintenance and improvement of private roads in the Goose Lake area be approved for first reading.

Motion carried unanimously.

Deputy Warden Messenger was then asked to return to the meeting.

### MEMORIAL BENCHES FOR WOODS HARBOUR SIDEWALK

Members were informed that a limited amount of information has been obtained regarding the placement of benches on the Woods Harbour sidewalk. It is recommended that further information be obtained and that further construction of the Woods Harbour sidewalk be done first before it is possible to determine a suitable location for the placement of bench(s).

It was the consensus of members that this matter be addressed again when the sidewalk is more complete.

### CAUSEWAY SIDEWALK

A preliminary estimate had been received from Aberdeen Paving for the extension of the sidewalk at the northern end of the Cape Sable Island Causeway.

After some discussion it was agreed by members that it would be necessary to obtain an engineer's drawing of the sidewalk extension in order to obtain approval from the Department of Transportation for its construction. The engineers will be consulted for this purpose and the information returned to the committee for consideration.

### Resolution COW130803

**Moved** by D. Messenger and seconded by S. Hatfield that it be recommended to Council that the Municipality obtain engineering drawings for the Causeway Sidewalk Extension satisfactory to the Department of Transportation and Infrastructure Renewal.

Motion carried unanimously.

### UNSIGHTLY PREMISES

#### Floyd Banks Property

Members were informed that since there has been no action taken by the property owner to clean up the Floyd Banks property, the Municipality will proceed with its Order and clean up the property accordingly, at the owner's expense.

#### Greenwood Property

Pictures had been taken the previous day of the Greenwood property. These pictures were shown to members to indicate that the main building has been knocked down and there is evidence that the roofing is being removed from the building and separated for disposal.

Members expressed concerns that they have received from local residents indicating that they would like the clean-up to be done in a more timely fashion as it appears to be taking much longer than expected. A Demolition Permit has been issued that will expire on October 13, 2013.

Resolution COW130810

**Moved** by S. Hatfield and seconded by J. Crook that it be recommended to Council that the property owners be notified that an Order will be requested from Council for the cleanup of the property under the Dangerous and Unsightly Premises Provisions of the Municipal Government Act, and that the Municipality will proceed with the Order should the property not be cleaned up by the expiration of the Demolition Permit.

Motion carried unanimously.

DEPARTMENT OF TRANSPORTATION

Paving of Villagedale Road to Sand Hills

Resolution COW130804

**Moved** by J. Crook and seconded by D. Messenger that it be recommended to Council that the Municipality contact the Minister of Transportation and Infrastructure Renewal to request that the Villagedale Road be paved from the intersection of Highway #3 in Barrington to the Sand Hills Beach Park, and that copies of the letter be sent to our MLA, and to the local office of the Department of Transportation and Infrastructure Renewal.

Motion carried unanimously.

Old Post Road Speed Limit

Resolution COW130805

**Moved** by J. Crook and seconded by G. El-Jakl that it be recommended to Council that the Municipality contact the Department of Transportation and ask that the speed limit on Old Post Road be reduced to 30 km per hour, that "Children Playing" signs be installed, and that the RCMP also be contacted regarding vehicles speeding on this road.

Motion carried unanimously.

Armour stone at Baccaro Lighthouse Road

Resolution COW130806

**Moved** by J. Crook and seconded by D. Messenger that it be recommended to Council that correspondence be sent to the Supervisor of the local Department of Transportation and Infrastructure Renewal Office requesting information on the placement of armour stone along the sides of Lighthouse Road in Baccaro.

Motion carried unanimously.

BOAT RACES NOISE COMPLAINT

Conflict of Interest

Warden Nickerson declared conflict of interest as he is the President of the Nova Scotia Boat Racers Association and retired from the meeting.

The Deputy Warden then assumed the Chair.

Complaints have been received regarding the noise made at various times by boat racers who are working on and practicing with their boats in anticipation of future boat races. It was noted that the noise created was particularly lengthy and loud on August 1<sup>st</sup>.

There then followed much discussion regarding various complaints received and the duration of the noise. It was suggested that limitations be placed on the times set for boat racers to be able to practice in order to reduce the noise in the community.

Resolution COW130807

**Moved** by S. Hatfield and seconded by J. Crook that it be recommended to Council that a letter be sent to the Nova Scotia Boat Racers Association requesting them to consider limiting further their hours of practice, and indicating to them that Council is in favour of continuing to help boat racers in the community, but wishes to work with the Association to deal satisfactorily with the noise complaints being received.

Motion carried unanimously.

The Warden was then asked to return to the meeting.

Resolution COW130808

**Moved** by J. Crook and seconded by S. Hatfield that having reached the hour of 10:00 p.m. the meeting continue until the business of the meeting has been completed.

Motion carried unanimously.

BARRINGTON BAY TRAIL

Correspondence has been received from the Department of Natural Resources indicating the Municipality is temporarily permitted to convert the Barrington Bay Trail to multi use purpose, and that the Department of Natural Resources is providing authority for this temporary change in use, and that all other terms and conditions of the Letter of Authority remain in effect. The Department of Natural Resources also indicates that if significant concerns from the local community regarding this temporary authorization are raised before July 31, 2014, this temporary authorization may be cancelled.

Resolution COW130809

**Moved** by G. El-Jakl and seconded by S. Hatfield that it be recommended to Council that the Woodlands Multi Use Trail Association be requested to do the signing necessary to temporarily use the Barrington Bay Trail as a multi-use trail, and that a copy of the Letter of Authorization from the Department of Natural Resources be sent to them for their information.

Motion carried unanimously.

Municipal employees will make alterations to the trail where necessary in order that it is satisfactory for multi use purposes.

SHELburnE COUNTY SIKH REFUGEEs

Correspondence has been received regarding the landing of Sikh refugees on Sunday, July 12, 1987 in the village of Charlesville. Concern was expressed that people who landed on that date were not only Sikhs, but were also of other different ethnic origins including East Indians and Turks.

It was suggested that the depiction contained in the mural in the Visitor Information Centre should be revised in order to reflect the various ethnic origins of these people. The artist who has done the mural, Mr. John Smith, will be consulted in order to determine if significant alterations can be made, and at what cost.

WILD TURKEYS

Members were informed that Municipal Staff is attempting to capture wild turkeys in the Barrington Passage area. Unfortunately, local residents are not cooperating with this effort. There has been much vandalism of the traps used in this attempt. However, the attempt to remove the turkeys from the area will continue.

CLOSED SESSION RE PURCHASE OF PROPERTY PURSUANT TO SECTION 22(2)(A) OF THE MUNICIPAL GOVERNMENT ACT

Resolution COW130811

**Moved** by J. Crook and seconded G. El-Jakl that the Municipality enter into Closed Session for the purpose of considering the purchase of property by the Municipality.

Motion carried unanimously.

Members then discussed a property that has been offered for sale to the Municipality by a local property owner.

OPEN SESSION

Members then returned to Open Session.

Further information will be obtained on this property from the Municipal Solicitor and brought back to committee for further consideration.

ADJOURNMENT

The meeting was adjourned by mutual consent of members at 10:40 p.m.

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Chair

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Secretary for the Meeting

**On website August 14, 2013.**

