

## COMMITTEE OF THE WHOLE COUNCIL MEETING

April 30, 2007

The meeting was called to order by the Chairperson at 7:00 p.m., in the Conference Room, in the Administrative Centre, in Barrington, N.S., with the following members present:

- Louise Halliday, Chairperson
  - George El-Jakl
  - Donna LeBlanc-Messenger
  - Eddie Nickerson
  - Wilford Smith
  - Larry Stewart
  - Sean Strang
- Brian Holland, Municipal Clerk

### ADDITIONS TO AGENDA

The following items were added to the agenda:

- Restructuring of Hiring Committee.
- Technology Solutions.
- Visitor Information Centre Sign.
- Department of Transportation.
- Victoria Hotel.
- Correspondence.
- Letter from Resident.

### APPROVAL OF AGENDA

**Moved** by W. Smith and seconded by S. Strang that the agenda be approved as amended.

Motion carried unanimously.

### APPROVAL OF MINUTES

**Moved** by G. El-Jakl and seconded by S. Strang that minutes of the last previous meeting held April 18, 2007 be approved as circulated.

Motion carried unanimously.

### SHELBURNE COUNTY TOURISM COORDINATOR

Correspondence has been received by Council from the Municipality of the District of Shelburne requesting a meeting to discuss the possibility of hiring a Tourism Coordinator for Shelburne County. This correspondence had been forwarded to the Committee from Council. In the correspondence the Municipality of Shelburne is asking the Municipality of Barrington if it is willing to meet to discuss establishing a position of Tourism Coordinator for Shelburne County.

Resolution COW070412

**Moved** by D. Messenger and seconded by S. Strang that it be recommended to Council that the Municipality of Barrington meet with representatives of the Municipality of Shelburne to discuss the hiring of a Tourism Coordinator for Shelburne County. This agreement to discuss this proposed position in no way commits the Municipality, or implies that the Municipality intends to agree to hiring a Tourism Coordinator.

Motion carried unanimously.

WOOD'S HARBOUR FIRE HALL

Information has been provided to the Municipality regarding repairs to the Wood's Harbour Fire Hall. An estimate of \$172,500.00 was provided for repairs to the foundation and wall of the truck storage bay. The building is in need of repairs due to subsidence of the foundation at the right rear corner of the building. Correspondence has been received from the Fire Department's insurance company informing the fire department that this is not an insured peril.

Resolution COW070413

**Moved** by L. Stewart and seconded by S. Strang that representatives of the Wood's Harbour Volunteer Fire Department be invited to attend a committee meeting in order to determine what their request is regarding the fire hall.

Motion carried unanimously.

B.M.H.S. FACILITY USE AGREEMENT

As yet nothing has been received from the Tri-County Regional School Board regarding this matter.

CANCELED MEETINGS

Canceling council and committee meetings disrupts the schedules of many of the committee and council members. Changing the date of meeting should not be done unless absolutely necessary so that members schedules can be maintained.

FOREST RIDGE ACADEMY REQUEST

Forest Ridge Academy Home & School Support Group has requested the use of municipal property near the Barrington River for an event to be held on Saturday, June 1, 2007. This event will include the set-up of a barbeque site, a craft table and games on the property beside the river that was formerly occupied by the Visitor Information Centre.

Information on this request was sent to our insurers. Our insurers have sent back a request that the Municipality should require a written legal agreement, drafted and reviewed by its solicitor, spelling out the responsibilities of the parties, containing indemnity/hold harmless clauses in favour of the Municipality, and requiring that the Municipality be provided with a certificate of appropriate liability insurance, with minimum limits set by the Municipality, in conjunction with its solicitor, naming the Municipality as additional insured, and an undertaking to provide the Municipality a 30 day advance written notice of policy cancellation or change.

As a result of the insurers requirements, this information was communicated to the Principal of Forest Ridge Academy. In response, the Principal has provided a certificate of insurance from Aon Reed Stenhouse Inc., and a certificate of insurance from the Nova Scotia School Insurance Program. This insurance provides coverage for negligent acts of the Tri-County Regional School Board relative to the event and is a commercial liability insurance coverage. In an accompanying letter the Principal informs the Municipality that they will not be providing a letter containing an indemnity/hold harmless clause, and that the School Insurance Program does not, and will not, name an additional insured to any policy they write.

Resolution COW070414

**Moved** by E. Nickerson and seconded by S. Strang that it be recommended to Council that the Forest Ridge Academy School Support Group be allowed to host their event on Saturday, June 2<sup>nd</sup> on Municipal property as requested.

AFFIRMATIVE

George El-Jakl  
Donna LeBlanc-Messenger  
Eddie Nickerson  
Wilford Smith  
Larry Stewart  
Sean Strang

NEGATIVE

Louise Halliday

Motion carried.

Resolution COW070415

**Moved** by E. Nickerson and seconded by S. Strang that a representative of the Municipality's insurer be requested to attend a future meeting of the committee in order to explain various aspects of the Municipality's insurance policy and to answer questions of the members.

Motion carried unanimously.

LAWN MOWER

In his previous budget presentation to Council the Property Services Supervisor indicated that it is necessary to purchase a second lawn mower. This lawn mower should be a commercial grade mower to be used for the mowing of municipal properties. The cost of this mower will be included in the Municipal Budget being prepared for the coming year.

Resolution COW070416

**Moved** by W. Smith and seconded by S. Strang that it be recommended to Council that the Municipality tender for the purchase of a mower, including a service contract for maintenance of the mower, in the tender documents.

Motion carried unanimously.

H.S.T. REBATE ACCRUAL

When the federal government increased the amount of the H.S.T. being rebated to the municipalities, Council had approved a motion to transfer the increase in the H.S.T. rebate each year from the General Operating Fund to Reserve Funds to fund future capital projects. As it is anticipated that the Municipality will experience a moderate deficit for the 2006/2007 fiscal year, and the funds will not be available to make this transfer, it is recommended by Municipal Staff that the H.S.T. rebate transfer not be made at the present.

Resolution COW070417

**Moved** by G. El-Jakl and seconded by D. Messenger that it be recommended to Council that the increase in the H.S.T. rebate being transferred from the General Revenue Fund to Reserve Funds not be done at the end of the 2006/2007 fiscal year as the funds are not available for this purpose this year.

Motion carried unanimously.

FORMER TELEPHONE BUILDING

The Municipality had previously placed ads in the local newspaper for the use of the old telephone office building in Barrington. The ad asked for expressions of interest from commercial, institutional and non profit organizations interested in renting the old telephone office building located in Barrington next to the Old Court House.

Members were informed that no response has been received to this ad.

Resolution COW070418

**Moved** by W. Smith and seconded by E. Nickerson that it be recommended to Council that a public meeting be held to discuss the future disposition of the old telephone office building in Barrington, and that this meeting be held during the month of June.

Motion carried unanimously.

VARIANCE APPROVAL

Members were informed that a variance approval has been approved with due process by the Municipality's Development Officer to reduce their side yard for construction of a storage building, by Mr. Peter Weeks, on property owned by him in North East Point. The variance is to reduce the side yard from 20 feet to 10 feet.

GATR PROPERTY IN WEST BACCARO

Correspondence has been received by the Municipality from Mr. & Mrs. John Flemming indicating they are interested in purchasing the former GATR Site which was previously owned by the Department of National Defence. The Municipality has purchased this site from the Department of National Defence. The Flemmings are interested in purchasing it as it is a property formerly owned by Mr. Flemming's grandparents.

Resolution COW070419

**Moved** by W. Smith and seconded by E. Nickerson that it recommended to Council that the Municipality sell the former GATR Site property in West Baccaro according to Municipal Policy.

Motion carried unanimously.

Resolution COW070420

**Moved** by W. Smith and seconded by D. Messenger that the Municipality forward a letter to Mr. & Mrs. Flemming indicating that the property will be sold according to the procedures required by Municipal Policy.

Motion carried unanimously.

LIGHTHOUSES

This matter has been an ongoing discussion with the Department of Fisheries and Oceans Canada for some time. In their most recent correspondence, the federal department has indicated that normally properties are transferred as is, and the owners are responsible for the care and maintenance of the property. This means that if the Municipality assumes ownership of the Baccaro Light, it will be transferred as is and the Municipality will become responsible for the maintenance of the property. Council must now make a decision whether or not it is interested in purchasing the Baccaro Light property.

Resolution COW070421

**Moved** by W. Smith and seconded by D. Messenger that it be recommended to Council that the Municipality purchase DFOs' Canadian Coast Guard lighthouse lands at Baccaro Point from the federal government.

Motion carried unanimously.

SCHEDULE OF FEES

A Schedule of Fees was circulated to members for their information and review.

TEAM SHELBURNE PROPOSAL

Correspondence has been received from Mayor Leigh Stoddart of the Town of Clark's Harbour providing two proposals for the distribution of funds from Team Shelburne. In his proposals are contained two formulas for distribution. The first formula would provide \$50,000.00 to each of the municipal units, with the balance of the funds being forwarded to the Shelburne & Area Industrial Commission for economic development in Shelburne County. The second formula would distribute the funds as follows: 30% Municipality of Barrington, 30% Municipality of Shelburne, 20% Town of Shelburne, 10% Town of Lockeport, 10% Town of Clark's Harbour, and the balance to Shelburne and Area Industrial Commission.

Members then discussed these proposed formulas in depth. This letter has been forwarded to all of the municipal units in Shelburne County, and it has been indicated that the proposed funding formulas for distribution of funds will be discussed at the next Team Shelburne County meeting.

Direction must be given to the Warden regarding the method of distribution of these funds.

Resolution COW070422

**Moved** by L. Stewart and seconded by S. Strang that the Warden be directed to accept Formula 2 proposed by Mayor Stoddart should she be required to vote on this proposal at the Team Shelburne County meeting.

Motion carried unanimously.

RESTRUCTURING OF THE HIRING COMMITTEE

Larry Stewart requested results of the last competition that was recommended to Council by the Hiring Committee. He requested that the results of this competition be provided to him for the next Committee of the Whole meeting, and that all sheets from all evaluations be distributed to all councillors.

Councillor Stewart made an allegation of discrimination by the Hiring Committee.

Resolution COW070423

**Moved** by L. Stewart and seconded by G. El-Jakl that all sheets from the evaluations done by the Hiring Committee at the last competition for a Property Services Technician be forwarded to the Committee of the Whole providing it is approved by the Municipal Solicitor.

AFFIRMATIVE

George El-Jakl  
Donna LeBlanc-Messenger  
Eddie Nickerson  
Wilford Smith  
Larry Stewart

NEGATIVE

Louise Halliday  
Sean Strang

Motion carried.

### VISITOR INFORMATION CENTRE SIGN

The Visitor Information Centre sign at the intersection of the Oak Park Road and the #3 highway in Barrington is close to the edge of the road. This sign is in front of the Duggan house on D.O.T. property. It is suggested that this sign be moved from this location in the interest of safety.

This will be done in the near future by Municipal Staff.

### TECHNOLOGICAL SOLUTIONS

There followed some discussion regarding the reliability and use of the laptop computers of one of the councillors. It was suggested that repairs to laptops are not being done in a timely manner.

The councillor will consult with our repair technician in an attempt to have this repair done as soon as possible.

### D.O.T. - ROADS

Members were informed that the authority to issue a tender has been approved by D.O.T. for the paving of Route 3 from Messenger Motors to the Causeway, and from Messenger Motors to Arthur's Auto near Exit 30 from the 103 highway. These two paving projects are approximately 7 kilometers.

It was also suggested that when the road is paved through Barrington Passage that D.O.T. rectify the flooding situation and provide better drainage in the area on Route 3 in front of Bay Vista Apartments.

Members also brought up the following matters:

1. There continues to be a hole in the shoulder of the road near Post Office Road in Wood's Harbour which needs to be repaired.

Councillor El-Jakl has called the D.O.T. supervisor in Shelburne several times and has not received any return calls from him.

2. It has also been suggested by residents of Wood's Harbour that a "Slow - Trucks Turning" sign be placed near Anthony's Convenience Store in Wood's Harbour as a safety measure.
3. The drainage problem near the property of Mr. Donnie Ross in Clam Point has as yet not been addressed.
4. The support has been cut off from the sign at the South Side turn.

Resolution COW970424

**Moved** by G. El-Jakl and seconded by S. Strang that Municipal Staff call the Department of Transportation and Public Works regarding these issues.

Motion carried unanimously.

VICTORIA HOTEL

A member has received a complaint from a neighbor of the Victoria Hotel regarding the state of repair of the hotel. Members were informed that the Municipal By-Law Enforcement Officer has been trying to communicate with the owner of the Victoria Hotel and will be attempting to have deficiencies rectified at this location.

FIRE SAFETY CODE FOR HERITAGE BUILDINGS

Information has been received on a meeting to be held at Pier 21 in Halifax regarding fire safety and code requirements for heritage buildings. Our Municipal Fire Inspector and Building Inspector, Andrew Goreham, will be attending this meeting.

ADULT WORKSHOP INVITATION

An invitation has been received from the Adult Workshop to attend their annual general meeting to be held Wednesday, May 23<sup>rd</sup> at the Shelburne Legion.

At the present time no members indicated an interest in attending this event.

RESIDENT'S LETTER

Correspondence has been received from Darlene Smith regarding the tax sale of her property. Her letter was read to members for their information and consideration.

Resolution COW070425

**Moved** by S. Strang and seconded by L. Stewart that Municipal Staff respond to Mrs. Smith indicating to her that the process for tax collection as laid out in the Municipal Government Act has been followed properly and no exceptions can be made by Council regarding this matter.

AFFIRMATIVE

Louise Halliday  
Donna LeBlanc-Messenger  
Eddie Nickerson  
Wilford Smith  
Larry Stewart  
Sean Strang

NEGATIVE

George El-Jakl

Motion carried.



CLOSED SESSION

Members then entered into Closed Session to discuss setting a minimum bid for the sale of the former GATR Site in West Baccaro.

ADJOURNMENT

The meeting was adjourned by mutual consent of members at 11:14 p.m.

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\_\_\_\_\_ Chairperson

\_\_\_\_\_ Secretary for the Meeting

**On website May 3, 2007.**