

COMMITTEE OF THE WHOLE COUNCIL MEETING

January 19, 2009

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
- Cecil O'Donnell
- Cathy Stoddard
- Sean Strang

Absent was Donna LeBlanc-Messenger due to family illness.

- Brian Holland, Municipal Clerk

ADDITIONS TO AGENDA

The following items were added to the agenda:

- Street Lights.
- Cost-shared Paving Program.
- Community Litter Clean-up.
- Walking Trail in Barrington.

APPROVAL OF AGENDA

Moved by C. O'Donnell 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 C. Stoddard that the minutes of the last previous meeting held January 5, 2009 be approved as circulated.

Motion carried unanimously.

GEORGE SALISBURY INTERVIEW RE: ACCESS TO PROPERTY

Mr. George Salisbury appeared before the meeting for the purpose of discussing access to his property in the Port LaTour area.

Mr. Salisbury asked two questions:

1. How is a mistake made by the Deeds Office a civil matter?
2. How can Don Harding act as an independent third party when he declared conflict of interest to Mr. Salisbury?

Mr. Salisbury believes that the Municipal Solicitor, Mr. Don Harding, is in conflict of interest in this matter. He also believes this is a mistake made by Marjorie Weeks at the Registry of Deeds Office 32 years ago.

Mr. Salisbury then discussed the matter with committee members.

Resolution COW090109

Moved by C. O'Donnell and seconded by S. Strang that the Municipality take a few days to further research the matter before responding to Mr. Salisbury.

Motion carried unanimously.

Mr. Salisbury then retired from the meeting.

Leave of Absence

Councillor Messenger has been unable to attend meetings recently due to the illness of her brother. As a result a leave of absence is being requested.

Resolution COW090110

Moved by C. O'Donnell and seconded by C. Stoddard that it be recommended to Council that a six weeks leave of absence be granted to Councillor Messenger due to the illness of her brother.

Motion carried unanimously.

BUY A NET REQUEST

The Buy-a-Net Malaria Prevention Group is again requesting a charitable contribution from the Municipality.

Resolution COW090111

Moved by S. Strang and seconded by C. O'Donnell that the Buy-a-Net Malaria Prevention Group request be referred to the budget process for consideration.

Motion carried unanimously.

WASTE COLLECTION CONTRACT

The current contract for the collection of municipal solid waste will expire at the end of April 2009. It is proposed that the Municipality advertise a Request for Proposal for the Collection and Transportation of Source Separated Solid Waste for another five year period beginning May 1, 2009 and terminating at the end of April 2014.

It is proposed that the new Request for Proposal being published will include a collection of bulky waste. The bulky waste collection will provide for this service to be provided to all dwellings and commercial, industrial and institutional establishments within the Municipality on a daily basis at the same time as the municipal waste collection. The bulky items included will be refrigerators, stoves, washing machines, furniture, mattresses, rugs, etc. These items will be collected along with the municipal solid waste and the metal items will be deposited at the Municipal Construction & Demolition Debris Landfill Site, while the remaining bulky items will be transported together with the regular municipal solid waste collection to Queens Landfill.

Resolution COW090112

Moved by G. El-Jakl and seconded by C. Stoddard that it be recommended to Council that the draft Request for Proposal for Collection and Transportation of Source Separated Solid Waste for the five year period beginning May 1, 2009 be approved by Council and advertised as soon as possible.

Motion carried unanimously.

DEPARTMENT OF NATURAL RESOURCES MEETING RE: NORTH EAST POINT BEACH

In consultation with the Warden, a meeting has been arranged with representatives from the Department of Natural Resources, including Mr. Art Lynds, for 1:00 p.m., on Tuesday, January 27, 2009, to discuss the possibility of providing a wheelchair access location at the North East Point Beach.

A notice will be sent to members reminding them of this meeting.

DISPOSAL OF SURPLUS PROPERTY

Correspondence has been received from the Nova Scotia Department of Transportation and Infrastructure Renewal indicating that they wish to dispose of surplus properties owned by them. It is the process of the province to offer these properties to other provincial government departments and then to the municipal unit in which they are located. The Department is now offering these properties to the Municipality. These two properties are surplus lands on an old alignment of Highway #3, on Brass Hill, near the Lions Hall.

After reviewing the maps it was the consideration of the committee that the Municipality has no known use for these properties at the present time.

Resolution COW090113

Moved by S. Strang and seconded by C. O'Donnell that it be recommended to Council that the Municipality inform the Department of Transportation and Infrastructure Renewal that the Municipality is not interested in obtaining these surplus properties.

Motion carried unanimously.

GENERATORS

Information on the cost of various sizes of generators, with various wattage outputs, was obtained and circulated to members for their information.

More information is requested from the Emergency Measures Coordinator regarding the power of the units which have been included in the JEPP application. There is some question regarding the size of the generators and whether or not the size is adequate.

Additional information will be obtained and provided to members.

BICYCLE LANES

Information was obtained from the Office of Health Promotion and Protection indicating that a Recreation Facility Development Grant or a Community Recreation Capital Grant may be provided for the purpose of painting lines and installing signage for bicycle lanes along the highway, however these funds would not be available for the actual construction of the bicycle lanes.

It was indicated from press releases about the bicycle lanes being constructed on Highway 333 in HRM, that the cost of such bicycle lanes could be in the range of \$65,000 to \$125,000 per kilometer.

It was the consensus of members that consideration of the construction of bicycle lanes be deferred until after the construction of the C.S.I. sewer has been started.

REGION 6 BUDGET

A draft of the Region 6 Solid Waste Management Budget has been circulated to members for their information and review. The total approved budget is \$171,073.00 for the fiscal year 2009/2010. The payment required from Diversion Funds to balance this budget will be in the amount of \$49,667.00. Each of the municipal units that are members of Region 6 are asked to approve this budget and forward their response to Region 6 before March 14, 2009.

Resolution COW090114

Moved by S. Strang and seconded by G. El-Jakl that it be recommended to Council that the proposed budget for Region 6 Solid Waste Management for the 2009/2010 fiscal year be approved in the amount of \$171,073.00.

Motion carried unanimously.

NEW BUILDING CODE REGULATIONS

Correspondence has been received from the Nova Scotia Department of Labour and Workforce Development indicating that the implementation of the new building code regulations will be deferred until December 31, 2009 in order to give building contractors an opportunity to meet the proposed requirements for energy provisions.

SALARY REVIEW

Comparative information on salaries paid in various rural municipal units throughout the province was circulated to members for their review.

Resolution COW090115

Moved by C. O'Donnell and seconded by C. Stoddard that further consideration of the salary review be deferred until after the District 5 election has been completed.

Motion carried unanimously.

SHELBURNE PORT AUTHORITY

A proposal made by the Shelburne Port Authority for the expansion of the Shelburne Marine Terminal was circulated to all members for their information and review. The Warden then explained the presentation that was made by Mayor Delaney at the recent Team Shelburne County meeting. The expansion of the Shelburne Marine Terminal will benefit all of Shelburne County as it will create jobs and provide for economic expansion throughout the County.

Resolution COW090116

Moved by G. El-Jakl and seconded by C. O'Donnell that it be recommended to Council that a letter of support be sent to the South West Shore Development Authority and copied to the Town of Shelburne indicating support of Barrington Municipal Council for the port expansion proposal for the Shelburne Marine Terminal.

Motion carried unanimously.

SCHEDULE OF FEES

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

COMPUTERS

A member questioned whether or not the personal use of computers for checking all personal emails was permissible.

It was the general consensus of members that checking personal emails did not constitute any breach of policy since there is no policy presently in place for the use of computers.

Moved by S. Strang and seconded by C. Stoddard that it recommended to Council that Municipal Staff draft a computer use policy.

After some discussion this motion was withdrawn.

There was a lengthy discussion regarding the use of computers, however no direction was given regarding the development of any policy.

PAVING OF VILLAGEDALE ROAD

Tenders have been published for the paving of the Villagedale Road from Sevim Beach to the Port LaTour Road, a distance of approximately 6.6 kms.

Resolution COW090117

Moved by C. O'Donnell and seconded by S. Strang that it be recommended to Council that the Department of Transportation and Infrastructure Renewal be requested to use the pulverized asphalt removed from the Villagedale Road to improve the Lighthouse Road at Baccaro Point.

Motion carried unanimously.

Municipal Staff will contact the local supervisor of the Department of Transportation and Infrastructure Renewal to confirm that use of the pulverized asphalt for this purpose is suitable.

ICSP (INTEGRATED COMMUNITY SUSTAINABILITY PLAN) AND MUNICIPAL PLANNING STRATEGY REVIEW SCHEDULE

A schedule for the completion of an Integrated Community Sustainability Plan and the review of the Municipal Planning Strategy and Land Use By-Law has been provided by the Planning Advisory Community.

Resolution COW090118

Moved by G. El-Jakl and seconded by C. Stoddard that it be recommended to Council that the schedule for the development of the Integrated Community Sustainability Plan, and a review of the Municipal Planning Strategy and Land Use By-Laws of the Municipality, which began at the first of December 2008 and will be completed at the end of December 2010, be approved as circulated.

Motion carried unanimously.

STREET LIGHTS

It was noted by a member that after the recent number of wind storms experienced in the local area, there are many street lights out within the Municipality.

Members were encouraged to report these street lights to Nova Scotia Power or to the Municipal Office so that they can be repaired.

It was the consensus of members that Municipal Staff check the street lights within the Municipality again and report them to Nova Scotia Power for repair.

COST-SHARED PAVING OF SUBDIVISION STREETS

An agreement has been received from the Nova Scotia Department of Transportation and Infrastructure Renewal. It is proposed by the Department that the Municipality enter into a construction agreement for a three year period beginning January 2009, which will provide for the sharing of the cost of paving subdivision streets. These subdivision streets are categorized as “J” class roads by the Department of Transportation. The Department requires Council to pass the following resolution:

“that the Warden and the Clerk-Treasurer be authorized to sign Construction Agreement No. 2009-004 for the paving of subdivision streets, dated the 7th day of January A.D., 2009.”

There then followed much discussion regarding entering into this agreement and the paving of a particular street. The paving of the street that was discussed in detail was the lower portion of McGray Avenue where the Municipality has a boardwalk, parking lot and gazebo at the waterfront. The approximate cost of paving this section of road, based on the projected estimate provided by D.O.T. of \$270,000.00 per kilometer, is believed to be \$94,500.00. Based on 50% being shared by the Province, based on the proposed agreement, the Province would pay \$47,250.00 and the Municipality \$47,250.00. Based on previous distributions of cost, \$23,625.00 would come from General Municipal Revenues and \$23,625.00 would be provided by the residents along the road.

It was suggested that since there are only two residents on this section of the road it would be more appropriate for some smaller amount to be paid by them and the Municipality to bear a larger portion of the cost of paving the road.

Resolution COW090119

Moved by C. O’Donnell and seconded by C. Stoddard that it be recommended to Council that Municipal Staff gather further information including what was paid by residents for improvements on other roads, and that a map of the portion of McGray Avenue in question be obtained indicating who the property owners are along that section of the road, and that this information be provided at the next Council meeting so that Council could then consider whether or not to proceed with this project.

Motion carried unanimously.

Resolution COW090120

Moved by G. El-Jakl and seconded by S. Strang that it be recommended to Council that the Municipality pass the required motion as provided by the Department of Transportation and Infrastructure Renewal and enter into the agreement for cost-shared paving of subdivision streets.

Motion carried unanimously.

COMMUNITY LITTER CLEAN-UP

The Municipality has been conducting a Community Litter Clean-up Program each year for the past several years. The funding of this program is ordinarily approved in advance of the budget because the actual clean-up takes place in the early spring.

Resolution COW090121

Moved by G. El-Jakl and seconded by S. Strang that it be recommended to Council that \$10,000.00 be included in the Municipality's budget for the 2009/2010 fiscal year to fund a Community Litter Clean-up Program in the spring of 2009.

Motion carried unanimously.

WALKING TRAIL IN BARRINGTON

It was indicated to members that a number of ATVers have been caught driving their vehicles on the Barrington Bay Walking Trail. These ATVers have been caught by the R.C.M.P.

It was suggested that the trail may need to be "opened" to ATVers some time in the future as multi-purpose trails throughout Shelburne County are now being developed this way.

It was suggested that some consultation with local residents may be required before opening the trail.

No further action was suggested at this time.

CLOSED SESSION

Members then entered into Closed Session for the purpose of discussing the disposal of municipal property and also for the purpose of discussing direction to be given to Mr. Kevin MacDonald, the Municipal Solicitor, in regards to the former B.M.H.S. property.

Having provided direction to the Municipal Clerk on both of these matters, the meeting then returned to Open Session.

ADJOURNMENT

The meeting was adjourned by mutual consent of members at 9:42 p.m.

_____ Chairperson

_____ Secretary for the Meeting

On website January 20, 2009.