

COMMITTEE OF THE WHOLE COUNCIL MEETING

July 4, 2011

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:

- George El-Jakl, Chair
 - Murray Atkinson
 - Louise Halliday
 - Shaun Hatfield
 - Donna LeBlanc-Messenger
 - Cecil O'Donnell
 - Cathy Stoddard
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- Brian Holland, Municipal Clerk

ADDITIONS TO THE AGENDA

The following item was added to the agenda:

- Department of Transportation Issue.

APPROVAL OF AGENDA

Moved by C. O'Donnell and seconded by M. Atkinson that the agenda be approved as amended.

Motion carried unanimously.

APPROVAL OF MINUTES

Moved by C. O'Donnell and seconded by S. Hatfield that the minutes of the last previous meeting held June 20, 2011 be approved as circulated.

Motion carried unanimously.

ROSS PROPERTY DRAINAGE

The Warden asked members to address this matter as Mr. & Mrs. Ross were present at the meeting at this time.

There was a deferred motion from the June 20, 2011 Committee meeting which was again considered by members. The Rosses suggested solution to this problem is to have a ditch dug across the back of their property that would drain into the Municipality's french drain on municipal property. It was suggested that there is a "lack of clarity" regarding who is responsible for the drainage on the Rosses property.

It was suggested that a legal agreement including an easement be drawn up by the Municipal Solicitor.

Resolution COW110701

Moved by D. Messenger and seconded by C. O'Donnell that further consideration of the motion of June 20, 2011 be further deferred until the Municipal Solicitor has been able to draft a suitable agreement to be approved by both parties.

Motion carried unanimously.

The Municipal Solicitor will be consulted in order to have an agreement drafted.

Having completed the discussion of this matter the Rosses then retired from the meeting.

BAY SIDE HOME GRANT

This matter was deferred from the meeting of June 13, 2011 in order that further information could be obtained and provided to members. As reported at the June 20, 2011 Committee of the Whole Council meeting as a result of consultation with the Municipal Solicitor, our Municipal Advisor and our Auditors, it was concluded that the Municipality can provide Bay Side Home with a grant as previously moved by Council in the amount of \$250,000.00.

It was therefore the consensus of members that a grant could not be provided to Bay Side Home from the Special Reserve Fund Capital and therefore the mover and seconder of the motion to provide such a grant withdrew their motion.

Resolution COW110702

Moved by S. Hatfield and seconded by M. Atkinson that it be recommended to Council that a letter be sent to the Directors of Bay Side Home Corporation regarding the Municipality's previous offer of funds to Bay Side Home and request if there are any projects requiring such funding.

Motion carried unanimously.

GAS TAX FUNDS

A summary of the Gas Tax Funds available to the Municipality was previously circulated to members by email. At the present time there is approximately \$1,133,000.00 in Gas Tax Funds being held by the Municipality. It is also estimated that the Municipality will receive \$340,000.00 per year over the next three years in Gas Tax Funding under the agreement. The expenditure of these funds is subject to the Gas Tax Agreement and restricted to the purposes set forth in that agreement.

Also circulated to members was a copy of the current Capital Investment Plan.

There then followed discussion regarding the use of these funds and the eligibility of various projects under the agreement. The eligibility of construction of a Community Health Centre and of construction on the Lighthouse Road in Baccaro is to be determined by consultation with the Infrastructure Secretariat.

It was agreed by members that further consideration of the Capital Investment Plan and possible capital projects to be completed with Gas Tax Funding should be conducted on July 11th at 4:00 p.m.

MINISTER'S ORDER RE: S.W.S.D.A. GUARANTEE

The Minister's Order regarding the S.W.S.D.A. Guarantee required a vote to be made by municipal councillors. It was suggested that this vote was redundant as onerous penalties were placed on councillors for voting contrary to the Minister's Order.

It was suggested that a draft resolution be prepared and sent to the Union of Nova Scotia Municipalities for their consideration at their fall conference.

Resolution COW110703

Moved by S. Hatfield and seconded by D. Messenger that it be recommended to Council that a draft resolution be drafted and provided to the Policy Advisor for the Union of Nova Scotia Municipalities for his review and comment.

AFFIRMATIVE

Murray Atkinson
George El-Jakl
Shaun Hatfield
Donna LeBlanc-Messenger
Cathy Stoddard

NEGATIVE

Louise Halliday
Cecil O'Donnell

Motion carried.

BREAK

The meeting was briefly adjourned for a refreshment break.

S.W.S.D.A. PROPOSAL TO CREDITORS

Members were also informed that this afternoon correspondence has been received, by email, summarizing the S.W.S.D.A. proposal to creditors which will be presented at the meeting of creditors tomorrow in Yarmouth. The Municipal Clerk will attend the meeting for the information of Council.

CLERK'S EVALUATION

Members were informed by the Warden that he had been in discussion with our Municipal Advisor, and also with the Municipal Solicitor regarding evaluation of the Clerk-Treasurer. As a result, he had obtained four (4) proposed evaluation forms and had circulated them to members for their review.

The Warden was advised by the Municipal Solicitor that the process to be followed is up to Council to determine.

It was suggested that the form provided by DGH Management Consulting be used for this purpose.

It was also suggested that department heads complete an evaluation of the Clerk-Treasurer and submit their evaluations to the Warden.

Moved by S. Hatfield and seconded by C. O'Donnell that it be recommended to Council that department heads fill out evaluation forms on the Clerk-Treasurer and submit them to the Warden.

AFFIRMATIVE

Shaun Hatfield

NEGATIVE

Murray Atkinson

George El-Jakl

Louise Halliday

Donna LeBlanc-Messenger

Cecil O'Donnell

Cathy Stoddard

Motion defeated.

Moved by L. Halliday and seconded by S. Hatfield that it be recommended to Council that Council use the DGH Management Consulting evaluation form to evaluate the Clerk-Treasurer.

Concern was then expressed regarding permission to use this form from DGH Management Consulting.

It was suggested that the Warden consult the Municipal Advisor to determine whether or not this form could be used.

Resolution COW110704

Moved by S. Hatfield and seconded by M. Atkinson that further consideration of this motion be deferred until the Warden was able to consult with the Municipal Advisor regarding the use of the DGH Management Consulting form.

Motion carried unanimously.

BUTLER'S ESTATES

Members were informed that in the past a request had been received regarding the sewer system at a proposed development in Barrington Passage named Butler's Estates.

Members were informed that it is anticipated that a request may be forthcoming from the owners of Butler's Estate regarding the sewer service line. Members were informed of the information that is being provided to the Development Officer regarding this property and that much of the information required by municipal by-laws is being provided so that this sewer system may be taken over by the Municipality. As yet no request has been made, however, councillors are advised to consider this matter as a request may be forthcoming.

SNOW'S ROAD REQUEST RE: D.O.T.

A request has been received by a councillor to have the speed limit evaluated on Snow's Road in Barrington Passage.

Resolution COW110705

Moved by D. Messenger and seconded by S. Hatfield that it be recommended to Council that the Department of Transportation be requested to reduce the speed limit on Snow's Road in Barrington Passage as this is primarily a residential area where traffic has been increased in recent times due to the establishment of a new business on the road, and that a "children playing" sign be requested to be placed on the road as there are children present on the road.

Motion carried unanimously.

REGIONAL DEVELOPMENT AUTHORITY

Correspondence has been received, by email, regarding the establishment of a new Regional Development Authority. Members previously attended a meeting in Yarmouth at which information was provided on this subject.

Resolution COW110706

Moved by S. Hatfield and seconded by C. O'Donnell that it be recommended to Council that the Municipality support, in principle, the establishment of a new Regional Development Authority and request that the affairs of the South West Shore Development Authority be concluded prior to starting any new body.

Motion carried unanimously.

SOU'WEST NOVA METIS ASSOCIATION REQUEST

Sou'West Nova Metis Association will be hosting a "powwow" within the Municipality this summer. The Association is requesting the use of picnic tables and garbage cans from the Municipality for this event which will take place over a week-end.

Resolution COW110707

Moved by S. Hatfield and seconded by D. Messenger that it be recommended to Council that the Municipality loan 4 picnic tables and 4 garbage cans to the Sou'West Nova Metis Association for their powwow, and that these be returned in good condition to the Municipality.

Motion carried unanimously.

Municipal Staff will contact the Association and deliver the equipment required.

DRAFT NOISE BY-LAW

Prior to the meeting members were provided with information concerning the proposed Noise By-Law. This Noise By-Law has already received approval in first reading and notice has been published in the local newspaper indicating when the second reading will take place giving the public an opportunity to make comment on the by-law.

The Municipal Solicitor's advice and comments received from the public have been circulated to all members for their information and review. These will be considered at the time the by-law is brought forward to Council.

JOB SHADOWING REQUEST

The job shadowing request previously submitted to Council has been withdrawn as the employee no longer wishes to perform this task.

COMMUNITY GRANT REQUESTS

Members reviewed a list of Community Grant Requests that were previously provided to them.

Resolution COW110708

Moved by C. O'Donnell and seconded by C. Stoddard that it be recommended to Council that a grant of \$400.00 be provided to the Greenhill Senior Citizens Club, and that a grant of \$400.00 be provided to the Society for the Preservation of the Greenhill Community Church from the District 4 Community Grants Fund.

Motion carried unanimously.

Resolution COW110709

Moved by D. Messenger and seconded by C. Stoddard that it be recommended to Council that a grant of \$500.00 be provided to the Barrington Hillside Cemetery Society from the District 3 Community Grants Fund.

Motion carried unanimously.

Resolution COW110710

Moved by L. Halliday and seconded by C. O'Donnell that it be recommended to Council that a grant of \$500.00 be provided to the Chapel Hill Historical Society for repairs to the Temperance Hall, and that the funds be provided from the District 2 Community Grants Fund.

Motion carried unanimously.

Resolution COW110711

Moved by L. Halliday and seconded by C. Stoddard that it be recommended to Council that a grant of \$500.00 be provided from the District 2 Community Grants Fund to the Old Farm Cemetery.

Motion carried unanimously.

Resolution COW110712

Moved by M. Atkinson and seconded by D. Messenger that it be recommended to Council that a grant of \$670.00 be provided to the Newellton Community Hall from the District 5 Community Grants Fund.

Motion carried unanimously.

Resolution COW110713

Moved by C. Stoddard and seconded by C. O'Donnell that it be recommended to Council that a grant of \$1,000.00 be provided to the White Lily Cemetery from the District 7 Community Grants Fund.

Motion carried unanimously.

Resolution COW110714

Moved by S. Hatfield and seconded by C. Stoddard that it be recommended to Council that a grant of \$750.00 be provided to the Atlantic Cemetery Club from the District 6 Community Grants Fund.

Motion carried unanimously.

Resolution COW110715

Moved by S. Hatfield and seconded by M. Atkinson that it be recommended to Council that a grant of \$750.00 be provided to the Old Kirk Cemetery from the District 6 Community Grants Fund.

Motion carried unanimously.

Resolution COW110716

Moved by S. Hatfield and seconded by C. O'Donnell that it be recommended to Council that a grant of \$1,000.00 be provided to the Stoney Island Community Club pending provision of their financial statements from the District 6 Community Grants Fund.

Motion carried unanimously.

Resolution COW110717

Moved by D. Messenger and seconded by M. Atkinson that it be recommended to Council that a grant of \$500.00 be provided to the Do For Others Club in Wood's Harbour from the District 1 Community Grants Fund.

Motion carried unanimously.

Resolution COW110718

Moved by D. Messenger and seconded by C. O'Donnell that it be recommended to Council that a grant of \$1,000.00 be provided to the Samuel Wood Historical Society from the District 1 Community Grants Fund.

Motion carried unanimously.

DRAFT WARDEN'S REPORT

A draft Warden's Report to be issued in the local newspaper was circulated to members for their review and comments.

It was the general consensus of members that the events listed should be more clearly identified with the date of those events.

It was also suggested that reference to the C.S.I. Sewer Project and to the Business Park be deleted from the report, and that reference to the Community Grants approved by Council and to the Municipal Physical Activity Leadership Project be inserted in the report.

It was also suggested that reference to the availability of gas tax funds and to the Municipality's surplus for the preceding year also be included in the report.

DEPARTMENT OF TRANSPORTATION ISSUE

Resolution COW110719

Moved by C. O'Donnell and seconded by D. Messenger that it be recommended to Council that a letter be sent to the local Department of Transportation Area Supervisor, Mr. Benny Acker, and to the MLA for Shelburne County, requesting that they view the Lighthouse Road in Baccaro and determine what can be done to improve the road.

Motion carried unanimously.

ADJOURNMENT

The meeting was adjourned by mutual consent of members at 10:00 p.m.

Chair

Secretary for the Meeting

On website July 6, 2011.