

## COMMITTEE OF THE WHOLE COUNCIL MEETING

April 2, 2012

The meeting was called to order at 6:45 p.m. by the Chair, 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
- 
- Brian Holland, Municipal Clerk

### CLOSED SESSION RE: PERSONNEL MATTER

Members entered into Closed Session in order to discuss a personnel matter.

Having completed their Closed Session, members then entered into Open Session at 7:00 p.m.

### REPORT ON CLOSED SESSION

It was reported that members had discussed a personnel matter, and that further information would be obtained and the matter brought up again at the next Committee of the Whole meeting.

### ADDITIONS TO THE AGENDA

The following items were added to the agenda:

- Flyers
- Bay Side Home
- District Planning Commission
- Liberal Caucus Letter

### 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 M. Atkinson and seconded by C. Stoddard that the minutes of the meeting held March 19, 2012 be approved as circulated.

Motion carried unanimously.

LESLIE CHETWYND RE: TAX SALE PROPERTY

Mr. Leslie Chetwynd appeared before the meeting for the purpose of informing members of his circumstances surrounding his warehouse property that was sold at Tax Sale on August 12, 2011. The redemption period expired on March 12, 2012 and therefore the property is now owned by the Municipality.

Resolution COW120401

**Moved** by S. Hatfield and seconded by M. Atkinson that it be recommended to Council that Leslie Chetwynd be notified should his former warehouse property be offered for sale by the Municipality.

Motion carried unanimously.

Having completed his presentation, Mr. Chetwynd retired from the meeting at 7:31 p.m.

MAPPING SERVICES

Mapping services have previously been provided by the District Planning Commission. The Municipality has withdrawn from the District Planning Commission effective March 31, 2012. Information was circulated to members for an alternate provision of mapping services. GIS Consulting Services can provide mapping services to the Municipality and has provided a proposal to do so. They will provide a local information utility which will give web GIS Solutions to the Municipality and provide a mapping service that will replace the current map search service that had been provided in the past through the District Planning Commission. This is the only known source of this service at the present time. A proposal has been provided by GIS Solutions to provide this service together with GIS integration, application development, application maintenance and the hosting of the local information utility for the Municipality. The proposal is for a three (3) year agreement which will cost \$9,400.00 in the first year, \$6,400.00 in the second year, and \$6,000 in the third year.

Resolution COW120402

**Moved** by D. Messenger and seconded by M. Atkinson that it be recommended to Council that the Municipality enter into a three year agreement for the provision of mapping services through the local information utility from Landmark Geographics Solutions Inc. of Middleton, N.S.

Motion carried unanimously.

LOGAN'S LEGACY FISHERIES REQUEST

Correspondence has been received from the owner of Logan's Legacy Fisheries requesting the Municipality to sell a small property it had previously obtained at Tax Sale. This property is located next to the property already owned by Logan's Legacy Fisheries on the Port LaTour Road.

There then followed much discussion of the Municipality's policy governing the sale of properties, as well as Section 51A of the Municipal Government Act which was circulated to all members for their information and review. Paragraph 8 of the Sale of Municipal Property Policy indicates that property can be sold pursuant to Section 51A of the Municipal Government Act. Section 51A of the Municipal Government Act provides that the sale price of land that is of insufficient size or dimensions to be capable of any reasonable use in the opinion of Council may be sold by Council at a price that is less than market value at the time of sale, to an owner of any lot abutting that land and may be consolidated with such lot. Under this provision Logan's Legacy Fisheries would qualify for the purchase of this land under Section 51A.

**Moved** by S. Hatfield and seconded by C. Stoddard that it be recommended to Council that the Municipality consider the sale of this property to Logan's Legacy Fisheries pending the information on the sale price.

**Moved** by S. Hatfield and seconded by M. Atkinson that the motion be amended to add that the legal expenses and legal migration of the property be paid by the purchaser and that the sale be approved by the Municipal Solicitor.

Amendment carried unanimously.

The division was then taken on the main motion as amended.

The motion, as amended reads, as follows:

Resolution COW120403

"...that it be recommended to Council that the Municipality consider the sale of this property to Logan's Legacy Fisheries pending the information on the sale price, and that the legal expenses and legal migration of the property be paid by the purchaser and that the sale be approved by the Municipal Solicitor."

Motion carried unanimously.

Resolution COW120404

**Moved** by C. O'Donnell and seconded by M. Atkinson that the committee enter into a Closed Session for the purpose of considering the proposed offer from Logan's Legacy Fisheries for this property.

Motion carried unanimously.

CLOSED SESSION

Members then entered into a brief Closed Session.

OPEN SESSION

At 8:07 members reconvened the Open Session of Committee and continued their discussion of the sale of property to Logan's Legacy Fisheries.

**Moved** by M. Atkinson and seconded by C. O'Donnell that it be recommended to Council that the Municipality sell the property formerly owned by Wilmer Crowell on the Port LaTour Road at a price of \$500.00, plus legal expenses, pursuant to Section 51A of the Municipal Government Act, to Logan's Legacy Fisheries an adjacent property owner.

**Moved** by S. Hatfield and seconded by D. Messenger that the motion be amended to add the phrase "pending approval of the Municipal Solicitor".

Amendment carried unanimously.

The division was then taken on the amended motion.

The amended motion now reads:

Resolution COW120405

"... that it be recommended to Council that the Municipality sell the property formerly owned by Wilmer Crowell on the Port LaTour Road at a price of \$500.00, plus legal expenses, pursuant to Section 51A of the Municipal Government Act, to Logan's Legacy Fisheries an adjacent property owner, pending approval of the Municipal Solicitor."

Motion carried unanimously.

SOU'WEST NOVA TRANSIT ASSOCIATION

This matter had been deferred to Committee from the previous Council meeting at which the Association had made a presentation.

Resolution COW120406

**Moved** by S. Hatfield and seconded by L. Halliday that this matter be deferred to the next Committee of the Whole meeting in order to give time for consultation with the Association to obtain further information regarding their presentation.

Motion carried unanimously.

YARMOUTH HOSPITAL CHARITABLE FOUNDATION

The Yarmouth Hospital Charitable Foundation will be hosting its 8th Annual Spring Gala at the Yarmouth Mariners Centre, on Saturday, April 28, 2012, from 6:00 p.m. to 1:00 a.m. In the past the Municipality has made a donation equivalent to the cost of purchasing a table at the Gala. The cost of purchasing a table is \$1,200.00.

**Moved** by D. Messenger and seconded by C. Stoddard that it be recommended to Council that the Municipality make a donation of \$1,200.00 to the Yarmouth Hospital Charitable Foundation for its 8th Annual Spring Gala, and that it be noted by the Foundation on one of the tables at that event, and that the places at that table still be sold either individually or as a group in order to raise additional funds for the Foundation.

Motion carried unanimously.

Members were informed that the Foundation is currently raising funds to purchase eight (8) heart monitors which will be required at the Yarmouth Regional Hospital. Members were also informed that the Hospital Foundations across the Province must now raise 25% of all capital replacements.

NOVA SCOTIA BOATRACERS REQUEST

Correspondence has been received from the Nova Scotia Boat Racers Association asking permission to host a "big bingo" at the Barrington Municipal Arena during the month of August.

At the present time the Arena Policy provides that no bingo be held at the Arena unless approved by Council.

Resolution COW120407

**Moved** by S. Hatfield and seconded M. Atkinson that it be recommended to Council that since the Fundraising Committee is currently not hosting bingos at the Arena that the Boatracers Association be allowed to host a bingo according to Municipal Policy, upon paying the required rental fees.

Motion carried unanimously.

Resolution COW120408

**Moved** by S. Hatfield and seconded by C. O'Donnell that the Arena Fundraising Committee be added to a subsequent agenda of the Committee of the Whole for further discussion.

Motion carried unanimously.

NATURE CONSERVANCY PROPOSAL

The Nature Conservancy of Canada has put forward a proposal through its Nova Scotia Program Manager, Mr. Craig Smith, for the protection of the lands at Swaine's Road bog. The Conservancy is proposing to enter into an agreement, or to take ownership of the Swaine's Road bog which consists of approximately 900 acres in order to protect it in the future.

Resolution COW120409

**Moved** by S. Hatfield and seconded by C. Stoddard that it be recommended to Council that the Municipality host a public meeting for the purpose of determining future use of the Swaine's Road bog, and that the Nature Conservancy of Canada be invited to attend the public meeting and make a presentation regarding its protection proposal so that the public can be provided with information regarding the future use of the bog.

**AFFIRMATIVE**

George El-Jakl  
Louise Halliday  
Shaun Hatfield  
Donna LeBlanc-Messenger  
Cathy Stoddard

**NEGATIVE**

Murray Atkinson  
Cecil O'Donnell

Motion carried.

RALPH "CREAMER" ATWOOD MEMORIAL BALLFIELD

Correspondence has been received from the Barrington 7E Volunteer Fire Department offering the Ralph "Creamer" Atwood Memorial Ballfield to the Municipality of Barrington at no cost, but with the following stipulations:

1. It remain as a community ballfield.
2. If it is no longer used as a ballfield, it be reverted back to the Barrington 7E Volunteer Fire Department or its successor.
3. That the Department have free use of the field, lights and parking for their annual car Show & Shine.

There then followed some discussion regarding the cost of taking over the ballfield and any related expenses. There were some concerns expressed regarding the conditions put forward by the Fire Department.

Resolution COW120410

**Moved** by D. Messenger and seconded by C. Stoddard that representatives of the Fire Department be invited to a Committee meeting in order to discuss this offer.

Motion carried unanimously.

WASTE DISPOSAL FEES

A schedule of the Waste Disposal Fees for the 2012-2013 fiscal year was circulated to members for their information.

The most significant change in these fees is that the cost of processing recyclables will increase from \$166.46 per ton to \$171.04 per ton. The cost of processing organics at the present time will be unchanged, and the cost of the disposal of residuals will increase from \$75.62 per ton to \$77.41 per ton.

Resolution COW120411

**Moved** by C. Stoddard and seconded by D. Messenger that it be recommended to Council that a letter be sent to the Nova Scotia Minister of Environment expressing concern over the high cost of processing recyclables compared to the cost of disposal of residual waste.

**AFFIRMATIVE**

George El-Jakl  
Louise Halliday  
Shaun Hatfield  
Donna LeBlanc-Messenger  
Cecil O'Donnell  
Cathy Stoddard

**NEGATIVE**

Murray Atkinson

Motion carried.

TELEVISED COUNCIL MEETINGS

Information was previously circulated to members regarding the televising of Council meetings. Eastlink Cable is willing to televise Council meetings once per month providing the Municipality sends the telecast to the Eastlink Office over the internet. The Municipality would be responsible to purchase a camera which would be used to record the meeting and then send it to them through the internet. The approximate cost of purchasing the camera is in the vicinity of \$3,000.00.

Resolution COW120412

**Moved** by D. Messenger and seconded by C. O'Donnell that further consideration of televising of Council meetings be deferred to the budget process.

Motion carried unanimously.

ISLAND & BARRINGTON PASSAGE VOLUNTEER FIRE DEPARTMENT LOAN  
GUARANTEE

Members were informed that the outstanding loans of the Island & Barrington Passage Volunteer Fire Department now need to be renewed. In the process of renewing these loans the Fire Department has determined that the Fire Department has two loans, one for the building and one for vehicles. These loans can be consolidated into one loan and guaranteed by the Municipality. By consolidating the loans and by shortening the term of the consolidated loan, the Fire Department will save taxpayers considerable funds and will shorten the length of time required to repay the loans. The total amount of the loans that will be consolidated is \$349,946.00. It is proposed that this be done at the Canadian Imperial Bank of Commerce where the Municipality can guarantee the loan and obtain a preferred interest rate. The Town of Clark's Harbour will also guarantee a portion of the loan.

Resolution COW120413

**Moved** by C. O'Donnell and seconded by M. Atkinson that it be recommended to Council that the Municipality provide the Island & Barrington Passage Volunteer Fire Department a guarantee not to exceed \$349,946.00 to the Canadian Imperial Bank of Commerce to borrow the aggregate principal for the purpose of consolidating the fire department loans.

Motion carried unanimously.

APRIL 30TH COMMITTEE MEETING IN NEWELLTON

Members were reminded that the Committee meeting of April 30th will be held at the Newellton Community Hall and will be chaired by Councillor Atkinson.

COMMUNITY GRANT REQUEST - BLANCHE COMMUNITY HALL

A Community Grant request has been received from the Blanche Community Hall.

Resolution COW120414

**Moved** by C. O'Donnell and seconded by S. Hatfield that this request be referred to the budget process.

Motion carried unanimously.

TAX REDUCTION APPLICATION

An application has been received from Reuben and Mary Ross for a tax reduction on property owned in Wood's Harbour that was destroyed by fire. Further information is required before this matter can be considered. Further information will be obtained and will be circulated to members at a subsequent committee meeting.

COMMERCIAL CURLING LEAGUE

Information has been circulated to members from the Barrington Regional Curling Club indicating that they are forming a commercial curling league. They are asking all local businesses to support this league by paying \$600.00, plus HST, to have up to 8 curlers form a team in the league.

No action has been specified in regards to this matter.

SHELBURNE COUNTY STREET CRIME UNIT

A copy of correspondence from the Municipality of Shelburne to The Honourable Ross Landry, Nova Scotia Minister of Justice, has been received. The Municipality of Shelburne is expressing concern that the future of the Shelburne County Street Crime Unit may be under review.

Resolution COW120415

**Moved** by C. O'Donnell and seconded by M. Atkinson that it be recommended to Council that a letter of support be sent by the Municipality of Barrington to the Nova Scotia Minister of Justice also expressing concern that the Street Crime Unit in Shelburne County may be under review and the Municipality does not wish this unit to be discontinued.

Motion carried unanimously.

CONTINUATION OF MEETING

**Moved** by L. Halliday and seconded by S. Hatfield that having reached the hour of 10:00 the members continue the meeting until all matters have been adequately dealt with.

Motion carried unanimously.

FIRE ARMS BY-LAW

Correspondence has been received regarding the implementation of firearms by-laws in various municipal units throughout the Province. No response to this correspondence is necessary as the Municipality does not have a firearms by-law.

NOVA SCOTIA INTERNATIONAL FERRY PARTNERSHIP

In the correspondence this group is asking the Municipality to make a financial contribution to their campaign in the amount of \$500 to \$1,000 and they are also encouraging the business community to tell their stories relative to the loss of the Yarmouth Ferry by putting their stories on their website.

Resolution COW120416

**Moved** by D. Messenger and seconded by C. O'Donnell that it be recommended to Council that correspondence be sent to the Nova Scotia International Ferry Partnership indicating to them that Council strongly supports the reinstatement of the Yarmouth to USA ferry, and that Council requests the Partnership to provide information on the funding it has received to date, and how those funds have been expended, and also their financial plan for future funding and expenditure of the related funds.

Motion carried unanimously.

SCHEDULE OF FEES

The Schedule of Fees for the previous two weeks were circulated to members for their information and review.

FLYERS

Resolution COW120417

**Moved** by S. Hatfield and seconded by C. O'Donnell that it be recommended to Council that a letter be sent to the distributors of flyers within the Municipality explaining to them the Municipality's costs in cleaning up litter within the Municipality, and the concerns local residents have with the method of distributing these flyers.

Motion carried unanimously.

BAY SIDE HOME

Correspondence has been received by the Warden from Bay Side Home. In this correspondence it is indicated by their auditor that a potential change in the incorporation of Bay Side Home may have a negative financial impact on that organization. This information is provided to members to make them aware of this possibility.

Members are informed that the Board wishes to maintain the current relationship with the Municipality.

DISTRICT PLANNING COMMISSION

The Warden informed members that he has received a letter from the Senior Planner at the District Planning Commission. This letter had already been circulated to members for their information and review.

LIBERAL CAUCUS

Correspondence has been received from the Liberal Caucus Office requesting the Municipality to provide information regarding the Memorandum of Understanding with municipal units that had been discontinued by the Province.

Resolution COW120418

**Moved** by S. Hatfield and seconded by M. Atkinson that it be recommended to Council that the Liberal Caucus Office consult with the Union of Nova Scotia Municipalities in this matter as they have done extensive analysis on the effects of discontinuing the Memorandum of Understanding.

Motion carried unanimously.

CIVIC ADDRESSING BY-LAW

Resolution COW120419

**Moved** by S. Hatfield and seconded by M. Atkinson that consideration of this matter be deferred to the next meeting of the Committee.

Motion carried unanimously.

ADJOURNMENT

The meeting was adjourned by mutual consent of members at 10:28 p.m.

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Chair

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Secretary for the Meeting

**On website April 4, 2012.**