

COMMITTEE OF THE WHOLE COUNCIL MEETING
June 14, 2021

The meeting was called to order by the Chair at 7:00 p.m., by way of video conference, with the following members present:

- Jody Crook, Chair
- George El-Jakl
- Shaun Hatfield
- Andrea Mood-Nickerson
- Lindsay (Eddie) Nickerson (Arrived at 7:05 p.m.)

- Chris Frotten, CAO
- Lesa Rossetti, Municipal Clerk

ADDITIONS TO THE AGENDA

There were no items added to the agenda.

APPROVAL OF AGENDA

Being duly moved and seconded that the agenda be approved as circulated.

Motion carried unanimously.

APPROVAL OF MINUTES

Being duly moved and seconded that minutes of special meetings of the Committee of the Whole Council held May 13th, May 20th and June 7th and the regular meeting held May 17, 2021 be approved as circulated.

Motion carried unanimously.

GOOSE LAKE ROAD ASSOCIATION ROAD MAINTENANCE REQUEST FOLLOW-UP

A staff report was provided to members in advance to the meeting to bring members up-to-date on this matter and to also provide recommendations to be considered. A copy of the staff report is attached and forms part of the minutes.

Warden Eddie Nickerson joined the meeting at 7:05 p.m.

Resolution COW210607

Being duly moved and seconded that it be recommended to Council that the Municipality provide the Goose Lake Association with 6 loads of screened gravel, 6 loads of pit run gravel and storage space at the gravel pit for some of the Association's material.

Motion carried unanimously.

Resolution COW210608

Being duly moved and seconded that the CAO be directed to develop a special grant program to provide funding assistance to registered road associations, for consideration of the committee.

Motion carried unanimously.

MUNICIPAL GRANT REQUESTS

Old Farm Cemetery Society

Resolution COW210609

Being duly moved and seconded that it be recommended to Council that the Municipality provide the Old Farm Cemetery Society with a grant in the amount of \$500.00.

Motion carried unanimously.

Newellton Community Hall

Resolution COW210610

Being duly moved and seconded that it be recommended to Council that the Municipality provided the Newellton Community Hall with a grant in the amount of \$500.00 and the organization be provided with contact information for Jason Nelson of Canada Post to address maintenance concerns relating to the Community Mailboxes located on their property.

Motion carried unanimously.

Seaview Cemetery

Resolution COW210611

Being duly moved and seconded that it be recommended to Council that the Municipality provide the Seaview Cemetery with a grant in the amount of \$500.00.

Motion carried unanimously.

SHELBURNE COUNTY MENTAL HEALTH AND WELLNESS ASSOCIATION – LETTER OF SUPPORT

Correspondence has been received from the Shelburne County Mental Health and Wellness Association advising that they were not successful with their recent application for funding from the NS Mental Health Foundation and that they were encouraged to reapply again in July. The Association is requesting a letter of support from Council to accompany the application.

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Resolution COW210612

Being duly moved and seconded that it be recommended to Council that the Municipality provide a letter to the Shelburne County Mental Health and Wellness Association in support of their application for funding from the province.

Motion carried unanimously.

REQUEST FROM BRCC RE: EVAPORATIVE CONDENSER

Correspondence has been received from the Barrington Regional Curling Club requesting additional funding to cover the cost of a new evaporative condenser. Funding committed to date is as follows:

- \$15,725.00 – Recreational Facilities Development Grant Program
- \$ 5,000.00 – BRCC
- \$10,000.00 – Municipality of Barrington Grant

The total cost of the project is approximately \$43,500.00, which is more than expected since this amount includes the cost of installation which was not included in the original request.

The Club is now requesting the Municipality to pay the remaining balance of approximately \$13,500.00 in addition to what the Municipality has already committed.

Resolution COW210613

Being duly moved and seconded that it be recommended to Council that the Municipality provide the Barrington Regional Curling Club with a total grant of \$23,500.00 to assist with the cost of the purchase of the evaporative condenser and funds be taken from Capital Reserve.

Motion carried unanimously.

Resolution COW210614

Being duly moved and seconded that “Barrington Regional Curling Club Lease Agreement” be placed on the agenda for the July 12th Committee of the Whole Council Meeting for discussion.

Motion carried unanimously.

LETTER FROM RICKEY SMITH RE: PROPERTY IN ATWOOD’S BROOK

A copy of a letter from Rickey Smith was circulated to members. The letter has also been forwarded to the Department of Transportation which advised that Harold Smith, Rickey’s father, is interested in selling his property located at 4684 Atwood’s Brook. He stated that his father has lived at this address for many years and has witnessed many accidents on the dangerous turn in front of his house.

Mr. Smith advised that before listing the property with a Real Estate Company, he wanted to make the Department of Transportation and the Municipality aware of the opportunity to purchase the property to deal with this dangerous stretch of highway.

Mr. Smith is requesting the Municipality to send a letter to the Department of Transportation and Infrastructure Renewal in support of them purchasing the property to address the dangerous corner at Atwood's Brook.

Resolution COW210615

Being duly moved and seconded that it be recommended to Council that a letter be sent to Rickey Smith suggesting that he deal directly with the Department of Transportation and Infrastructure Renewal and he be advised that the Municipality takes no position on this matter.

Motion carried unanimously.

It was agreed that Mr. Smith be provided with contact information for the Department of Transportation and Infrastructure Renewal.

WATER SUPPLY UPGRADE LENDING PROGRAM – MAXIMUM LENDING AMOUNT INCREASE

In advance to the meeting members were provided with a staff report suggesting that the maximum lending amount for the Water Supply Upgrade Lending program be increased from \$10,000.00 to \$15,000.00 per applicant. A copy of the staff report is attached and forms part of the minutes.

Resolution COW210616

Being duly moved and seconded that it be recommended to Council that the maximum lending amount of the Water Supply Lending Program be increased from \$10,000.00 to \$15,000.00, per applicant.

Motion carried unanimously.

ADJOURNMENT

The meeting was adjourned at 8:24 p.m.

Chair

Secretary for the Meeting



STAFF REPORT

SUBMITTED BY: Chris Frotten and Cameron Whiteway

DATE: June 10, 2021

SUBJECT: Goose Lake Association Road Maintenance Request

ORIGIN

On September 21, 2020, the Goose Lake Association presented to Council to request materials from the municipal gravel pit, the use of municipal heavy equipment (i.e., loader, backhoe) accompanied by a licensed and certified operator, as well as snow clearing services during major snow falls.

BACKGROUND

Since April 1, 2014, the Municipality has levied a charge of \$100 per year for improvements and/or maintenance upon some property owners of Goose Lake within a defined "Charge Area". This charge is regulated by By-Law #35, a by-law respecting the maintenance and improvement of private roads in the Goose Lake area.

DISCUSSION

On April 13, Cam and I met with Corey Crowell, the secretary of the Association and James Nickerson to discuss their request in more detail. At that meeting, they detailed their request as the following:

- Use of the municipal dump truck and loader;
- 6 loads of screened gravel;
- 6 loads of put run;
- Storage space at the gravel pit for some of their purchased material.

Section 3.1 (c) of By-Law #35 clearly states that the Association is responsible for performing, or contracting, the work associated with the improvement or maintenance of the private roads within the Charge Area. That said, we know improving and maintaining roads is costly and associations such as theirs depends entirely on volunteers. These two factors should seriously be considered in the decision.

We do not, however, want to set a precedent that we cannot sustain and honour to other associations. It is for those reasons that a special grant program for road associations has been discussed in the past as a way to manage expectations but also provide additional assistance to registered road associations.

BUDGET IMPLICATIONS

Providing material and storage space to the Association would be in the form of an in-kind contribution. We estimate the cost of a load of screened gravel at approx. \$150 and the cost of a load of pit run at approx. \$50. If we were to provide the Association with 6 loads of each, the value of the contribution would be approx. \$1,200.

LEGAL IMPLICATIONS

N/A

PUBLIC CONSULTATION/COMMUNICATIONS

N/A

RECOMMENDATION

Due to restrictions and regulations related to our liability insurance, we cannot provide the use of our municipal equipment to the Association, and we do not have available staff to provide the Association with an operator. Notwithstanding the liability insurance, we would not want to set the precedent of lending equipment to groups.

For these reasons, our recommendation is to provide the Association with the following:

- 6 loads of screened gravel;
- 6 loads of pit run;
- Storage space at the gravel pit for some of their purchased material.

As mentioned in the discussion, a special grant program for road associations has been discussed and we recommend moving forward with this to properly manage expectations and provide a structured process staff.

SUGGESTED MOTION

Move to provide 6 loads of screened gravel, 6 loads of pit run and storage space at the gravel pit for some of the Association's material.

Move to direct the CAO to develop a special grant program to provide funding assistance to registered road associations.

ALTERNATIVES

1. Reject the request entirely.
2. Alter the level of assistance (i.e. number of loads)

ATTACHMENTS

- By-Law #35

**THE MUNICIPALITY OF
THE DISTRICT OF BARRINGTON**

**A BY-LAW RESPECTING THE MAINTENANCE AND IMPROVEMENT OF PRIVATE
ROADS IN THE GOOSE LAKE AREA**

BY-LAW NO. 35

Be it enacted by the Council of the Municipality of the District of Barrington as follows:

1.0 Short Title

This By-law shall be known as A By-law Respecting the Maintenance and Improvement of Private Roads in the Goose Lake area and shall be cited as the "The Goose Lake Area Private Roads Maintenance and Improvement By-law".

2.0 Interpretation

- 2.1 "Act" means the Municipal Government Act, S.N.S., Chapter 18 of the Acts of 1998 (and subsequent amendments).
- 2.2 "Association" means the Goose Lake Association a body incorporated and in good standing under the Societies Act, which represents the owners within the Charge Area.
- 2.3 "Council" means the Council of the Municipality of the District of Barrington.
- 2.4 "Charge" means a charge imposed pursuant to Section 81 (da) of the Municipal Government Act in an amount to be determined pursuant to this By-law and payable in respect of the road improvement or maintenance.
- 2.5 "Charge Area" means the area in which the Charge is imposed and is more fully described as all of the area on the roads surrounding Goose Lake, including, but not limited to - beginning at a point where the Goose Lake extension meets the Municipal portion of the Goose Lake Road and continuing along the Goose Lake extension to the end and including Kenney Crescent, Lake View Drive, Gander Lane and Scotia Drive.
- 2.6 "Improvement" means the work undertaken on any of these private roads to increase or improve upon the existing condition of these roads.
- 2.7 "Maintenance" means the work required to maintain the roads' existing or improved condition and for greater certainty includes snow and/or ice removal.

- 2.8 "Municipality" means the Municipality of the District of Barrington.
- 2.9 "Owner" means the assessed owner of taxable property.
- 2.10 "Road" means any private road or portion thereof, situate in the Charge Area.

3. Charge Imposed

- 3.1 The Municipality shall levy a charge for improvements and/or maintenance of private roads upon the owners of taxable property within the Charge Area:
- (a) in an amount of \$100.00 on an annual basis to provide for the improvement and/or maintenance of the private road;
 - (b) as indicated on the attached plan showing the Charge Area outlined in red, the lots affected and private roads included;
 - (c) subject to the Goose Lake Association Limited entering into an Agreement with the Municipality which:
 - i) requires that the Association shall be responsible for performing, or contracting, the work associated with the improvement or maintenance of the private roads within the Charge Area;
 - ii) indemnifies and saves harmless the Municipality from any and all liability or responsibility with respect to the work associated with the improvement or maintenance of the private roads in the Charge Area;
 - iii) identifies that the petition forms the basis for the method of Charge;
and
 - iv) contains any other clauses as deemed necessary by Municipal Council.
- 3.2 The Municipality of the District of Barrington shall not be included in the definition of owner as set out in Section 2.9 of this By-law and shall therefore be excluded in consideration in any petition as described in this By-law.

4. Exemptions from Charge

- 4.1 The Municipality of the District of Barrington shall be exempt from payment of all charges and levies made pursuant to this By-law.

5 Lien

- 5.1 A Charge imposed pursuant to this By-law constitutes a first lien upon the real property with respect to which the Charge has been made and the Charge shall be collected in the same manner as taxes and shall be made payable in the same manner as taxes, including interest charges.
- 5.2 The lien provided for in this By-law shall remain in effect until the Charge, plus any applicable interest, has been paid in full.

6. Subdivision of Property

- 6.1 Where a property has been subdivided and an Assessment Account Number(s) assigned to the new parcel(s) of land a prorated amount shall be charged for the first year and the full amount charged for subsequent years.

7. Payment of Charges

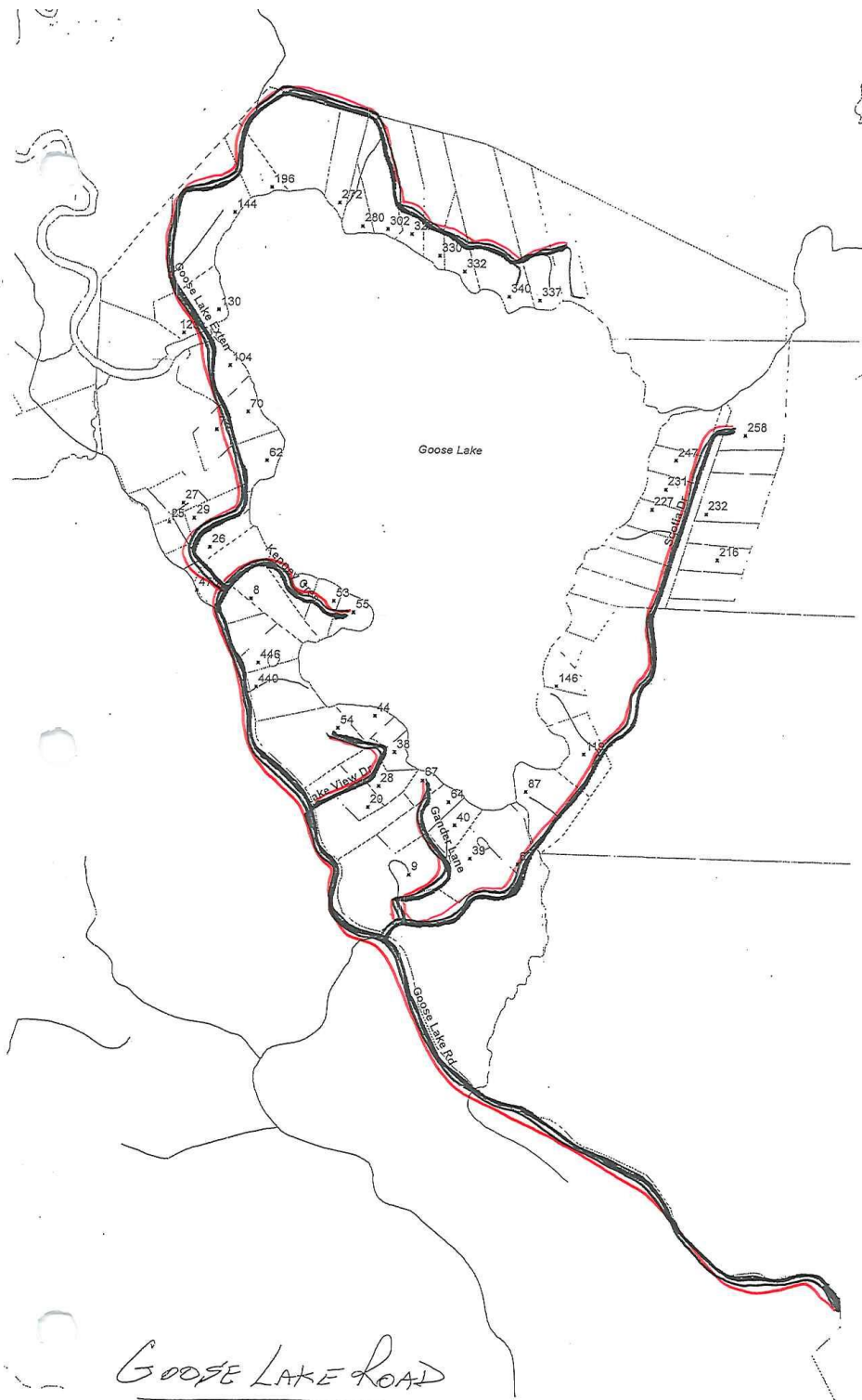
- 7.1 A Charge payable pursuant to this By-law for road improvement and maintenance shall be billed together with the interim and annual tax bills and are due upon the same dates as municipal taxes.
- 7.2. The Charge imposed by this By-law will appear on the tax bill and shall bear interest on any outstanding balance from and after the due date. The interest rate shall be as prescribed by motion of Council with respect to taxes and overdue charges and shall be applied as per this same motion.
- 7.3 The Municipality shall transfer to the Goose Lake Association Limited the amount collected on a yearly basis or from time to time as requested by the Association, in writing, for road maintenance and/or improvements.

8. Termination of Charge

- 8.1 The Charge imposed pursuant to this By-law for road improvement and/or maintenance may be terminated at any time:

- (a) by the Association filing with the Municipality a certified copy of a Special Resolution of the Association passed at a duly constituted meeting, called for that purpose, requesting the Municipality to terminate the Charge or;
- (b) by the Municipality at its own discretion, if there has been non-compliance by the Association with the provisions of the By-law.
- (c) In either case, upon the Clerk filing with the Municipality a Certificate stating that all monies payable pursuant to this Charge have been collected, this By-law shall thenceforth have no further force or effect within the Charge Area.
- (d) Any balance in the fund will be used for road improvements or refunded to the property owner by way of credit to their tax account.

NOTE: By-law shall become effective April 1, 2014 as indicated in Resolution C130903, contained in minutes of the September 23, 2013 Council Meeting.



Clerk's Annotation for Official By-law Book

Date of first reading:	August 26, 2013
Date of advertisement of Notice of Intent to Consider:	September 3, 2013
Date of second reading:	September 23, 2013
Date of advertisement of Passage of By-Law:	October 1, 2013
Date of mailing to Minister a certified By-Law:	October 2, 2013

I certify that the above by-law, By-Law 35 "A New By-Law Respecting the Maintenance and Improvement of Private Roads in the Goose Lake Area" was approved by Council and published as indicated above.

Clerk

Date

By-law shall become effective April 1, 2014 as indicated in Resolution C130903, contained in minutes of the September 23, 2013 Council Meeting.



STAFF REPORT

SUBMITTED BY: Leah d'Eon

DATE: June 11, 2021

SUBJECT: Water Supply Upgrade Lending Program

ORIGIN

The Municipality of the District of Barrington has a water supply upgrade lending program. This program will lend up to \$ 10,000 over a 10-year period for the construction of a new dug or drilled well or an upgrade to an existing well that is required to source water for the property.

BACKGROUND

The Municipality of the Barrington has provided eight water loans since the beginning of the program. Two loans have been completely paid, with six active loans totalling \$ 42,684. There are currently 2 water supply upgrades in progress for drilled well.

All loans have been for drilled wells at the maximum lending amount of \$ 10,000 except for one dug well at \$ 4,600. The invoices received for the drilled wells ranged from \$ 9,981 - \$ 16,950. Our lending program only provides for \$10,000, which leaves a balance for the property owners to pay.

DISCUSSION

Recently, we have had residents interested in the lending program and have reached out to contractors for pricing. We have discovered that the price per foot of a drilled well has increased from \$ 5-7 and the pump set-up has increased by \$600 - \$1,000 resulting in a price increase of \$ 3,500 - \$4,000.

This results in the cost of a water supply upgrade being well above \$ 10,000. For many residents, this places the water supply upgrade beyond their means.

There has been discussion in increasing the lending amount above the \$ 10,000 limit, potentially to \$15,000. The Municipality of Argyle and Yarmouth both have similar lending programs, with lending limits of \$15,000 and \$10,000, respectively.

BUDGET IMPLICATIONS

Any increase in the lending limit will not affect budget. This will only increase the receivable from the residents.

LEGAL IMPLICATIONS

N/A

PUBLIC CONSULTATION/COMMUNICATIONS

N/A

RECOMMENDATION

It is recommended by staff that the water supply lending program limit be increased to \$ 15,000.

SUGGESTED MOTION

Move to increase the maximum lending amount of the Water Supply Lending Program to \$15,000.

ALTERNATIVES

1. Hold the lending maximum to \$10,000.
2. Increase the lending amount higher than \$15,000.

ATTACHMENTS

- By-Law #37 Water Supply Upgrade Lending Program

**THE MUNICIPALITY OF
THE DISTRICT OF BARRINGTON**

**WATER SUPPLY UPGRADE - LENDING PROGRAM BY-LAW
BY-LAW NO. 37**

DEFINITIONS

1. **CAO** means the Chief Administrative Officer for the Municipality, or his/her designate.
2. **Lending Agreement** means the written, signed agreement between the owner of a Qualifying Property and the Municipality for financing of a Water Supply Upgrade;
3. **Manager of Finance** means the Manager of Finance for the Municipality, or his/her designate;
4. **Municipality** means the Municipality of the District of Barrington;
5. **Qualifying Property** means an owner occupied residential property located within the Municipality but does not include multi-unit residential or non-profit owned buildings and does not include business or industrial premises;
6. **Water Supply Upgrade Loan** means monies advanced to the owner of a Qualifying Property, either directly, or through a third party administering this project, pursuant to Section 81A of the Nova Scotia Municipal Government Act;
7. **Water Supply Upgrade** means a construction of a new dug or drilled well, or an upgrade to an existing well that is required to source water for the property. Upgrades may include the installation of equipment directly related thereto. Furthermore, it shall include the installation of cisterns, water from fog systems, greywater collection or other containers that are installed for the purposes of the supply, use and conservation of water;

ADMINISTRATION

8. An owner of a Qualifying Property within the Municipality may apply to the Municipality for financing of a Water Supply Upgrade to the property.

9. Lending shall be subject to the approval and agreement in writing of the CAO on behalf of the Municipality and the execution of a Lending Agreement. The conditions that must be met for approval include that:
 - a) The owner of the qualifying property is not in default of any municipal taxes, rates or charges.
 - b) Water Supply Upgrades must comply with applicable provincial and/or federal regulations.
 - c) Other conditions as indicated in the Lending Agreement that may be modified from time to time.
10. The Water Supply Upgrade Loan shall become payable on the completion of installation of the Water Supply Upgrade in accordance with the Lending Agreement. The Water Supply Upgrade Loan may consist of:
 - a) The cost of the Water Supply Upgrade, including all materials, labour costs, permit fees and applicable taxes.
 - b) Applicable service fees incurred by the Municipality directly or the owner of the Qualifying Property.
 - c) Interest charges, including any additional interest arising due to any default of payment.
11. The owner of a Qualifying property may elect to pay the Water Supply Upgrade Loan by equal monthly installments over a period of not more than 10 years, on which interest shall be payable as set out in the Lending Agreement.
12. The Municipality shall not be responsible for ongoing maintenance and operating costs of the Water Supply Upgrade; the Water Supply Upgrade is owned and maintained by the owner of the Qualifying property.
13. In the event of default of any payment under the Lending Agreement, the outstanding balance shall be immediately due and payable. Interest shall be accrued on the amount then due and payable at the same rate applied by the Municipality for unpaid taxes and charges in default.
14. The Manager of Finance shall maintain a separate account of all monies due for Water Supply Upgrade Loan, identifying, for the subject property:
 - a) The names of the property owners, assessment, PID and civic addresses.
 - b) The amount of the Water Supply Upgrade Loan levied, and
 - c) The annual amounts paid to the Municipality to repay the Water Upgrade loan.

LIEN

15. On completion of a Water Supply Upgrade pursuant to the Lending Agreement, the Water Supply Upgrade Loan shall become a lien and levied against the property in accordance with the Municipal Government Act.

16. The portion of the annual repayment of the Water Upgrade Loan shall be equal to the total loan outstanding divided by the number of years remaining, with applicable interest, notwithstanding Section 13 of this By-law.
17. The Water Supply Upgrade Loan advanced pursuant to this by-law constitutes a first lien on the property and has the same effect as rates and taxes under the Assessment Act.
18. A Water Supply Upgrade Loan is collectible in the same manner as rates and taxes under the Municipal Government Act, and is collectible at the same time and by the same proceedings as taxes.
19. The lien provided for in this By-law shall become effective on the date on which the CAO files with the Manager of Finance a certificate that the agreed water supply improvement has been completed.
20. The lien provided for in this By-law shall remain in effect until the total Water Upgrade Loan, including any accrued interest and administrative charges have been paid in full.

INTEREST

21. Interest shall accrue on any Water Supply Upgrade Loan and associated charges which remain outstanding from the date of billing from the Municipality to the Homeowner.
22. Interest is payable on amounts deemed outstanding pursuant to the rate of 3%.

Approved by Council August 28, 2017

