

COMMITTEE OF THE WHOLE MEETING

JANUARY 5, 2009

Location: Council Chambers, Municipal Office

Deputy Warden Johnson called the meeting to order at 7:00 p.m.

Deputy Warden Johnson indicated that both Warden Boudreau and Councillor David were unable to attend tonight's meeting, due to illness.

Items Added to the Agenda

The CAO indicated that he wished to add a request from Mr. Babin, who wished to purchase a lot at the industrial park in Louisdale, in order to expand his business.

Moved by Councillor McNamara, seconded by Councillor Martell that the items added be accepted as presented. Motion carried.

Review of Minutes: (a) December 1, 2008 (Regular Meeting)
(b) December 1, 2008 ("In-Camera" Meeting)
(c) December 15, 2008 ("In-Camera" Council Meeting)

Councillor McNamara indicated a notice of motion had been given by the Warden at the last meeting, and suggested this be reviewed "In-Camera".

Moved by Councillor Martell, seconded by Councillor Boucher that the minutes of December 1, 2008 (Regular Meeting); December 1, 2008 ("In-Camera" Meeting) and December 15, 2008 ("In-Camera" Council Meeting) be adopted as presented. Motion carried.

Staff Reports:

(a) CAO re: St. Peter's-Samsonville and Area Water Utility

The CAO noted the following:

- he advised that the municipal responsibilities regarding the project were essentially complete;
- the system was tested on December 15th and 16th, which results in an approved water

supply being available to replace the water provided from the public system in Samsonville (which was under a permanent boil water order), and also the water supplied by the St. Peter's Village utility (which was unable to meet the new provincial standards that commenced April 1, 2008);

- a certificate of substantial completion will be issued, which results in the construction company transferring ownership of the assets to the Municipality;
- the asset transfer agreement was finalized in early December and provided to the St. Peter's Village Commission/St. Peter's-Samsonville and Area Water Utility on December 8, 2008;
- The St. Peter's-Samsonville and Area water utility has the authority and responsibility to operate the utility, and decided to contract out the administration and operation of the water utility to the St. Peter's Village Commission in February, 2008; and the communities involved should be advised of this, so that they can communicate with the appropriate utility Directors, and Village Commission staff;
- The Municipality agreed to assist with establishing water rates/regulations, etc.; and the Village and the Municipality hired a consultant to estimate water rates prior to commencing with the project, and Council has been advised that the actual water rates approved by the UARB are slightly lower than the \$600 per year that was projected by the Consultant;
- the construction of the project, overseen and administered by the Municipality, was on time and on budget;
- he noted that one of the only issues that remain outstanding is the manner of financing the municipal grant commitment of \$975,000. He noted that he had previously recommended that Municipal Council utilize the remaining infrastructure reserve of \$831,000, with the remainder to be obtained from the gas tax funds;
- he noted he was unsure if Service Nova Scotia would allow the Municipality to use the gas tax funds of approximately \$144,000;
- there would be no special authority given to use funds from the infrastructure reserve, noting that the commitment has been made, and the alternative would be to go to the tax rate for that money;
- he commended Mr. McLean and Mr. MacDonald for their significant effort, time and support with this project.

The following points were brought forth during discussion:

- Councillor MacNeil indicated he had received correspondence today regarding issues with the asset transfer agreement provided to the Village Commission;
- it was felt that because it is earmarked infrastructure reserve, that it may be best to drain that fund completely rather than increase taxes.

Moved by Councillor MacNeil, seconded by Councillor McNamara that the Committee recommend to Council that staff be directed to submit a request to Service Nova Scotia & Municipal Relations and to the Board that deals with gas tax funds, requesting that the Municipality utilize \$144,000 from these funds for the St. Peter's-Samsonville Water Project. Motion carried.

Moved by Councillor Martell, seconded by Councillor MacNeil that the Committee recommend to Council that the municipal grant commitment of \$975,000 to the St. Peter's, Samsonville and Area Water Project be funded by utilizing the remaining infrastructure reserve of \$831,000, with the remainder to be obtained from the gas tax funds. Motion carried.

Correspondence:

(a) Bobby Sampson re: Report of Municipal Elections

The CAO noted the following:

- the Returning Officer provided a report on the results of the Municipal, School Board and CSAP elections, as a requirement of his contract with the Municipality;
- the report points out the high voter turnout;
- the Returning Officer has reported that the boundary changes made in three districts worked fairly well;

Moved by Councillor Boucher, seconded by Councillor Martell that the report of the Returning Officer be accepted as presented. Motion carried.

(b) Shannon Diggdon re: Contract

Deputy Warden Johnson indicated that this correspondence would be dealt with "In-Camera".

(c) Bobby & Debbie Samson re: Sewer Hook-up

The CAO reported the following:

- the site for the new sewer plant built in Louisdale in 1996/97 was accessed through Mr. Samson's property, and he noted that part of the compensation was to provide him with some sewer hook-ups;
- access was required from the road that goes along the shore on the south side of the harbour, to a site of 15-20 acres that fronted on Lennox Passage, and the easiest access was through Mr. Samson's property;
- Mr. Samson has had communication with staff, and he wishes to proceed with these sewer hook-ups; and has also communicated with the District Planning Commission regarding subdivision approval, but everything is predicated on his having access to sewer services;
- he noted the manner in which we pay for services in sewer areas is that whatever is done, the community pays for it;
- he noted he would request a report from Mr. McLean and Mr. MacDonald outlining options and costs for providing these services and also estimates on how it would

impact on the community of Louisdale financially;

- he noted he would provide a copy of the agreement to Municipal Councillors;
- he noted Mr. Samson had been very cooperative when the Municipality requested access through his property, and proceeded in a very honorable way.

The following points were brought forth during discussion:

- it was noted that when the sewer treatment plant was being built in 1995, it was a condition of fulfilling or completing the development of the sewer plant;
- it was felt that a sewer main should have been installed during construction;
- the Municipality must honor the agreement made with the Samson's;
- there is a pressurized line that goes up to the sewer plant.

It was the consensus of the Committee members that this matter be tabled to a future Committee of the Whole Meeting, when the staff report and agreement are provided to the Committee.

(d) SPEDO re: Cultural Centre

The CAO noted the following:

- SPEDO notes that they are very interested in seeing the cultural centre become a reality and refer to a proposal by the DRTC;
- the federal government may come up with significant federal infrastructure funds that could be used for this type of project and request if Council is still interested in the project moving forward, if funds become available,
- this was a significant project of approximately \$5 to \$5.5 million 3 or 4 years ago, with no written commitments being received;
- it would cost millions of dollars to build, and annually hundreds of thousands of dollars to operate,
- Concern had been expressed at the time on how to operate such a business, and it was determined at that time that it was not feasible;
- Municipal Council had previously discussed donating the Richmond Villa for this project;
- perhaps this would be something that the tourism group would look at;
- he indicated that he has had no communication with this group;

The following points were brought forward during discussion:

- the funding had not been committed in writing, but concerns had been expressed of the ability of Council to sustain such a project;
- it was felt that it was not feasible to pursue such a project, due to the many changes presently taking place within the Municipality;
- it was noted that SPEDO have recently held discussions with E.C.B.C.;
- It was noted that perhaps Warden Boudreau has had discussions with E.C.B.C. as well,

and the matter should be tabled for further discussion, when the Warden is present.

Moved by Councillor MacNeil, seconded by Councillor McNamara that the matter be tabled to a future meeting, when Warden Boudreau is present, to discuss further. Motion carried.

(e) Shannon Diggdon re: Grant Requests

- Arichat Community Development Association; Councillors' District Activity Fund - \$3,000, District #1;
- Little Anse-Sampson's Cove Social Action Club; Councillors District Activity Fund - \$3,000, District #2;
- West Arichat & District Village Circle Society; Municipal District \$17,000 Fund , District #4;
- L'Ardoise Jolly Club; Municipal District \$17,000 Fund, District #9

Moved by Councillor Sampson, seconded by Councillor Marchand that the Committee recommend to Council that the following grant applications be approved:

- \$350 to the Arichat Community Development Association, with funding to be taken from the Councillors' District Activity - \$3,000 Fund for District #1;
- \$200 to the Little Anse Sampson's Cove Social Action Centre, with funding to be taken from the Councillors' District Activity - \$3,000 Fund for District #2;
- \$325 to the West Arichat & District Village Circle Society, with funding to be taken from the Municipal District \$17,000 Fund for District #4;
- \$15,000 to the L'Ardoise Jolly Club, with funding to be taken from the Municipal District \$17,000 Fund for District #9.

Motion carried.

(f) Director of Public Works re: Solid Waste Curbside Collection – Cape George Estates Roads

The CAO noted the following:

- The Municipality has been approached by the owners and residents of Cape George Estates, who are trying to resolve a garbage problem in the community;
- The preferred resolution is that the Municipality carry out curbside collection, but the owners' permission is required to carry this out, and the Warden has been communicating with the owners;
- The owners' solicitor has been provided with the waiver and letter that will be required from them;
- He had requested the Engineer inspect the roads, as per our policy, and noted that the Engineer provided a note indicating it can be done at a cost of approximately \$884 per year, based on 17 occupied lots and the proposed cost per additional household of \$52 per household per year as provided by the Zone 2 collection contractor;

- The documentation has not been received from the road owner yet that would fulfill the rest of our policy.

Moved by Councillor Marchand, seconded by Councillor MacNeil that the Committee recommend to Council that curbside collection of solid waste on the private roads at Cape George Estates be provided, in accordance with the Council policy for private road curbside collection requests;

AND FURTHER MOVED that the Council approval be given in the format directed in the policy;

AND FURTHER MOVED that the approval be conditional on the owner of the roads providing the written request and the waivers, as required by our policy.

Motion carried.

(g) Eastern District Planning Commission re: Integrated Community Sustainability Plan (ICSP)

The CAO noted the following:

- District Planning Commission staff indicate that every municipality in the province requires an Integrated Community Sustainability Plan (ICSP);
- It was directed at the last DPC Meeting that each Municipality be contacted to see if there is interest for the District Planning Commission taking the task to come up with this plan, which would be based on funding from the municipality that would request this;
- a meeting is scheduled for 8:30 Wednesday morning, with a provincial employee designated to facilitate these, and he noted that Mr. Bain will be in attendance; Warden Boudreau has approached Deputy Warden Johnson and Councillor Beaton to attend; and he noted that Mr. MacDonald, Mr. McLean and himself would attend the meeting;
- he noted this group will come back with a recommendation to either hire a consultant, hire staff directly, or put money into the Planning Commission to see if they can do it.

The consensus of the Committee members was that this matter be tabled until after Wednesday's meeting, when a recommendation is received from the group.

List of Cheques Issued: November, 2008

Moved by Councillor Sampson, seconded by Councillor Boucher that the list of cheques issued for the month of November, 2008 in the amount of \$1,003,269.35 be accepted as presented. Motion carried.

Items Added to the Agenda

(a) CAO re: Offer to Purchase Lot

The CAO noted that the Chief Financial Officer had been approached by Mr. Blair Babin, Babin's Service Centre, who requests to purchase a lot in the Louisdale Industrial Park, for purposes of expanding his present location.

Moved by Councillor Martell, seconded by Councillor Boucher that the Committee recommend to Council that in accordance with our policy on the sale of municipal property, that Lot 6A be offered to Mr. Blair Babin, Babin's Service Centre, conditional on him paying the appraised value of the lot, and also the legal fees associated with the sale. Motion carried.

Fifteen Minute Question Period

There were no questions.

Moved by Councillor Martell, seconded by Councillor Boucher that the meeting move to "In-Camera" session at 7:40 p.m.

Deputy Warden Johnson reconvened the regular session at 8:00 p.m.

Moved by Councillor Martell, seconded by Councillor MacNeil that the meeting be adjourned. Motion carried.

There being no further business, Deputy Warden Johnson adjourned the meeting at 8:00 p.m.