

# The Municipality of the District of **BARRINGTON**

Minutes of the regular meeting of the Barrington Municipal Council, held in the Council Chambers, in the Administrative Centre, in Barrington, N.S., on Wednesday, June 14, 2000.

The meeting was called to order by the Warden at 7:00 p.m. with the following members present:

- Warden Sterling Belliveau
- Deputy Warden Fred Bower
- Councillor Angus Atkinson
- Councillor Eddie Nickerson
- Councillor Wayne Smith
- Councillor Steven Stoddart
  
- Brian Holland, Municipal Clerk
- Lesa Rossetti, Deputy Clerk

Councillor Tina Wickens was absent due to work commitments.

## DOCTOR SHORTAGE

Dr. Ian Cree and Mr. Clyde Nickerson appeared before the meeting to address the concerns relating to the doctor shortage in the area as a result of the pending suspension of Dr. Blair.

Mr. Nickerson started his presentation by stating that the College of Physicians and Surgeons of Nova Scotia operate under the Medical Act which provides for the regulation of the practice of medicine. The College is to act in the best interest of the public, to protect the public from unscrupulous and unethical behavior. The Act gives the College unlimited powers, but whatever action the College takes must be in the best interest of the public.

Approximately a year and a half ago a complaint was filed with the College of Physicians and Surgeons against Dr. W. Hunter Blair. The complaint involved Dr. Blair having a relationship with a former patient of his. Mr. Nickerson stated that nowhere in the Act is a suspension listed as an option in this situation. A suspension is an option in cases where a doctor is incompetent and may possibly hurt someone. He stated that there are other penalties suitable and appropriate for this situation involving Dr. Blair. He suggested to Council that a delegation go to Halifax to meet with the College of Physicians and Surgeons appealing this unfounded charge against Dr. Blair.

Dr. Cree then addressed Council. He stated that the suspension of Dr. Blair has been done with no reason, without justice and with no benefit to the public. He stated that Dr. Blair has been forced to sign an agreement stating that he is guilty of misconduct. In Dr. Cree's opinion, the College of Physicians and Surgeons is out of control. Dr. Cree suggested that Dr. Cameron Little of the College of Physicians and Surgeons has earned the right to be fired. He suggested that the Colleges' proceedings and rules be investigated and that legislation be put in place to bring the College under control. He further stated that the Appeal Process is inadequate since

every appeal has been turned down by the Court. Dr. Cree informed Council that the former patient did not make the complaint against Dr. Blair. The former patient and Dr. Blair's wife both asked to meet with the Board to request that the suspension not be enforced and both were turned down. The Mayor for the Town of Clark's Harbour has also requested to meet with the Board and he has also been denied.

The Clerk reported that a letter has been received from Hattie Perry of Barrington, regarding the doctor shortage, which was read. The letter stated that Council must act immediately and demand that the Board not remove Dr. Blair's services from our community, which already lacks adequate medical care based on the population.

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Moved by S. Stoddart and seconded by F. Bower:

WHEREAS the intent of the suspension of a doctor is to protect the public from unqualified doctors;

AND WHEREAS the College of Physicians and Surgeons' decision must be made in the best interest of the public;

AND WHEREAS Council of the Municipality of the District of Barrington does not believe that Dr. W. Hunter Blair presents a danger to the public;

AND WHEREAS the provision of health care to residents of the Municipality of the District of Barrington will be dramatically affected by the loss of Dr. Blair:

THEREFORE BE IT RESOLVED that the Council of the Municipality of the District of Barrington demand that any suspension of Dr. Blair, however arranged, be withdrawn immediately.

Motion carried.

It was agreed that copies of the above resolution be forwarded to the Premier, Minister of Municipal Affairs, Minister of Health and the MLA for Shelburne County.

Moved by E. Nickerson and seconded by W. Smith:

WHEREAS the Council of the Municipality of the District of Barrington does not believe that the suspension of Dr. W. Hunter Blair will be in the best interest of the health care of our community;

THEREFORE BE IT RESOLVED that the Warden and Councillors meet with representatives from the College of Physicians and Surgeons of Nova Scotia for the purpose of discussing the effect on the local community of the suspension of Dr. W. Hunter Blair.

Motion carried unanimously.

Moved by S. Stoddart and seconded by F. Bower that the Municipal Clerk contact the Municipal

Solicitor first thing tomorrow morning to seek information to stop the suspension of Dr. Blair and if there is action to be taken then a special meeting of Council be called.

Motion carried.

Councillor Stoddart requested support from residents in the area in the way of petitions, letters, etc.

Dr. Ian Cree and Mr. Clyde Nickerson were both thanked for appearing before Council and expressing their concerns and views.

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#### SECOND READING - BY-LAW #29

It was reported that the second reading of amendments to By-law #29 - By-law Respecting Tax Exemption of Historical Societies, was advertised in the Coast Guard Newspaper on May 30, 2000.

It is proposed that By-law #29 be amended to add the assessment account number and property of Samuel Wood Historical Society in Wood's Harbour to the list of properties exempt from taxation.

Proposed amendments also contained changes providing further clarification to the By-law.

WHEREAS it is the desire of the Municipal Council to add the Samuel Wood Historical Society to By-law #29 - "By-law Respecting Tax Exemption of Historical Societies", and to make changes to the By-law providing further clarification;

THEREFORE it is moved by F. Bower and seconded by A. Atkinson that amendments to By-law #29 "By-law Respecting Tax Exemption of Historical Societies", be approved in second and final reading.

Motion carried.

#### VARIANCE APPEAL - DAN STANLEY

The Clerk reported that an application for a variance from the requirements of the Municipality's Land Use By-law, has been received from Dan Stanley, for his commercial property located in Barrington Passage known as the Barrington Bargain Centre.

He is applying for a variance in the side yard requirement from the adjoining property. The Land Use By-law requires a side yard of twenty (20) feet. Mr. Stanley is requesting that the side yard requirement be reduced from twenty (20) feet to three (3) feet. The original application to the Municipal Development Officer was rejected and the Municipal Government Act provides for an appeal of the decision of the Development Officer directly to the Municipal Council.

The Clerk reported that all property owners located within thirty (30) meters of the proposed variance have been notified of the public hearing being held tonight. No opposition to the proposed variance has been received.

The Clerk further reported that a letter had been received from Parsons Investments Ltd. which stated, "We will no doubt develop the adjacent property in the future and it would be desirable to have the side yard set at three (3) feet. If the above can be accommodated we would have no objection to granting this variance".

The Clerk advised that he has been in telephone conversation with Ray Parson, of Parsons Investments Ltd., and Mr. Parsons has been informed that the variance being considered tonight is for the property belonging to Dan Stanley only and that if he wished to apply for a variance in the future, then that would be a separate issue and would be dealt with by Council separately.

Moved by S. Stoddart and seconded by E. Nickerson that the variance requested by Dan Stanley, for his commercial property located in Barrington Passage known as the Barrington Bargain Centre to reduce the side yard requirement from twenty (20) feet to three (3) feet, be approved.

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Motion carried.

It was agreed that a letter be sent to Parsons Investments Ltd. indicating that the variance granted for the property owned by Dan Stanley in no way affects his property and if in the future he should wish to have the side yard requirement reduced for his property then he would be required to follow the proper procedure.

#### APPROVAL OF MINUTES

Moved by E. Nickerson and seconded by A. Atkinson that the minutes of the last meeting held May 24, 2000 be approved as circulated.

Motion carried.

#### INTERVIEW KEN ANTHONY - WATERFRONT DEVELOPMENT

Mr. Ken Anthony, Chairman of the Waterfront Development Committee, appeared before the meeting. He requested Council to consider amending the Waterfront Development By-law to shorten the process involved with the appointment and resignation of members.

Mr. Anthony is requesting that Section 4(2) of the Waterfront Development By-law be reviewed by Council.

Moved by S. Stoddart and seconded by W. Smith that Mr. Anthony's request that Section 4(2), of the Waterfront Development By-law be referred to the Finance Committee for review.

Motion carried.

Mr. Anthony also provided an update on activities of the Waterfront Development Committee and advised that signs are currently being done for the Walking Trail. The majority of the funding has been put in place for trail development and fundraising is still continuing. He informed Council that the Committee is still trying to acquire property located at North East Point.

The Clerk reported that a letter of resignation has been received from Mary Ross, resigning from the Waterfront Development Committee.

Moved by W. Smith and seconded by F. Bower that the letter of resignation received from Mary Ross be accepted.

Motion carried.

Moved by W. Smith and seconded by A. Atkinson that Mr. Larry Stewart of Clam Point be appointed to serve on the Waterfront Development Committee.

Motion carried.

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#### INTERVIEW S.W.S.D.A. REPRESENTATIVES

Mr. Frank Anderson, Mr. Terry Thibodeau and Mr. Rod Rose of the South West Shore Development Authority appeared before the meeting.

Mr. Anderson reported on the following matters:

1. Council's request to receive copies of travel claims paid out to elected officials for the period October 9, 1997 to March 15, 1999 has now been done. The information was provided to the Clerk earlier this week.
2. At a previous Council Meeting it was reported that the Mayor of Lockeport and the Deputy Mayor of Clark's Harbour serve on the Fisheries Centre Committee. It was the decision of Council that a letter be written to the South Shore Development Authority requesting that the Warden and the Deputy Warden also serve on this committee.

Mr. Anderson advised that the Warden has been appointed Chairman of the Committee and it would be up to Chairman if he wishes the Deputy Warden to serve on the Committee as well.

3. Council has forwarded a letter to the South West Shore Development Authority requesting them to contact Sempra to attempt to have natural gas provided to the Municipality of Barrington. Mr. Anderson advised that they have been in contact with Sempra since October/November 1999 asking that the Municipality be linked into the distribution route.
4. As requested, the Municipal Council has been provided with a copy of the summary of specific projects carried out in the Municipality of Barrington.

5. The status of the Swaine's Peat Bog was questioned and Council was informed that the study on that bog is still underway. Progress on this bog has been slow due to the Sundew Plant. Other peat bogs and cranberry bogs were briefly reported on.

#### FAMILY VIOLENCE PROGRAM

Mrs. Penny Duggan and Mrs. Darlene Ross appeared before the meeting.

Mrs. Duggan informed Council that the Provincial Government recently cut funding for the Family Violence Program and it is now being carried out on a volunteer basis. Mrs. Duggan suggested that Council should fund social programs such as this since it provides a much needed service in the area. When the program was funded provincially, it covered Yarmouth and Shelburne Counties.

The proposal previously put forth by Sgt. Leighton is for Shelburne County only and it would allow the coordinator more time to deal with victim's needs.

Moved by S. Stoddart and seconded by W. Smith that the Family Violence Program be placed on the next Finance agenda for further discussion.

Motion carried.

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#### INTERVIEW SUZANNE BELLIVEAU RE: SPECIAL EVENTS COORDINATOR DISMISSAL

##### Conflict of Interest

Warden Sterling Belliveau declared conflict of interest, vacated his chair and took a seat in the spectator area.

The meeting was then chaired by the Deputy Warden.

Miss Suzanne Belliveau appeared before Council to express her concerns regarding her recent dismissal from the position of Special Events Coordinator. She informed Council that she was not there to attempt to get her job back but wanted to make them aware of the results of the decision. As a result of Council's decision to dismiss her she has experienced emotional stress and financial loss. She experienced emotional stress as a result of the media coverage. She informed Council that she had removed herself from the job market which resulted in financial loss.

She informed Council that she has been successful in obtaining employment and provided councillors with a payroll comparison list which showed a projected difference in earnings of \$1,424.12 over the summer months.

The Grant Criteria for the position was then reviewed, paying particular attention to the

eligibility section.

Miss Belliveau then concluded her presentation by stating that she was wrongly dismissed and requested a public apology from Council and compensation in the amount of \$1,424.12.

Each councillor then personally conveyed their apologies to Miss Belliveau.

Moved by S. Stoddart and seconded by W. Smith that the Municipal Solicitor be contacted to determine whether Miss Belliveau's dismissal could be considered wrongful dismissal and the advice of the solicitor is to be referred to the next Finance Committee Meeting.

Motion carried.

Moved by S. Stoddart and seconded by E. Nickerson that a letter of apology be sent to Suzanne Belliveau apologizing for the circumstances arising out of her appointment to the position with the Municipal Recreation Department and any inconvenience that was caused her.

Motion carried.

The Clerk reported that the grant for the Special Events Coordinator's position was obtained through the Yarmouth-Shelburne County Coordinators Association.

The Warden then returned to the table and resumed the chair.

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#### FORMER LORAN SITE AND GATR SITE

The Clerk reported that a letter has been received from the Fire Chief of the Port LaTour Volunteer Fire Department, on behalf of the Shelburne County Mutual Aid Association. The letter requested that the Municipal Council take the appropriate action to acquire the former Loran Site and GATR Site properties. The Shelburne County Mutual Aid Association would like to utilize both of these properties as a training facility by local fire department organizations.

Mr. Hatter, Fire Chief of the Port LaTour Volunteer Fire Department and Walter Scott, Fire Chief of the Barrington Passage Volunteer Fire Department, appeared before Council to provide additional information on this request.

Moved by F. Bower and seconded by S. Stoddart that this matter be referred to the Finance Committee and that Mr. Hatter and the Shelburne County Mutual Aid Association be invited to attend the meeting in order that this matter can be discussed in more detail.

Motion carried.

It was agreed that the Clerk obtain information on the cost of the properties prior to the Finance Meeting.

#### CORRESPONDENCE

## Shelburne County Sheltered Workshops

The Clerk reported that a letter has been received from the Shelburne County Sheltered Workshops thanking Council for their support of their initiative for residential options for persons with disabilities. The letter further advised that for the past several years there has not been a representative from the Municipality of Barrington on the Board of Directors but they would welcome a representative should we wish to be represented on the Board.

Moved by S. Stoddart and seconded by F. Bower that the appointment of a member to serve on the Shelburne County Sheltered Workshops be referred to the Nominating Committee.

Motion carried.

## COMMITTEE AND BOARD REPORTS

### Hiring Committee

#### Aquatic Supervisor

Moved by A. Atkinson and seconded by W. Smith that Denyse Hennigar be hired as Aquatic Supervisor at the Barrington Municipal Swimming Pool.

Motion carried.

Moved by A. Atkinson and seconded by W. Smith that Abby Hogg be designated the alternate for the position of Aquatic Supervisor.

Motion carried.

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#### Building Inspector

Moved by A. Atkinson and seconded by S. Stoddart that the Municipal Clerk investigate the possibility of contracting Building Inspection Services from the Joint Services Board operated by the Municipal units in eastern Shelburne County.

Motion carried.

#### Pool Staff

Moved by A. Atkinson and seconded by F. Bower that Abby Hogg, Margaret Gregory and Lorraine Swim be hired as lifeguards for the coming season at the Barrington Municipal Swimming Pool.

Motion carried.

Moved by A. Atkinson and seconded by S. Stoddart that the next acceptable applicant to apply for a lifeguard position at the Barrington Municipal Swimming Pool be hired by the Chairman of



the Recreation and Facilities Management Committee, by the Municipal Clerk and by the Recreation Facilities Manager.

Motion carried.

#### Interviews for Day Camp Positions

Moved by A. Atkinson and seconded by F. Bower that the four (4) applicants with the highest interview scores be hired for the positions of Program Supervisors. These applicants being; Jenny Nickerson, Carolyn Thurber, Falyn Goreham and Jessica Atwood.

Motion carried.

Moved by A. Atkinson and seconded by W. Smith that the applicant with the fifth highest score be designated alternate. This applicant being Meagan Smith.

Motion carried.

#### Finance and Administration Committee

##### Revision of Expenditures

WHEREAS members wish to apply municipal funding to local initiatives in the tourism industry rather than funding additional personnel for the Regional Development Authority;

THEREFORE it is moved by S. Stoddart and seconded by F. Bower that the request of the South West Shore Development Authority for funding of a Shelburne County Tourism Coordinator be denied.

Motion carried.

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Moved by S. Stoddart and seconded by W. Smith that the municipality include \$16,000.00 in the 2000/2001 budget in Environmental Development Services for tourism purposes to be suggested by the Joint Tourism Committee and to be approved by Municipal Council.

Motion carried.

#### Funding of the Regional Development Authority

WHEREAS Barrington Municipal Council has requested information from the South West Shore Development Authority on several occasions and has yet to receive a response;

THEREFORE it is recommended to Council that all payments for funding of the South West Shore Development Authority be suspended until a response to Council's request for information is received.

Moved by S. Stoddart and seconded by F. Bower that the above recommendation be withdrawn since the required information has now been provided.

Motion carried unanimously.

#### Family Violence Program

WHEREAS Council has been requested to consider funding of the Family Violence Prevention Program in this area that has been discontinued by the Province of Nova Scotia;

THEREFORE it is recommended to Council that the request for funding the Family Violence Prevention Program be denied and that a letter be forwarded to the Province of Nova Scotia indicating that the discontinuance of this program by the Province is unacceptable.

Moved by S. Stoddart and seconded by W. Smith that the above recommendation from the Finance Committee be tabled until the next meeting of Council.

Motion carried.

#### Funding of Municipal Grants

Moved by S. Stoddart and seconded by F. Bower that the grant to the Barrington Federation of Agriculture be increased to \$1,250.00.

Motion carried.

Moved by S. Stoddart and seconded by W. Smith that the municipality pay the Emergency Measures Organization Coordinator a stipend of \$250.00 for the coming year.

Motion carried.

#### Capital Budget

Moved by S. Stoddart and seconded by F. Bower that the amount of \$10,000.00 be included in the budget for the purchase of office and computer equipment for the coming year.

Motion carried.

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Moved by S. Stoddart and seconded by F. Bower that an additional \$5,000.00 be included in the municipal budget for the purpose of upgrading the Administration Building, including replacing some of the older carpeting and the cleaning and painting of the outside of the building.

Motion carried.

Moved by S. Stoddart and seconded by F. Bower that, pursuant to Section 72(5)(a) of the Municipal Government Act, an amount of \$5,000.00 per district be included in the budget for contingencies and unforeseen expenses and that the disbursement of these funds be subject to the approval of Council.

Motion carried.

## FCM Conference

Deputy Warden Fred Bower advised that he recently attended the FCM Conference in Ontario and will be providing a report at a later date.

## Library Board

Deputy Warden Fred Bower advised that he will be attending a Library Board Meeting tomorrow and will provide a brief report on that meeting at the next meeting of Council.

## Lobster Festival

Councillor Wayne Smith advised Council that he attended the Lobster Festival opening in place of the Warden since the Warden was away to the FCM Conference. The Lobster Festival opening was held at Sandy Point.

## Public Works Property Committee Meeting

## Barrington Minor Ball Association Request

WHEREAS Municipal Policy #37 provides for recreation loans to community organizations;

AND WHEREAS Municipal Council wishes to support the ongoing provision of recreation facilities in the municipality;

THEREFORE it is moved by W. Smith and seconded by S. Stoddart that an interest-free loan up to \$20,000.00 be provided to the Barrington Minor Ball Association with repayment over a ten (10) year period requiring equal annual installments.

Motion carried.

Moved by W. Smith and seconded by F. Bower that the Barrington Minor Ball Association be permitted to access the water supply and sewer lines at Sherose Island for the use of their canteen, at their own expense.

Motion carried.

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Moved by W. Smith and seconded by S. Stoddart that the Barrington Minor Ball Association be charged an annual fee of \$100.00 for the use of water and sewer facilities at Sherose Island.

Motion carried.

## C.U.P.E. Presentation

Moved by W. Smith and seconded by S. Stoddart that the Department of Transportation and Public Works be requested to provide criteria for privatization of the Department because it

raises various concerns to municipal units throughout the Province. Copies of this letter of request will be sent to the local C.U.P.E. representatives and to our local MLA.

Motion carried.

#### On-Call Service Truck Requirement

WHEREAS members believe it is necessary for a vehicle to be provided to Public Works employees to respond to emergency calls;

THEREFORE it is moved by W. Smith and seconded by F. Bower that Public Works employees who are on-call have the use of the Public Works vehicle during that time and that no personal use be permitted of this vehicle, under any circumstances.

Motion carried.

#### Heliport Site

Moved by W. Smith and seconded by E. Nickerson that Municipal Staff proceed to develop a heliport site on property located adjacent and at the rear of the Brass Hill Treatment Plant.

Motion carried.

#### Loran Station

It is the recommendation of the Public Works Committee that the municipality write the Port LaTour Volunteer Fire Department and inform them that the municipality has already turned down the purchase of the Loran Site in East Baccaro and the GATR Site in West Baccaro from the Federal Government because the municipality has no interest in the ownership of this property, and further instruct the Port LaTour Volunteer Fire Department that if they wish to purchase this property, or obtain it free of charge, they should contact Joan MacKinnon, Regional Manager, Real Estate Advisory Services, Public Works and Government Services Canada. The phone number and address for this contact will be provided to the Fire Department in this letter.

It was the general consensus of members that the above motion be withdrawn.

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#### Visitor Information Centre Public Meeting

Councillor Wayne Smith reported that there was a public meeting held on May 25, 2000 regarding the location of the Visitor Information Centre. Councillor Smith briefly reported on the meeting and advised that five (5) possible sites were identified at that meeting, which are listed below:

1. Present Site
2. Site suggested by the Chamber of Commerce being near the proposed Marina location at the foot of the Station Road
3. Near the Pubnico exit

4. Eastern side of the new highway
5. Junction of Riverhead/Oak Park Roads

During discussion of this matter another suggestion was put forth which was to locate the new Visitor Information Centre in the vicinity of the Seal Island Lighthouse Museum.

Mr. Simon D'entremont attended this meeting and indicated that there may be some FRAM funding available for a feasible study to help determine the best location for the Visitor Information Centre.

Moved by S. Stoddart and seconded by A. Atkinson that quotes be obtained for the painting of the existing Visitor Information Centre and that quotes also be obtained for the construction of a gazebo on the Visitor Information Centre property.

After discussion the motion was withdrawn.

The Clerk reported that there is a possibility that Lynne Crowell may be having a portable gazebo made and it has been suggested that she may want to keep the gazebo at the Visitor Information Centre when she is not using it.

It was agreed that the Clerk contact Mrs. Crowell to find out her intentions.

It was suggested that the Visitor Information Centre could be painted by the Public Works staff.

Moved by S. Stoddart and seconded by A. Atkinson that if we are unable to have the Visitor Information Centre painted by the end of the month, by the Public Works Department, then we proceed to obtain quotes for the painting.

Motion carried.

Moved by E. Nickerson and seconded by A. Atkinson that the South West Shore Development Authority be contacted to determine whether money is available for a feasible study for the establishment of a Visitor Information Centre in the Municipality of Barrington.

Motion carried.

#### BURSARY SELECTION

Moved by W. Smith and seconded by F. Bower that Peter W. Chetwynd be awarded the Municipal Bursary for the year 2000.

Motion carried.

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#### OCCUPATIONAL HEALTH & SAFETY PROGRAM AMENDMENTS

The Clerk reported that it is being purposed that the Occupational Health & Safety Program be amended to include the following:

- Safety procedures regarding the use of safety vests by the Public Works Department.
- Fire Evacuation Plan for the Administrative Centre.

In advance to the meeting each member of Council was provided with the proposed wording of the above amendments.

Moved by F. Bower and seconded by E. Nickerson that Council serve notice that the proposed amendments to the Occupational Health & Safety Program will be further considered at the next meeting of Council.

Motion carried.

It is a requirement of the Municipal Government Act that Council give at least seven (7) days notice to all council members before a policy is passed, amended or appealed.

ADJOURNMENT

Moved by F. Bower and seconded by E. Nickerson that the meeting adjourn.

The meeting was adjourned at 10:53 p.m.