

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, July 10, 2002.

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

- Warden Sterling Belliveau
- Deputy Warden Eddie Nickerson
- Councillor Angus Atkinson
- Councillor Fred Bower
- Councillor Louise Halliday
- Councillor Dwayne Hunt
- Councillor Wayne Smith

- Brian Holland, Municipal Clerk
- Lesa Rossetti, Deputy Clerk

ADDITIONS TO AGENDA

It was agreed that the following items be added to the agenda:

- Office Hours
- Closed Session Re: Legal Matter
- Matters Arising
 - Michael Hennigar Proposal
 - Baccaro Federal Properties
 - Waste Collection Contract Amendment

APPROVAL OF MINUTES

Moved by A. Atkinson and seconded by D. Hunt that the minutes of the last meeting held June 26, 2002 be approved as circulated.

Motion carried.

MATTERS ARISING FROM THE MINUTES

C.S.I. Causeway

In advance to the meeting each member of Council was provided with a copy of a letter received from the Minister of Fisheries and Oceans, Robert Thibeault. The letter was in response to our request for an evaluation of opening a portion of the Cape Sable Island Causeway to allow the natural flow of sea water. The letter advised that several years ago the Municipality made a similar request and at that time it was concluded that further studies would be unlikely to permit Fisheries and Oceans to more accurately determine changes resulting from the causeway's presence, or reliably predict the changes which would occur if it were to be removed. It was determined that a scientific investigation of the effects of the causeway on currents, sediment transport and siltation, would be expensive and it was likely that it would yield ambiguous results. The letter further advised that if we intend to develop specific plans with the owner of the causeway to provide passage, DFO would be happy to work with the planning team to ensure the protection of fish and fish habitats.

Moved by A. Atkinson and seconded by W. Smith that Mr. Greg Newell of the Department of Transportation be requested to meet with Council to further discuss opening a portion of the causeway.

Motion carried.

V.I.C.

The Clerk reported that he has had an opportunity to speak with Lynne Perry regarding the new Visitor Information Centre being located in Oak Park, and having direct access to the 103 Highway off-ramp. Mrs. Perry informed the Clerk that a similar facility was being constructed on the 104 Highway in Pictou County. After further investigating this matter, it was learned that the facility is being built on private property and will consist of a Tim Horton's, Dairy Queen, Irving Mainway and a tourist centre. This facility will not have direct access on the 104 Highway as previously suggested.

The Clerk informed members that he has discussed this matter further with Greg Newell of the Department of Transportation in Yarmouth and has been advised that all new connector roads are designated controlled access roads. Mr. Newell has suggested that if we want access to a connector road that we should contact Stuart Clare, Construction Manager, Department of Transportation, or go directly to the Minister requesting that he make an exception. No exceptions have been made to Mr. Newell's knowledge.

During discussion of this matter it was noted that Premier John Hamm will be in the area on July 24, 2002 and it was suggested that we attempt to make arrangements to meet with him to discuss this matter in more detail.

Moved by E. Nickerson and seconded by F. Bower that Mr. Stuart Clare, Construction Manager for the Department of Transportation be invited to attend a future meeting to discuss the proposed connector road in Oak Park not being designated as a controlled access road.

Motion carried.

It was agreed that the MLA for Shelburne County be contacted in an attempt to arrange for the Warden to meet with the Premier, on July 24, 2002, to discuss the designation of this connector road and to visit the site.

Mike Henniger - Proposal for Residential Development on Butler's Road

It was reported that at the last meeting of Council the motion regarding the proposal for residential development on Butler's Road was tabled. The motion was as follows:

"Moved by W. Smith and seconded by L. Halliday that the Municipality extend the municipal trunk sewer line up Butler's Road a distance of approximately 1000 feet, to the developer's property, providing the developer pays 50% of the cost of installation and construction and providing that the maximum amount paid by the Municipality would be 50% of the installation and construction costs, or \$50,000.00, whichever is least."

The Clerk informed members that the revenue estimates provided by the developer have been reviewed and alternative estimates of revenue to be received by the Municipality have been calculated and circulated to members as requested.

Many questions arose as a result of Mr. Hennigar's proposal, which were as follows:

1. Should Municipal taxes be invested in speculative projects?
2. Will the proposed development produce "incremental" tax revenues for the Municipality or will they be revenues that would be received in any case?
3. Will the sewer be extended to Butler's Road because residents are requesting it?
4. Will development not take place if the Municipality does not finance, or partially finance, the extension of the sewer?
5. Will the Municipal taxpayers be better served by putting municipal funds in some other project or service?
6. What is the total cost of installing the sewer up Butler's Road?
7. Will the Municipality be making application under the Canada/Nova Scotia Infrastructure Works Program and is 1/3 of the project to be paid by residents?

Moved by W. Smith and seconded by F. Bower that the above motion made on June 26, 2002 be tabled pending additional information such as:

- The estimated cost of extending the sewer.
- Are property owners in favor of the sewer.
- Is funding available under the Canada/Nova Scotia Infrastructure Works Program.

Motion carried.

Baccaro Federal Properties

The Clerk reported that information has now been received, from Mr. Tom Nowlan, Public Works and Government Services Canada, regarding the Baccaro Loran Site and the GATR Site. The letter advised that he is still waiting for a copy of the environmental report for each site and that it is his understanding that Fisheries and Oceans will be removing the old oil tanks located on the Loran Site. He further advised that it is his understanding that the buildings on the GATR Site have been boarded up and the gate has been repaired to stop anyone from entering the property. Once the environmental report for the GATR Site has been received he will be proceeding with the sale of this property.

Moved by F. Bower and seconded by E. Nickerson that Public Works & Government Services Canada be requested to provide copies of the environmental reports for the Loran Site and the GATR Site.

Motion carried.

Commercial Waste Collection

The Clerk reported that Council, at their meeting held June 26, 2002, tabled the following motion:

"Moved by W. Smith and seconded by E. Nickerson that the Municipal Waste Collection contract be amended to allow the Municipal Collector to enter private property to collect commercial waste at no cost to the Municipality."

This motion was tabled pending legal advice from the Municipal Solicitor.

The Clerk informed members that the Municipal Solicitor has advised that in his view the proposed motion of June 26th is in order and can be passed.

The above motion made on June 26, 2002 was then voted on and carried.

EMIL DEGENHARDT - DIAL-A-RIDE

Mr. Emil Degenhardt appeared before Council and informed members that he is attempting to start a Dial-A-Ride program in Shelburne County. Mr. Degenhardt owns and operates Hardt's Haven located in Jordan Ferry and has purchased a wheelchair accessible bus. This bus will be used by his residents as well as individuals from Shelburne County wishing to engage his services. After preparing his budget he has determined that it will cost approximately \$60,000 to \$70,000 to operate the vehicle for one (1) year. A provincial program called CTAP will provide funding of approximately \$20,000.00. Mr. Degenhardt informed members that it is his goal to provide accessible transportation as well as affordable transportation to physically challenged individuals and he is now looking for funds to offset the costs. He informed members that he will be contacting all municipal units within Shelburne County requesting assistance and will also be approaching businesses in an attempt to sell advertising space on the bus.

Moved by D. Hunt and seconded by W. Smith that Mr. Emil Degenhardt's request for financial assistance be referred to the Finance Committee for consideration.

Motion carried.

SECOND READING OF BY-LAW NO. 12 "DOG BY-LAW"

The Clerk reported that second reading of By-Law No. 12 has been advertised in the Coast Guard Newspaper which advised to the public that Council will be considering adopting a new dog by-law which will more clearly define fierce or dangerous dogs and dogs running at large.

Moved by D. Hunt and seconded by L. Halliday that By-Law No. 12 "Dog By-Law" be approved in second reading.

Motion carried.

CORRESPONDENCE

Maintenance of Roads

In advance to the meeting each member of Council was provided with a copy of a letter received from Evelyn Scott, Indian Oaks Subdivision, Newborn, N.S., expressing her concerns regarding the maintenance of private roads in Nova Scotia. She advised that the older roads are poorly maintained because there is no way to ascertain collection of road fees. Many home owners never pay their share and have no intention of paying the road fees. It is her belief that the provincial government, can, and should legislate a statute guaranteeing the collection of road fees.

Upper Clyde River Road

The Clerk reported that information has been received from the Department of Transportation indicating work to be carried out on the Upper Clyde River Road during the year 2002. Maintenance identified is as follows:

- Gravel - 2 kilometers
- Ditching - 3.5 kilometers

Moved by W. Smith and seconded by F. Bower that the Department of Transportation be contacted to determine whether any guardrails are being installed on the Upper Clyde River Road near the river, and also request the cost of the maintenance planned to be carried out on the road during the year 2002.

Motion carried.

Yarmouth Airport Commission Association

It was reported that a letter has been received from the Yarmouth Airport Commission Association which advised that the airport continues to incur an annual operating deficit. The Association is, therefore, requesting Council's financial assistance.

Moved by E. Nickerson and seconded by D. Hunt that the Yarmouth Airport Commission Association's request for financial assistance be denied at the present time and that they be advised that the Municipality is not currently able to contribute to the financing on the Airport because there are other municipal services requiring funding which are of a higher priority at this time.

Motion carried.

MICHAEL HENNIGAR - PROPOSAL FOR RESIDENTIAL DEVELOPMENT ON BUTLER'S ROAD

Mr. Hennigar appeared before Council and thanked members for the opportunity to address them. Mr. Hennigar informed members that he would like to restate his request of Council. He asked members to consider only the following question when dealing with his proposal for residential development on Butler's Road.

“Will the Municipality of Barrington pay or help pay for the first 1000 feet of the sewer extension up Butler's Road?”

He further informed members that he look forward to a speedy response since at the present time he is left in limbo not knowing what the Municipality is prepared to do. Mr. Hennigar requested an answer not later than the next meeting of Council.

FIRST READING OF BY-LAW NO. 21

It was reported that it is necessary for us to consider amendments to By-Law No. 21, Part 7, Finances, to change the Barrington/Barrington Passage sewer service charge to be consistent with provisions of the 2002/2003 Municipal Budget. The proposed change is contained in Section 38 changing the sewer service charge from \$125.00 to \$200.00 per unit.

Moved by F. Bower and seconded by L. Halliday that the proposed amendment to change the sewer service charge in Section 38 of By-Law No. 21 from \$125.00 to \$200.00 be approved in first reading.

Motion carried.

REPORT OF WARDEN

Joint Meeting

The Warden reported that on July 3, 2002 he, as well as a number of other municipal councillors, attended a joint meeting with councillors from the Municipality of Shelburne.

Energy Meeting

On July 10, 2002 the Warden attended a South West Shore Development Authority Energy Meeting and at this meeting the first draft of the strategy was presented as well as a copy of the interim report. The final draft of the strategy is expected September 1, 2002.

Goldboro Visit

He briefly reported on the trip to Goldboro on June 14, 2002. The trip was found to be very educational.

A.A.C.N.E.M.

The Warden briefly reported on plans for the A.A.C.N.E.M. Conference to be held July 24 - 26, 2002. A tentative agenda of activities was circulated and it was reported that a luncheon is planned to be held at JB's Steak House in Barrington Passage.

COMMITTEE AND BOARD REPORTS

Public Works Committee

Garbage Collection - Sebim Beach

Moved by W. Smith and seconded by F. Bower that the residents of Sebim Beach and Sand Hills Beach, who deposit waste at the common garbage bins at that site, be required to mark their civic address on all green garbage and blue recycling bags deposited there.

Motion carried.

Barrington Regional Curling Club

Moved by W. Smith and seconded by E. Nickerson that a grant of \$1,500.00 from the District 3 Community Grants Fund be approved for the Barrington Regional Curling Club for the purpose of constructing a barbeque pit to be used to raise funds for the Club.

Motion carried.

Light the Field Committee of the Ralph “Creamer” Atwood Memorial Ballfield, Barrington, N.S.

Moved by W. Smith and seconded by E. Nickerson that a grant of \$1,000.00 be provided to the Light the Field Committee of the Ralph “Creamer” Atwood Memorial Ballfield in Barrington from the District 3 Community Grant Fund.

Motion carried.

Oak Park Area Sports Facilities Committee

Moved by W. Smith and seconded by D. Hunt that a grant of \$1,000.00 be provided to the Oak Park Area Sports Facilities Committee from the District 3 Community Grants Fund.

Motion carried.

Fire Department Amalgamation Funding Agreement

Moved by W. Smith and seconded by D. Hunt that the proposed funding agreement for the amalgamated fire departments be forwarded to the Town of Clark’s Harbour for their negotiation and approval.

Motion carried.

Roads

Moved by W. Smith and seconded by D. Hunt that the Municipality request information from Service Nova Scotia and Municipal Relations regarding the purpose of the payment for the Department of Transportation contract on roads in the Municipality.

Motion carried.

Library

Moved by W. Smith and seconded by F. Bower that an electrician be requested to do a thorough inspection of the electrical system at the Barrington Municipal Library and that the electrician inform Library staff of safe electrical procedures to be used at that location.

Motion carried.

Waterfront Development Committee

Councillor Smith informed members that an advertisement will be placed in Monday’s paper calling for tenders for the McGray Avenue Project.

Recreation and Facilities Management Committee

Old Playground Equipment

Moved by L. Halliday and seconded by W. Smith that Peter Weeks be permitted to remove the circular metal dome from the playground at Sherose Island at no cost in exchange for taking possession of the dome.

Motion carried.

Community Health Care Advisory Committee

Councillor Halliday reported that she, along with other members of the Community Health Care Advisory Committee, met with Dr. Kambli and Dr. Haq on June 28, 2002. Dr. Kambli has made arrangements to return to the area on July 24, 2002 and will start practicing here shortly thereafter.

Hiring Committee

Trail Development Person

Conflict of Interest

Councillor Dwayne Hunt declared conflict of interest vacated his seat and proceeded to the spectator area.

Councillor Hunt is related to Devon Scott.

Moved by L. Halliday and seconded by W. Smith that Devon Scott be hired for the Trail Development position and that Jana Foster be the alternate for this position based on the evaluation scores and interviews completed.

Motion carried.

Councillor Hunt returned to his seat at the table.

OFFICE HOURS

The Clerk reported that office hours will be rearranged to keep the Tax Office open during lunch hour during the tax season. Employees will still continue to work 35 hours per week.

It was agreed that an advertisement be placed in the Coast Guard Newspaper informing the public that the tax office will be open during lunch hour.

CLOSED SESSION OF COUNCIL

It was agreed that a Closed Session of Council be held to deal with a legal matter.

Upon the conclusion of the Closed Session, the regular Council session was called back to order.

ADJOURNMENT

Moved by F. Bower that the meeting adjourn.

The meeting was adjourned at 9:25 p.m.

Warden

Clerk

Secretary for the Meeting

Copied for Councillors on July 12, 2002 by Sharon Brannen.

