

Minutes of the Regular Meeting of Barrington Municipal Council held in the Council Chambers in the Administrative Centre, in Barrington, N.S., on Wednesday, August 13, 2003.

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 Louise Halliday
- Councillor Dwayne Hunt
- Councillor Wayne Smith (7:15 p.m.)
  
- Brian Holland, Municipal Clerk
- Lesa Rossett, Deputy Clerk

Absent was Councillor Fred Bower due to work commitments.

#### ADDITION TO AGENDA

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

- Interview Theresa d'Entremont - West Nova Persons with Disabilities Committee

#### APPROVAL OF MINUTES

**Moved** by D. Hunt and seconded by L. Halliday that the minutes of the council meetings held July 23, 2003 and July 31, 2003 be approved as circulated.

Motion carried.

#### MATTERS ARISING FROM THE MINUTES

##### Dangerous & Unsightly Premises - Stanley Greenwood Boat Shop

The Clerk informed members that the property was once again inspected by the By-Law Enforcement Officer on August 5, 2003 and at that time he found that the property had had extensive cleaning. A fence had been erected at the rear of the property and a small building had been erected for storage. Mr. Greenwood is erecting another fence on the western side and a garbage box is being constructed for garbage to be regularly delivered to the Landfill. There is still some cleaning to be done to meet the requirements of the Order dated June 5, 2003. Items still remaining that can be seen by neighboring properties or from passing by are as follows:

- tires
- paper
- pieces of wood
- pieces of fibreglass
- plastic containers
- some junk

It is the recommendation of the By-Law Enforcement Officer that based on the amount of work that has been carried out to date, and the intentions of Mr. Greenwood to continue cleaning up the property, that the Municipality not enter upon the property to carry out the remaining work specified in the Order.

Pictures were circulated to members.

It was agreed by consensus that the Municipality not act on the Order at the present time and that the property be re-visited in the near future to ensure that it is being cleaned up and to continue to work with Mr. Greenwood to have the clean-up completed.

## CORRESPONDENCE

### Inspection Services

The Clerk informed members that contact has been made with the Joint Services Board for the Town of Lockport, Municipality of Shelburne and the Town of Shelburne requesting that the Board provide inspection services for the V.I.C. project. A response has now been received from the Board indicating that due to their workload at the present time, they are unable to take on any additional work involved in this project.

During discussion of this matter Policy #30 was referred to. This policy was put in place to eliminate conflict of interest regarding Municipal Capital Projects. The policy states that it is the policy of the Municipal Council when any major capital projects are being undertaken, to engage the services of an independent outside building inspector.

The Clerk informed members that he would contact the Municipality of Argyle in an attempt to engage their building inspector to provide inspection services for the V.I.C. project.

### Resolution C030801

**Moved** by E. Nickerson and seconded by A. Atkinson that notice be given for consideration of amendments to Policy #30 to allow the Municipal Building Inspector to deal with Municipal Capital Projects.

Motion carried.

Consideration of this amendment will be dealt with at the August 27, 2003 Council Meeting.

### Waste Diversion

#### Letter from Department of Environment

The Clerk informed members that a letter has been received from the Department of Environment advising that after March 31, 2004 all waste deposited must be weighed by a weigh scale.

The Clerk informed members that the Municipality has been successful in receiving approval for 50% funding from the R.R.F.B. for the purchase of a scale to be located at the C & D Landfill Site. Tenders for the scale will be opened later this evening.

Waste Check

The Clerk informed members that a letter has been received from Waste Check in response to our letter of May 30, 2003, in which Council requested an opportunity to meet with members of Waste Check to discuss the payment of Diversion Credits owed to the Municipality.

The letter advised that it was the Authority's decision to seek legal guidance before making a decision on our request. It is the advice of their solicitor that it would not be prudent for Waste Check to negotiate with either Barrington or Clark's Harbour at this time until conclusion of the dispute with the Town of Yarmouth on this issue.

Councillor Wayne Smith joined the meeting.

Resolution C030802

**Moved** by D. Hunt and seconded by E. Nickerson that the Municipality of Barrington initiate legal proceedings to obtain Diversion Credits owed to us.

Motion carried.

Resolution C030803

**Moved** by D. Hunt and seconded by L. Halliday that a letter be sent to the Town of Clark's Harbour advising them of our decision to proceed with legal action to obtain Diversion Credits and ask them to join our efforts.

Motion carried.

Archelaus Smith Historical Society

The Clerk informed members that a thank you letter has been received from the Archelaus Smith Historical Society thanking Council for their annual grant of \$500.00.

Taping of Council Meetings

The Clerk informed members that correspondence has been received from Mr. Rick Davis advising that he is unable to continue taping Council meetings.

Barrington Municipal Exhibition

Official Opening

A letter has been received from the Barrington Municipal Exhibition inviting the Warden to attend the official opening of the 2003 Barrington Exhibition.

The Warden informed members that arrangements have been made for the Deputy Warden to attend this function.

Grant

A thank you letter has been received from the Barrington Municipal Exhibition expressing their gratitude for the grant they received this year.

Fireworks

A letter has been received from the Barrington Municipal Exhibition asking if the Municipality would be able to purchase fireworks for them in order that they could save part of the H.S.T.

This matter was briefly discussed and it suggested that the Barrington Municipal Exhibition should be a registered society, and if so, would be eligible for a 50% H.S.T. rebate.

It was suggested that a letter be written to the Committee Secretary requesting her to check and see if the society was registered, and if so, they would qualify for a 50% H.S.T. rebate.

INTERVIEW JIM NEWELL RE: NOISE

Mr. Jim Newell appeared before the meeting and expressed concern regarding the amount of noise being generated from Silver Roe Seafoods, located in Newellton. He informed members his main concern is with transport trucks coming and going from the property early in the morning, 3:00 a.m. to 4:00 a.m.

Mr. Newell requested Council to prohibit transport trucks from visiting the property between 10:00 p.m and 6:00 a.m.

Mr. Newell was thanked for appearing before Council and expressing his concerns but was advised that this business does not appear to be doing anything illegal and is not in violation of Municipal by-laws.

INTERVIEW THERESA D'ENTREMONT - WEST NOVA PERSONS WITH DISABILITIES COMMITTEE

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Ms. Theresa d'Entremont, West Nova Persons with Disabilities Committee, appeared before the meeting. She provided a power point presentation to Council making them aware of the committee's existence, their goals and objectives.

Ms. d'Entremont was thanked for appearing before Council and making her presentation.

REPORT OF WARDEN

The Warden provided a report on his activities since the last meeting of Council.

COMMITTEE AND BOARD REPORTS

Public Works and Property Committee

Request from the Town of Clark's Harbour

Resolution C030804

**Moved** by A. Atkinson and seconded by W. Smith that the Town of Clark's Harbour be informed that a deduction will be calculated at year-end based on the time records of the Building Inspection Department which will reduce the charge to the Town in proportion to the time spent on fire inspection services.

Motion carried.

It was agreed that the Town also be informed that there is a possibility of the Municipality hiring a By-Law Enforcement Officer, in future, and the Municipality conducting fire inspection services on behalf of the Town.

Brass Hill Subdivision Treatment Plant Upgrade

Resolution C030805

**Moved** by A. Atkinson and seconded by D. Hunt that the Municipality enter into an easement agreement with Mr. Michael Christie for the purpose of upgrading the Barrington/Barrington Passage Sewage Treatment Plant, as required, and that the Municipality reinstate the property on which the easement will be granted upon completion of the construction to the satisfaction of Mr. Christie.

Motion carried.

Purchase of Property

Conflict of Interest

Councillor Dwayne Hunt declared conflict of interest, vacated his seat and proceeded to the spectator area. Councillor Hunt is a member of the Barrington Passage Community Club and a member of the Barrington Passage Volunteer Fire Department.

Resolution C030806

**Moved** by A. Atkinson and seconded by W. Smith that the Municipality make a counter-offer to the Barrington Passage Volunteer Fire Department to purchase their property located in Barrington Passage.

Motion carried.

Resolution C030807

**Moved** by A. Atkinson and seconded by L. Halliday that the Municipality make a counter-offer to the Barrington Passage Community Club to purchase their property.

Motion carried.

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Councillor Dwayne Hunt then returned to his seat.

#### Barrington Ground Search and Rescue

It was reported that correspondence has been received from the Barrington Ground Search and Rescue Group requesting the use of Municipal land located at Brass Hill near the Sewage Treatment Plant.

#### Resolution C030808

**Moved** by A. Atkinson and seconded by D. Hunt that the Municipality respond to the request of the Barrington Ground Search and Rescue indicating that there has been no consideration given to any alternative use of land at Brass Hill near the Sewage Treatment Plant at the present time.

Motion carried.

#### Community Incentive Program

#### Resolution C030809

**Moved** by A. Atkinson and seconded by D. Hunt that Municipal staff draft a policy for a Community Incentive Program for cleaning the roadsides within the Municipality.

Motion carried.

During discussion of this matter it was noted that the Department of Transportation is currently advertising for a contract to clean roadsides in Cumberland County. It was agreed that this matter be investigated.

#### Hiring Committee

#### Facilities Operator

As a result of interviews carried out by the Hiring Committee on August 12, 2003, reference checks were carried out by the Clerk on Carroll Ross. The Clerk informed members that satisfactory references were obtained.

#### Resolution C030810

**Moved** by A. Atkinson and seconded by D. Hunt that the Municipality hire Carroll Ross as Facilities Operator based on the interview scoring system results.

Motion carried.

Salary Rates

Resolution C030811

**Moved** by A. Atkinson and seconded by W. Smith that Carroll Ross start on the Facility Operator Wage Scale at \$14.52/hr., and upon satisfactory completion of a six (6) month probationary period receive an increment of \$0.57/hr., so that at that time he would be on the second step of the Wage Scale.

Motion carried.

Facilities Supervisor

Resolution C030812

**Moved** by A. Atkinson and seconded by W. Smith that Derek Mesh be hired for the position of Facilities Supervisor subject to a satisfactory reference being obtained.

Motion carried.

Resolution C030813

**Moved** by A. Atkinson and seconded by D. Hunt that William O'Hearn be designated as an alternate to be hired for the position of Facilities Supervisor subject to a satisfactory reference check being obtained, should Derek Mesh not accept the position.

Motion carried.

Resolution C030814

**Moved** by A. Atkinson and seconded by D. Hunt that the Facilities Supervisor position be offered to Derek Mesh or to the alternate William O'Hearn at a starting salary of \$33,000.00

Motion carried.

Waterfront Development Committee

Deputy Warden Eddie Nickerson informed members that a Waterfront Development Committee Meeting was held August 7, 2003.

Resolution C030815

**Moved** by E. Nickerson and seconded by W. Smith that the Municipality of Barrington contact the Department of Transportation and request that they fix the eastern side of the Causeway which is deteriorating and in need of immediate repair, as recommended by the Waterfront Development Committee.

Motion carried.

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#### LETTER OF CONGRATULATIONS

##### Resolution C030816

**Moved** by E. Nickerson and seconded by D. Hunt that a letter of congratulations be forwarded to MLA Cecil O'Donnell on his victory in the recent provincial election held August 5, 2003.

Motion carried.

#### SECOND READING LOCAL IMPROVEMENT BY-LAW

The Clerk informed members that second reading of the proposed Local Improvement By-Law was advertised in the Coast Guard Newspaper for one (1) edition on Tuesday, August 5, 2003. The purpose of the by-law is to provide residents with an avenue through which to bring their concerns to Council regarding the construction of local improvements within the Municipality and provide consistency in dealing with such improvements.

##### Resolution C030817

**Moved** by D. Hunt and seconded by W. Smith that the proposed Local Improvement By-Law be approved as presented.

During discussion of this motion question was raised regarding Section 3(5) which states: "Owners who do not respond in favour of or against the proposed local improvement within 20 days of the date of notice will be deemed to be opposed to the proposed local improvement".

**Moved** by W. Smith and seconded by E. Nickerson that Section 3(5) be amended as follows: "Owners who do not respond in favour of or against the proposed local improvement within 20 days of the date of notice shall be deemed to be in favour of the proposed local improvement".

##### Resolution C030818

**Moved** by A. Atkinson and seconded by W. Smith that the above motion be tabled until legal advice can be obtained on the proposed amendment.

Motion carried.

#### TENDERS

##### Gazebo

The Clerk reported that an advertisement was placed in the Coast Guard Newspaper for two (2) editions on July 22<sup>nd</sup> and July 29<sup>th</sup>, 2003 for tenders for the construction of a gazebo at the



Tourist Rest Stop located in Shag Harbour.

No tenders were received.

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Resolution C030819

**Moved** by L. Halliday and seconded by W. Smith that the Municipal Clerk seek quotes from carpenters willing to construct a gazebo at the Tourist Rest Stop in Shag Harbour.

Motion carried.

Public Works Truck

The Clerk informed members that an advertisement was placed in the Coast Guard Newspaper inviting tenders for the purchase of the 1993 Dodge truck. It was reported that one (1) tender was received. The tender was opened by the Warden. He informed members that the tender was in the amount of \$503.00 and was submitted by Myles. No last name was given.

Resolution C030820

**Moved** by A. Atkinson and seconded by W. Smith that the tender received from Myles in the amount of \$503.00 for the purchase of the 1993 Public Works truck be accepted.

Motion carried.

Scales

The Clerk informed members that tenders were invited for the supply and installation of a commercial duty vehicle scale to be located at the Construction & Demolition Debris Landfill Site in Barrington.

Two tenders were received which are as follows:

- All Weigh Systems - \$31,435.25
- Weigh Tronix - \$28,307.25

Resolution C030821

**Moved** by D. Hunt and seconded by W. Smith that the tender for a scale received from Weigh Tronix in the amount of \$28,307.25 be accepted.

Motion carried.

Temporary Borrowing Resolution Re: Barrington/Barrington Passage Sewer Upgrade

Resolution C030822

**Moved** by D. Hunt and seconded by L. Halliday and carried:

**WHEREAS** Section 66 of the Municipal Government Act provides that the Municipality of the District of Barrington, subject to the approval of the Minister of Service Nova Scotia and Municipal Relations, may borrow to expend funds for a capital purpose authorized by statute;

**AND WHEREAS** clause 65 (ak) of the Municipal Government Act authorizes the Municipality of the District of Barrington to expend funds for the capital purpose of wastewater facilities and stormwater systems;

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**BE IT THEREFORE RESOLVED**

**THAT** under the authority of Section 66 of the Municipal Government Act, the Municipality borrow a sum or sums not exceeding Five Hundred Thousand Dollars (\$500,000) in total for the purpose set out above, subject to the approval of the Minister of Service Nova Scotia and Municipal Relations;

**THAT** the sum be borrowed by the issue and sale of debentures of the Municipality to such an amount as the Council deems necessary;

**THAT** the issue of debentures be postponed pursuant to Section 92 of the Municipal Government Act and that the Municipality borrow from time to time a sum or sums not exceeding Five Hundred Thousand Dollars (\$500,000) in total from any chartered bank or trust company doing business in Nova Scotia;

**THAT** the sum be borrowed for a period not exceeding Twelve (12) Months from the date of the approval of the Minister of Service Nova Scotia and Municipal Relations of this resolution;

**THAT** the interest payable on the borrowing be paid at a rate to be agreed upon; and

**THAT** the amount borrowed be repaid from the proceeds of the debentures when sold.

PROPOSED AMENDMENTS TO POLICY NO. 8

Notice was given at the last meeting of Council for consideration of amendments to Policy No. 8 “Annual Remuneration and Expenses for Councillors, Staff and Others”. It is recommended that the first paragraph in Section 6 be deleted and replaced with the following:

“The annual remuneration to be paid to non-council members of the public who are appointed to Municipal committees shall be \$250.00. Payment will be made quarterly. In order to qualify for payment at least one (1) meeting must be held during the payment period.”

Resolution C030823

**Moved** by W. Smith and seconded by L. Halliday that Policy No. 8 “Annual Remuneration and Expenses for Councillors, Staff and Others” be amended as indicated above.

Motion carried.

LONG TERM NURSING CARE FACILITY COMMITTEE

Mr. Shaun Hatfield, Chairman of the Long Term Nursing Care Facility Committee, appeared before the meeting. He informed members that the committee, at their last meeting held October 10, 2002, passed a motion requesting Bay Side Home Corporation to pursue an extension of Bay Side Home for the provision of long term nursing care and to change its Articles of Incorporation to include public members from the community so that the Board of Directors is no longer exclusively Municipal Councillors. Mr. Hatfield requested to know what action has been taken to date to address these issues.

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Mr. Hatfield was informed that both matters were currently being dealt with by the Board of Directors and the Administrator of Bay Side Home.

Mr. Hatfield was thanked for appearing before Council and expressing his concerns.

ADJOURNMENT

**Moved** by D. Hunt that the meeting adjourn.

The meeting was adjourned at 9:15 p.m.

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Warden

Clerk

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Secretary for the Meeting

**Copied for Councillors on August 14, 2003 by Sharon Brannen.**

