

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, August 11, 2004.

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

#### ADDITIONS TO THE AGENDA

The Warden informed members that it is necessary to add the following items to the agenda:

- Illegal dump sites
- Wind turbine generators
- Community Litter Clean-up

#### ROLL CALL

The Clerk reported that all Councillors representing all districts of the Municipality were present, with the exception of Councillor Fred Bower. Councillor Bower is absent due to work commitments.

- Warden Sterling Belliveau
- Deputy Warden Eddie Nickerson
- Councillor Angus Atkinson
- Councillor Louise Halliday
- Councillor Dwayne Hunt
- Councillor Wayne Smith
  
- Brian Holland, Municipal Clerk
- Lesa Rossetti, Deputy Clerk

#### APPROVAL OF MINUTES

**Moved** by D. Hunt and seconded by W. Smith that the minutes of the last meeting held July 26, 2004, be approved as circulated.

Motion carried unanimously.

#### ILLEGAL DUMP SITES

##### Scott McIntosh Property

The Clerk informed members that property assessed to Scott McIntosh, located at Forbes Point, is in a dangerous and unsightly condition. The house on the property burned down some time ago and all debris is still remaining. There is also an abandoned travel trailer located on the property which is being frequented by youths in the area.

It is the recommendation of the Municipal Clerk that Mr. McIntosh be given thirty (30) days in which to clean up the property.

Resolution C040801

**Moved** by D. Hunt and seconded by W. Smith that Council issue an Order for Scott McIntosh to address the dangerous and unsightly condition of his property within thirty (30) days.

Motion carried unanimously.

George McKay Property

The Clerk informed members that illegal dumping has been taking place on the property of George McKay, which is located on the eastern end of Swain's Road. Mr. McKay has been contacted and he has indicated that he is not going to clean up the property.

It is the recommendation of the Municipal Clerk that Mr. McKay be given thirty (30) days in which to address the dangerous and unsightly condition of his property.

The Warden informed members that he has been contacted by the Office of the Ombudsman and the Warden suggests that Mr. McKay be given a two (2) week extension before this matter is dealt with by Council.

Resolution C040802

**Moved** by W. Smith and seconded by L. Halliday that consideration of the dangerous and unsightly condition of George McKay's property be deferred until the next meeting of Council.

Motion carried unanimously.

WIND TURBINE GENERATORS

Resolution C040803

**Moved** by E. Nickerson and seconded by W. Smith that representatives from Nova Scotia Power be invited to attend the next meeting of Council to provide further details on their plan regarding wind turbine generators.

Motion carried unanimously.

C.S.I. SEWER

Councillor Smith requested that his motion made at the Finance and Administration Committee Meeting on July 19, 2004, be brought forward tonight for consideration by Council.

**Moved** by W. Smith and seconded by D. Hunt that a cost analysis be done by municipal staff for constructing a public sewer on Cape Sable Island, from Kenney Road in Stoney Island to the Causeway at North East Point, on the eastern side of Cape Sable Island and that the construction of a sewer in this area be considered as Phase I of the C.S.I. Sewer Project.

During discussion of this matter it was noted that this motion had been deferred by the Finance Committee until it could be considered by the C.S.I. Sewer Committee. The C.S.I. Sewer Committee met on August 4, 2004, but their report has not yet been received by Council. The

Warden tabled the above motion until after the committee reports, which are scheduled for later in the meeting.

Page 3, Regular Meeting of Barrington Municipal Council, August 11, 2004

## CORRESPONDENCE

### Department of Justice

The Clerk informed members that the Department of Justice has provided a copy of the Legislative Draft of the Nova Scotia Police Act for perusal and input by Council. The report is fairly lengthy, therefore the Clerk informed members that it would not be copied for all members. Anyone wishing to view the document, may view the office copy. The Department of Justice is looking for comments on or before September 3, 2004.

### Resolution C040804

**Moved** by W. Smith and seconded by D. Hunt that the proposed Nova Scotia Police Act legislation be referred to the Finance and Administration Committee for consideration.

Motion carried unanimously.

### Community Litter Clean-up

The Clerk informed members that correspondence has been received from the Minister of Natural Resources regarding the Community Litter Clean-up Program and illegal dump sites. The letter advised that the department shares our views and will continue to partner with municipalities in this matter as resources allow. Natural Resources staff in Shelburne County has spent approximately four (4) weeks per year cleaning up sites. Two (2) years ago, a \$5,000.00 contract was awarded to clean sites that could be addressed by staff. The department is prepared to contract dump clean-up again this year and has committed another \$5,000.00 to the program.

## REPORT OF WARDEN

### Physicians

The Warden informed members that on August 5, 2004, representatives from the Municipality of Barrington and MLA Cecil O'Donnell, met with representatives of the College of Physicians and Surgeons to discuss the shortage of doctors in our area.

Dr. Hunter Blair's privileges to sponsor doctors in our area have been revoked and representatives requested the College to reconsider this decision. No decision was made by the College to reinstate Dr. Blair's privileges, but members were advised that the graduate does not necessarily have to be located in the same facility as the sponsor. Consideration could be given to Dr. Mikhail or Dr. Yee to sponsor an international medical graduate.

### Resolution C040805

**Moved** by L. Halliday and seconded by W. Smith that contact be made with Dr. Mikhail and Dr. Yee to determine if they would be interested in sponsoring an international medical graduate.

Motion carried unanimously.

Halloween Curfew

The Warden also informed members that on August 4, 2004, he and the Clerk, as well as local representatives of the R.C.M.P., met with members of the Wood's Harbour Volunteer Fire Department to discuss a Halloween curfew. After discussing this matter, it was felt that a curfew would not necessarily address all concerns raised by the fire department. It was felt that it would be more beneficial to provide education to youths between the ages of 12 to 18 to discourage acts of vandalism on Halloween night. The Warden informed members that plans are underway for the Wood's Harbour Volunteer Fire Department and the Island and Barrington Passage Volunteer Fire Department to work together during Fire Prevention Week to provide education to students.

It was further agreed that the municipality would put out a newsletter prior to Halloween encouraging residents to remove all flammable materials from their property on Halloween night.

Seniors Garden Party

The Warden informed members that he attended the Seniors Garden Party held in Clark's Harbour on August 10, 2004. Sixty (60) to seventy (70) people were in attendance.

COMMITTEE REPORTS

Finance and Administration Committee

FRL Holdings Request

It was reported that FRL Holdings has requested the Municipality to sell property that is located at the "slough", just off Highway #103 in Barrington. This property has been used by FRL Holdings in the past for the deposit of blood water waste from their production facility.

**Moved** by W. Smith and seconded by D. Hunt that the Municipal Solicitor draft a proposed Agreement of Sale and that the property in question be advertised for sale according to the Municipal Purchasing Policy.

The Clerk informed members that Dickie Malone, owner of FRL Holding Ltd., has requested that he be given the same courtesy that was given to Arthur Smith when purchasing the neighboring property at the slough.

The motion was then put to a vote.

AFFIRMATIVE

Sterling Belliveau  
Dwayne Hunt  
Wayne Smith

NEGATIVE

Angus Atkinson  
Eddie Nickerson  
Louise Halliday

Motion defeated.

**Moved** by L. Halliday and seconded by W. Smith that FRL Holdings Ltd. be given the same consideration as Arthur Smith and that he be allowed to make us an offer on the property located at the slough.

**AFFIRMATIVE**

Sterling Belliveau  
Louise Halliday

**NEGATIVE**

Angus Atkinson  
Dwayne Hunt  
Eddie Nickerson  
Wayne Smith

Motion defeated.

During discussion of this matter, it was noted that the property sold to Arthur Smith is to be used for recreational purposes and if the use should stop, Mr. Smith is required to sell the property back to the Municipality for \$1.00.

**Resolution C040806**

**Moved** by E. Nickerson and seconded by A. Atkinson that the Municipality inform FRL Holdings Ltd. that they are not interested in selling the property located at the “slough” at this time.

**AFFIRMATIVE**

Sterling Belliveau  
Louise Halliday  
Eddie Nickerson  
Wayne Smith

**NEGATIVE**

Angus Atkinson  
Dwayne Hunt

Motion carried.

**Hours of Work - Sewer Services**

**Resolution C040807**

**Moved** by W. Smith and seconded by D. Hunt that the job descriptions for the Sewage Treatment Plant Operator and the Assistant Sewage Treatment Plant Operator be revised to change their working hours to 8:00 a.m. to 4:30 p.m., with ½ hour for a lunch break.

Motion carried unanimously.

**Waste Separation**

**Resolution C040808**

**Moved** by W. Smith and seconded by D. Hunt that staff draft amendments to the Summary Offense Ticket Policy to include ticketing of residents for lack of separation of solid waste as required by Municipal By-law No. 8 and that these amendments be returned to the Finance and Administration Committee for consideration.

Motion carried unanimously.

Louise Purdy Request

Resolution C040809

**Moved** by W. Smith and seconded by D. Hunt that staff consult with the Municipal Solicitor regarding the enforcement of the restrictive covenant on property sold to residents of Brass Hill.

Motion carried unanimously.

Payment of Expenses

Resolution C040810

**Moved** by W. Smith and seconded by D. Hunt that the expenses incurred by the representatives of the Municipality attending the Waste Check Meeting on Thursday, July 29, 2004, be approved for payment.

Motion carried unanimously.

Resolution C040811

**Moved** by E. Nickerson and seconded by L. Halliday that the expenses incurred by the Warden to attend a 60<sup>th</sup> wedding anniversary in Yarmouth, be approved.

**AFFIRMATIVE**

Angus Atkinson  
Sterling Belliveau  
Louise Halliday  
Eddie Nickerson  
Wayne Smith

**NEGATIVE**

Dwayne Hunt

Motion carried.

Public Works and Property Committee

Recreation Centre Renovations

Resolution C040812

**Moved** by W. Smith and seconded by D. Hunt that the Municipal Clerk be authorized to spend up to \$10,000.00 from municipal reserve funds, to complete the recreation centre renovations scheduled for this year.

Motion carried unanimously.

Sale of Municipal Property

Resolution C040813

**Moved** by W. Smith and seconded by D. Hunt that the Municipality advertise for the sale of

municipal property identified as Assessment Account #03394956 in West Baccaro, for which the Municipality has no discernable use. Property will be advertised for sale in the local newspaper.

Page 7, Regular Meeting of Barrington Municipal Council, August 11, 2004

**AFFIRMATIVE**

Sterling Belliveau  
Louise Halliday  
Dwayne Hunt  
Eddie Nickerson  
Wayne Smith

**NEGATIVE**

Angus Atkinson

Motion carried.

Recreation and Facilities Management Committee

Councillor Halliday questioned the authority of the Arena Manager to rent tables and chairs.

The Clerk informed members that authority is given in the Arena Policies.

Resolution C040814

**Moved** by E. Nickerson and seconded by L. Halliday that the Arena Manager's authority to rent tables and chairs from the Arena be referred to the next Finance and Administration Committee Meeting for consideration.

Motion carried unanimously.

Waterfront Development Committee

Deputy Warden Nickerson informed members that remaining lights have been received and will be installed in the near future.

Waste Check

Deputy Warden Nickerson gave a brief report on the Waste Check Meeting held on July 29, 2004.

C.S.I. Sewer Committee

Deputy Warden Nickerson informed members that a meeting of the C.S.I. Sewer Committee was held on August 4, 2004 to consider a motion from the Finance and Administration Committee which reads as follows:

*"... that it be recommended to Council that a cost analysis be done by municipal staff for constructing a public sewer on Cape Sable Island, from Kenney Road in Stoney Island to the Causeway at North East Point, on the eastern side of Cape Sable Island and that the construction of the sewer in this area be considered as Phase I of the C.S.I. Sewer Project."*

At that meeting the following motion was also made:

*"... that it be recommended to the Finance and Administration Committee that sewer sheds 7, 8, 10 and 11, be constructed as Phase I to start the sewer project on Cape Sable Island."*

This motion received no seconder, therefore the motion was lost.

Page 8, Regular Meeting of Barrington Municipal Council, August 11, 2004

A motion was also made:

*“... that it be recommended to the Finance and Administration Committee that the previous motion as referred to the C.S.I. Sewer Committee be forwarded to Council for their consideration.”*

This motion as well received no seconder, therefore the motion was lost.

Various combinations for a public sewer on Cape Sable Island were discussed. No decision was reached on any recommendation regarding the motion deferred to the Committee, therefore no recommendations will be forwarded.

Question was raised as to whether Councillor Smith could make the same motion that was referred to the C.S.I. Sewer Committee for consideration. The Warden allowed the motion since no recommendation was made on the motion by the C.S.I. Sewer Committee.

The Warden turned his chair over to the Deputy Warden.

The Warden suggested that Council table the motion as indicated below and engage the services of an independent engineer to identify Phase I of the C.S.I. Sewer Project to speed up this process since no decision can be made by committee members.

The Warden resumed the chair.

**Moved** by W. Smith and seconded by D. Hunt that a cost analysis be done by municipal staff for constructing a public sewer on Cape Sable Island, from Kenney Road in Stoney Island to the Causeway at North East Point, on the eastern side of Cape Sable Island and that the construction of a sewer in this area be considered as Phase I of the C.S.I. Sewer Project.

Resolution C040815

**Moved** by A. Atkinson and seconded by E. Nickerson that the above motion be tabled and that a meeting be arranged with the Federal Minister of Fisheries, the Honorable Geoff Reagan, to discuss the C.S.I. Sewer Project.

**AFFIRMATIVE**

Sterling Belliveau  
Angus Atkinson  
Louise Halliday  
Eddie Nickerson  
Wayne Smith

**NEGATIVE**

Dwayne Hunt

Motion carried.

Resolution C040816

**Moved** by A. Atkinson and seconded by W. Smith that the Clerk contact the Honorable Geoff Reagan to set up a meeting for him to meet with members of the C.S.I. Sewer Committee.

Motion carried unanimously.

Page 9, Regular Meeting of Barrington Municipal Council, August 11, 2004

## TENDERS

### Gazebo - Drinking Brook Park

The Clerk informed members that tender information was sent out to eight (8) contractors and one (1) tender was received. The tender was opened by the Warden. The tender was from Max Nickerson Carpentry in the amount of \$17,250.00 including HST. The Clerk informed members that this amount was well beyond the amount budgeted for the project.

### Resolution C040817

**Moved** by D. Hunt and seconded by W. Smith that the tender received from Max Nickerson Carpentry be rejected since the cost is far beyond the budgeted amount.

Motion carried unanimously.

It was agreed that this matter be referred to the Finance and Administration Committee for further consideration.

### Recreation Centre Renovations

The Clerk informed members that tenders were called for renovations at the Recreation Centre. Six (6) tenders were received. The tenders were opened by the Warden and reported as follows:

- Causeway Construction Ltd.	\$10,764.00 including HST
- Homeboys Construction Ltd.	\$15,014.40 including HST
- Max Nickerson Carpentry	\$11,500.00 including HST
- Clyde Riverside Carpentry Ltd.	\$ 9,631.25 including HST
- Barrington Bay Carpentry Const.	\$10,346.55 including HST
- W. Mader Carpentry	\$ 7,866.00 including HST

### Resolution C040818

**Moved** by D. Hunt and seconded by W. Smith that municipal staff review the tenders received to determine whether they meet all specifications of the tender and award the contract to the lowest tenderer who meets all requirements.

Motion carried unanimously.

The Clerk informed members that a work contract would be put in place, which would include a penalty for work extending beyond the time period specified in the tender.

### Cox/Penney Road Paving

The Clerk informed members that tenders were called for the paving of Cox/Penney Road. Three (3) tenders were received. Tenders were opened by the Warden and reported as follows:

- Town & Country Property Improvements Ltd.      \$43,600.00 plus HST
- Aberdeen Paving Ltd.      \$40,300.00 plus HST
- Nova Paving Ltd.      \$42,800.00 plus HST

As provided for in a previous motion of Council, this information will be presented to the residents of Cox/Penney Road and a report will be made back to Council.

Page 10, Regular Meeting of Barrington Municipal Council, August 11, 2004

ADJOURNMENT

**Moved** by L. Halliday that the meeting adjourn.

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

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Warden

Clerk

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Secretary for the Meeting

**Copied for Councillors on August 16, 2004 by Sharon Brannen.**