

Minutes of the Regular Meeting of Barrington Municipal Council held in the Council Chambers in the Administrative Centre, in Barrington, N.S., on Monday, February 14, 2005. The meeting was called to order by the Warden at 7:00 p.m.

ROLL CALL

The Clerk reported that all councillors representing all districts of the Municipality were present with the exception of Councillor Donna LeBlanc-Messenger. Councillor Messenger has been away on vacation and plans to join the meeting later in the evening.

- Warden Sterling Belliveau
- Deputy Warden Fred Bower
- Councillor Louise Halliday
- Councillor Donna LeBlanc-Messenger (8:57 p.m.)
- Councillor Eddie Nickerson
- Councillor Larry Stewart
- Councillor Sean Strang

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

ADDITIONS TO THE AGENDA

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

- C.S.I. Important Bird Area
- Archelaus Smith Museum Request
- Fire Department Requests
- Closed Session of Council Re: Personnel Matter

APPROVAL OF MINUTES

Moved by S. Strang and seconded by L. Stewart that the minutes of the Regular Council Meeting held January 26, 2005, Emergency Meeting of Council held February 7, 2005 and Special Meeting of Council held February 8, 2005, be approved as circulated.

Motion carried unanimously.

MATTERS ARISING FROM THE MINUTES

North Sea Delegation

The Clerk informed members that at the January 26, 2005 Council meeting the following motion was referred to the Committee of the Whole for further discussion.

This motion was discussed by the Committee of the Whole at their meeting held January 31, 2005. No recommendations are forthcoming from the committee and therefore the motion was brought forward for further discussion.

The motion reads as follows:

Moved by S. Belliveau and seconded by E. Nickerson that the Municipality of Barrington request the Nova Scotia Department of Economic Development and the Nova Scotia Department of Energy to invite a North Sea Delegation with representatives of their respective fishing groups such as the Scottish Fishing Federation to visit Nova Scotia and with the assistance of the UNSM and the Municipality host an information session on the oil and gas industry in the near future.”

AFFIRMATIVE

Sterling Belliveau
Eddie Nickerson
Larry Stewart

NEGATIVE

Fred Bower
Louise Halliday
Sean Strang

Motion defeated.

In Camera Discussions

The Minister of Justice has forwarded a copy of a letter addressed to the Municipality of Annapolis County, from the Minister of Service Nova Scotia and Municipal Relations, regarding the pending action by the Nova Scotia Human Rights Commission to challenge privileged status of “in camera” discussions of Municipal Council. The letter advised that the Department of Service Nova Scotia and Municipal Relations will not be participating in the pending action. It is not their practice to get involved in court actions involving municipalities unless there is a strong provincial interest. With respect to how the Human Rights Act may interact with the Municipal Government Act the Minister is suggesting that the municipal units’ solicitor contact the province’s lawyer in human rights matters.

Tabled Motion Re: C.S.I. Sewer

It was agreed that this matter would be deferred until later in the meeting.

CORRESPONDENCE

Highway 103

The Clerk informed members that a copy of a letter has been received from the Town of Yarmouth which was forwarded to the Honourable Ronald Russell, Minister of Transportation and Public Works. In this letter, the Town of Yarmouth requested that serious consideration be given to Highway 103 and that it be considered a priority, especially the completion of the Barrington By-Pass.

Continuing Care Steering Committee Membership

It was reported that a letter has been received from the Shelburne County Community Health Board advising that their member Rose Rennehan is interested in serving on the Continuing Care Steering Committee.

Resolution C050205

Moved by L. Halliday and seconded by E. Nickerson that a letter be forwarded to the Shelburne County Community Health Board advising of the makeup of the committee and that it is not possible to appoint additional members to the committee at this time.

Motion carried unanimously.

Flag of Canada Day

The Clerk informed members that tomorrow, February 15, 2005, is Flag of Canada Day.

Girl Guides

An invitation has been received inviting councillors to participate in a camp fire which will be held in honour of 95 years of Girl Guides in Canada. The function will be held at the Yarmouth Junior High School on February 19, 2005.

Coastal Lands - DNR

It was reported that a letter has been received from Mr. Peter MacDonald of the Nova Scotia Department of Natural Resources. Officials of the Department have had an opportunity to look at the proposed by-law changes regarding the coastal zone, and the proposed changes have raised some concerns regarding potential impacts on wildlife habitat and other coastal values in the Municipality. DNR staff would like to have an opportunity to make a presentation to Council outlining their concerns.

Resolution C050206

Moved by L. Stewart and seconded by E. Nickerson that officials of the Department of Natural Resources be invited to come to either the next meeting of the Committee of the Whole or the next Council meeting.

Motion carried unanimously.

2005 CAP Assessment Roll

The Clerk informed members that anyone having an assessment increase of over 10% had the right to request a CAP. The market value assessment on properties qualifying for the CAP totaled \$1,655,200.00. The CAP value assessment of these properties is \$1,396,900.00., a difference of \$258,300.00, resulting in a loss of revenue to the Municipality of \$2,790.00.

Nova Scotia Immigration Strategy

The Clerk informed members that a booklet on Nova Scotia's Immigration Strategy has been received. Anyone interested in reviewing the document may do so by contacting the office.

Shelburne County RDA

It was reported that a letter has been received from the Shelburne County Community Health Board recommending that the five (5) municipal units in Shelburne County acquire our own regional development capabilities for Shelburne County.

The Warden turned his chair over to the Deputy Warden so that he could address the matter. He stated that he was very happy with the status quo and commented that the South West Shore Development Authority was the best in Nova Scotia.

After addressing the matter, the Warden resumed his chair.

Resolution C050207

Moved by E. Nickerson and seconded by L. Halliday that the Shelburne County Community Health Board be advised that the Municipality has a good working relationship with the South West Shore Development Authority and their Development Officers, and therefore is not interested in participating in a county RDA at the present time.

AFFIRMATIVE

Sterling Belliveau
Louise Halliday
Eddie Nickerson
Larry Stewart
Sean Strang

NEGATIVE

Fred Bower

Motion carried.

C.S.I. Important Bird Area

It was reported that a letter has been received from Cape Sable Island Important Bird Area requesting Council for a letter of support to enclose with their funding applications to assist with the children's nature camps and site enhancement at The Hawk.

Resolution C050208

Moved by E. Nickerson and seconded by L. Halliday that a letter of support be forwarded to the Cape Sable Island Important Bird Area supporting their application for funding.

Motion carried unanimously.

Archelaus Smith Historical Society Request

The Clerk informed members that the Archelaus Smith Historical Society is requesting permission to replace the upstairs windows in the museum. It is necessary that permission be received from the Municipal Council since the Archelaus Smith Museum is a municipally registered heritage building.

Resolution C050209

Moved by L. Halliday and seconded by L. Stewart that the Archelaus Smith Historical Society be given permission to replace the upstairs windows in the museum.

Motion carried unanimously.

Fire Department Requests

Extrication Learning Symposium & Competition

The Clerk informed members that a letter has been received from the Vehicle Extrication Committee advising that the Island & Barrington Passage Volunteer Fire Department, and the Wood's Harbour Volunteer Fire Department, will be co-hosting the Atlantic Canada Extrication Learning Symposium & Competition. This event will take place on June 10th, 11th and 12th, 2005 at the Barrington Arena Complex. The committee is requesting financial support from the Municipality for this project.

Resolution C050210

Moved by E. Nickerson and seconded by S. Strang that Shannon Newell, Vehicle Extrication Committee, be advised that the Municipality will be donating a sum towards the project and they will be notified of the amount at a later date.

Motion carried unanimously.

It was agreed that this matter be placed on the agenda for the upcoming Committee of the Whole meeting.

Wood's Harbour Volunteer Fire Department Requests

The Clerk informed members that a letter has been received from the Wood's Harbour Volunteer Fire Department requesting that application be made to the Infrastructure Works Project 2005 for the following projects:

- Repairs to the floor and wall in the Wood's Harbour Volunteer Fire Department. Estimated cost \$17,250.00, including H.S.T.
- Installation of dry hydrant. Estimated cost \$6,438.00, including H.S.T.
- Repairs to the paving around the ambulance bay. Estimated cost \$10,120.00, including H.S.T.

Moved by S. Strang and seconded by L. Stewart that the Municipality make application for funding under the Infrastructure Works Program for 2005 for the projects identified by the Wood's Harbour Volunteer Fire Department and that the Fire Department be responsible for the 1/3 municipal contribution.

Resolution C050211

Moved by E. Nickerson and seconded L. Halliday that the above motion be tabled until funding has been announced for the new Infrastructure Works Program for 2005.

Motion carried unanimously.

REPORT OF WARDEN

Team Shelburne County

The Warden informed members that correspondence has been received from Paulette Scott, Co-Chair advising that members of Team Shelburne County will be meeting with the appropriate ministers on February 24, 2005 to discuss the future use of the Youth Centre.

The Warden further informed members that a press release will be announced soon regarding the consultant's report.

REPORT OF CLERK

The Clerk gave a brief report on activities for the month of December 2004.

COMMITTEE REPORTS

S.S.T. Committee

Councillor Halliday gave a brief report on a recent meeting of the S.S.T. Committee. Minutes of the meeting will be circulated to all members.

Community Health Care Advisory Committee

Councillor Halliday gave a brief report on the last meeting of the Community Health Care Advisory Committee.

Resolution C050212

Moved by L. Halliday and seconded by S. Strang that graduating medical students from Dalhousie University be written a letter of congratulations and provided with information on the family practice opportunities existing in Barrington Passage.

Motion carried unanimously.

Councillor Halliday informed members that the next meeting of the committee will be held on February 22, 2005.

Committee of the Whole

Review of Strategic Plan

Resolution C050213

Moved by F. Bower and seconded by S. Strang that the Municipality discuss the future use of the Old Court House building with the executive of Cape Sable Historical Society.

Motion carried unanimously.

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R.C.M.P.

Resolution C050214

Moved by F. Bower and seconded by S. Strang that the Municipality write a letter to the Department of Justice requesting to know why it is taking so long to replace the officer in the local detachment who is now off on leave. This matter has been brought to the attention of councillors by local constituents who are not satisfied with paying for police services which they feel they are not receiving.

Motion carried unanimously.

Strategic Plan

Resolution C050215

Moved by F. Bower and seconded by S. Strang that the Municipality present the Municipal Strategic or Business Plan to the Barrington & Area Chamber of Commerce at one of their regular monthly meetings.

Motion carried unanimously.

Performance Measurement System

Resolution C050216

Moved by F. Bower and seconded by S. Strang that Municipal Staff devise a Performance Measurement Program for the Municipality to be reviewed by Council.

Motion carried unanimously.

S.W.S.D.A. Planning Session

Resolution C050217

Moved by F. Bower and seconded by L. Stewart that the South West Shore Development Authority be requested to conduct their annual planning session in the fall of 2005, in the Municipality of Barrington prior to November 15, 2005.

Motion carried unanimously.

C.S.I. Wildlife Management Area

Resolution C050218

Moved by F. Bower and seconded by E. Nickerson that representatives from the Department of Natural Resources be requested to attend a Committee of the Whole meeting in order to discuss that establishment of a Wildlife Management Area on Cape Sable Island.

Motion carried unanimously.

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Nova Scotia Recreation Seminar

Resolution C050219

Moved by F. Bower and seconded by L. Halliday that Municipal councillors who wish to attend the Nova Scotia Sport and Recreation Municipal Seminar on April 15th & 16th, 2005, in Halifax, be authorized to attend and have their expenses reimbursed by the Municipality.

AFFIRMATIVE

Sterling Belliveau
Fred Bower
Louise Halliday
Larry Stewart
Sean Strang

NEGATIVE

Eddie Nickerson

Motion carried.

Legal Services

Resolution C050220

Moved by F. Bower and seconded by L. Halliday that the Municipal Purchasing Policy be waived and that the proposal received from the current Municipal Solicitor be accepted as this action is in the best interest of the Municipality.

AFFIRMATIVE

Sterling Belliveau
Louise Halliday
Eddie Nickerson
Sean Strang

NEGATIVE

Fred Bower
Larry Stewart

Motion carried.

Down to Basics Furniture and Bedding Inc.

Resolution C050221

Moved by F. Bower and seconded by L. Halliday that the balance of the business occupancy taxes in the name of Down to Basics Furniture and Bedding Inc. be written off as they are deemed to be uncollectible.

AFFIRMATIVE

Sterling Belliveau
Fred Bower
Louise Halliday
Eddie Nickerson
Larry Stewart

NEGATIVE

Sean Strang

Motion carried.

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Resolution C050222

Moved by F. Bower and seconded by S. Strang that the Municipal Staff determine if a licenced fee system can be put in place in the Municipality which would ensure the payment of business occupancy taxes.

AFFIRMATIVE

Fred Bower
Louise Halliday
Eddie Nickerson
Larry Stewart
Sean Strang

NEGATIVE

Sterling Belliveau

Motion carried.

Department of Natural Resources Properties

Resolution C050223

Moved by F. Bower and seconded by S. Strang that the remaining balances of property taxes on the owners unknown properties claimed by the Department of Natural Resources be written off as these are uncollectible by the Municipality.

AFFIRMATIVE

Sterling Belliveau
Louise Halliday
Eddie Nickerson
Larry Stewart

NEGATIVE

Fred Bower
Sean Strang

Motion carried unanimously.

During discussion of this matter, question was raised as to how the Municipality can stop the claim being made by the Department of Natural Resources to all owners unknown properties located within the Municipality of Barrington.

Resolution C050224

Moved by F. Bower and seconded by S. Strang that the Municipal Clerk contact the Municipal Solicitor to determine the steps that are necessary to vest "owners unknown" properties in the name of the Municipality of Barrington. Particular properties in question are located in District 4 and the Cape Sable Island areas.

Motion carried unanimously.

Councillor Donna LeBlanc-Messenger joined the meeting at 8:57 p.m.

Chamber of Commerce Request

Resolution C050225

Moved by F. Bower and seconded by L. Halliday that a sign be erected at the Visitor Information Centre that the Chamber of Commerce office is located there.

Motion carried unanimously.

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ACCESS-ability Program

Resolution C050226

Moved by F. Bower and seconded by S. Strang that the Municipality proceed with the ACCESS-ability Project for the Community Health Centre in conjunction with Service Nova Scotia.

Motion carried unanimously.

C.S.I. Sewer

Councillor Eddie Nickerson informed members that he made a presentation to the Town of Clark's Harbour regarding a proposal to provide public sewer services to Lower Clark's Harbour and the South Side area by connecting to the Town of Clark's Harbour Treatment Plant facility. No word has yet been received on the decision of the Town.

CONSIDERATION OF AMENDMENTS TO POLICY NO. 41

In advance to the meeting, each member of Council was provided with proposed amendments to Policy #41 "Low Income Property Tax Exemption Policy". Proposed amendments increase the limits by \$500.00 allowing for an exemption to applicants whose total household income was below \$16,000.00 for 2004 taxation year. Proposed amendments also allow applicants to live elsewhere, provided their principal place of residence is vacant. Notice of consideration of these amendments was given at the January 26th meeting of Council.

Resolution C050227

Moved by L. Halliday and seconded by S. Strang that the proposed amendments be approved as circulated.

Motion carried unanimously.

TENDERS RE: OLYMPIA SIGNS

It was reported that an advertisement was placed in the Coast Guard Newspaper inviting tenders, for a three (3) year contract, for advertising on the Olympia machine at the Arena.

Two tenders were received which were as follows:

1. Nova Scotia Community College, \$300.00 per year, for advertising on the back of the Olympia machine.

2. Belliveau Veinotte, \$525.00, plus H.S.T., per year, for advertising space on one side of the Olympia machine.

Resolution C050228

Moved by E. Nickerson and seconded by L. Halliday that the tender received from the Nova Scotia Community College and the tender received from Belliveau Veinotte for advertising space on the Olympia machine be accepted.

Motion carried unanimously.

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WASTE DISPOSAL CONTRACTS

The Clerk informed members that the waste disposal contracts with the Region of Queens have now been reviewed by the Municipal Solicitor. The main concern of the Municipal Solicitor is the “no right to terminate clause” contained in the contracts.

Warden Sterling Belliveau turned his chair over to the Deputy Warden so that he could address the matter.

The chair was then resumed by the Warden.

Resolution C050229

Moved by F. Bower and seconded by L. Halliday that the Warden and Clerk be authorized to enter into contracts on behalf of the Municipality of Barrington with the Region of Queens for the disposal of residual, recyclable, and organic waste.

AFFIRMATIVE

Sterling Belliveau

Fred Bower

Louise Halliday

Donna LeBlanc-Messenger

Larry Stewart

Sean Strang

NEGATIVE

Eddie Nickerson

Motion carried.

CROSS BORDER POLICING ACT

The Clerk informed members that the Department of Justice Policing and Victims Services has provided a copy of their preliminary draft of the Cross Border Policing Act. They are requesting comments on or before March 1, 2005.

Councillor Louise Halliday requested a copy of the information.

CONTINUATION OF MATTERS ARISING FROM THE MINUTES

Tabled Motion Re: C.S.I. Sewer

At the January 26, 2005 Council meeting the following motion was made:

Moved by L. Stewart and seconded by S. Strang that the consulting firm of ABL Environmental Ltd. be requested to provide an analysis of the cost of connecting approximately 75 sewer units in the North East Point area to the Barrington Sewer System.

This motion was tabled until a response has been received from the Department of Education regarding the on site septic system proposed for the new school being constructed in Oak Park.

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Contact has been made with the Department of Education and they have indicated a willingness to contribute funds to the Oak Park Sewer Project in the amount of \$135,000.00, the savings they will experience in the construction of the new school by not having to install an on site septic system.

The Department of Education has provided an estimate of \$451,000.00.

It is the recommendation of the Municipal Clerk that if Council wishes to proceed with this project, that an engineer be hired to provide a firmer estimate of the capital cost of constructing the sewer. This is necessary to determine a reliable estimate of the amount of additional financing that will be required.

It is further the recommendation of the Municipal Clerk that Service Nova Scotia be requested to provide a contribution towards the project of 50% of the additional funding required. Public meetings should also be conducted within the area to make residents aware of the proposed sewer project.

The Department of Education has requested a response not later than March 11, 2005.

Resolution C050230

Moved by L. Stewart and seconded by F. Bower that the motion previously tabled by Council be tabled once again until the matter concerning the proposed Oak Park Sewer Project is finalized.

Motion carried unanimously.

Moved by E. Nickerson and seconded by F. Bower that Horner Associates be engaged to carry out a study to determine the cost of the proposed Oak Park Sewer Project.

AFFIRMATIVE

Sterling Belliveau
Fred Bower
Eddie Nickerson

NEGATIVE

Louise Halliday
Donna LeBlanc-Messenger
Larry Stewart
Sean Strang

Motion defeated

Resolution C050231

Moved by D. Messenger and seconded by S. Strang that the Department of Education be

requested to provide a three week extension beyond the March 11, 2005 deadline.

Motion carried unanimously.

CLOSED SESSION OF COUNCIL

At this time a Closed Session of Council was held to deal with a personnel matter.

The Regular Session of Council was called back to order.

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Re: Property Services Supervisor

Resolution C050232

Moved by S. Strang and seconded by L. Halliday that the letter of resignation received from Derek Mesh, Property Services Supervisor, be accepted and that he be provided with two weeks severance pay, and that a letter of thanks be forwarded to him for his service, and advising that the Municipal Council was not trying to undermine his authority but trying to accommodate both sides as it relates to the hockey team suspensions.

Motion carried unanimously.

Resolution C050233

Moved by F. Bower and seconded by L. Stewart that the position of Property Services Supervisor be advertised internally.

AFFIRMATIVE

Sterling Belliveau
Fred Bower
Donna LeBlanc-Messenger
Larry Stewart

NEGATIVE

Louise Halliday
Eddie Nickerson
Sean Strang

Motion carried.

ADJOURNMENT

Moved by F. Bower that the meeting adjourn.

The meeting was adjourned at 10:55 p.m.

Warden

Clerk

Secretary for the Meeting

Copied for Councillors on February 16, 2005 by Sharon Brannen.

